

# **DEWEY FIRE COMPANY NO. 1**

**Hellertown, PA**

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# **Constitution**

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# **By Laws**

*May 2016 Printing*

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*Organized January 18, 1898*

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## **PREAMBLE**

*We, the undersigned, being convinced of the great benefits to be derived from well regulated Fire Companies in times of fire, and being desirous of rendering assistance, in order to preserve the property of our fellow citizens from the ravages of that destructive element, have formed ourselves into an association under the name and title of “**THE DEWEY FIRE COMPANY, No. 1, of HELLERTOWN, PA.**” and for the good government thereof, have adopted the following Constitution and By-Laws for the support of which we mutually pledge ourselves.*

## **PLEDGE OF HONOR**

*I pledge allegiance, in the presence of the assembled members of this Company; fidelity and obedience to the Constitution and By-Laws; and to the officers thereof and submit to all fines, which are or may be imposed upon the violations of the Constitution and By-Laws.*

# CONSTITUTION

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## ARTICLE I

### *Name*

Section 1. The name of this organization shall be The **DEWEY FIRE COMPANY, NO.1, OF HELLERTOWN, PA.**

## ARTICLE II

### *Object*

Section 1. The object and purpose of this company shall be that of extinguishing fires, the furtherance of fire prevention, the rendering of aid to the sick and injured, and to cooperate with other agencies in time of disaster, rendering whatever aid is deemed necessary to alleviate the suffering of our fellow citizens.

## ARTICLE III

### *Nature*

Section 1. The nature of this Company shall be that of rendering the services aforesaid on a voluntary basis and without any remuneration to any individual volunteer for services thus rendered.

## ARTICLE IV

### *Membership*

Section 1. Any citizen, 18 years of age or older, of the United States of America, not subscribing to any subversive movement of any kind; and willing to take the required and prescribed loyalty oath, is eligible to apply for membership in this Company.

Section 2. Applicants who are citizens of the Saucon Valley School District, and aged 21 years or older, shall be eligible to Active Membership.

Section 3. Applicants who are not citizens of the Saucon Valley School District, and are registered members of the Fire Duty Squad or Ambulance Squad are eligible to Active Emergency Services Membership.

Section 4. Applicants 21 years of age or older are eligible to become Social members, regardless of their place of residence.

Section 5. Social members are not entitled to attend Company meetings, nor hold any Elective offices, nor share in the Firemen's Relief Fund.

Section 6. Individuals age 14 years or older are eligible to serve as Junior volunteers subject to appointment by the Fire Chief or EMS Captain and shall be governed by all applicable Local, State and Federal requirements. A parent or guardian of a junior volunteer shall execute a release of liability waiver on behalf of a junior volunteer.

Section 7. Any person desiring to become a member of this Company shall be proposed at a stated meeting by three members who shall set forth in the application his or her correct name, residence, age, and occupation. The required fee, as prescribed by Company action, shall accompany the application.

Section 8. Upon receipt of said application for membership by the President at a stated meeting of the Company, he/she shall forthwith appoint an investigating committee of three Active members to ascertain the character and eligibility of the applicant(s) as set forth in the By-Laws.

Section 9. Termination of membership may be by voluntary resignation; by suspension or expulsion for failure to pay dues; or by expulsion for improper conduct as provided for in the By-Laws, or such other conduct deemed by the Company to be detrimental to its interest.

Section 10. An eligible member is one who holds an Active membership status in the Company, is at least 21 years of age, resides within the Saucon Valley School District has attended a minimum of one company meeting per quarter in the previous twelve months. Eligible members are the only members allowed to engage in any voting during meetings of the Company. Attendance requirement shall commence 12 months from the adoption of these revised bylaws.

Section 11. Employees of the Dewey Fire Company Squad shall not be required to obtain membership in the Company for purposes of their employment. They shall, however, be required to obtain membership in the company if they so choose to use the Social Club's facilities.

## ARTICLE V

### *Officers – Representatives – Trustees - Executive Board*

Section 1. The elected officers of the Company shall be a President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Fire Chief, Assistant Fire Chief, , EMS Captain, Assistant EMS Captain, Sergeant-at-Arms, and Five Trustees.

Section 2. The administrative affairs of this Company shall, except as may otherwise be provided for in the By-Laws, be in the hands of the Executive Board who shall be composed of

the President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Fire Chief, EMS Captain, and Chairman of the Board of Trustees. This board shall be responsible for the execution of all mandates of the Company; recommend to the Company matters to the best interest of the Company for due consideration and action; and in such instances where matters of urgent nature arise between stated meetings and/or possible special meetings of the Company shall act as the governing body of the Company. In times of disaster it shall be the governing body of the Company until such a time as a special or stated meeting may again restore full and normal procedures.

Section 3. The Fire Chief, Assistant Fire Chief, EMS Captain and Assistant EMS Captain shall represent the Company in all negotiations with the Borough and Township officials and make their report to the Company. They shall be known as the Municipal Fire Protection and Liaison Committee and shall be chaired by the Fire Chief.

Section 4. Officers, Representatives, and Trustees, with the exception of the Solicitor, shall be elected at the stated meeting in October. The Solicitor and Parade Marshall shall be elected by the Executive Board at the stated meeting in November.

Section 5. Nominations for Officers, Representatives, and Trustees shall be made from the floor at the stated meeting of the Company in September. Election shall be at the stated meeting in October.

Section 6. Active members, 21 years of age or older, with 2 years or more of continuous Active membership in the Company, living within the Saucon Valley School District and who have never been convicted of a felony, shall be eligible to be nominated for office in the Company.

Section 7. No member shall be a candidate for more than one office at any given election. In the event a member's name shall be placed in nomination for more than one office, it shall be the duty of such member to withdraw his/her name from nomination of all but one of the said nominations. In the event that any member fails in this manner to express his/her preference, his/her name shall be placed on the ballot as a candidate for that office to which he/she was first nominated.

Section 8. The duties of Officers and Executive Board members shall be those actually pertaining to such offices and executive board and as further provided for in the By-Laws.

## ARTICLE VI

### *Finance*

Section 1. The revenues of this Company shall be derived from membership application fees, from annual membership dues, municipal appropriations, rentals, net proceeds of operation of the Social Quarters, assessments, fines, and such other sources as may be approved by the Company from time to time.

Section 2. The amount of such application fees, and the amount of such dues shall be set by the Company from time to time as specified in the By-laws.

## ARTICLE VII

### *Meetings*

Section 1. The stated meetings of the Company shall be held on the last Tuesday of each month..

## ARTICLE VIII

### *Representatives*

Section 1. The Fire Chief and the Assistant Fire Chief shall be the duly authorized representatives to any organization of Fire Chiefs with which the Company becomes affiliated or which in letter or spirit meets with the approval of the Company.

Section 2. The EMS Captain and the Assistant EMS Captain shall be the duly authorized representatives to any organization of EMS Chiefs with which the Company becomes affiliated or which in letter or spirit meets with the approval of the Company.

## ARTICLE IX

### *Mutual Aid*

Section 1. The Company shall be bound by its affiliation with any mutual aid plan(s) as now in existence (with the adoption of this Constitution) and with any later additions or changes to said plan(s), provided the Company has been duly notified of any proposed additions or changes to such plan(s) which in turn shall have been approved by the Company and Hellertown Borough Council, if so required.

## ARTICLE X

### *Dissolution*

Section 1. The Dewey Fire Company prohibits the use of any surplus funds for private inurement to any person in the event of a sale or dissolution of the institution.

## ARTICLE XI

### *Null and Void*



Section 1. With the adoption of this Constitution all other forms of this Constitution which may have heretofore been in effect are hereby declared null and void.

## ARTICLE XII

### *Amendments*

Section 1. No amendment shall be made to this Constitution unless presented in writing by a member in good standing at a regular stated meeting of the Company. The Company shall refer the proposal to the By-Laws Committee for review.

Section 2. The By-Laws Committee shall meet to discuss the proposal to change the Constitution and make a recommendation as soon as possible to the Company at a regular stated meeting.

Section 3. The By-Laws committee shall report to the Company its findings on the proposal. If the Committee finds valid reasons to make the change, the recommended proposal is then read at two successive regularly stated meetings of the Company. After the second reading, the proposal must receive the concurrence of two-thirds of the members present to be enacted and become part of the Constitution.

## **BY-LAWS**

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### **ARTICLE I**

#### *Company Meetings*

Section 1. The stated meeting of the Company shall be held on the last Tuesday of every month..

Section 2. Seven (7) eligible members shall constitute a quorum for the transaction of business.

Section 3. A special meeting can be called by the President, the Executive Board, or at the request of five eligible members, stating in writing the object of the meeting and specifying the nature of the business to be considered. No business shall be transacted unless such a meeting is called.

Section 4. When special meetings are called, notice thereof shall be given by posting same on the Fire Station Bulletin Board as well as the Company Office Bulletin Board. This shall be done at least 24 hours preceding said meeting.

### **ARTICLE II**

#### *Application and Election to Membership*

Section 1. Any person desirous of becoming a member of this Company shall cause his or her application to be made in writing on an application form provided for said purpose, in accordance with Article IV of the Constitution.

Section 2. Application for membership as members shall be accompanied by the appropriate fee; the same to include an application fee, advance payment of a year's Company dues, and a card key fee.. These amounts shall be determined by the Company and revised as necessary from time to time.

Section 3. Upon the application being presented to the Company, the President shall appoint an investigation committee of three eligible members as provided for in the Constitution.

Section 4. Upon completion of the investigation by the committee appointed, the candidate shall be balloted on at a subsequent meeting of the Company, provided the committee report is favorable. In the event of an unfavorable report the applicant shall be so notified and the fee refunded.

Section 5. Election to membership shall be conducted in the following manner: the President shall appoint a Judge and two tellers, after which the regulation ballot shall be placed before the President and inspected by the election board. The Judge, after being satisfied that

everything is in order, shall cause as many eligible members as wish to vote and do so being instructed of the written ballot procedure. After all who wish to vote have been accorded that privilege, the Judge shall declare the ballot closed. A minimum of seven votes shall be cast as a legal ballot. Four or more "NO" votes shall reject an applicant.

Section 6. Applicants elected to membership shall be notified of their election by mail. Active members shall be instructed to complete their membership by attending the next meeting to affirm the Pledge of Honor and receive a copy of the Constitution and By-Laws.

Section 7. Applicants receiving unfavorable action shall be so notified by mail and their fees refunded therewith.

### ARTICLE III

#### *Suspensions*

Section 1. Any member who is in arrears three months in payment of dues, fines, or assessments shall be suspended.

Section 2. The officers of the Company, for improper conduct, shall be subject to removal from office and/or suspension from the Company, provided that two-thirds of those eligible members present at a stated meeting vote for such suspension; with the further provision that such suspension vote shall not be taken without the member first having been given the opportunity to defend himself/herself.

Section 3. No person other than a member of the company shall be allowed to habitually frequent the Fire Station and Social Quarters. Members are the only persons allowed to bring non-members into these quarters as guests and any member guilty of violating this section by habitually bringing in non-members shall be subject to suspension of membership by Company action upon a two-thirds vote of members present at a stated meeting.

### ARTICLE IV

#### *Reinstatement*

Section 1. Any member suspended from membership in the Company and wishing to reinstate his/her membership shall submit his/her application in writing in the same manner as do new applicants; accompanying same with said fee as prescribed in Article IV of the Constitution.

## ARTICLE V

### *Dues and Exoneration*

Section 1. Each member shall pay, as determined by the Company from time to time, annual dues consisting of Company dues and a card key fee, except as otherwise provided in Section 2 of this article.

Section 2. The following shall be exonerated from payment of that amount stipulated as Company dues for such time as they may be serving in the respective capacities herewith specified: President, Vice President, Recording Secretary, Financial Secretary, Treasurer, all Trustees, Fire Chief, Assistant Fire Chief, EMS Captain, Assistant EMS Captain and members of the Fire Duty Squad, , the members of the Fire Police Squad, and the members of the EMS Squad; except that no member shall be exonerated from payment of dues until they have completed two successive years as a member of the Company. Any Active member with a minimum age of 65 and with 20 continuous years of service shall be deemed a Life Member and be exonerated from payment of Company dues. Any member who is a member of a squad shall be deemed a life member and be exonerated from dues after 20 years of continuous service regardless of age.

Section 3. As soon as the period of service as an elected officer shall be terminated for any reason whatsoever said member or members shall be required to pay dues as stipulated in Section 1 of this article; same to be computed from the beginning of quarter closest to date of termination of said service.

## ARTICLE VI

### *Change of Membership Status*

Section 1. A member who wishes to change his/her membership status shall submit his/her application in writing in the same manner as do new applicants.

## ARTICLE VII

### *Nomination of Officers*

Section 1. Nominations for annual election of officers shall be made from the floor at the stated meeting of the Company in September.

Section 2. Nominations to fill vacancies shall be made from the floor of the meeting preceding the election to fill such existing vacancy.

Section 3. The President shall name a committee of three eligible members at the stated meeting in July to prepare a list of members suitable as candidates for Company offices and report at the September meeting prior to the nomination of officers.

## ARTICLE VIII

### *Election of Officers*

Section 1. The election of officers shall be held at the stated meeting of October each year.

Section 2. The election of officers shall be conducted in the following manner: the President shall appoint a judge, two tellers, and a clerk.

Section 3. The voting shall be by ballot unless there is no opposition for any one office. In that event, and that event only, may the election be by a vote of acclamation.

Section 4. The Recording Secretary shall be responsible for the preparing of a ballot.

Section 5. Only eligible members shall be allowed to vote in this election.

Section 6. During the election the judge shall be the presiding officer and shall have the same power as the President of the Company in the preservation of order during the conduct of the election. When the voting has been concluded the election board shall count and tabulate the ballots, the clerk shall make a true and correct statement in writing of the results of said voting and hand it to the judge, who shall declare aloud and distinctly the results of the voting. Upon a majority vote of the meeting assembled the election board may adjourn to another room for the counting of the ballots.

## ARTICLE IX

### *Duties of Officers*

#### *President*

Section 1. It shall be the duty of the President to preside at all meetings of the Company and preserve proper order. The President shall cast the deciding vote whenever a tie vote is before the body. The President shall be the presiding officer for the Executive Board and the Board of Managers.

Section 2. The President shall appoint at the November meeting of the Company all appointive officers for the Company and the standing committees as provided for in these By-Laws.

Section 3. The President shall appoint an investigating committee of three eligible members upon receipt of an application for membership.

Section 4. The President shall appoint any and all committees, not otherwise provided for, and as mandated by the Company.

Section 5. The President shall appoint a judge, two tellers, and a clerk for any and all elections of officers for the Company.

Section 6. The President shall fulfill the duties specifically assigned to the Vice President in the absence of that officer.

Section 7. The President shall sign all orders on the Treasurer for payment of approved bills.

*Vice President*

Section 8. It shall be the duty of the Vice President to assist the President in all of his duties. The Vice President shall be the presiding officer in the absence of the President.

Section 9. The Vice President shall be a member of the Board of Managers.

*Recording Secretary*

Section 10. The Recording Secretary shall record the proceedings of regular or special meetings of the Company, meetings of the Executive Board, and meeting of the Board of Managers, in a Minute Book kept for that purpose; read the minutes of the previous meetings; call the roll of officers; read all communications; do the corresponding; make out any necessary reports not assigned as specific duties to other officers; sign all orders on the Treasurer for payment of bills authorized by the Company; and attend to any and all general duties of secretary that may present themselves from time to time. In the event of his/her absence he/she shall make every possible effort to have the necessary books and papers available for the proper conduct of the meeting. In the absence of the Recording Secretary the presiding officer shall appoint a member who \_\_\_\_\_ shall record the proceedings pursuant to this Section.

*Financial Secretary*

Section 11. The Financial Secretary shall receive all monies belonging to the Company, keep a correct account of all money received, carefully noting the date on which, and source from which received, and pay the same over to the Treasurer, taking his/her receipt for the same. He/she shall report at each stated meeting of the Company the amount of money received and paid over by him/her to the Treasurer. He/she shall open an account with each member of the Company, in a book furnished for that purpose (Member Ledger). He/she shall credit each member for dues paid.

Section 12. The Financial Secretary shall prepare a written ballot to be used for the election of proposed members at the regularly stated meeting of the Company.

Section 13. The Financial Secretary shall notify members of impending suspension when they are three months in arrears in payment of dues; he/she shall present at Company meetings a list of members who are four months in arrears in payment of dues who shall have their membership terminated. He/she shall notify all members of their election to membership within

ten days after their election; notify any applicant to membership who has been rejected of said action, and see to it that his/her application fee is returned. He/she shall furnish to the Board of Managers a roster of members for that board's required information in conforming to Governmental (PLCB) Regulations, to be for the scrutiny of any and all members of the Company in carrying out their work for the good of the Company.

#### *Treasurer*

Section 14. It shall be the duty of the Treasurer to give a receipt for all monies he/she receives from the Financial Secretary; he/she shall serve as the Treasurer and he/she shall whenever possible, serve as Treasurer of any and all major committees of the Company involving sizeable amounts of money. The Treasurer shall deposit these funds in a designated depository named by the Company and have them in order and subject to withdrawal, as stipulated by these By-Laws or in case of special funds as stipulated by Company action.

Section 15. The Treasurer shall pay bills as passed for payment by the Company or other special committee; always in accord within these By-Laws or with any action passed by the Company.

Section 16. The Treasurer shall report monthly the state of general Company funds and quarterly the state of all funds of the Dewey Fire Company. These reports shall be as beginning with the month of January and concluding with the month of December.

#### *Fire Chief*

Section 17. It shall be the duty of the Fire Chief to answer all alarms whenever possible and to be present at any and all alarms to which the Company may be called. He/she shall be responsible to the Borough of Hellertown for all fire fighting equipment placed in the Company's hands. He/she shall be responsible to the Company for any and all such equipment owned by the Company. He/she shall coordinate duties of subordinates and maintain discipline in the Fire Duty Squad. He/she shall delegate to the Assistant Fire Chief such duties as may seem fit to work out a better fire fighting squad. He/she shall be responsible to promote a program of training in accordance with appropriate current state and federal standards. He/she shall be the officer in charge at any and all fires and he/she shall develop and set forth a chain of command involving all officers of the Fire Duty Squad.

Section 18. The Fire Chief shall chair the Municipal Fire Protection and Liaison Committee.

Section 19. The Fire Chief, along with the Assistant Fire Chief, shall appoint the officers and members of the Fire Duty and Fire Police Squads. He/she shall report same to the Company at the November meeting for Company record and to report Fire Duty Squad and Fire Police Squad members who shall be eligible for exoneration of Company dues. This list shall be posted on the Fire Station bulletin board and a chart shall be placed thereto so that credit may be given to all members for attendance at fire and training calls. The Fire Chief shall be the judge, along with the Assistant Fire Chief, as to the physical and mental condition of any person to meet all

necessary requirements and duties of firefighters before allowing any member to take part on apparatus and/or responding to alarms. His/her orders must be obeyed in this matter as a safety precaution.

Section 20. He/she shall make a monthly report to the Company of the activities of the squad, and shall present to the Trustees an annual inventory and appraisal of all Company equipment.

Section 21. He/she shall report to the Borough Council from time to time as to needs for the work entrusted to the Company; He/she shall make an annual report to Borough Council as to the work of the Company, its functioning within the Borough limits, and present an inventory of appraisal of all Borough owned property entrusted in his/her care.

Section 22. He/she shall be elected for three year terms of office beginning in October 1966. His/her election shall meet with approval of Borough Council.

#### *Assistant Fire Chief*

Section 23. The Assistant Fire Chief shall assist the Fire Chief in all of his/her duties. He/she shall immediately take over the full responsibilities of the Fire Chief upon the absence of the Fire Chief for any unusual length of time-illness or other unavoidable reason. In such instance the Company President and Vice President shall be notified, who in turn shall confer with Borough Council relative to the situation.

Section 24. The Assistant Fire Chief shall serve on the Municipal Fire Protection and Liaison Committee.

Section 25. The Assistant Fire Chief shall be elected for three year terms of office beginning in October 1965. His/her election shall meet with the approval of Borough Council.

#### *Captain and Lieutenants*

Section 26. These officers shall take their places in the Fire Duty Squad in the order their rank designates, and in the absence of their immediate superior shall take his/her place and carry on the work at hand as outlined by the Fire Chief and Assistant Fire Chief.

#### *EMS Captain*

Section 27. It shall be the duty of the EMS Captain to be present at all calls pertaining to the ambulance and EMS Squad whenever possible for him/her to do so. He/she shall be responsible to the Company for all equipment placed in the EMS Squad's hands. He/she shall co-ordinate duties of subordinates and maintain discipline in the squad. He/she shall relegate to the Assistant EMS Captain such duties as may seem fit. He/she shall be responsible to promote a continuous program of training.



Section 28. The EMS Captain shall serve on the Municipal Fire Protection and Liaison Committee.

Section 29. The EMS Captain, along with the Assistant EMS Captain, shall appoint the officers and members of the EMS Squad. He/she shall report same to the Company at the November meeting for Company record and to report EMS Duty members who shall be eligible for exoneration of Company dues. This list shall be posted on the Fire Station bulletin board. The EMS Captain shall be the judge, along with the Assistant EMS Captain, as to members meeting all necessary requirements and duties of Emergency Medical Personnel before allowing any member to respond to alarms or requests to service. His/her orders must be obeyed in this matter as a safety precaution.

Section 30. He/she shall make a monthly report to the Company of the activities of the squad, and shall present to the Trustees an annual inventory and appraisal of all Company equipment.

Section 31. He/she shall be elected every odd-numbered year to a two year term of office.  
*Assistant EMS Captain*

Section 32. It shall be the duty of the Assistant EMS Captain to assist the EMS Captain in his/her duties at all times, or as directed by him/her. He/she shall immediately take over the full responsibility of the EMS Captain upon the absence of the EMS Captain for any unusual length of time, illness, or other unavoidable reason. In such instance the Company President and Vice President shall be notified, who in turn shall confer with the Company relative to the situation.

Section 33. The Assistant EMS Captain shall serve on the Municipal Fire Protection and Liaison Committee.

Section 34. He/she shall be elected every even numbered year to a two year term of office.

*Sergeant-at-Arms*

Section 35. The Sergeant-at Arms shall serve as the sentinel or outer guard for the Company at times of regular or special meetings of the Company. He/she shall be strict in that none but members in good standing, entitled to be present, take their place among the membership unless by permission of the President, who shall determine any non-members who may be heard for any specific purpose relative to proposals or other predetermined Company business proposition.

He/she shall see to it that the meeting room is properly set up for the purpose of holding a meeting in order to command strict attention to the business at hand. He/she shall see that the American flag is in proper place for all meetings.

He/she shall assist the presiding officer in maintaining proper decorum at all meetings of the Company.

*Solicitor*

Section 36. The Solicitor shall serve as the legal advisor to the Company in all matters. Particularly he/she should advise the officers and membership as to the correct procedure in matters of a legal nature; mortgages, deeds, titles, etc; and requirements of the P.L.C.B.

*Parade Marshall*

Section 37. The Parade Marshall shall have charge of Company formations and movements in which the Company may so participate in a body being subordinate only in respect to the Fire Chief insofar as the appearance of apparatus and equipment is concerned in such formations. Whenever possible, such appointee should be a member with considerable military experience inasmuch as the office is of a quasi-military nature.

ARTICLE X

*Executive Board*

Section 1. The Executive Board of the Company shall be composed of the President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Fire Chief, EMS Captain, and the Chairman of the Board of Trustees.

Section 2. The Executive Board shall meet the first Tuesday of February, May, August and November and at any other time that the President deems necessary during the course of the year.

Section 3. It may meet to discuss any and all phases of Company activities; the problems incident to such activities; and recommend to the Company proposals for its consideration and possible approval.

Section 4. It shall assist the President and other officers in the carrying out and fulfilling the mandates of the Company.

Section 5. It may take action on matters for the good of the Company, its officers and members and the community; in times of emergency and when it is not possible to await the calling of a special meeting of the Company.

Section 6. In times of emergency, it shall be the governing body of the Company between times of Company meetings.

Section 7. A Board member, Officer or Trustee of the Company shall stand in a fiduciary relation to the Company and shall perform his/her duties as a Board member, Officer or Trustee, including his/her duties as a member of any committee of the Board upon which he/she may serve, in good faith, in a manner he/she believes to be in the best interests of the Company, and with such care, including reasonable inquiry, skill and diligence, as a person of ordinary prudence would use under similar circumstances. In performing his/her duties, a Board member,

Officer or Trustee shall be entitled to rely in good faith on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared by any other of the following:

a). One or more Officers and/or Board member(s) of the Company whom the Board member(s), Officer(s) or Trustee(s) reasonably believes to be reliable and competent in the matters presented.

b). Counsel, public accountants or other persons as to matters which the Board member(s), Officer(s) or Trustee(s) reasonably believes to be within the professional or expert competence of such person.

c). A committee of the Board upon which he/she does not serve, duly designated in accordance of law, as to matters within its designated authority, which the Board member, Officer or Trustee reasonably believes to merit confidence.

A Board member, Officer or Trustee shall not be considered to be acting in good faith if he/she has knowledge concerning the matter in question that would cause his/her reliance on any information set forth above in Section 7 to be unwarranted.

In discharging the duties of their respective positions, the Board member(s), Officer(s) or Trustee(s), committees of the Board and individual persons may, in considering the best interests of the Company, consider the effects of any action upon employees, upon suppliers and customers of the Company and upon communities in which the Company is located, and all other pertinent factors. The consideration of those factors shall not constitute a violation of this section.

Absent breach of fiduciary duty, lack of good faith or self-dealing, actions taken as a Board member, Officer or Trustee or any failure to take action shall be presumed to be in the interests of the Company.

A Board member, Officer or Trustee of the Company shall not be personally liable for monetary damages as such for any action taken, or any failure to take any action, unless:

a). The Board member, Officer or Trustee has breached or failed to perform the duties of his/her office under this section.

b). The breach or failure to perform constitutes self-dealing, willful misconduct or recklessness.

The provisions of this section shall not apply to:

a). The liability of a Board member, Officer or Trustee pursuant to any criminal statute;

or

b). The liability of a Board member, Officer or Trustee for the payment of taxes pursuant to local, state or federal law.

Section 8. The Company shall indemnify each of its Board members, Officers and/or Trustees whether or not then in service as such (and his/her executor, administrator and heirs), against all reasonable expenses actually and necessarily incurred by him/her in connection with the defense of any litigation to which the individual may have been a party because he/she is or was a Board member, Officer or Trustee of the Company. The individual shall have no right to reimbursement, however, in relation to matters as to which he/she has been adjudged liable to the Company for negligence or misconduct in the performance of his/her duty as a Board member, Officer or Trustee by reason of willful misconduct, bad faith, gross negligence or reckless disregard of the duties of his/her office or employment. The right to indemnity for expenses shall

also apply to the expenses of suits, which are compromised or settled if the court having jurisdiction of the matter shall approve such settlement.

The foregoing right of indemnification shall be in addition to, and not exclusive of, all other rights to that which such Board member, Officer or Trustee may be entitled.

#### Section 9. *Annual Report of the Board.*

The Board shall direct the president and treasurer to present at the annual meeting of the Board a report showing in appropriate detail the following:

- (1) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year immediately preceding the date of the report.
- (2) The principal changes in assets and liabilities including trust funds, during the year immediately preceding the date of the report.
- (3) The avenue or receipts of the corporation, both unrestricted and restricted to particular purposes, for the year immediately preceding the date of the report, including separate data with respect to each trust fund held by or for the corporation.
- (4) The expenses or disbursements of the corporation, for both general and restricted purposes, during the year immediately preceding the date of the report, including separate data with respect to each trust fund held or for the corporation.

The annual report of the Board shall be filed with the minutes of the annual meeting of the Board.

### ARTICLE XI

#### *Corporate records, inspection by members*

(a) Required records. Every nonprofit corporation shall keep minutes of the proceedings of the members, the directors and any other body, and a membership register, giving the names and addresses of all members and the class and other details of the membership of each. The corporation shall also keep appropriate, complete and accurate books or records of account. The records provided for in this subsection shall be kept at any of the following locations.

- (1) the registered office of the corporation in this Commonwealth;
- (2) the principal place of business wherever situated; or
- (3) any actual business office of the corporation.

(b) Right of inspection by a member. Every member shall, upon written verified demand stating the purpose thereof, have a right to examine, in person or by agent or attorney,

during the usual hours for business for any proper purpose, the membership register, books and records of account, and records of the proceedings of the members, directors and any other body, and to make copies or extracts therefrom. A proper purpose shall mean a purpose reasonably related to the interest of the person as a member. In every instance where an attorney or other agent is the person who seeks the right of inspection, the demand shall be accompanied by a verified power of attorney or other writing that authorizes the attorney or other agent to so act on behalf of the member. The demand shall be directed to the corporation:

- (1) at its registered office in the Commonwealth;
- (2) at its principal place of business wherever situated; or
- (3) in care of the person in charge of an actual business office of the corporation.

## ARTICLE XII

### *Board of Trustees*

Section 1. With the adoption of these By-Laws, the Board of Trustees shall be composed of five elected members to that body. In each odd numbered year there shall be three members elected to serve two years and in each even numbered year there shall be two members elected to serve two years.

Section 2. The Board of Trustees shall have charge of the property, real and personal, of the Company and see that it is properly maintained; reporting any deficiencies in such care; need for repairs; and recommend appropriate steps to be taken.

Section 3. It shall have charge of Deeds to the Company's Real Estate, Insurance Policies of the Company; Surety Bonds of the Officers; Securities, and other valuable papers and release them to proper officers only when needed for Company business and returned promptly when that need no longer exists. They shall make certain that there is no undo delay in matters of this nature.

Section 4. It shall have charge of utility needs of the Company and shall have charge of the preserving of order in the Company lounge.

Section 5. It shall at all times cooperate with the Board of Managers and the officers of the Fire Duty and EMS Squads, in making available Company property to the end that these units may best carry on their work.

Section 6. It shall have detailed charge of all uniforms (parade), banners, flags, and see to it that these are charged to the individual members who may have them in their possession. It shall see to it that these items are properly maintained and accounted for. It shall have the power to recall any and all such items to the Company premises at any time it is deemed advisable to do so.

Section 7. The Board of Trustees shall take charge of all stands, cooking utensils, and so forth, that may be rented; keep them in a good state of repair; set a standard rate of rentals (approved by the Company from time to time); arrange for such rentals; collect the fees; and turn same over to the Financial Secretary.

Section 8. The first Tuesday of November of each year the five Trustees shall meet and elect one of their number as the Chairman of the Board of Trustees.

Section 9. The Chairman of the Board shall be responsible for keeping a record of the valuable papers, personal property, its rental and the proceeds therefrom; a record of uniforms and in whose possession they are; a record of insurance policies of all kinds; and an inventory of all personal and real property of the Company. The Chairman shall also present at the Company meeting a concise report of inspections, repairs, fees collected, recommendations and other matters, pertinent to the Company's real and personal property.

### ARTICLE XIII

#### *Fire Duty Squad*

Section 1. The Fire Duty Squad shall consist of the Fire Chief, Assistant Fire Chief, Fire Captain, Four Lieutenants and selected members who shall answer all alarms whenever physically or humanly possible.

Section 2. The Fire Chief and the Assistant Fire Chief shall be elected officers of the Company as provided for in the By-Laws. The members of the squad are encouraged to submit names of qualified and interested candidates to the nominating committee as provided for in the By-Laws.

. Section 3. Minimum Requirements for Fire Officers.

The Fire Chief and Assistant Fire Chief shall possess certification in each of the following : Nationally certified Firefighter 2, Nationally certified Hazmat Operations, PA Basic Vehicle Rescue Technician, current chief officer level ICS (NIMS 400 Level), current First Aid and CPR or higher, or their equivalent certificates, to be eligible to serve in these offices.

Captain and Lieutenants shall possess certification in each of the following: Nationally certified Firefighter 1, Nationally certified Hazmat Operations, PA Basic Vehicle Rescue Technician, current line officer level ICS (NIMS 100, 200, 700 Level), current First Aid and CPR or higher, or their equivalent certificates, to be eligible to serve in these positions.

Section 4. The Fire Chief and the Assistant Fire Chief shall appoint the Captain and Lieutenants by the November meeting of each year.

Section 5. The Fire Chief and Assistant Fire Chief shall appoint the selected squad members by the November meeting. In making these appointments they shall give full and careful consideration of any and all recommendations that may be offered by the chosen Captain and Lieutenants.

Section 6. Any of these members may be removed for cause by the Fire Chief and Assistant Fire Chief and vacancies filled in the same procedure used in the original appointments as outlined in Section 4 of this Article.

Section 7. The Fire Chief and Assistant Fire Chief shall cause these members to take all possible courses of fire fighting, further training, and rescue training, available in order to maintain the highest possible standard of volunteer fire fighting. The cost of this training will be reimbursed after successful completion of the aforementioned courses and upon appropriate presentation of receipts or other proof of payment for these courses.

Section 8. The Fire Chief and Assistant Fire Chief shall give consideration, full study, and render a report on any complaints of failure in carrying out the duties as above outlined. Such complaints shall be in writing and signed by any two or more members of the Company.

Section 9. The Officers and members of the Fire Duty Squad must be familiar with, and abide by, the current Standard Operating Procedures (SOP) for the Squad.

#### Article XIV

##### *Fire Police Squad*

Section 1. Selected members shall be designated as Fire Police appointed by the Fire Chief and Assistant Fire Chief by the November meeting of the Company; and sworn in by the Mayor of Hellertown.

Section 2. One of these appointees shall be designated as Captain of Fire Police. It shall be his/her duty to take charge of Fire Police at any emergency scene and to coordinate the work of his/her members along with that of Borough, Township, or State Police Officers.

Section 3. It shall be the specific duty of the Fire Police to take charge of the building or buildings afire; all other personal property or real estate at the immediate endangered fire scene; permit no one but authorized persons so named by the officer in charge of the emergency scene to enter same, and only then if the said person is not considered to be endangering his/her very life. The building afire shall be protected and guarded by Fire Police until such time as the owner can again take full charge of the same; or until other police officers can take over the guarding of said property.

Section 4. It shall be the duty of the Fire Police to control traffic and traffic signals at emergency calls as necessary to ensure the safety of emergency personnel, as well as the general public. They shall comply with the orders of the Officer in Charge of the scene. They shall use devices designed for the purpose of crowd and traffic control, the Fire Police shall place these devices so that emergency personnel may work without interference. Traffic lanes shall be cleared for apparatus to move freely while guarding against anyone driving over fire hose or in any way interfering with the emergency personnel using good judgment in their work at all times.

Section 5. The Officers and members of the Fire Police Squad must be familiar with, and abide by, the current Standard Operating Procedures (SOP) for the Squad.

## ARTICLE XV

### *EMS Duty Squad*

Section 1. .Members of the EMS Squad must possess current EMT, AEMT, or EMT-P or PHRN with active command status, to serve actively on the EMS duty squad..

Section 2. Members placed on the list to serve actively shall make every possible effort to answer any and all calls for Ambulance Service.

Section 3. Every member of the squad shall avail themselves of all current training being given during the course of any one year. The cost of this training will be reimbursed after successful completion of the aforementioned training.

Section 4. The officers of the squad shall be an EMS Captain, Assistant EMS Captain and up to 4 Lieutenants. The EMS Captain and Assistant EMS Captain shall be elected by the members of the Company as previously provided for in the By-Laws. The members of the squad may submit names of qualified and interested candidates to the nominating committee as provided for in the By-Laws. The Lieutenants shall be appointed from members within the EMS Squad by the EMS Captain and Assistant EMS Captain.

Section 5. The EMS Captain and Assistant EMS Captain shall designate a list of squad members who shall be exonerated from the payment of Company dues as previously provided for, and report same to the Company by the November meeting for Company records. This list shall include only members who are available for duty from time to time throughout the year. This section shall also include employees that do not hold a membership in the Company.

Section 6. The EMS Squad is at all times under the jurisdiction of the Company, and shall report to the Company on matters of finance, required medical supplies, and other matters needed for the proper operation of this phase of service.

Section 7. The EMS Squad may and shall conduct meetings, drills, and classes of training at its own discretion. It shall make rules for the operation of EMS duty, the conduct of its work and other kindred matters; shall report same to the Company for approval; and then shall post them in the Fire Station and the apparatus room whereupon the said rules shall be recognized as a law of the Company and shall so be enforced.

Section 8. All members of the EMS Squad must be familiar with, and abide by the current Standard Operating Procedures (SOP) for the Squad.



## ARTICLE XVI

### *Appointments*

Section 1. The President shall appoint a Solicitor, who shall be an attorney; and a Parade Marshall, who shall have military experience, if possible so to select.

Section 2. The President shall appoint 2 members, not holding elective office, to the Board of Managers on even numbered years, and 3 such members on odd numbered years.

Section 3. The President shall appoint the following committees, with their respective quantity of members, to serve for one year: Auditing Committee – (3) members, Grievance Committee – (5) members, Entertainment Committee – (3) members, and Welfare and Memorial Committee – (3) members and By-Laws Committee – (5) members.

Section 4. The aforesaid appointments are to be made at the stated meeting in November and to serve for one year unless otherwise stipulated.

Section 5. All other appointments shall be made as provided for in the various articles and sections relevant to such appointments.

## ARTICLE XVII

### *Board of Managers*

Section 1. The Board of Managers shall be composed of the President, Vice President, Recording Secretary, Financial Secretary, Treasurer, and five members at least 21 years of age, not holding elective office in the Company, to be appointed by the President.

Section 2. The President shall appoint two members on each even numbered year and three members on each odd numbered year, for a term of two years

Section 3. The President shall be the presiding officer and the Vice President shall take the place of the President in his/her absence.

Section 4. The Board of Managers shall meet for organization in November; shall meet at least once a month and as often as it deems necessary and at times it deems most advantageous to best serve the interests of the Social Quarters operation.

Section 5. The Board of Managers shall appoint a Club Treasurer at its organization meeting. He/she shall keep an accurate account of all daily transactions; shall make a record of same in a system of bookkeeping approved by the PLCB and in keeping with the best club management practices; and in accordance with instructions given by the Board of Managers from time to time; not in conflict with any statutes or regulations.

Section 6. The Financial Secretary shall be the Secretary on membership for the Board of Managers.

Section 7. The Recording Secretary shall keep the minutes of all meetings of the Board of Managers.

Section 8. The Board may appoint annually a Manager for the Club.

Section 9. The Club Treasurer shall have a monthly report for the Company at each stated meeting. The Club Treasurer shall give bond as required by the Company.

Section 10. The Board of Managers shall from time to time submit new and revise existing House Rules for approval by the Company. Upon approval by the Company said rules become law of the Company and shall be enforced with a firm resolve for the good of the Company.

## ARTICLE XVIII

### *Committees*

Section 1. It shall be the duty of the Investigating Committee to ascertain the character and standing in the community of the candidate and report at the next subsequent regular meeting of the Company, whether such candidate is worthy of admission as a member of the Company.

Section 2. It shall be the duty of the Committee on Grievances to investigate all charges, complaints, or petitions that may be referred to it by the Company, and report thereon, in writing, at the next regular or special meeting.

Section 3. The Welfare and Memorial Committee shall be constantly on the alert in an endeavor to seek out sick and ailing members of the Company. It shall be the duty of the committee to see that cards, flowers, or other token of cheer is extended to these members in his/her hour of pain or distress.

It shall see to it that a floral tribute is sent for the funeral of any deceased member, in the name of the Company, unless it is ascertained from reliable sources that it is to be omitted.

Members of this committee shall keep themselves conversant with the membership rolls at all times. The committee shall prepare and present a resolution IN MEMORIAM to the family of the deceased.

Section 4. The Entertainment Committee shall provide any and all entertainment for regular and special meetings of the Company. It shall cooperate in this matter with the Board of Managers. Bills incurred shall be payable out of the regular Company funds. The serving of liquor, malt and other beverages shall have the sanction of the Board of Managers.

Section 5. The duties of the Auditing Committee shall be to make an annual audit of the business conducted by the Board of Managers, make an audit of any major committee operations

at the close of the committee's work and make an audit of the Company's funds and assets for the year at its closing. The annual audit shall also include a physical inventory of all Company property to be taken with the cooperation of the Board of Trustees.

Section 6. The duties of the By-Laws Committee shall be to review proposed changes to the By-Laws presented at Company meetings. The Committee shall review and discuss the proposals and make recommendations as to their necessity and validity. The Committee shall report their recommendation to the Company, at a subsequent meeting for review, by the membership, pursuant to the By-Laws.

## ARTICLE XIX

### *Salaries*

Section 1. The Company will, from time to time, set the per annum salary of the Recording Secretary, Financial Secretary, Treasurer and Club Treasurer.

Section 2. The salary of the Social Quarters employees will from time to time be set by the Company upon recommendation by the Board of Managers.

Section 3. The salary of the EMS employees will from time to time be set by the Company upon recommendation by the EMS Officers.

Section 4. The EMS Captain and Assistant EMS Captain shall be compensated annual salaries equal to the annual salaries of the Fire Chief and Assistant Fire Chief, as paid by the Borough of Hellertown, respectively.

## ARTICLE XX

### *Bonding*

Section 1. The President, Recording Secretary, Financial Secretary, Treasurer and Club Treasurer shall be bonded to the satisfaction of the Trustees and the Company.

## ARTICLE XXI

### *Assessments*

Section 1. Where a member has committed himself to a payment of an amount of money for any item received from, service rendered by, or contracted with the Company for any legitimate reason he shall be held liable for payment of same, with Company approval by action taken at a stated meeting; and the amount placed on the ledger against his account with notification to said member that he will forfeit his membership if settlement is not made. The procedure shall be the same as for non-payment of dues.

## ARTICLE XXII

### *Vacancies*

Section 1. Vacancies in elective offices shall be filled at the meeting at which vacancy is announced. Procedure is along lines of regular annual election.

Section 2. Vacancies of appointive officers shall be filled by appointment by the President at the stated meeting when such vacancy occurs.

Section 3. Vacancies in the Fire Duty Squad, EMS Duty Squad and Fire Police Squad shall be filled as soon as possible and in the same manner as the original appointments were made; with report made to the Company at the first stated meeting possible.

Section 4. The President shall fill vacancies in Committee appointments at any time he/she learns of same. He/she shall immediately inform the Chairman of said committee, and make report of same at the first stated meeting following.

## ARTICLE XXIII

### *Fines*

Section 1. Fines may be imposed upon any member for infringements of any duly posted rules, of any nature and pertaining to any phase of the Company's activities, enterprises or services; be they a part of these By-Laws or be they rules adopted by this Company at a stated meeting; provided such rules have had the approval of and were adopted by the Company.

Section 2. The Grievance Committee or the Executive Board shall make recommendations for said fines, and imposition must be by the Company. No member shall be fined without his/her having been given an opportunity to defend him/herself. No fine imposed shall be less than \$25.00, nor for more than \$100.00.

## ARTICLE XXIV

### *Ex-Officio*

Section 1. The President shall be an ex-officio member of any and all committees of the Company to which he/she may not otherwise be named.

## ARTICLE XXV

### *Null and Void*

Section 1. With the adoption of this Constitution and By-Laws all other forms of Constitution and By-Laws, which may have heretofore been in effect, are hereby declared null and void.

## ARTICLE XXVI

### *Amendments*

Section 1. No amendment shall be made to these By-Laws unless presented in writing by a member in good standing at a regular stated meeting of the Company. The Company shall refer the proposal to the By-Laws Committee for review.

Section 2. The By-Laws Committee shall meet to discuss the proposal to change the By-Laws and make a recommendation as soon as possible to the Company at a regular stated meeting.

Section 3. The By-Laws committee shall report to the Company its findings on the proposal. If the Committee finds valid reasons to make the change, the recommended proposal is then read at two successive regularly stated meetings of the Company. After the second reading, the proposal must receive the concurrence of two-thirds of the members present to be enacted and become part of the By-Laws.

## ARTICLE XXVII

### *Indemnification in Third Party Proceedings.*

The corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the corporation) by reason of the fact that he or she is or was a representative of the corporation, or is or was serving at the request of the corporation as a representative of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorney's fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceedings if he acted in good faith and in a manner reasonably believed to be in, or not opposed to, the best interests of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or not opposed to, the best interests of the corporation, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful of the judicial district embracing the county in which the registered office of the corporation is located.

## ARTICLE XXVIII

### *Insurance*

The corporation shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against such person and incurred by such person in any capacity or arising out of such person's status as such, whether or not the corporation would otherwise have the power to indemnify such person against such liability.

#### ARTICLE XXIX

##### *Corporate Seal*

The corporation shall have a corporate seal in the form of a circle containing the name of the corporation, the year of incorporation and such other details as may be approved by the Board.

#### ARTICLE XXX

##### *Checks*

All checks, notes, bills of exchange or other orders in writing shall be signed by such person or person as the Board may from time to time designate.

#### ARTICLE XXXI

##### *Contracts*

Except as otherwise provided in these by-laws, the Board may authorize any officer or officers, agent or agents, to enter into any contract or to execute or deliver any instrument on behalf of the corporation, and such authority may be general or confined to specific instances.

#### ARTICLE XXXII

##### *Deposits*

All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board may approve or designate, and all such funds shall be withdrawn only upon checks signed by such one or more officers or employees as the Board shall from time to time determine.

CHRONOLGY of Constitution and By-Laws Amendments and Revisions.

Altered and Amended January 1928  
Revised and Effective October 31, 1944  
Revised and Effective February 23, 1965  
Revised and Effective May 31, 1977  
Revised and Effective May 26, 1981  
Revised and Effective April 27, 1982  
Revised and Effective August 30, 1988  
Revised and Effective February 26, 1991  
Revised and Effective April 30, 1991  
Revised and Effective October 30, 2001  
Revised and Effective May 27, 2003  
Revised and Effective July 28, 2015  
Revised and Effective May 24, 2016

FIREMEN'S RELIEF ASSOCIATION  
of the  
DEWEY FIRE CO., NO. 1  
Hellertown, PA.

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ARTICLE I

Name and Title

Section 1. This association shall be known by the name and title of The Firemen's Relief Association of the Dewey Fire Company, No. 1. of Hellertown, PA.

ARTICLE II

Purpose

Section 1. It shall be the purpose of this Association to provide the volunteer squad members of the Borough of Hellertown, PA with protection from misfortune suffered as a result of their participation in the fire and EMS service.

ARTICLE III

Membership

Section 1. The membership of this Association shall consist of all Active members of the Dewey Fire Company, No. 1, of Hellertown, PA, who are in good and regular standing, and all junior squad members.

Section 2. Individuals age 14 years or older are eligible to serve as Junior volunteers subject to appointment by the Fire Chief or EMS Captain and shall be governed by all applicable Local, State and Federal requirements. A parent or guardian of the junior volunteer shall execute a release of liability waiver on behalf of said minor child.

ARTICLE IV

Meetings

Section 1. The Association shall meet the last Tuesday of the month, following the regular monthly meeting of the Dewey Fire Company, at the call of the President.

Section 2. Special meetings may be called by the President, or upon the written request of three members of the Association. No business may be transacted at a special meeting except



that for which the meeting was called. Members shall receive ample notice of any special meeting.

Section 3. Seven members shall constitute a quorum for any meeting.

## ARTICLE V

### Officers

Section 1. The officers of this Association shall consist of a President, a Vice President, a Secretary and a Treasurer.

Section 2. The aforementioned officers shall be nominated and elected by members of the Association, at the same time and in the same manner as Company officers are nominated and elected.

## ARTICLE VI

### Duties of Officers

#### President

Section 1. It shall be the duty of the President to preside at all meetings of the Association, preserve order therein, sign all orders on the Treasurer, appoint committees as needed and perform all other duties relating to this office.

#### Vice President

Section 2. It shall be the duty of the Vice President to act in the absence of the President.

#### Secretary

Section 3. It shall be the duty of the Secretary to keep a true record of the proceedings of every meeting in a Minute Book. The minutes shall note authorization by the membership of all financial transactions and other pertinent business discussed at the meetings.

Section 4. The Secretary shall be responsible for keeping a true and accurate membership roster.

Section 5. The Secretary is responsible for providing representatives of the Department of the Auditor General with the Association's minutes of meetings, membership roster and By-Laws.

Section 6. It shall be the duty of the Secretary to keep all minutes and records of the Association as required by the State of Pennsylvania.

## Treasurer

Section 7. It shall be the duty of the Treasurer to pay all death benefits and any other bills properly approved, keep all financial records of the Association, and make financial reports to the Company whenever requested so to do. He/she shall not expend monies or enter into investment transactions without authorization of the membership. He/she shall keep a journal and ledger which detail all financial transactions supporting the receipts and disbursements made by the Association

Section 8. The Treasurer shall, on an annual basis, submit to the membership a written financial statement summarizing the financial transactions of the Association. The Treasurer is responsible for maintaining the Association records in a businesslike manner and for presenting same to the representatives of the Department of the Auditor General when requested to do so.

Section 9. All receipts of the Association shall be deposited by the Treasurer in the name of the Firemen's Relief Association of the Dewey Fire Company. Deposits shall be made on a timely basis. All receipts shall be recorded in the journal and ledger and supporting documentation shall be maintained to verify the same.

Section 10. Funds for this Association shall not be expended for any purpose other than those authorized by the provisions of Act 84, and the By-Laws of this Association. Expenditures must be approved by the membership and duly recorded in the minutes. All expenditures must be recorded in detail in the journal and ledger. Supporting documentation shall be maintained to verify all disbursements.

Section 11. It shall be the further duty of the Treasurer to safely handle all the money of the Association and pay all orders properly drawn upon him/her. The Association shall furnish a satisfactory bond for the faithful performance of his/her duties equal to the maximum cash balance in current funds and investments at any time during the fiscal year.

Section 12. The Treasurer may receive financial remuneration set by the association from time to time for the performance of his/her duties as approved by the membership.

## ARTICLE VII

### *Investments*

Section 1. Funds of this Association may be invested in any security as authorized by provisions of Act 84. All purchases and sales of investments shall be made in a prudent manner, and duly recorded in the minutes.

## ARTICLE VIII

### *Benefits*

Section 1. In the case of the death of a member of the Dewey Fire Company belonging to the Firemen's Relief Association, in good standing, the sum of \$300.00 shall be paid to his/her survivors as a funeral benefit; or to his/her legal estate.

Section 2. Any member of the Fireman's Relief Association, who served actively on any emergency squad at the time of death, is immediately entitled to benefits.

Section 3. A member of the Fireman's Relief Association, who does not serve on any emergency squad, will not be entitled to benefits before ten years of consecutive membership in the Fireman's Relief Association.

Section 4. Members of the Fireman's Relief Association, at the time these by-laws were adopted, are immediately entitled to benefits.

Section 5. Tokens of sympathy and good will, such as flowers, fruit baskets, etc. may be sent upon a member's illness or hospital confinement.

## Article IX

### *Vacancies*

Section 1. Vacancies in the elected offices shall be filled at the meeting at which such vacancy is announced. The procedure for election shall be the same as the regular election.

## Article X

### *Miscellaneous*

Section 1. The signature of the Treasurer and President or Secretary and Treasurer and President or Secretary shall be required for the issuance of all Association checks or other financial transactions.

## Article XI

### *Amendments*

Section 1. No amendment shall be made to these By-Laws unless presented in writing by a member in good standing at a regular stated meeting of the Relief Association. The Association shall refer the proposal to the Fire Company By-Laws Committee for review.

Section 2. The Fire Company By-Laws Committee shall meet to discuss the proposal to change the By-Laws and make a recommendation as soon as possible to the Relief Association at a regular stated meeting.

Section 3. The By-Laws committee shall report to the Relief Association its findings on the proposal. If the Committee finds valid reasons to make the change, the recommended proposal is then read at two successive regularly stated meetings of the Relief Association. After the second reading, the proposal must receive the concurrence of two-thirds of the members present to be enacted and become part of the By-Laws.

## Article XII

### *Null And Void*

Section 1. With the adoption of these By-Laws, all other forms of By-Laws which may have heretofore been in effect are hereby declared null and void. Likewise, any and all rules, precedents, and provisions under such By-Laws are also declared null and void.

### CHRONOLGY of Firemen's Relief Association Amendments and Revisions.

Revised and Effective May 26, 1981  
Revised and Effective April 27, 1982  
Revised and Effective August 30, 1988  
Revised and Effective March 30, 1993  
Revised and Effective October 30, 2001  
Revised and Effective May 27, 2003  
Revised and Effective July 28, 2015

## **Guidelines for Fire Department Funerals**

The following is a suggested guideline to be followed upon the Company being notified of the death of a fellow department member as described below. It is suggested that 1 or 2 representatives from the Company, but not necessarily a close friend of the deceased, meet with the member's family to ascertain the wishes of the family regarding the Company's assistance with the funeral.

Any active or formerly active volunteer or paid member of the fire squad, EMS squad or fire police squad, with a minimum of six months active service as determined by the fire chief and/or EMS captain and is an active or life member of the Company, shall be entitled to the Company death benefits as determined in the Company By-Laws and to the funeral benefits for active squad members as prescribed below. Exception to the six month requirement: Any active member who dies while in the line of duty, but does not meet the prescribed six months of active duty, shall have the six month active duty requirement waived and shall be entitled to the funeral benefits described below.

1. Black bunting drapes shall be hung across the top of all engine bay doors, to the front of the building, for a period of seven days after the day of notification of the death. Removal shall be as soon as possible, weather-permitting, after the seventh day.

2. The black band over the shield shall be worn whenever the Company uniform is worn during the same seven day period.

3. Bunting and shielding shall take place upon notification to the Company by the family of the deceased, the funeral director or other person(s).

4. If a "Line Of Duty" death should occur, and if requested by the family of the deceased, the use of an engine or ambulance as the casket bearer or escort vehicle shall be permitted unless unavailable due to Company need or usage and/or not permitted per Borough policy. The vehicle(s) used in the funeral service shall be dressed in black bunting.

5. If a "Line Of Duty" death occurs, a meeting of officers from the fire, EMS and fire police squads, the memorial committee and officers of the Company shall be called as soon as possible for the purpose of determining arrangements with the considerations of the family.

6. Uniforms shall be worn to funeral services unless a uniform was not provided. The uniform shall be a complete uniform, ie: uniform shirt, slacks, coat, tie, white gloves, hat, black socks, and black shoes. The uniform shall be clean and pressed, gloves clean, and shoes polished. NO partial uniforms shall be permitted. All participants shall be dressed similarly when wearing the Company uniform. If no uniform is available, appropriate dress clothes shall be worn. **PROFESSIONAL BEARING SHALL BE PRESENTED AT ALL TIMES** before, during and after the funeral service.

## **ORDER OF BUSINESS**

Call to Order  
Reading of Minutes  
Report of Fire Recorder  
Report of Executive Board  
Report of Board of Trustees  
Report of Board of Managers  
Report of Treasurer  
Deferred – Unfinished Business  
Introduction and Induction of New Members  
Proposals for Membership  
Election of Membership  
Reports of Squads and Committees  
Communications  
Presentation of Bills  
New Business  
Nominations and Appointments  
Elections  
Receipts of the Session  
Good of the Company  
Roll Call  
Adjournment

## **RULES OF ORDER**

Section 1. Every member desiring the privilege of the floor, shall rise and address the chair.

Section 2. Any member offering a resolution shall present the same in writing if requested by the chair.

Section 3. When a question is before the company, no motion shall be in order except to adjourn, for previous question, to postpone for a certain time, to divide, to commit, to re-commit, or amend, which motion shall have precedence in the order in which they are arranged.

Section 4. When an eligible member raises a point of order, the person having the floor shall take his/her seat until the chair decides the point, when, if proper, he/she may resume.

Section 5. A motion to re-consider must come from an eligible member voting in the affirmative on the subject under consideration.

Section 6. Any five eligible members may call for the yeas or nays on any question, when each eligible member shall answer to his/her name, and be so recorded on the minutes.

Section 7. A member shall not speak more than three times on any subject, unless by permission of the chair.

Section 8. Any eligible member may appeal to the company for the decision of the Chair, when the question shall be stated thus: "Shall the decision of the chair be sustained?", when it shall take two-thirds of the eligible members voting to over-rule the decision.

Section 9. No eligible member, who is in arrears for dues or fines, shall be entitled to vote on any question.

Section 10. No motion or resolution to remit or excuse from the payment of any fine, duly imposed, shall be received, unless application be made in writing, stating the cause or reason why the same is requested, and not then unless two-thirds of those eligible members vote therefore.

Section 11. *Roberts' Rules of Order* shall govern all points of order not embodied in these rules.