

# **CONSTITUTION**

## **ARTICLE I**

### *Name*

This organization shall be named and known as the Milmay Volunteer Fire Company, of Milmay, New Jersey, 08340, founded April 13, 1943; Incorporated August 15, 1943 under the laws of the State of New Jersey. It will be referred to as the "Company" for the purpose of this text.

## **ARTICLE II**

### *Objective*

The objective of this organization shall be the preservation and protection of property from and during such fires as may occur in Fire District No. 4, Milmay, Buena Vista Township, County of Atlantic, State of New Jersey, and to render assistance to other districts upon request; to promote social feeling among the members.

## **ARTICLE III**

### *Membership*

There shall be four classes of membership in this organization; Honorary Life, Active, Auxiliary and Exempt.

### *Honorary Life*

Any citizen of good moral character who has rendered exceptional service to the fire company or community, may upon motion from a quorum of active membership, receive a resolution stating the exceptional service rendered and be elected by a 3/4 majority present to honorary life membership in the Milmay Volunteer Fire Company with all rights and privileges pertaining thereto.

### *Active*

Any citizen of good moral character, 18 years of age or older, who is able to comply with the medical requirements of the State Firemen's Association, may upon receiving 3/4 majority vote, of those members present, be elected to Conditional Active Membership. (Auxiliary)

Conditions and privileges of active membership in the Milmay Volunteer Fire Company shall be:

1. voting rights on all matters,
2. operation of equipment only under the supervision of a line officer or his designate,
3. enrollment in and/or satisfactory completion within two years from date of election of an approved course of fire science instruction,
4. have an attendance record at meetings and drills of at least 50% and
5. if after a period of one year, the above conditions have been met in good faith, the candidate upon recommendation of the Chief, shall be admitted to the active rolls with all rights, privileges, and conditions pertaining thereto.

If an Active Member moves out of the Fire District, he shall automatically cease to be an active member. The Fire District shall comprise the district regularly adopted by the Commissioners.

#### *Auxiliary*

Any conditional member shall be considered auxiliary until placed on the active rolls. Any active member who after a period of two years, without just cause, fails to attend at least one meeting, drill or fire, shall automatically cease to be an active member and be notified by the Secretary of auxiliary status.

#### *Exempt*

Exempt Members shall consist of such Active Members having served a performed sixty (60) percent active duty per year for seven years or more as the law requires. Exempt Members shall be exempt from all fires and drills, (except exempts who are carried on the rolls as active members); but are subject to call at any time for active duty by the Fire Chief or his Assistants.

### **ARTICLE IV**

#### *Officers*

The officers of this organization shall consist of a President, Vice President, Recording Secretary, (who shall also act as Financial Secretary), Treasurer, Chief of Department, Assistant Chief, Captain, 1st Lieutenant and 2nd Lieutenant to be elected every year to serve for a term of one year.

### **ARTICLE V**

#### *Duties*

**Sec. 1.** It shall be the duty of the President to preside at all meetings of the Company, sign all orders drawn upon the Treasurer. He shall appoint all committees, unless otherwise specified, and fill vacancies occurring in same. Shall have the power to cast the deciding vote upon all matters before the organization whenever a tie vote occurs. Shall have the power to call special meetings of the Company when occasion may arise and shall have power to call meetings of the Commissioners whenever he deems it necessary. He shall also be an ex-officio member of all committees. He shall also have power to dismiss committees as a whole or in part, through failure or inability to properly transact the business for which they are appointed.

**Sec. 2.** The Vice-President shall render to the President such assistance as may be required and in the absence of the President, shall preside at meetings and perform all other duties of the President.

**Sec. 3.** It shall be the duty of the Secretary to keep correct minutes of the meetings of the Company and all monies received. Shall notify all members of all special meetings. Shall call the roll of Active Members at each meeting and also have charge of the roll call on return of Company from all fires at the order of the Captain. In his absence, the roll shall be called by the Company Officer in charge.

**Sec. 4.** It shall be the duty of the Treasurer to receive all monies from the Secretary which funds he shall keep in safe custody. Out of any monies that shall be in his hands he shall pay all orders, regularly drawn and signed.

**Sec. 5.** The Chief is elected by the Active Members and it shall be the duty of the Chief to have charge of and be responsible for all fire equipment, to be present at all fires if possible and to plan and direct the methods and means of combating fire. He shall be in command and have full control of the Department while on duty and all other occasions. Orders given by him shall be implicitly obeyed. He shall make recommendation on Auxiliary members to placement on Active Rolls. The Chief shall appoint the Training Officer, Air Supply Officer, Chief Engineering Officer, Equipment Officer, Safety Officer or other such positions as deemed necessary for the efficient operation of the Company.

**Sec. 6.** It shall be the duty of the Assistant Chief to render aid to the Chief and in his absence to perform the duties of the Chief.

**Sec. 7.** It shall be the duty of the Captain to take charge of and be responsible for the Company and Pumper No.1, under the direction of his superior officers.

**Sec. 8.** It shall be the duty of the 1st Lieutenant to take charge of and be responsible for Pumper No.2, under the direction of his superior officers and in the absence of the Captain to take charge of the Company.

**Sec. 9.** It shall be the duty of the 2nd Lieutenant to aid the 1st Lieutenant and/or as directed by superior officers.

**Sec. 10.** Line Officers shall have additional fire science instruction beyond the basic requirements for active membership in order to be nominated for this position.

**Sec. 11.** The Commissioners shall follow the laws, guidelines and financial structure so outlined by the State of New Jersey in the forming and maintaining of Buena Vista Township Fire District No.4.

It shall be the duty of the Commissioners to take charge of the property of the Company and see that it is properly taken care of. They shall have power to transact all business which may come up from time to time between the dates of the regular meetings and for which it is not deemed necessary to call special meeting of the Company.

The Commissioners shall receive complaints, and consider all reasons why any applicant for membership should not be entitled to consideration before this Company, and shall have full power to decide whether such is of importance to be brought before the meeting, at which such applicant for membership is to be voted upon.

They shall receive and consider all charges against the attitude or conduct of any member of the Company, which shall have been considered detrimental to the general welfare of the Company and shall have full power to decide whether the same is of sufficient importance to be brought before the meeting and shall recommend punishment.

They shall receive and pass upon all excuses given. They shall meet at call and at each meeting a majority of the members shall constitute a quorum for the transaction of business and a majority of the entire Board shall rule.

## BY-LAWS

**Sec. 1.** The regular meeting of this Company shall be the second Wednesday of each month at 8:00 P.M. promptly.

**Sec. 2.** This Company shall have twelve drills every year at the call of the Chief.

**Sec. 3.** Six Active Members shall constitute a quorum for the transaction of business.

**Sec. 4.** The second Wednesday of February shall be the time of the Annual Meeting at which time, officers as prescribed by the Constitution and who have been regularly nominated at the preceding meeting and posted on the Bulletin Board shall be elected. The officers thus elected shall assume their respective offices upon being declared elected. An annual report of the Recording Secretary, the Treasurer, the Board of Commissioners and Committees shall be given at this meeting.

**Sec. 5.** The Recording Secretary shall notify all members of the call for a special meeting at least twenty-four hours before the time named for such meetings and shall designate specific purpose for such meeting, and no other business shall be transacted at this meeting.

**Sec. 6.** All applications for membership shall be in writing on blanks provided by the Secretary. The Secretary shall read the application at the regular monthly meeting and it shall be held over for consideration at the next regular monthly meeting. Upon presentation of a motion carried by a 3/4 majority of Active Members present the applicant shall be elected to Auxiliary Membership.

**Sec. 7.** Members coming in late after the roll call shall report themselves to the Secretary or be marked absent.

**Sec. 8.** Upon the alarm of fire or call to drill it shall be the duty of every active member to respond and remain under the control of the officers in charge until the services of the Company are no longer needed. They shall then assist in taking the apparatus to the Fire House and do any necessary work in reloading truck, etc., and remain until roll call, unless excused by the officer in charge. Any active member who fails to attend three successive meetings or drills and ignores the above rules, may be suspended from the Company.

**Sec. 9.** Any officer or member leaving the fire grounds or place of drill without being excused by the officer in charge shall be suspended until his case shall be brought before the Commissioners for official action.

**Sec. 10.** Any officer or member refusing or neglecting to obey any order of his superior, may be immediately suspended by that officer and then referred to the Commissioners on return to quarters, and may be expelled by action of the Commissioners at its next meeting.

**Sec. 11.** Company members shall follow all issued SOP's (Standard Operating Procedures) which are listed separately from this Constitution and By-Laws.

**Sec. 12.** Any member entering the premises of the Fire Company and injuring or defacing any of its property or committing any nuisance on or about the same shall be fined by the Commissioners for the first offence and for the second offence his name

shall be stricken from the roll of members. Any member neglecting or refusing to pay any fine shall be notified by the Secretary, and if not paid within thirty days may be expelled from the Company at the next meeting by a majority vote of the members present.

**Sec. 13.** Pleading ignorance of the By-Laws shall be no excuse for violation of these By-Laws.

**Sec. 14.** In case any questions shall arise as to the true intend and meaning of these By-Laws, it shall be decided by a two-thirds vote of the active members present and so entered on the minutes as an established rule.

**Sec. 15.** No alternation or amendments shall be made to these By-Laws unless put in writing, signed by five members and laid over for one month after being presented.

**Sec. 16.** All laws heretofore existing for the regulation of this Company with all precedents, other than the foregoing are annulled from this date.

Revised and Amended – February 13, 1991

(Originally Adopted – May 12, 1976)