
BOGHT COMMUNITY FIRE DISTRICT

Town of Colonie
Albany County
State of New York

ORGANIZED July 8, 1940

INCORPORATED April 11, 1941

CONSTITUTION AND BY-LAWS

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CONSTITUTION AND BY-LAWS
OF THE
BOGHT COMMUNITY FIRE CO., INC.

PREAMBLE

Whereas, in all regulated bodies, certain laws or rules are necessary for order thereof, the Officers and Members of the Boght Community Fire Company, Incorporated, Albany County, State of New York, do adopt the following Constitution and By-Laws:

CONSTITUTION

ARTICLE I

NAME

The name of this organization shall be known as the “Boght Community Fire Company, Incorporated”.

ARTICLE II

MEETINGS

The Company shall meet for the transaction of business the second Monday of each month.

ARTICLE III

OBJECTIVE

The object of the Company shall be the protection of lives and property against fire and other emergencies within the limits of the Boght Community Fire District, Town of Colonie, said officials to be under the control of the Board of Fire Commissioners of said Fire District.

ARTICLE IV

MEMBER CLASSIFICATION

The Members of the Boght Community Fire Company shall be comprised of men and women of good moral character. They shall be elected and appointed as set forth in Section 176-b of the Town Laws of the State of New York. Members shall be classified as follows:

Section I Restricted Members

Members, between the ages of 16 and 18 may be elected as restricted members; pursuant to the program contained in Section 204-b of the General Municipal Law of the State of New York.

- A. Written parental or guardian permission must accompany the application for membership.
- B. A restricted member shall have no voting privileges.
- C. A restricted member suspended or expelled from school shall automatically receive the same length of disciplinary action from the Fire Company.
- D. A restricted member shall not be permitted in the fire hall members' room unless accompanied by a member of the company 18 year of age or older.
- E. Curfew for restricted members shall be 11:00 PM, except for social functions and alarms.
- F. Restricted members shall be permitted to attend training courses sponsored by the Fire Company, State, County or Town. Transportation and supervision for training courses shall be the responsibility of the Training Officer.
- G. A restricted member applicant and parent(s) or guardian shall meet with two (2) Trustees and a designee of the fire chief prior to being voted on.
- H. Restricted members shall adhere to Article IV, Section III, Active Members, and all other rules and regulations of the Boght Community Fire Company.
- I. The parent(s) or guardian has the right to request that the restricted member be dropped at any time.

Any new applicant wishing to become an active member of the Boght Community Fire Company shall be on a probationary period for six (6) months and shall adhere to the following:

- A. All probationary firefighters must attend a minimum of ten (10) training sessions.
- B. It shall be the duty of the Training Officer of the above mentioned, to conduct special sessions for those members who cannot attend the regularly scheduled training sessions.
- C. Every probationary member shall be expected to actively participate in Fire Company functions.
- D. Any probationary member failing to meet the requirements stated herein shall be dropped from the Fire Company. Upon the request of the Chief, an extension of the probationary period may be granted.
- E. Probationary members shall have no voting privileges.
- F. New members shall, within two (2) years of acceptance date, have completed the New York State "Firefighter 1" or the equivalent on a Company, Town or County level. Exception to the above: Fire Police personnel must have completed a basic Fire Police course on the Company, Town, County or State level.
 - a. Fire Police personnel must have completed a New York State certified fire police course and New York State certified "Scene Support" course on a Company, Town, County or State level.
- G. Any member on probation shall not be allowed to *purchase* clothing with fire company or fire department logo(s) on them (i.e. sweaters, sweatshirts, jackets, hats, t-shirts, job shirts) until they have successfully completed their probationary period.

Section III Active Members

An active member is any member who attends six (6) training drills plus any combination of twelve (12) alarms and training drills between December 1 and November 30 of the following year. In addition, any requirements set forth by the State of New York must be adhered to.

Section IV BLANK

Section V Social Members

A social member is a member who has completed five (5) years of active service and who pays dues, but does not meet the requirements of Article IV, Section III Active Members. A social member shall have no voting privileges and they shall not be allowed to ride on any Fire District equipment or participate at fires or drills. They may enjoy the privileges of the fire hall. Social members are required to attend two (2) Fire Company functions a year or they will be dropped from membership. social members are permitted the use of the Fire Company members room and public areas of the firehouse. Social members are not permitted to enter the apparatus bay or radio room without being accompanied by an active member of the Fire Company or by special permission by the Chief of Department or President of the Fire Company with cause.

Section VI Reinstatement to Active

A social member may be reinstated to the active list by submitting an application for reinstatement to the Chief and completing a three (3) month probationary period, attending five (5) training drills. Voting privileges will be restored upon completion of the above requirements.

ARTICLE V

SPECIAL MEMBER CATEGORIES

Section I Honorary Members

Honorary members may be determined by a $\frac{3}{4}$ majority vote of all voting members present at a regular meeting of this Company. This honor shall be conferred on anyone having performed an outstanding service to the Boght Community Fire Company. An honorary member shall be dues free and enjoy all the privileges of the fire hall. Honorary members will not be issued key to the firehouse and will require an active member to be present in the firehouse.

Section II Lifetime Members

Any member who shall have completed twenty-five (25) years of active service in accordance with Article IV, Section III Active Members, shall become lifetime member of the Boght Community Fire Company. A lifetime members shall be dues free and enjoy all the privileges of the fire hall.

OFFICERS

Section I Executive Officers

The Executive Officers of this Company shall consist of a President, Vice President, Secretary, Treasurer and a Board of Trustees consisting of five (5) members. The President by virtue of their office shall be one of the Board of Trustees.

Section II Line Officers

The Line Officers of this Company shall consist of a House Captain, Training Captain and as many Lieutenants as deemed necessary by the Chief.

ARTICLE VII

ELECTION OF OFFICERS

A special meeting will be held on the first Thursday following the first Tuesday in December of each year for the purpose of nominating a Chief, 1st Assistant Chief and a 2nd Assistant Chief whose names will be submitted to the Board of Fire Commissioners for approval and appointment in accordance with the laws of the State of New York. In the event the candidate is not approved for any position, it will be necessary to call for another nomination at the next meeting.

ARTICLE VIII

TERMS OF OFFICE

Officers shall hold office for a term of one year, except the Trustees who shall be elected for two years.

Two of the Trustees, other than the President, shall be elected annually and serve for two (2) years.

ARTICLE IX

VACANCIES

Vacancies in office, occurring prior to April 1, shall be filled by appointment of the Chief of Department, for line positions, or the President, for executive positions. Such appointed officers shall hold the office until the first regularly scheduled meeting following the notice of resignation, at which time the position will be voted on by the membership.

Vacancies in office, occurring after April 1, shall be filled by appointment of the Chief of Department, for line positions, or the President, for executive positions. Such appointed officers shall hold the office for the balance of the term.

ARTICLE X

ELIGIBILITY FOR OFFICE

Section I Executive Office

No member shall be elected to an Executive Office unless they have been an active member of the Company for at least one (1) year prior to the election, except for the President who must have been an active member of the Company for two (2) years prior to the election.

Section II Line Office

No member shall be elected to a Line Office unless they meet the requirements set forth by the Board of Fire Commissioners as directed in the Minimum Standards for Firefighting Personnel (See Appendix D).

ARTICLE XI

ELECTION OF MEMBERS

Section I Applications

- A. All applications for membership must be reviewed by the Trustees and each applicant must be interviewed by two (2) Trustees and a designee of the fire chief prior to being voted on by the membership.
- B. The administering of the oath of office and swearing in will be deferred until the election is approved by the Board of Commissioners at their next scheduled meeting.

Section II Voting

Election of members must be by written ballot and no second ballot is to be taken at the same meeting.

Section III Majority vote

No candidate shall be elected if they do not receive a majority vote of the voting members present.

Section IV Rejections

Any candidate not receiving the required number of votes may resubmit their application at the next election of membership meeting. If the candidate is voted down at the second meeting, no further action is to be taken for a least one (1) year from that date.

Section V Oath

All candidates, before becoming a member of the Boght Community Fire Company, must be present at a regularly scheduled meeting for the administration of the oath of membership. Said candidate will not become a member until they have taken the oath of membership. Any candidate that cannot be present at a regularly scheduled monthly meeting to take the oath, due to circumstances beyond their control, may become a member by signing the oath in the presence of an officer. The officer must sign the written oath also.

ARTICLE XII

INCORPORATION

This Company was incorporated under the laws of the State of New York on April 11, 1941.

ARTICLE XIII

AMENDMENTS

Any and all proposals for Amendments to the Constitution must be made in writing, signed by five (5) members in good standing, presented at a regular meeting, lay on the table for one (1) month and shall not become an Amendment or addition to the Constitution unless $\frac{3}{4}$ of all voting members present at a meeting shall vote in favor of such Amendment or addition, or sign such Amendment as favorable to it.

ARTICLE I

TIME OF MEETINGS

Section I Regular

This Company will hold its regular meeting on the second Monday of each month at 8:00 PM. All regular monthly meetings shall be opened to the public, unless declared otherwise by a majority vote of the voting membership present.

Section II Special

Special meeting will be held at the call of the President.

Section III Annual

The annual meeting will be held on the second Monday of December at 8:00 PM.

Section IV Location

All meetings and elections shall be held at the Fire House of said Company or at its regular meeting place unless called elsewhere by the President, and such notice to be given or sent to each and every member by the Secretary.

DUTIES OF OFFICERS

Section I President

It shall be the duty of the President to preside at all meetings; preserve order at all times; enforce all laws, see that all dues, fines and assessments are paid; to appoint from the Board of Trustees one to act as Property Person; also to decide all points of order that may arise; to appoint, all committees except those on financial matters, which shall be referred to the Board of Trustees; to call special meetings whenever deemed necessary or at the written request of any five (5) members; and to enforce these By-Laws to the best of their ability.

Section II Vice President

It shall be the duty of the Vice President to preside at all meeting in the absence of the President and to assist the President when so requested.

Section III Secretary

It shall be the duty of the Secretary to keep a correct record of the proceedings of the Company; to read the minutes of the preceding meetings; record all documents relating to the business of the Company in a book provided for that purpose; furnish the Chairman of the Board of Trustees the names of persons proposed for membership; notify candidates of their election or rejection; return names of those who may resign, or who have been expelled, to the Secretary of the Board of Fire Commissioners; furnish each member with a certificate of membership and a copy of this Constitution and By-Laws; keep a correct roll of the Company at the hour appointed for meetings; and perform such duties as the President, Chief or Company may direct; at the end of their term of office they shall deliver to their successor all books, papers and other property belonging to the Company that they may have in their possession.

Section IV Treasurer

It shall be the duty of the Treasurer to keep a true account of all monies received; collect all dues, fines and assessments; to render an accurate account of all monies expended for the Company; keep an account book in which they shall regularly enter all monies received and bills paid, which shall be open to the President, Board of Trustees and any other member requesting to inspect it. They shall annually make out a detailed statement of receipts and expenditures for the year with the balance on hand or deficiencies, if any, and present the same at the annual meeting; they shall pay all bills against the Company of whatever kind or nature, when approved by the Board of Trustees. They shall notify all members who may be in arrears for dues, fines and assessments, and if such dues, fines or assessments are not paid before the next regular meeting of the Company thereafter, are to report the names of such delinquents to the Company. They shall yearly have the books reviewed by the Board of Trustees and bi-annually by an outside financial accountant. Costs associated with such review shall be approved prior to service being completed.

Section V Trustees

It shall be the duty of the Board of Trustees to have control and management of affairs of the Company and the finance of the Company, in accordance with the laws of incorporation. It shall also be the duty of the Board of Trustees to inquire rigidly into the character and competency of all candidates for membership; to report all names submitted to them using only the terms "Favorable" or "Unfavorable" and to report at the next regular meeting. They shall inquire into any charges preferred against any member or officer.

Section VI Property Person

It shall be the duty of the Property Person of the Company to keep inventory of all property of the Company, and they shall make semi-annual reports of such property and value thereof; to see that property is insured against loss by fire, etc.; to look after any property which may be lost or stolen, with power to recover the same or the value thereof; to keep accurate record of keys.

Section VII Chief

It shall be the duties of the Chief to be in command of all fires and to exercise such duties and enforce such regulations of the Board of Fire Commissioners; to command the Department whenever called to review, parade, drill or any public appearance. They also have the power to call the Department out for review, parade, drill or any public appearance whenever deemed necessary. They also have full charge of the trucks from members so qualified (meaning those having an operators license and approved by the Fire Commissioners); to keep an inventory of fire apparatus and equipment for which the Department is responsible. They shall keep a record of all matters of importance pertaining to the fire.

Section VIII First Assistant Chief

It shall be the duty of the First Assistant Chief to aid the Chief in the discharge of their duties; in the discharge of their duties, and in the absence of the Chief they shall assume command of the Department and adhere strictly to the duties of the Chief.

Section IX Second Assistant Chief

It shall be the duty of the Second Assistant Chief to aid the Chief in the discharge their duties, and in the absence of the Chief and First Assistant Chief they shall take command of the Department and adhere to the duties of the Chief.

Section X House Captain

It shall be the duties of the House Captain to aid the Chief in the discharge of their duties, and in the absence of the Chief, First Assistant Chief and the Second Assistant Chief, they shall take command of the Department and adhere strictly to the duties of the Chief.

Section XI Training Captain

It shall be the duties of the Training Captain to aid the Chief in the discharge of their duties, and in the absence of the Chief, First Assistant Chief, Second Assistant Chief and the House Captain, they shall take command of the Department and adhere strictly to the duties of the Chief.

Section XII Lieutenant

It shall be the duties of the Lieutenant to aid the Chief in the discharge of their duties, and in the absence of the Chief, First Assistant Chief, Second Assistant Chief, House Captain and the Training Captain, they shall take command of the Department and adhere strictly to the duties of the Chief.

Section XIII In the absence of ...

In the absence of the Chief and the Assistants, or any line officer, the first member to arrive shall assume the duties of the Chief in time of fire or alarm of fire, until their superior officer arrives.

ARTICLE III

QUORUM

Fifteen (15) or more voting members shall constitute a quorum for the transaction of business.

ARTICLE IV

RULES OF ORDER

Meeting shall be called to order at the appointed time if a quorum is present, and business shall be transacted in the following order:

- A. Prayer by the Chaplain
- B. Pledge to the Flag of the United State of America
- C. Reading of the minutes of the last meeting
- D. Reading of the Treasurer's Report. (Fire Company)
- E. Nomination and election of members
- F. Report of Officers and Committees
- G. Correspondence
- H. Good and welfare
- I. Unfinished business
- J. New business
- K. Adjournment

ARTICLE V

SPECIAL MEETING

Section I The calling of a special meeting

To call a special meeting, a written request signed by ten (10) members shall be delivered to the President, and deemed necessary by a meeting of the Executive Board and Trustees.

Section II Rules

- A. Except in the case of emergency, at least five (5) days' notice of time and place of the meeting shall be given.
- B. An attempt must be made to notify all members by written notice or telephone call.
- C. At a special meeting, no other business shall be transacted, except that specified in the written notice or telephone call.

ARTICLE VI

PROCEDURE GOVERNING MEETINGS

Robert's Rules of Order shall govern all question of Parliamentary procedure.

ARTICLE VII

DISTRIBUTION OF COPIES

Each and every member shall be presented with a copy of the Constitution, the By-Laws and Standard Operating Procedures of the Boght Community Fire Company.

ARTICLE VIII

INTRODUCTION OF BUSINESS

All business must be introduced in the regular order unless the consent of a majority of the voting members present is given to change such order.

ARTICLE IX

VOTING ON BUSINESS

Every voting member shall be required to vote on all questions that come before the Company with YES, NO or ABSTAIN.

ARTICLE X

COMMITTEES

Section I Meetings

Every Committee shall choose its own time and place of meeting unless otherwise ordered by the President of the Company. A majority of the members of the Committee shall constitute a quorum and every member must be notified of such meeting by the Chairman.

Section II Rules regarding purchases

The Chairman of each Committee shall contact the Trustees of that Committee on their intent of any purchase. Any purchase of \$200.00 or more, must be presented to the Trustee in charge of that Committee in writing and it must be itemized with the exact amount to be spent, for review and approval. Trustee's review and approval will only be to ensure that the item to be purchased is written up properly. The Trustees will not make any decision as to whether or not the items should be purchased or not.

This itemized requested purchase will be presented at the next monthly meeting for membership's approval. The Committee will be allowed to spend only the amount approved by the membership,

Exceeding the approved amount by the Committee on an approved purchase may result in disciplinary action.

All monies shall be paid out by check and signed by both the President and the Treasurer.

The President may, at his/her discretion, authorize up to \$500.00 for emergency expenditures or items which are required to conduct normal business. These expenses will require the approval of the Board of Trustees and be presented to the membership at the next regularly scheduled meeting.

VOTING

Section I General Business

Any active, retired active or lifetime member shall be entitled to vote on general business matters at any meeting.

Section II Election of line officers

Only active members may vote for Line Officers.

Section II Executive officers

Any active, retired active or lifetime member who has attended at least three (3) meeting since the last general elections, may vote for Executive Officers.

Section IV Absentee Voting

All absentee ballots will be sealed in an envelope and delivered to the ballot takers the night of the election(s)

Each ballot cast must be on a separate and/or individual paper, for each elected position. Only one ballot may be cast per elected position.

Section V Proxies

Any member may designate a proxy to accept nominations in their behalf. All proxies must be submitted to the President, or person in charge of elections, in writing.

Section VI President's Ballot

The President shall cast a ballot with the membership and will only be counted in the case of a tie vote.

ARTICLE XII

DUES

Social members shall pay twenty-five (25) dollars a year. Dues shall be payable at the January meeting.

ARREARS

Any member not paying dues by April 1st will receive a letter and entry card will be deactivated.

ARTICLE XIV

ANNUAL ELECTION

Section I Order of Election

At the Annual Election of Officers, the Officers must be elected in the following order: President, Vice President, Treasurer, Secretary, two (2) Trustees, the nomination of the Chief, First and Second Assistant Chiefs, Captain, First and Second Lieutenants, Fire Police Captain and Fire Police Lieutenant.

Section II Majority votes

Every Officer must receive a majority of the votes cast to be declared elected.

Section III Length of office

Every Officer shall hold office January 1 of the next year.

Section IV Nominating committee

Nominating Committee shall be appointed by the President two (2) months before elections. All candidates shall notify the committee of their intent to run for office, before the next regular meeting. The membership, if they so desire, may submit a candidate for any office from the floor, at the election meeting.

ALARM

The sounding of the alarm shall constitute an alarm, except when testing the alarm.

ARTICLE XVI

ROLL CALL

Section I For a fire

If apparatus or equipment is used or the hose has been wet, the roll shall be called for a fire immediately after return of the Department to the Fire House. If none of the equipment or apparatus is used, the roll shall be called for an alarm. The roll shall be called for a false alarm if there is no fire or sign of fire.

Section II For an alarm

The roll shall not be called for an alarm of fire or false alarm, until ten (10) minutes after the out tap has been given.

Section III Member response

On calling the roll, every member shall answer for himself. The Officer in command answering for members excused.

Section IV Appearing after roll call

Any member appearing after roll has been called and satisfying the commanding officer that they have arrived as soon as possible shall be excused.

ARTICLE XVII

BLANK

ARTICLE XVIII

INTOXICATING LIQUOR

Any member who, while wearing the Company uniform or any part thereof, shall be intoxicated or under the influence of liquor so as to attract the attention of the public or members of the Company, shall upon proof of same be liable to disciplinary action from the Company.

RESIGNATIONS

Every member leaving the Company shall return any and all equipment and keys to the Fire House and any other property of the Company or Department he or she may have in their possession to the Property Person or Vice President.

ARTICLE XX

LOSS OF PROPERTY

Any member losing any property of the Company shall make same good at their own expense.

ARTICLE XXI

STANDING ORDERS

Standing orders shall be set forth and posted by the Chief. All members shall abide by these standing orders.

ARTICLE XXII

CHIEF'S DUTIES

Section I Full charge of...

The Chief shall have full charge of the fire apparatus as directed by the Board of Fire Commissioners and any and all order or rules issued by them must be enforced. The Chief shall have full charge of any equipment owned by the District.

Section II Reports to...

It shall be the duty of the Chief to carry out orders and enforce rules that may be ordered by the Board of Fire Commissioners.

ARTICLE XXIII

EXPENDITURES AND AUDIT

All bills against the Company shall be presented at a regular meeting and shall not be paid until they are approved by a majority vote of voting members present. Any bill in excess of \$1,000.00 shall be voted on by written ballot.

ARTICLE XXIV

COMMITTEES

Section I Standing Committees

The President shall, at the February meeting, appoint the following Committees to serve during the year, and to consist of three (3) members each. One member shall be appointed to be Chairperson of the Committee.

Section II Membership Committee

The Membership Committee shall have charge of contacting prospective new members.

Section III Good and Welfare

The Good and Welfare Committee shall have charge of advising the membership of illness of members or members in need of assistance.

A. Illness

Fire Company members who are hospitalized shall receive a gift as deemed necessary by the Committee.

B. Funeral Arrangement

1. In the event of death of a Fire Company member, spouse or children, or Ladies Auxiliary member their family shall receive flowers or a donation in lieu of.

2. In the event of said above, the Good and Welfare Committee shall notify all members of arrangement in ample time.

Section IV House Committee

- A. To consist of five (5) members in good standing of the Company.
- B. Duties of the House Committee:
 - 1. Establish the house rules for the coming year.
 - 2. To submit the House rules to the membership for approval.
 - 3. Enforce the House rules.
 - 4. The House Committee shall have the authority to warn or suspend any member charged with violating the House rules.
 - a. All charges must be made in writing and signed by the person making the charge.
 - b. The accused shall be given written notice of such charges. They shall be given written notice of date, place and time of hearing.
 - c. The accused may appeal the decision of the House Committee of the membership at a special meeting, by written request to the President of the Company.

ARTICLE XXV

DISCIPLINE

The Boght Community Fire Company has adopted and will adhere to the Boght Community Fire District policy on discipline. All discipline will be dealt with in accordance, herein, to said policy.

The Boght Community Fire District Discipline Policy shall be found in the by-laws as Appendix A.

ARTICLE XXVI

SUSPENSIONS

Any member being suspended from the Boght Community Fire Department, for any length of time, shall be suspended from the Fire Company for the same length of time. At the time of suspension, the President shall be notified of the suspension, for the purpose of deactivating said members access card. Also, a letter containing a copy of any and all charges will be placed in the members file, stating the violation and length of suspension. A suspension from the Fire Company may not necessarily constitute a suspension from the Boght Community Fire Department.

EXPULSIONS

Section I Ignorance of rules

Ignorance of the By-Laws shall be no excuse for digression from them.

Section II Fair hearing

Every member shall be entitled to a fair hearing for charges preferred against them.

Section III Presentation of charges

A resolution to expel a member must be made in writing specifying the charges.

Section IV Charges

The charges shall be directed to the Company briefly stating the offense, by whom committed, time, place and manner, signed by the complainant, dated and presented at a regular meeting of the Company.

Section V Serving of charges

Charges being preferred against an Officer or any member, for any offense, the President shall immediately cause a copy of such charges to be drawn by the Secretary and served by them on the Officer or member accused, together with a notice of the time and place of a hearing. At the time and place appointed in said notice (which shall be a special meeting of the Company), the President shall demand of the accused if they be guilty.

Section VI Non-appearance

Should a member against whom charges have been preferred neglect or refuse to appear at a hearing thereon, after having properly been notified by the Secretary, they shall be deemed guilty of contempt and shall be expelled from the Company by the President at the first meeting immediately after such neglect.

Section VII Guilty plea

If the accused pleads guilty to the offense contained in the charges, the Company shall proceed to act on the matter and direct judgment by written ballot.

Section VIII Not guilty plea

If the accused pleads not guilty, the President shall proceed with the hearing of the case by taking the testimony of witnesses (which shall be public to the Company and none other), and the minutes thereof be reduced to writing by the President or their assistant, the Vice President.

Section IX Deciding the verdict

After the testimony is all taken, and the arguments thereon closed, the question of guilt shall be decided by the President.

Section X Not guilty verdict

Should a member tried on charges preferred be found not guilty, they shall be acquitted by the President.

Section XI Guilty verdict

Should the member accused be found guilty, the Company shall proceed to fix the penalty where it is not otherwise specifically fixed by the By-Laws of the Company and after the penalty is affixed, the President shall declare and enforce the same.

Section XII Appeal

The decision of the President may, in all cases, be appealed, from which appeal must be taken to a meeting of the Company immediately after the decision and announcement thereof.

Section XIII Length of time to appeal

There shall be no appeal from the decision of the Company on any question.

Section XIV Expulsion

It shall require a 2/3 majority vote of the voting members present at a business meeting to render a decision to expel.

Section XV Definition of expulsion

The effect of expelling a member from the Company shall be to sever all their relations with it, and they shall cease to be a member from that time

Section XVI Return of Company property

Any member being expelled from the Company shall be subject to Article XIX, Resignations.

AMENDMENTS

Section I When amendments can be made

No amendments shall be made to these By-Laws except at a regular meeting, and then only by a 2/3 vote of the voting members present.

Section II How amendments can be changed

The amendments must be made in writing and signed by at least two (2) members in good standing and lay on the table for at least one (1) month.

ARTICLE XXIX

FIRE COMPANY ACCOUNTS

Fire Company accounts are to be used for Company purchases only.

DISCIPLINE POLICY

PURPOSE:

To determine the district's policy towards disciplining its personnel in regards to acts of misconduct, or personnel found to have displayed actions unbecoming of a firefighter or officer, while representing the Fire District, Fire Department or Fire Company by participating in driving assignments, assigned duty nights, stand-by assignments, training/drill sessions, meetings, department events involving the public, fire calls, or general behavior while on Fire District property, or while wearing clothing bearing the Fire Department name/logo. This policy addresses both on-duty and off-duty activities.

OBJECTIVES:

It is the goal of the Boght Community Fire District to ensure a positive and professional environment for all its personnel. Any personnel that, either directly or indirectly, violate the professionalism that is expected of them may face disciplinary action.

POLICY:

The Boght Community Fire District corrective action program will normally provide for a series of actions, which increase in severity, if conduct is not corrected. Any personnel found having acted in a manner that is determined to be unbecoming of a firefighter or officer will be placed on notice by the officer in charge. The Chief of Department will be notified, or in his absence the next ranking officer. Any notice of questionable behavior will be addressed within 48 hours of occurrence. This may include only notifying the party or parties involved, due to further investigation/questioning necessary. However, in each case of misconduct, the appropriate level of corrective action will be determined on the basis of the facts and circumstances surrounding the particular incident, the person's length of service and past corrective action(s), or lack of, applied to that person. Multiple offenses within an abbreviated time period may warrant acceleration of the corrective action process. Personnel whose length of service is less than six months may be subject to an abbreviated corrective action process due to their length of service.

Any personnel having disciplinary actions leveled against them are entitled to a full investigation conduct by the Office of the Chief of Department, unless the personnel in question are paid employees of the Fire District, or are a chief officer. In which case, the Board of Fire Commissioners will be involved in the investigation, along with the Office of the Chief of Department.

Charges of misconduct or actions unbecoming a firefighter or officer brought forth against any personnel, that are deemed to be immoral, indecent, illegal or threatening in any manner will result in an immediate suspension, pending the outcome of an internal investigation.

Verbal Warning: Any personnel found to have conducted themselves in such a manner as to require disciplinary action shall receive, at a minimum, a verbal reprimand, if necessary, and a written notice of such reprimand will be provided for the personnel file.

- Written Warning: Any repeat incident of similar nature will be deemed a second offense and will require, at a minimum, a written reprimand. The Chief of Department or their designee will make the determination as to the severity of the incident, and determine the appropriate level of discipline above and beyond a written reprimand, if necessary and copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a verbal warning for a first offense may receive a written reprimand and copy of such will be provided for the personnel file.
- Suspension: Any repeat incident of similar nature will be deemed a third and final offense and will require, at a minimum, a suspension. The Chief of Department or their designee will make the determination as to the severity of the incident, and determine the appropriate level of discipline above and beyond a suspension, if necessary and a written copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a written warning for a first offense may receive a suspension and a written copy of such will be provided for the personnel file.
- Termination: Any repeat incident of similar nature will be deemed a terminable offense and will require the member to be separated from the Boght Community Fire District for a term of life. The Chief of Department or their designee will make an argument to the Board of Fire Commissioner as to severity of the incident and reason for termination and a written copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a suspension for a first offense may be terminated from the Boght Community Fire District. The Chief of Department or their designee will make an argument to the Board of Fire Commissioner as to severity of the incident and reason for termination and a written copy of such will be provided for the personnel file.

The following may warrant immediate corrective actions:

- Unacceptable, inappropriate, unprofessional conduct, on or off duty.
- Neglect of duty.

- Disorderly conduct including fighting, "horse play," arguments, unnecessary noise, shouting, threatening or violent behavior, disruption of department functions while on Fire District property, either on or off duty.
- Immoral or indecent behavior of any nature.
- Unlawful or unauthorized manufacture, distribution, sale, dispensation, possession or use of a controlled substance.
- Reporting for duty while impaired by controlled substances or alcohol (See Alcohol and Substance Usage Policy).
- Unauthorized possession, fraud, or misappropriation of property including items belonging to the Boght Community Fire District, another employee, a patient, or any other person.
- Destroying, defacing, or misusing Boght Community Fire District property and/or equipment either deliberately or negligently.
- Insubordination including failure to comply with a superior's instructions and work assignments or by using abusive language or acting in a disrespectful or belligerent manner towards any member or officer, whether on or off the Fire District property.
- Belligerence, lack of courtesy, or disrespect towards patients, other personnel or officers.
- Threatening, intimidating, or coercing another member, including fighting and/or harassment (either as an implicit or explicit condition of membership, or in any way a part of work relationships - see the "Harassment" policy).
- Falsification of any Boght Community Fire District record including, but not limited to, membership application forms, training records, personnel medical records, fire reports or patient care reports.
- Malicious gossip concerning fellow employees or patients.
- Viewing, downloading or transmitting material on Boght Community Fire District equipment which is:
 - o in violation of any state or federal law or government regulation (e.g., copyrighted material) or,
 - o offensive or insensitive by reason of gender, race, ethnic background, sexual orientation, age, religion, disability, etc.
- Unauthorized use of the Boght Community Fire District name, letterhead, or publication including speaking for the district on any matters other than those for which the member has been duly designated to speak.
- Unauthorized use of any Fire District vehicle, equipment or clothing.

APPENDIX B

WAKES AND FUNERALS GUIDELINES

“BOGHT COMMUNITY FIRE DEPARTMENT”

For the most part funerals fall into two categories. These are:

General Service – Usually followed by natural death. Fire departments provide support through the use of honor guards, pallbearers and a uniformed body to pay respects.

Full Fire Department Funeral – Usually provided for the line of duty, chief of department or other officers. This type of funeral requires a considerable amount of coordination and preparation. It is a trying time for both the fire department family and the family of the deceased.

Most services will require coordination between the family, funeral director, place of worship and outside organizations. The best way to approach an overwhelming situation is to establish a committee to perform the details required for the services. It is also important to delegate and assign liaisons to every function.

I. Wake and Funeral Policies and Procedures for Active, Life and Social members and Ladies Auxiliary

The department, through the President, will immediately contact the family to express the Departments’ sympathy, to offer assistance from the department and state that the department would like to have a role in the services. Inform the family of the assistance that the department stands ready to offer, and to determine what funeral honors might be desired by the family. Any assistance provided shall be with honor to the deceased and out of respect to the family. It is absolutely critical that any and all department honors and services be provided “at the convenience of the deceased and/or the family”. Should the deceased or family not wish Department Honors, so be it.

1. Immediate Actions by the President or a designee appointed by the President.

- A. The department colors shall be lowered to half-staff until the member is buried.
- B. Contact Chief
- C. The department mourning drapes shall be placed on the firehouse for a 30 day mourning period.
- D. When “Honors” are to be rendered:
 - (1) If there is to be a “visit” or “service” it is vital that early contact be made with the funeral director to plan the activities and obtain information to be passed onto the members of the department.
- E. Contacts Florist (Fletchers 785-4487, closes at noon on Saturdays) and order a Maltese cross (if department member is Life/ Active) or floral spray/basket up to (\$100.00) not including delivery charges. If a monetary donation is to be made, do necessary paperwork to get a check to charity for \$100.00. (If a department member Life/Active), donation will be two hundred (200.00) dollars.
- F. The President or designee will post a bulletin (Ex. A) on the door of the station notifying members of the death and details. The iamresponding system will be utilized also.

2. When an Honor Guard and/or Pall Bearers has been requested by the deceased or the family, the President in co-operation with the Chief will set the details and notify the members. Also make arrangements for the American flag and department flag to be delivered to the funeral home and picked up from the funeral home the day of the funeral. (Ex. C, D)

3. A notice shall be placed by the Fire Company in the newspaper(s) advising the members of the date, time, place and other related information for the wake and/or services. Notice not to exceed two days publication or \$100.00 per day. (Ex.A)

4. The President should follow up with all designees to be sure all duties have been assigned and accomplished.

II. Department Honors Active (A) Life (L) Social (S) Chief (C) President (P)

Line of duty death (LODD) Special circumstances (SC) Ladies auxiliary (LA) President (LAP)

1. Wakes

- | | |
|---|---------------------|
| A. Honor Guards at Funeral Home | (C) (P) (LODD) (SC) |
| B. Attendance in Full Dress Uniform | ALL |
| C. Department visitation and service | ALL |
| D. Floral arrangement at Funeral home | ALL |
| E. Chaplain (The President or designee will obtain information pertaining to the deceased member) | ALL |

2. Funerals

- | | |
|---|-------------------------|
| A. Honor Guard at Funeral Home | (C) (P) (LODD) (SC) |
| B. Bearers | (C) (P) (LODD) (SC) |
| C. Chiefs cars or bus for bearers | (C) (P) (LODD) (SC) |
| D. Attendance in Full Dress Uniform if attending as a department | (C) (P) (LODD) (SC) |
| E. Use of the meeting rooms for after funeral gathering | ALL |
| 1. President will check to see if the hall is available | |
| 2. Coffee, Hot water (tea) and Soda | (A) (C) (P) (LODD) (SC) |
| 3. Cost of reception after funeral not to exceed \$350.00 (Ex.E) | (C) (P) (LODD) (SC) |
| F. Chief will contact any neighboring departments located along funeral procession to participate as procession passes. | |

3. Special Honors- Refer to Chaplain's manual

III. Death of Member of the Bught Fire Company Ladies Auxiliary

1. Immediately upon learning of the death of a member of the ladies auxiliary, the President shall contact the President of the Ladies Auxiliary and seek information on how the department may respond.

2. Once the President of the Ladies Auxiliary has contacted the family and has learned the type of "Honors", if any, requested by the family, proper notification will be posted on the bulletin boards in the fire station.

3. Members of the Department will attend the wake and services in appropriate attire. The membership will follow the ladies in line as they pay their respects to their deceased member.

IV. Death of a Members Spouse, Child or Parent

1. Immediately upon learning of the death of a member's spouse, child or parent a notification will be made utilizing iamrresponding.

V. Death of a Member of Another Fire Department

1. The fire service is a family, accordingly, upon the death of a member of a neighboring fire department, it is appropriate the department treat this as our loss. This is particularly true if the death is line-of-duty.
2. Upon learning of the death, the President should post a notice on the bulletin boards in the fire station. The department will attend the wake in the same manner accorded our members: however, no formal service will be offered.
3. For our close neighbors, it is also appropriate for the President or Chief to touch base with their peers to see if any assistance is needed.

VI. Death of Local Officials & Friends of the Department

1. Situations may arise where it would be appropriate for the department to express their sentiments in some positive manner.
2. Upon learning of the death the Executive Committee shall meet and recommend the manner in which the respects will be offered to the deceased. I.e. flags at half-staff, messages on department signs, donations of a fire service nature and etc.

VII. Uniform Protocols

1. Members, honor guards, bearers and color guard who attend a wake will be in full dress uniform that is "inspection ready". The uniform shall include white gloves, hat, tie, shirt, properly shined black shoes, black socks to match the uniform color and badges bearing black mourning strips.

VIII. Procedures at the Wake

There must be close cooperation and good rapport between the Funeral Director and the fire department representatives.

1. Members of the department and ladies auxiliary will be notified of the time, place of the wake and the designated uniform by posted information, pager announcement, and the newspaper.
2. Customarily, those attending will gather at the fire station before proceeding to the funeral home. Car pooling and use of the department vehicles should be used to overcome possible parking problems at the funeral home.
3. Upon arrival at the funeral home, members will enter and follow the direction of the funeral staff. The department will "stand ready" until the funeral director has cleared the area, seated the family and invites the department to enter.

NOTE: American flag is placed at the head of the casket, company flag at the foot of the casket.

NOTE: If the deceased is a member of the Jewish faith, and there is a wake, seek guidance from the Funeral Director as to whether the members will remain "covered" or not. Those not in uniform might be asked to wear a yarmulke that will be provided by the Funeral Director.

4. All members in uniform will uncover upon entry into the viewing area. The procession will be led by the Chaplain. Fire Chief, all other line officers by rank, followed by the President, remaining executive officers and the remaining members in uniform. All members not in uniform will form behind the uniformed attendees.
5. Space permitting, the detail will split and proceed to each side of the viewing room. The files will double up as much as can be done if space is scarce. If there is sufficient space, those not able to take a position will form up in the open area behind the seated mourners.
6. The Chaplain will lead the Chief to a position at or near the head of the casket. The Chaplain will stand at the foot of the casket to conduct a brief commentary and prayers suitable for the occasion.

NOTE: It is essential that a view of the casket not be obstructed from the family and that the Chaplain maintains eye contact with the family at all times.

7. After the conclusion of the Chaplain's service, a ranking designated officer of the department will lead the members in a final hand salute to the departed member.
Orders as follow: Call to attention, Present Arms, Order Arms
8. The Chief will closely follow the Chaplain as they complete their remarks to the family, followed by the remaining line officers in ranking order, then the President and Executive officers and remaining members in uniform.
9. Members retiring to the waiting room area will individually sign the pages of the remembrance book provided by the Funeral Director.

IX. Procedures at the Funeral

1. There must be close cooperation and good rapport between the Funeral Director and the fire department representatives.
2. Upon arrival at the funeral home, members will enter and follow the directions of the funeral staff. The department will "stand ready" until the funeral director has cleared the area, seated the family and invites the department to enter.
3. All members in uniform will uncover upon entry into the viewing area. The procession will be led by the Fire Chief, all other line officers by rank, followed by the President, remaining executive officers, and the remaining members in uniform. All members not in uniform will form behind the uniformed attendees.
4. Line up both sides of funeral home exit.
5. Stand at Parade rest until Called to Attention, Call to Present Arms and stay until Pallbearers have casket in hearse and OIC calls to Order Arms, Parade Rest, and Detail dismissed.

X. Procedures at Church

1. There must be close cooperation and good rapport between the Funeral Director and the fire department representatives.

2. Line up both sides of entrance.
3. Stand at parade rest until Called to attention, Call to Present Arms and stay until casket is inside church and **OIC calls to Order Arms, Parade rest and Detail dismissed.**
4. Uniformed members will enter the church last and exit first to line up on both sides as done upon entering. While in church all members will uncover. You will stand at Parade rest until Call to attention, Call to **Present Arms and stay until casket is in hearse and OIC calls to Order Arms, Parade Rest and Detail dismissed.**

XI. Procedures at Cemetery

1. Line up both sides position to be determined.
2. Stand at Parade Rest until Called to Attention, Called to Present Arms, and stay until OIC calls to Order Arms, Parade Rest. After all family is positioned follow OIC to a position to be determined.
3. Pallbearers: If Fire Department personnel were pallbearers, when you have paid your final respects place gloves on top of casket.

XII. Miscellaneous Points

1. When an Honor Guard is requested, the Fire Chief will establish a membership pool of sufficient numbers to cover the viewing hours. This will mean two (2) firefighters per fifteen (15) or twenty (20) minute Honor Guard detail. A sign up list will be provided at the firehouse. Each set of two firefighters shall be posted to cover the head and the foot of the casket.
2. Members of the Honor Guard will be in full dress uniform as described in VI Uniform Protocols.

The following procedures are to be followed:

- a. The first two members going on watch will enter the room, approach the casket, and pause in front of the casket briefly and at attention.
- b. The members will then execute right and left turns in a uniform fashion and proceed to the head and foot of the casket and execute another left and right turn so as to face the others in the room.
- c. Members will stand at parade rest while on watch, taking care not to establish eye contact with those passing the casket.
- d. The team relieving those on watch will follow the same procedure as “a” above. As the relieving team pauses at attention, those being relieved will also come to attention. The relieving team will simply take their position in the same manner as in “b” above.
- e. The team being relieved will then march out of the room in an orderly fashion.

3. If the circumstances, i.e. line of duty death are such that large numbers, particularly from the fire service are to attend the wake, or especially the funeral, it may be necessary to clean up the fire station and have light refreshments ready for those who may briefly visit quarters. This can be in the form of a “work detail”.
4. If a large number of members plan to attend the wake, the funeral, or both the Chief will make the necessary arrangements for mutual aid coverage.
5. For the Chief: ***It is very important that all of the Public Safety Officers benefits available to the deceased member be noted and the proper forms processed immediately.***

NOTE:

1. For additional information, reference can be made in the New York State Association of Fire Chiefs Handbook Chapter 13 of “ A Guide for Fire Service Funerals” published by the Western Michigan Fire Chiefs Association (RWD 3/00)
2. FEMA’s protocols
3. NYS Office of Fire Prevention and Control, “LODD Program”

EXAMPLE A

TO: Times Union
FROM: BOGHT COMMUNITY FIRE DEPARTMENT
8 Preston Drive
Cohoes, New York
(518-785-0339)
(518) (FAX)

DATE: ___FILL IN DATE

PLEASE PRINT THE FOLLOWING OBITUARY ADDENDUM **FILL IN 1 DAY ONLY. SHOW DATE/.....**

PLEASE BILL TO THE ABOVE ADDRESS OR CALL 785-0339 IF THERE IS A PROBLEM.

THANK YOU

INSERT MEMBERS NAME

All Officers and Members of the Boght Fire Department and Ladies Auxiliary are requested to meet in full dress uniform at the fire house.....

Edward Heffern
President
Brian LaPlante
Chief
Melanie Schrimsher
Aux. President

EXAMPLE B

NOTICE

IT IS WITH DEEP REGRET WE ANNOUNCE THE PASSING OF

INSERT TITLES AND OFFICES HELD

INSERT MEMBERS NAME

ALL MEMBERS AND AUXILIARY ARE REQUESTED TO MEET AT THE FIRE
HOUSE ON

INSERT DATE AND TIME

IN FULL DRESS UNIFORM TO PROCEED TO

INSERT FUNERAL HOME TO PAY OUR LAST RESPECTS

FUNERAL SERVICES WILL BE HELD ON

INSERT DATE

INSERT TIME AND FUNERAL HOME

INSERT TIME AND CHURCH

EXAMPLE C

FUNERAL SERVICE FOR **INSERT MEMBERS NAME**

Anyone able to serve as a Pall Bearer for the funeral is requested to sign below.

We need six (6) members, if possible. Full dress uniform, white gloves, mourning badge covers are required.

Meet **INSERT DATE AND TIME**

Any questions contact **INSERT PALL BEARER CHAIRPERSON NAME**

EXAMPLE D

INSERT DECEASED NAME

Honor Guard sign up for INSERT DAY/DATE

2:45	_____	_____
3:00	_____	_____
3:15	_____	_____
3:30	_____	_____
3:45	_____	_____
4:00	_____	_____
4:15	_____	_____
4:30	_____	_____
4:45	_____	_____
5:00	_____	_____
5:15	_____	_____
5:30	_____	_____
5:45	_____	_____
6:00	_____	_____
6:15	_____	_____
6:30	_____	_____

EXAMPLE E

BASED ON 50 PEOPLE

Order at Price Chopper (782-0441)

Bakery

- 2 loaves rye bread sliced
- 2 loaves Italian bread sliced
- 4 doz asst'd rolls
- 5 doz asst'd cookies (i.e. chocolate chip, sugar, peanut butter)

Produce

- 1 large fruit platter

Deli

- 1 International cold cut platter
- 1 Ham and Cheese cold cut platter
- 10 lbs potato salad
- 10 lbs macaroni salad

When you go to pick up the stuff you will also need the following items:

- 6 lbs tossed salad mix
- 6 cucumbers
- 2 pints cherry tomatoes
- 6 lbs ziti
- 2 gallons of sauce
- 2 bags of frozen meatballs
- 1 large bag of mozzarella cheese
- Parmesan cheese

NOTE: IF COLD WEATHER, 4 LARGE CANS OF VEGETABLE OR CHICKEN NOODLE SOUP AND CRACKERS

ALCOHOL AND SUBSTANCE POLICY

PURPOSE:

To determine the district's policy towards its members and personnel's use of intoxicating substances and drugs in regards to participation in assigned duty nights, stand-by assignments, training/drill sessions, meetings, department events involving the public, and fire and EMS calls.

OBJECTIVES:

It is the goal of the Boght Community Fire District that no member or personnel of the fire department is ever under the influence of any intoxicating substances, be it alcohol, drugs or medication, while on duty, at training, at department meetings or events, or while responding to calls and on calls, that will endanger themselves, others or the image of the department. The fire district strongly recommends that if a member has been drinking or is under the influence any other intoxicating substance that they do not respond.

POLICY:

When there is public contact with a fire department member who has used intoxicants, it reflects poorly on each and every member of the organization. In addition, the stresses of firefighting and emergency services require all to be mentally and physically responsive. To meet the objective of this policy, the following is considered to be policy:

No member or personnel shall drive any fire district vehicle while under the influence of alcohol at any level or any other intoxicating substance, even if prescribed by a physician, that could impair one's ability to drive.

It is the personal responsibility of each member to make certain that they respond to and from, and operate at any drill, meeting, fire and EMS calls or stand-by assignment in a manner that is not impaired or appears to be impaired by any intoxicating substance.

Given that each individual's tolerance for alcohol or other substances vary, particularly over periods of time, it is the personal responsibility of the member to gauge their own behavior and the impact or appearance of the impact of an intoxicating substance on their behavior.

Each member will be wholly responsible for their conduct and any consequences of their conduct when it is found that such conduct occurred while they were impaired or appeared to be impaired by any intoxicating substance.

No person under the legal New York State Drinking Age (21 years of age) will be allowed to consume alcohol on Fire District property or during ANY Fire Department, Fire Company or Fire District activity.

As much as it is the member's personal responsibility to manage their own behavior for their safety and their duty to fellow members and the public, each member also shares a commitment to assure that other members are not operating while their abilities are impaired or appear to be impaired by an intoxicating substance.

Members should report concerns or observations of another member's behavior being impaired or appearing to be impaired to a chief officer, a ranking officer or the officer in charge. No member shall fear retribution, retaliation or consequence of reporting another member.

If a member has concerns regarding the abilities of another member during any drill, fire or EMS call or stand-by assignment, or has knowledge that another member may be operating on a scene or operating a district owned vehicle in violation of this policy, that member may refrain from responding, riding in a vehicle or otherwise engaging in that drill, fire or EMS call or stand-by assignment so long as they notify a chief officer, ranking officer or officer in charge of the event or vehicle as to their concerns.

Any investigation of a complaint of impairment or appearance of impairment shall be done in the presence of a chief officer, ranking officer or officer in charge and a peer.

Offenses: Any person found to be under the influence of an intoxicating substance, in direct violation of this policy will be immediately suspended by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.

Any member that is involved in a motor vehicle incident while responding to or from a drill, fire or EMS call, meeting or stand-by assignment and is found to be under the influence of an intoxicating substance will be immediately suspended by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.

Any member that is involved in a motor vehicle incident while operating a District owned vehicle will be transported to Albany Memorial Hospital and be required to submit to a mandatory substance test, consisting of a urine sample and a blood sample. Driving privileges will be immediately suspended until the results of the substance tests and if found to be under the influence of an intoxicating substance will face immediate termination from the Fire District for a term of life following due process of law.

Any member that is injured while operating at a drill, fire or EMS, meeting or stand-by assignment and found to be under the influence of an intoxicating substance and is the cause of the injury or accident (1) may not be covered by VFBL, (2) may not be eligible to receive any compensation from the Boght Community Fire District or any State entity and (3) will be immediately suspended from the Boght Community Fire District by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.

