

THE CONSTITUTION AND  
BY-LAWS OF THE  
BRENTWOOD FIRE DEPARTMENT  
BRENTWOOD, NEW YORK 11717



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## DEPARTMENT CONSTITUTION

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**Brentwood Fire Department**  
**Brentwood, Long Island, New York**

# **CONSTITUTION**

## **Preamble**

12/60

WHEREAS, in all volunteer bodies it is necessary to the Good and welfare of the same that certain rules and regulations be adopted; therefore,

RESOLVED, that we, the members of the Brentwood Volunteer Fire Department, do adopt the following Constitution and By-Laws, and do solemnly and sincerely pledge ourselves to sustain our Officers in the discharge of their duties, and hold ourselves bound in law and honor to confirm to and by this pledge.

## ARTICLE I

### CONSTITUTION

11/07

This organization shall be known as the Brentwood Fire Department of Brentwood, Suffolk County, New York. It shall consist of the following companies, The Chief's Office, Hook and Ladder Co. 1, Quanahssett Engine Co. 1, Pines Engine Co. 2, Ames-Elliott Co. 3, Sagtikos Engine Co. 4, Central Engine Co. 5, Edgewood Engine Co. 6, and the Fire Prevention Co. and Fire Prevention Explorer Post 150.

## ARTICLE II

### MEMBERSHIP

10/96

- (a) This Department shall be comprised of and limited to; all Elected Chief Officers, Department Officers, and forty (40) Active Members per company with the exception of the Fire Prevention Company, which shall be limited to 10 active members.

10/96

- (b) The membership shall be classified as follows: Company members on probation, regular Company members, and members Of the Fire Prevention Company.

10/96

- (c) Any individual making application for Company Membership within the Brentwood Fire Department must reside within the Brentwood Fire District for not less than one (1) year immediately prior to making such application and must be at least eighteen (18) years of age. Individuals when transferring from another Fire District may have the prerequisite of the one (1) year residency waived.

10/96

- (d) An individual must fully complete a Company Membership Application and return the application to the respective Company Trustees complete with proof of age and a notarized affidavit of residence. The Company Trustees shall then review the application and forward the application to the Department Secretary. After approval of the Police Department background check by the Board of Fire Commissioners, the Department Secretary shall then announce the application at the next regular meeting of the Department and then forward the application to the Department Trustees. The applicant shall then be interviewed by the Department Trustees and referred to the Board of Fire Commissioners. If the application is approved by the Department Trustees and the Board of Fire Commissioners, the applicant shall then appear before one of the Department Surgeons for a physical examination. If the applicant is found physically fit, the applicant must appear for an agility test to be given by the Department Chiefs within fifteen (15) days of that applicant being found physically fit. The Chief shall establish the date and time for this agility test and notify the Company Captain who shall notify the applicant. If the applicant successfully passes the agility test,, the applicant shall then be notified by the Company Captain

to appear at the next regular meeting of the Department to be sworn in as a Member On Probation by the Chief of the Department.

9/10

- (e) Any applicant thus transferred from another Fire District/Department will conform with all the requirements as a new applicant. Only the period of residence may be waived as noted in section [c] above and the member will have to serve a one year probation period.
- (f) Members of the Fire Prevention Company shall be appointed by the Chief of the Department. Such members need not conform to the preceding paragraphs of this section, except in such case a member of the Fire Prevention Company is also a member of a Company.

11/07

- (g) Any past member of the Department with a minimum of 5 years service may apply for membership if the past member resides within Nassau or Suffolk County.

## ARTICLE III

### OFFICERS & ELECTIONS

10/96

- (a) The officers of this department shall consist of: Chief of the Department, First Assistant Chief, Second Assistant Chief, Third Assistant Chief, Secretary of the Department, Treasurer, and Corresponding Secretary. The Officers shall also include one Trustee each, to be elected by their respective companies, who shall serve a three-year term concurrently, and such Chaplains and such Surgeons as appointed by the Board of Fire Commissioners. These Officers may include a Department Clerk and/or Financial Secretary if necessary and they are appointed by the Chief of the Department.

3/00

- (b) At the March Meeting of each year, the department shall accept nominations for nominate a Chief of the Department, First Assistant Chief, Second Assistant Chief, Third Assistant Chief, Secretary of the Department, a Corresponding Secretary and a Treasurer. These nominations shall be closed at this March Department Meeting. At the April Department Meeting, each year, the Department Regular Members in Good Standing shall elect a Secretary, a Corresponding Secretary, and a Treasurer. On the first Thursday following the first Tuesday in April, the department will present the names of the elected nominees for the positions of Chief of the Department, and Assistant Chiefs to the Board of Fire Commissioners for approval, and if the nominees are approved, the Chief Officers will be appointed and installed in Office at the Annual Meeting of the Board of Fire Commissioners held on the first Thursday following the first Tuesday in April. The Department Officers will be sworn in by the Chief following the Meeting of the Board of Fire Commissioners.

12/60

- (c) No two elective offices shall be held by any one member.

1/09

- (d) No member shall hold the Office of Captain, Lieutenant, Company Trustee, Department Trustee, until said member has been a Regular Member in Good Standing for a period of at least twelve (12) months immediately prior to the month of taking such office.

- (e) The Company Officers shall consist of a Captain, 1st Lieutenant, 2nd Lieutenant, Secretary, Treasurer and two (2) Trustees.

3/00

- (f) To be eligible to hold the Office of 2nd Lieutenant, a member shall be a qualified Driver and Operator of all the respective Company's apparatus in accordance with By-Law Article XIII (Appointment Of Drivers), have received the Suffolk County Certificate for the course in Basic Firematics or the Suffolk County Certificate Fire Fighter One (after January 2003 only the Suffolk County Certificate Fire Fighter One shall be acceptable), and have complied with Paragraph (d) of this Article.

3/00

- (g) To be eligible to hold the Office of 1st Lieutenant, a member shall have served as 2<sup>nd</sup> Lieutenant in Good Standing for at least twelve (12) months prior to the month of taking such office and have complied with Paragraph (d) of this article. The member shall also be a qualified Driver and Operator of all the respective Company's apparatus in accordance with By-Law Article XIII (Appointment Of Drivers).

1/89

- (h) To be eligible to hold the Office of Captain, a member must serve a minimum of three (3) years as a Lieutenant. Such service shall include at least one (1) year as a 1st Lieutenant.

9/10

- (i) To be eligible to hold the Office of Third (3<sup>rd</sup>) Assistant Chief, a member shall have served for at least twenty four (24) months as a Captain and shall have maintained the percentage requirements, (Article XV) , and also have been a member in "Good Standing" while in the Captain's office. The member must also have maintained the percentage requirements (Article XV), for the year prior to running for the office of Third (3<sup>rd</sup>) Assistant Chief.

9/10

- (j) Each Chief Officer, not including an Ex-Chief, must move in grade, from Third (3<sup>rd</sup>) Assistant Chief, to Second (2<sup>nd</sup>) Assistant Chief, to First (1<sup>st</sup>) Assistant Chief, to Chief of Department.

- (k) Any fireman who previously held an office and was subsequently relieved from said office by suspension, and who wishes to resume the duties of an Officer at a later date, must first assume the Office of 2nd Lieutenant in his Company and move in grade from there. Any fireman who previously held office and resigned from said office for the good and welfare of his Company and/or the Department due to a job conflict or sickness and wishes to resume the said Office at a later date may assume the same Office from which he resigned at any following election, or assume a lower rank.



0/77

- (l) The Chief Officers and Department Officers shall take office immediately following the special meeting of the Board of Fire Commissioners and the April Department meeting respectively.

3/78

- (m) At the March meeting of each year the Department will nominate a Secretary, Treasurer, and a Corresponding Secretary. Said nomination shall be closed at this meeting. At the April meeting of each year the Department will elect a Secretary, Treasurer, and a Corresponding Secretary. The Office of Chaplains and Surgeons are to be filled by appointments.

12 /60

- (n) In the event of a vacancy occurring in any Department Office, such vacancy shall be filled at the next regular meeting by election. Officers so elected shall hold office to the next annual election.

8/86

- (o) All nominations for Chiefs and Department Officers shall be made and closed at the March Department meeting. All Ex-Chiefs shall be appointed as Tellers for the Department and Chief Is elections, and they shall set forth the following procedures:

- (1) They shall meet and pick a Chairman.
- (2) They shall prepare and be responsible for all ballots.
- (3) They shall set the rules in advance as to the election procedures.
- (4) Absentee Ballots shall be available no less than fourteen (14) days prior to the election.

- (p) To be eligible to participate in any Department or Company vote, make motions, second motions, or vote on a motion, the member must be a regular member in good standing in accordance with Article XXV of the Department By-Laws. (Examples are: Elections, Expenditures of Funds, Budget Approval, Parades & Drills, and any motion requiring a vote.)

## ARTICLE IV

### AMENDMENTS TO CONSTITUTION & BY-LAWS

- 12/60
- (a) Changes or additions to this Constitution & By-Laws must be sponsored by the By-Law Committee, Executive Committee or a Company.
- 12/60
- (b) The By-Laws Committee shall rewrite the proposed amendments and present it to the Department at a regular meeting.
- 11/07
- (c) No changes or additions shall be made to this Constitution or By-Laws until fifteen days notice in writing and or via the phone recorder has been given to the members, and unless two thirds of the entire voting membership at a regular meeting shall vote affirmative. If two thirds fail to appear at three consecutive meetings, including the meeting by notice, then the majority vote of the members present can carry the revisions of amendments.
- 12/92
- (d) Defeated By-Laws or their intent shall not be submitted to the department SOP Committee nor can said By-Laws or their intent be implemented by a Chief's Memo.

## ARTICLE V

### EXECUTIVE COMMITTEE

12/68

- (a) The Executive Committee shall consist of the Chief, First Assistant Chief, Second Assistant Chief, Third Assistant Chief, Secretary, Corresponding Secretary, Treasurer, three Company Officers or alternates from each Company and the six Department Trustees.

12/60

- (b) They shall formulate the policies of the Department functions and present their recommendations to the Department for approval.

## ARTICLE VI

### OFFICERS COUNCIL

12/95

- (a) Any allegations brought against any Department Member(s) by a Petitioner(s) shall be filed by a written report first with the Petitioner's highest ranking Company Officers not involved in the presenting matter or circumstances within fifteen (15) days of the occurrence by hand delivery of the Petitioner(s). Should all the Company Officers be involved, this matter shall then be taken to the Chief's office by the Petitioner.
- (b) This written dated report of the allegations shall include but not be limited to the date, time, location, circumstances, nature of the event? The action(s) observed, any Department Member corroborative witnesses, and any actions if taken by the Petitioner. This report shall be written with sufficient detail to reduce the possibility of misinterpretation and shall bear the signatures of the Petitioner(s). highest-ranking Company Officer not involved in the presenting matter or circumstances.
- (c) The original shall then be signed, dated, and the time received by the Petitioner's. This original shall remain in the possession of the Petitioner and a photo copy shall remain with this Company Officer. If after this fifteen (15) day period and within the next forty eight (48) hours, should the Petitioner(s) not be satisfied with the decisions of his Company Officer(s) the Petitioner (B) shall have the right to notify this Company Officer of his intentions and must file this written report with the highest ranking Chief Officer of the Department, not involved in the presenting matter or circumstances. The Petitioner (S) shall, within this forty eight (48) hour period, then write a second report detailing all events and circumstances which have caused the Petitioner(s) actions to bring the first written report to the highest ranking Chief Officer of the Department, not involved in the representing matter or circumstances. A copy of this second report shall then be delivered to this Company Officer. In the event that the original Company Officer is no longer in office, this second report shall then be delivered to the highest-ranking Company Officer not involved in the presenting matter or circumstances. This Company Officer shall initial and date original copy of this second report signifying the awareness of the petitioners actions. The Petitioner(s) shall then deliver both the original written report and this second report to the highest ranking Chief Officer of the Department, not involved in the presenting matter or circumstances by hand delivery.

- (d) Should an event occur of which the perpetrators cannot immediately be identified, that person(s) discovering such an event or occurrence shall fully document a report in writing of the circumstances found. This report shall then be filed with the highest-ranking Company Officer of the person(s) making such a report.
1. The original shall be dated, timed, and signed by the highest-ranking Company Officer and the original is to be retained by the person(s) making such a report.
  2. This event or occurrence shall be held in a "Pending Status" not to exceed a ninety (90) day period. Any matter placed in a pending status may be terminated by the mutual agreement of the person(s) making such a report, and the then highest-ranking Company Officer.
  3. Upon the discovery of the perpetrator(s) a second report shall be written relating to the first report and the events leading to the discovery of the perpetrator(s) of the original event or occurrence and the routine of this Article shall be followed.
- (e) This Chief Officer of the Department shall then issue to the Petitioner a time and dated Receipt indicating that these written charges have been received by the Chief's Office.
- (f) This Chief Officer of the Department shall within seventy-two (72) hours of receiving such notification, interview the Petitioner, set a date for an Inter Departmental Hearing and make any and all necessary notifications to cause an Inter Departmental Hearing to commence. Notifications shall include notifying the Accused in writing by US Postal Service Certified Mail, Return Receipt Requested to the then current address on file in the Department Secretary's Personnel Records. This notification shall include a copy of the filing by the Petitioner as well as notification that the Accused Department Member(s) has the right to counsel, the date, time, and location of the hearing.
- (g) The forwarding of the Petitioner(s) written report shall cause the Chief's Office to convene an Inter Departmental Hearing. It shall be the function of an Inter Departmental Hearing Board to review the facts, circumstances, and events as known and stated by both the Petitioner and the Accused and render a decision inclusive of any and all disciplinary action(s) in closed session. The Petitioner may be any Department Member(s) seeking the actions of an Inter Departmental Hearing for the purpose of disciplinary actions at the Department level. The decisions of an Inter Departmental

Hearing Board shall be final and the matter shall not be re-opened for further discussions and or decisions.

- (h) An Inter Departmental Hearing Board convening for an Inter Departmental Hearing respect to the relevant facts, circumstances, and events which have occurred. An shall then have the right to interview both the Petitioner and the Accused solely with Inter Departmental Hearing Board shall not function as a court of law and the rules of evidence and court procedures shall not apply. The Inter Departmental Hearing Board shall then impartially render a decision based solely on these facts, circumstances, and events as stated by all Department Members appearing before the Hearing Board. The Inter Departmental Hearing Board shall render its' decision only one time with respect to any matter or charges relating to a specific event or occurrence.
- (i) With reference to the US Postal Service Post Marked Date of the mailing of the notification by Certified Mail to the accused, the Hearing Date shall not be within the first (10) days of this notification and shall not exceed twenty (20) days of this notification. Should the Accused have a conflict with the Hearing Date the Accused shall be permitted to make a single request, in writing, for another date within the twenty (20) days as set forth above. The Chief Officer of the Department shall then notify the Department Secretary and make all efforts necessary to accommodate this request. This Chief Officer of the Department shall notify, in writing, the Accused if the proposed date is acceptable.
- (j) Any member receiving such notification shall notify the Chief of the department in writing within the ten (10) of the original notification if that member will have counsel present at the hearing. Both the Petitioner and the Accused shall have the right to have corroborative witnesses appear before the Hearing board. Any corroborative witnesses desiring to address the Inter Departmental Hearing Board on the matter for which this board has convened shall not submit any written or prerecorded statements as a substitute for their appearance. These witnesses shall be summoned singularly to be interviewed by the convened Inter Departmental Hearing Board.
- (k) Members desiring to have counsel present at an Inter Departmental Hearing Board shall have the right to confer with counsel as often as required, however counsel shall not represent the Accused to the Inter Departmental Hearing Board.
- (l) Should any such matters or circumstances involve a Chief Officer of the Department, that Chief Officer shall defer the matter to the highest ranking Chief Officer of the Department who is not directly involved. In the event that more than two (2) of the Chief Officers have some complicity in the

matter, the matter shall be immediately brought before the Board Of Fire Commissioners by the Petitioner.

- (m) The Inter Departmental Hearing board shall be comprised of at least two (2) Department Chief Officers, either the Secretary of the Department or Corresponding Secretary (in that order), and at least five (5) Captains or their single designated alternate Lieutenant.
- (n) The highest ranking Chief Officer shall be the Chairman of the Inter Departmental Hearing Board and shall maintain order and control over the hearing. Should the hearing become out of order and uncontrollable the Chairman may entertain a motion by any Board member to adjourn this hearing until another date can be set for the Board to reconvene.
- (o) An adjournment of a convening Inter Departmental Hearing Board shall not exceed fifteen (15) days from the date of the decision for such an adjournment. For the Hearing Board to reconvene there shall be at least one (1) of the original Board Members from the Chief's Office and at least three (3) out of the original five (5) Hearing Board Officers. The Inter Departmental Hearing Board shall at all times have the minimum officers as stated above. Only one (1) adjournment and its' date shall be permitted.
- (p) The Secretary or Corresponding Secretary shall accurately record the minutes of the hearing inclusive of the date, time, and location of the hearing, as well as the charges as stated and the names of the Department Member(s) appearing before the presiding Board Members. The recording of such minutes shall be in a single bound book with pages numbered sequentially. Should the minutes be typed on unattached loose paper, the minutes shall then be permanently attached to the pages of the bound book with sufficient glue such that these pages cannot be removed. The use of any form of staples or clips shall not be acceptable. These minutes shall not be deemed as a transcript, however actual statements may be recorded, as requested, for the record in quotation marks complete with the names of those person(s) making such statements. All the words of all motions shall be accurately recorded as well as the name of the person making the motion. All votes on any motions or decisions shall be by closed ballot vote. The tally of that vote shall be recorded by the Secretary. The original filing by the Petitioner shall also be permanently affixed to as part of the records of this hearing. The designated Secretary shall NOT have a vote in any matter(s) before the Inter Departmental Hearing Board. This Inter Departmental Hearing Board Minutes Book shall be retained by the Secretary of the Department consistent with all other books and records of the Department.

- (q) The Department Secretary shall then read the filing by the Petitioner for all those present to hear.
- (r) The Petitioner shall then have an opportunity to address the Hearing Board and if necessary make a request to the Inter Departmental Hearing Board to call any individual Department Member(s), as specified by the Petitioner, as corroborative witnesses.
- (s) The Accused shall then have an opportunity to address the Inter Departmental Hearing board and if necessary make a request to the Hearing Board to call any individual Department Member(s), as specified by the accused, as corroborative witnesses.
- (t) The Inter Departmental Hearing Board shall then dismiss both the Petitioner and the Accused from the Hearing with instructions to both the Petitioner and the Accused that they are not to leave the building, that they are not to discuss the matter with anyone, and that the Inter Departmental Hearing Board will render a decision within one (1) hour. Both the Petitioner and the Accused will then be called back to the Inter Departmental Hearing Board and the decision shall be read by the Chairman to all members present. The matter shall then be closed.
- (u) No later than ten (10) days after an Inter Departmental Hearing the Chairman, Petitioner, and the Accused shall reconvene to have the Department Secretary read the minutes of the hearing. All corrections, deletions, and/or additions to the minutes shall be made at that time and accepted by the Chairman, Petitioner, and the Accused. Upon acceptance of the minutes the Chairman, Petitioner, and the Accused shall 3-initial in the left hand margin of each page and if each page is of a single loose sheet, the Secretary shall permanently affix these pages to the Inter Departmental Hearing Board Minutes Book as described above. The minutes of this meeting shall also be recorded consistent with all such Inter Departmental Hearing Minutes and shall only require the signature of the Chairman and the Secretary.
- (v) The Inter Departmental Hearing Minutes Book shall be held in the confidence of the Department Secretary. All inquiries for the inspection of this book shall be made in writing to the Chief's Office and the Chief's Office shall have the final decisions with respect to any and all such requests.
- (w) A copy of the original charges and the disposition of these charges shall be placed in the Department Member Personnel Records of the Accused by the Secretary of the Department and shall become part of the member's permanent records.



- (x) Any member not accepting the decisions of the Inter Departmental Hearing Board shall within forty eight (48) hours of notify the Chairman of that Hearing Board in writing of this fact. The entire matter shall then be forwarded by that Chairman to the Board of Fire Commissioners.
  
- (y) Failure of either the Accused or the Petitioner to appear before the Inter Departmental Hearing Board at the designated place and time shall cause the Inter Departmental Hearing Board to render an immediate decision and the Chairman shall refer the matter and the rendered decision to the Board of Fire Commissioners.

**Brentwood Fire Department**  
**Brentwood, Long Island, New York**

**BY-LAWS**



## ARTICLE I

### DUTIES OF THE CHIEF OF THE DEPARTMENT

12/60

(a) It shall be the duty of the Chief to have full control and superintendence of the Department at fires, drills, and parades; to preside at the meetings of the Department and to perform all the duties required of any Executive officer; to be ex-officio Chairman of all committees and to cast a deciding vote in the event of a tie. The Chief shall appoint all standing committees.

6/14

(b) Due to extreme circumstance affecting the Department, the Chief's Office may cancel, delay, or reschedule any meeting or event as necessary. Any conflict of the By-Laws will be handled responsibly and without retribution or defense from the membership.

## ARTICLE II

### DUTIES OF THE OFFICERS

5/98

(a) Department Officers shall be broken down into three (3) categories:

- (1) Department Line Officers
- (2) Department Staff Officers
- (3) Department Administrative Officers

(b) It shall be the duty of all officers to aid and assist the Chief in the discharge of his duties. It shall be the duty of Line Officers or the "OIC" in the absence of the Chief at an incident to officiate in the capacity as the Chief.

11/07

(c) Department Line Officers shall be the Captain and Lieutenants from:

- Engine Company 1
- Engine Company 2
- Engine Company 4
- Engine Company 5
- Engine Company 6
- Hook and Ladder Company 1

(d) Department Staff Officers shall be the Captain and Lieutenants from:

- Company 3
- Fire Prevention Company

- (1) These Staff Officers shall not have direct authority or assume command at any scene of an incident.
- (2) They shall report to the Incident Commander to provide services relating to their defined area of responsibility.

(e) Additional Department Staff Officers shall be:

- Safety Officers
- Incident Command Staff Officer Positions (for the duration at any scene of an incident).

- (1) These Staff Officers shall not assume command at any scene of an incident.
- (2) Safety Officers and Incident Command Staff Officers may at times have direct authority within the scope of their positions as outlined in the Department Operating Procedures.
  - (i) At an incident, where activities are judged by the Safety Officer to be unsafe and to involve an imminent hazard, the Incident Safety Officer shall have the authority to, alter, suspend, or terminate those activities when there is no time to confer with the Officer or the Incident Commander. The Safety Officer shall immediately inform the Command of the actions taken to correct imminent hazard to personnel operating at the scene.
  - (ii) To operate an effective Incident Command System, the Incident Commander must have Staff Officers and Firefighters filling these positions considered to be Staff Officers. Staff Officers who are not Chiefs or Captains shall have the rank of acting Captain for that incident and as such shall have the full authority of a Captain. The commands they give shall be taken as coming directly from the Incident Commander.

(f) Department Administrative Officers shall be:

Department Treasurer  
Department Secretaries  
Department Trustees

## **ARTICLE III**

### **DUTIES OF THE SECRETARY**

8/88

It shall be the duties of the Secretary to keep all records of all proceedings, to maintain a roll call, and preserve the records of the Department; he shall notify each person elected a member of the Brentwood Fire Department of each election; pay all monies received by him over to the Treasurer, taking his receipt.

## **ARTICLE IV**

### **DUTIES OF THE CORRESPONDING SECRETARY**

12/60

It shall be the duty of the Corresponding Secretary to handle all correspondence, and send out all notices of meetings, etc.

## ARTICLE V

### DUTIES OF THE TREASURER

9/10

- (a) It shall be the duties of the Treasurer to receive all monies collected by the Department; to keep a regular account of all monies received and paid out; to pay out on the order of the Department, when such order is signed by the Trustees, and announce receipts, disbursements and balances at each meeting.

4/99

- (b) The Department Treasurer shall on the second Monday of each month be in attendance of the Department Trustees meeting.



## ARTICLE VI

### DUTIES OF THE TRUSTEES

- 9/10
- (a) Annually the Department Trustee's shall review and examine all of the Department Accounts maintained by the Treasurer and hand in a written Report to be presented to the Department at the May Department meeting.
- 6/97
- (b) The Trustees shall financially administer to any and all affairs of the Department, exercise supervision of the Department budget, and shall not approve proposed expenditures or expenditures by budgeted committees which exceed their budgeted amount.
- 6/94
- (c) The Trustees shall review and authorize the payment of any approved expenditures and bills of the Department as required.
- 9/10
- (d) On the second Monday at the April Trustee's meeting, the Trustees shall elect a Chairman, by a simple majority, to serve a one year term. The Chairman shall have at least one year prior experience as a Department Trustee. The Trustees will at their May written monthly report present the results of the election to the Department.
- 6/94
- (e) Each Trustee shall be required to attend at least 40% of the regular Trustees meetings per year. Should any Trustee fail to attend the minimum required meetings per year, the Company Captain of that Trustee shall be notified in writing of that trustees attendance record along with a recommendation from the Trustees that the Company Captain seek a replacement Trustee. Should that Trustee continue to fail to attend the minimum required meetings per year, the Trustees shall bring the matter before the Chief of the Department.
- 6/94
- (f) The Treasurer, upon approval of the Department, shall issue the Trustees a voucher indicating that the Department has approved an expenditure from the General Savings Account. This voucher shall detail the nature of the expenditure and the total dollar expenditure.

6/94

- (g) A request for an expenditure of any budgeted item, including a maximum price not to be exceeded, must be made to the Trustees on a Department request For Expenditure Form. This form shall then be date/time stamped and forwarded to the Trustees. The Trustees shall then have fifteen (15) days from the date of the date/time stamp to review the request as being valid and in the best interest of the Department, record on the request form either their approval or denial of the request, and return the request form to the requesting committee. At least three (3) Department Trustees shall date and sign their signature on each and every Department Request for Expenditure Form indicating that such a request has been reviewed at a regular or special Trustee meeting. In the event that a request for an expenditure has been denied by the Trustees, that committee shall then have the right to take the request to the Department at the next regular Department meeting for the Department membership to either confirm or deny such a request.

6/94

- (h) Each and every committee having a line item on the Department Budget shall meet annually with the Trustees and submit a detailed written request for the next Annual Fiscal Budget. This annual meeting shall occur on or before the fourth Monday of December of the current fiscal year. At this meeting the Trustees and the committee shall determine and accept a dollar amount required for the next fiscal year. Should there be a failure by the committee and the Trustees to reach an acceptable dollar amount before the fourth Monday of December of the current fiscal year the matter shall be brought by that committee to the department floor at the next regular January meeting at which time a dollar amount shall be established by the department membership.

9/10

- (i) The Trustees shall present to the Department at the February meeting, a proposed budget for the next fiscal year. The budget must be approved by a 2/3 vote of all regular members in good standing present at the March Department meeting and will become effective as of April 1<sup>st</sup>.

6/94

- (j) The Departments annual budget shall not exceed the Department's share of the annual fund drive. The General Savings Account shall not be used to finance a deficit budget.

6/94

- (k) Any and all expenditures required by the Trustees in the performance of their duties shall be approved by the Department at a regular Department meeting. Any such request shall be made in writing and shall be included in their report to the Department at a regular Department meeting.

9/10

(l) The Chairman or the most senior Department Trustee shall submit a written report at the regular Department meeting.

6/94

(k) The Trustees shall meet on the Second Monday of each month to interview new Department applicants.

(m) Removed 6/04

(n) Removed 6/04

(o) Removed 6/04

## **ARTICLE VII**

### **DUTIES OF THE CHAIRMAN**

12/60

It shall be the duties of the Chairman or the Chief to preserve order when presiding at meetings of the Department; to impartially enforce all the By-Laws and shall be entitled to cast a deciding vote in case of tie, and be governed by the Robert's Rules on Parliamentary Procedure.

## ARTICLE VIII

### DUTIES OF THE MEMBERS

6/91

(a) It shall be the duties of all active members to obey all commands of their officers while on duty and to be prompt at all meetings.

(b) All members shall be required to attend a minimum of twelve (12) company drills per year. Members not complying with this section shall not be considered an interior firefighter restricting the member from wearing a Scott Pak, entering any fire building, and shall not assume the Officer's position on any fire apparatus.

6/92

(c) It shall be the duty of any active member to report to and notify their respective Company Captain of any irregularities such as but not limited to the member's not being physically fit for duty, impending or the actual revocation, suspension or expiration of drivers license, lost, stolen or expired Department Photo Identification Card.

## ARTICLE IX

### MEETINGS

- 12/60
- (a) All meetings of the Department shall be held in the Firemen's Headquarters.
- 12/60
- (b) The regular meeting of the Department shall be held on the first Monday of each month at 8:00 P.M. In the event this day falls on a legal Holiday, the meeting shall take place on the following night.
- 12/60
- (c) 25% of the membership shall be present to constitute a quorum for the transaction of all business.
- 12/60
- (d) No subject of a sectarian or political nature shall be introduced before the Department. The Fire District election for commissioners is not to be termed as political or sectarian.
- 4/81
- (e) The Chief shall call a special meeting when he shall deem it necessary, or at the written request of 5 regular members, providing that 48 hours notice by mail is given by the Corresponding Secretary to each member, and or provided that the Chief call for special meeting no later than 10:00 P.M. Monday via the phone recorder. At a special meeting, no other business shall be transacted other than, for which the meeting was called.
- 12/60
- (f) Drills shall be held on the second and following Mondays of each month.
- 12/60
- (g) No Company Committee meetings shall be held on Monday nights.

## ARTICLE X

### GENERAL ROUTINE

8/91

- (a) All badges issued are the property of the Brentwood Fire District and must be returned when a member either resigns or is dropped from the rolls of the Brentwood Fire Department.

1/89

- (b) The terms "Year" and "Month" when used in the Constitution and By-Laws of the Brentwood Fire Department shall be defined as follows:

1. The term "Year" shall be defined as from the Department meeting of any said month, to the corresponding month of the following year. (Ex. April 1988 Department meeting to the April 1989 Department meeting.)
2. The term "Month" shall be defined as from the Department meeting of any said month to the following months department meeting. (Ex. April 1988 Department meeting to the May 1988 Department meeting.)

9/94

- (c) If the Department for any reason(s) makes notification by Certified Mail to the current address, as determined by the Department Secretary records, to any member that member shall be responsible to reimburse the department for these fees incurred, unless the reason(s) have been dismissed by proper procedures.

Should the reason(s) for the Certified Mail be determined as valid, that member shall reimburse the department all fees incurred within thirty (30) days from the date of determination.

If the member fails to reimburse the Department, that member shall be held NOT in "Good Standing" as defined in Article XXV.

## ARTICLE XI

### PERIOD OF PROBATION

9/13

- (a) The Period of Probation shall be no less than twelve (12) months, but can be extended to a period of eighteen (18) months. During such time the member must fulfill the duties of a Firefighter and conform to all existing rules and By-Laws. During the period of probation, he/she must maintain a thirty percent (30%) average percentage of all Firematic Activities other than the Suffolk County Fire School for which he/she must maintain a one hundred percent (100%) attendance of all classes required for the Firefighter I Course, and take the final examination. In order to be approved by the Chief of Department for a position as an Interior (Class A) Firefighter the member must pass the final examination.

- 1) Class B Probationary members of the Fire Prevention Company shall be exempt from taking the Firefighter One course given by the Suffolk County Fire School since he/she cannot take the practical section or the final examination. During his/her probationary period, the member shall attend the Fire Safety Educators Course and other training that is relevant to the duties of the company.

5/98

- (b) In accordance with Article XVI (Conduct), paragraph (d) an Officers Council shall be requested by the highest ranking Company Officer of any member "on probation" who has not completed the required one hundred percent (100%) of all the classes for the Basic Course within the first (12) months of probation.

This highest ranking Company officer shall, for the Officers Council bring all the records of the member "on probation" inclusive of those Basic Course classes attended and the dates of such attendance as well as the schedule of all the classes which were offered for the Basic Course during the members first twelve (12) months of probation, for review.

5/98

- (c) Any request for reinstatement as a member of this Department shall follow the procedure outlined in Article X, Paragraph (b), except that a reinstated member shall not be required to serve a probationary period, provided that he was a regular member in good standing at the time of termination.

12/60

- (d) If an applicant, sponsored by a member, is rejected, a period of 6 months must lapse before a new application can be made.



(e) Removed 6/04

(f) All new members shall receive special instructions during the first 6 months of probationary training by a Department Instructor appointed by the Chief. During the second 6 months of probationary training the new member shall continue his training with Company of which he has been assigned to, or a member of.

8/88

(g) Company members in their probationary period shall not make motions, or vote on a motion, but may have a voice in the discussions of any motion at the Department meeting, and shall not be granted leaves of absence except as noted in Article XII.

## ARTICLE XII LEAVES

### OF ABSENCE

1/85

- (a) The Chief or Company Captain shall grant leaves of absence to department officers or company members respectfully. Leaves shall be granted pursuant only to this article.
- (b) Except as noted in this Article, all requests for leaves of absence shall be submitted in writing.
- (c) Sick leave may be granted to a member if temporarily sick or disabled, providing a request for such leave is accompanied by a doctor's certificate stating said member is physically unfit to perform the required duties of a firefighters Sick leave will be granted if a member is on a Workman's Compensation claim due to a loss of time accident in said members regular employment, in such cases said member must report the Workman's Compensation claim to the Chief or Company Captain as applicable. All doctor's certificates must be renewed every six (6) months. All leaves will terminate when said member submits a doctor's certificate stating the duties of a firefighter may be resumed.
- (d) Military leave may be granted if a member volunteers or is drafted for active duty in the United States Army, Navy, Marine Corps, Air Force, Coast Guard, the National Guard and all branches of the Reserves. A written request must be submitted stating the duration of the term of active duty; such request must be resubmitted each time the member re-enlists for additional terms of active duty. Such military leave shall terminate, and the member will be reinstated as an active firefighter upon presentation of his separation documents for active military service. Such military leave shall terminate, and the member dropped from the rolls of the fire department, if the duration of the military leave exceeds (6) years, with the exception of a Presidential Declaration of War, Congressional Act of War, conflicts, or activation.

2/00

- (e) Limited military leave may be granted to those members serving in a United States Armed Forces, including the United States Coast Guard, as a reservist. Such leaves shall only be granted upon written notification and such notification shall be submitted to the members highest ranking Company Officer complete with a copy of the members written notice orders for such active duty, informing the Company Officer of a call to military duty. This form of limited Military Leave shall be construed as accrued membership time in the Department.

Within forty-eight (48) hours from the date of discharge of this limited Military Leave, the member shall return as an active member of the Department. Failure to return to active duty as a member of the Department shall cause the member to be dropped from the rolls as a member of this Department in Good Standing.

- (f) Business / Civil Service / Federal Employment “Temporary leave” may be granted if a member is required, by his regular employment / new employment, to temporarily reside in or outside the of the fire district. Such leave shall be requested in writing and shall not be granted for less than seven (7) days no more than one (1) year. Business/ Civil Service / Federal Employment leave shall terminate when the member returns and reports for active duty.
- (g) Scholastic leave may be granted if a member, pursuing a higher education, is required to temporarily reside outside the limits of the fire district. Such leave shall be requested in writing and shall not be granted for less than seven (7) days. Scholastic leave shall remain in effect only while the institution named in the request is in session and said member is in attendance. Scholastic leave will terminate upon completion of the scholastic term.
- (h) Bereavement leave may be granted, without written request, upon the death of a member’s spouse, parent, child, brother, sister, grandparent, grandchild, son or daughter-in-law, mother or father-in-law. Such leave shall terminate forty eight (48) hours after the deceased is interred.
- (i) If a member is granted sick leave due to an injury or an illness sustained while performing his duties as a firefighter, all the accrued time of leave shall be credited as accrued time of membership. All other sick leaves, military leaves, limited military leaves, business leaves, scholastic leaves and bereavement leaves shall not be construed as accrued of membership.

## ARTICLE XIII

### APPOINTMENT OF DRIVERS

6/97

- (a) Any member desiring to become A Qualified Driver/Apparatus Operator of any of the Districts Fire Vehicles (apparatus) shall be at least twenty one (21) years of age, hold a current and valid New York State Drivers License, for the operation of a motor vehicle, which is not under suspension.

6/97

- (b) Each Company Captain, or the most senior officer in the event there is no Captain, shall submit a written request to the Chief for a member to become a Qualified Driver/Apparatus Operator along with a photo copy of the member's current Drivers License. The Chief's Office shall then forward to the Board of Fire Commissioners, this request along with a photocopy of the member's current New York State Drivers License. The Board of Fire Commissioners will then notify the Chief's office as to their disposition of this request. The Chief's Office will then make written notification to the Captain as to the disposition of this request. Should the Board Of fire Commissioners and the chief's Office approve the request, the member shall immediately start; actively participate pursuant to each Company's Driver/Apparatus Operator Training Manual.

6/97

- (c) Each Company shall, with the approval of the Chief's Office maintain it's individual fully documented Drivers Training/Apparatus Operator Program which shall include but not be limited to the full and complete operation of each piece of the Company's apparatus.

6/97

- (d) During the initial six (6) months of the Company Driver's Training/Apparatus Operator Program, the Company Captain, or the most senior officer in the event there is no Captain, may make written notification to the Chief's Office of the member's eligibility to take a written test, which is administered only by the Chief's Office. The Chief's Office shall then have thirty (30) days from such notification to schedule and administer this written test to the member.

6/97

- (e) Should the member successfully pass this written test the member shall then become a Probationary Driver.

6/97

- (f) At the Company Captain's discretion, a written request shall then be forwarded to the Chief's Office for a Road Test to be scheduled and administered by the Chief's office for any Probationary Driver within thirty (30) days of such request.

6/97

- (g) Upon successfully passing the Road Test, a Probationary Driver shall then be classified as a qualified Driver/ Apparatus Operator.

6/97

- (h) To keep current and maintain a classification of Qualified Driver/Apparatus Operator, a member must continuously hold a valid New York State Drivers License for the operation of a motor vehicle, which is not under suspension, and shall have driven and operated it's Company's Apparatus. Such operation shall not exceed a ninety (90) day period from the date, which the member last operated the apparatus, to which the member is currently qualified to operate, within each annual certification.

6/97

- (i) Each Qualified Drivers desiring to Re-Qualify shall, annually each year, in no less than eight months or more than twelve months, be Re-Qualified by it's Company Line Officer in charge of Driver Training. A written notification shall be sent to the Chief's Officer stating the member's status as to re-qualifying.

6/97

- (j) Should a member's qualification as a Qualified Driver/ Apparatus Operator lapse, the Company Captain shall after fifteen (15) days of such a lapse, make written notification to the Chief's office as to the members change in qualification.

6/97

- (k) Any member having obtained the status of Qualified Driver/Apparatus Operator on a particular piece of fire apparatus shall drive and operate that apparatus at least once every ninety (90) days to maintain such status. Should a member not have driven and operated any particular piece of apparatus in access of ninety (90) days from the last date the member last drove and operated that fire apparatus, the member shall be required to be Re-Qualified by the Company Line Officer in charge of Driver Training.

## ARTICLE XIV

### DUES

- 8/88
- (a) The Department shall not charge dues as of January 1st 1988.
- 12/60
- (b) Companies may charge dues, not to exceed \$1.00 per month, per man, providing that provisions for said dues shall be enacted in the respective Company By-Laws.

## ARTICLE XV

### PERCENTAGE PROCEDURE FOR REGULAR MEMBERS

05/13

(a) A member is required to maintain an annual percentage of 25% per year until the completion of 10 years of membership in good standing, not necessarily consecutive. (This includes the probationary period with a percentage requirement of 30%). The required annual average percentage automatically drops to 20% per year, after the completion of 10 years of membership in good standing, not necessarily consecutive. The required annual average percentage drops to 15%, per year, after completion of 15 years of membership in good standing, not necessarily consecutive. The required annual average percentage automatically drops to 5% per year, after the completion of 20 years of membership in good standing, not necessarily consecutive. The required annual average percentage automatically drops to 1%, per year, after the completion of 30 years of membership in good standing, not necessarily consecutive.

05/13

(b) All active Line Officers (Captains and Lieutenants) from Engines 1, 2, 4, 5, 6 and Hook & Ladder Co. 1 shall be required to maintain a minimum of annual average percentage of 25%, per year, regardless of the Line Officers membership time in the Department.

(c) To receive exemption papers, a member must perform active fire duty for 5 years, not necessarily consecutive, and maintain the percentage as outlined in paragraph (a).

(d) The standard procedure for figuring a member's percentage is outlined below:

1. All activities shall be of equal value, examples are: fires, meetings, drills, parades, fire prevention committee, drill team, funeral services, inspections, fund raising, by-law, softball team, or any other activity designated by the Chief of the Department.
2. The total number of all the above activities attended by each member shall be divided by the total number of activities charged to the Company. (Example; if the Company is charged with 700 and a member attends 350 activities; you divide the 350 by 700 for a 50% average).

9/10

3. Any member of the Department who has been medically classified as a "Class B Firefighter" by the Department Surgeon, shall make percentage by Duties only as defined in writing to the member, by his Captain and approved by the Chief of the Department.

12/95

4. Members of the Fire Prevention Company shall be required to maintain the same percentage requirements as set forth for other Department members in the Department By-Laws. Percentage shall be based upon meetings, fire prevention drills, fire prevention program assignments, required response to Signal 13's or other alarms to perform Company duties (Photo Unit, Cause & Origin), parades, funeral services, and any other work details assigned within the Company. The Captain of the Fire Prevention Company shall keep records of each member's required percentage and the activities that said member participated in. The yearly percentages shall be submitted to the Chief of the Department the same as the other Companies do.
5. A member failing to comply with the percentage requirements as outlined in Paragraph (a) Article XV shall be notified by the Department Secretary by Certified Mail to appear before the Officers' Council to show cause why the member should not be removed from the rolls of the Department. Failure to appear without prior notification to the Officers' Council, said member shall be removed from the rolls of the Department. If sufficient reason is not presented, the Officers' Council, with the approval from the Board of Fire Commissioners, shall order the member, removed from the active rolls of the Department.
6. Once a member has been removed from the rolls of the Department for failing to comply with the percentage requirements, the member is not eligible to re-apply for membership for a period of two (2) years from the date of their removal from the rolls.
7. A member who was dropped from the roles of the Department for failing to comply with the percentage requirements, and then re-applies after a two (2) year waiting period, is not to be considered a member in good standing for a period of one (1) year. This member is required to maintain a percentage requirement, based upon the Members length of service (article XV - Section A).



8/88

8. The Department Secretary, Corresponding Secretary, and Treasurer are automatically members in good standing providing that they have received their exemption papers from the Brentwood Fire Department.

11/88

- (e) All Ex-Chiefs of the Brentwood Fire Department shall be required to maintain one percent (1) average per year of all meetings of the department.

## ARTICLE XVI

### CONDUCT

4/09

- (a) Any Chief or Assistant Chief of this Department abusing his authority, may be brought up on charges before the Board of Fire Commissioners, and if the charge is proven, may be demoted or expelled according to their findings.

10/75

- (b) Any member who shall be guilty of improper conduct, or who shall bring charges against a member which he is unable to prove, shall be liable to expulsion, subject to the approval of the Board of Fire Commissioners.

10/75

- (c) When a member is brought up on charges, said charges must be submitted in writing by the complainant within 48 hours to the Chief of the Department. Such charges shall be acted upon at the next Officers' meeting.

- (d) A member may be called in before the Officers' Council by request of the Company that he is a member of, to show causes to his intent as a member due to his low or inactive actions in his Companies activities providing that the Company he is a member of has contacted him by Certified Mail, and that said member has failed to appear before his Company as requested. If the said member fails to appear before the Officers' Council for the reason outlined above, or if he fails to notify the Officers' Council that he is unable to appear on the date and time as requested, he shall then be notified by Certified Mail to appear before the Officers' Council under Article XVI, Paragraph (b) of the Constitution to show cause.

8/91

- (e) If a member is suspended or any disciplinary reasons by a Chief Officer or Officers Council, the duration of the suspension shall not be credited as accrued time of membership. It shall not have any bearing on the Length of Service Awards run by the District.

- (f) Any member failing to comply with Article XV, Section (a), shall not be credited with the year as accrued time of membership. It shall not have any bearing on the Length of Service Awards run by the District.

6/97

- (g) Any currently Qualified Driver/Apparatus Operator of a Company's respective apparatus, during an alarm or other circumstances, shall assume the position

of a Qualified Driver/Apparatus Operator and be fully responsible for that apparatus and the operation of that apparatus.

## ARTICLE XVII

### SENIOR ACTIVE MEMBERS

- 11/07
- (a) Any member who has served fifteen (15) years or more as an Active Member of this department and has Exemption Papers from this Department can remain in their current company or apply for transfer to Company #3.
- 11/07
- (b) With the exception of Ex-Chiefs, Company #3 members may only hold a Department office as Secretary, Corresponding Secretary, Trustee, or Treasurer and have a voice at all meetings of the Department.
- 06/10
- (c) Ex-Chiefs may join any Company with full rights and privileges or become members of Company #3.
- 11/07
- (d) Ex-Assistant Chiefs shall return to their Companies with full rights and privileges.

## ARTICLE XVIII

### HONORARY MEMBERS

6/87

- (a) An Honorary Member shall not actively take part in fire fighting operations, or drills. Honorary Members shall not have a vote on the Department Floor or in an election held for the Department, but are entitled to attend all Department functions, and shall not be required to maintain any percentage as outlined in Article XV of the Department By-Laws.
- (b) To qualify for Honorary Membership in the Brentwood Fire Department, you must meet one of the requirements as stated below:
  - (1) Any regular member having served 10 years or more in good standing, and having received Exemption Papers from the Brentwood Fire Department, and while on the rolls of the Brentwood Fire Department should leave the Department, may be proposed for Honorary Membership in the Brentwood Fire Department. A 2/3 vote of the Regular Members present at a Department meeting shall be necessary to become an Honorary Member.
  - (2) Any regular member having served less than 10 years in good standing, and having received Exemption Papers from the Brentwood Fire, and while on the rolls of the Brentwood Fire Department should leave the Department, may be proposed for Honorary Membership in the Brentwood Fire Department. A 75% vote of the Regular Members present at a Department meeting shall be necessary to become an Honorary Member.
  - (3) A Non-member may be proposed for Honorary Membership by the Chief of the Department. A 75% vote of the Regular Members present at a Department Meeting shall be necessary to become an Honorary Member.
  - (4) All Ex-Chiefs of the Department shall become Honorary Members of the Department automatically when they leave the Fire Department in good standing.
  - (5) Any regular member who becomes permanently disabled from an injury received in the line of duty shall become an Honorary Member of the Department automatically when they leave the Fire Department in good standing.

11/88

- (6) Any regular member having served twenty (20) years or more in good standing, and having received exemption papers from the Brentwood Fire Department, shall become an Honorary Member of the Department automatically when they leave the Fire Department in good standing.

9/05

- (7) Any member having received a Department Class 1, 2, or 3 Medal shall become an Honorary member when they leave the Department.

11/88

- (c) Any member being presented for Honorary Membership under paragraph (a), (b), or (c) shall be proposed at a regular meeting of the Department in writing, to include an outline of the members activities while in the Brentwood Fire Department, and voted on at the next regular meeting of the Department. No member shall be proposed more than two (2) times for consideration to be an Honorary Member of the Brentwood Fire Department.

## ARTICLE XIX

### EXPENDITURES

7/86

- (a) No monies of the Department shall be expended except by the affirmative vote of 2/3 of the regular voting members present at a regular or special meeting of the Department.
- (b) All monies over and above the amount voted upon at a regular or special meeting shall be disallowed and cannot be approved at any meetings thereafter.
- (c) The monies that have been appropriated in the Department Budget shall require an affirmative vote of 2/3 of the regular voting members present at the March Department meeting. Once the budget has been approved by a 2/3 vote of the regular voting members present, the expenditure of the funds appropriated by the budget shall be reviewed by Trustees and a voucher shall be issued from the Trustees to the Treasurer ordering the payment of said expenditure.

## ARTICLE XX

### COMPANIES

- (a) The Chief's Office will consist of 4 interim members. The Chief's Office shall be exempt from the rest of this article.
- (b) Each Company of this Department shall consist of 40 members.
- (c) The Company Officers shall consist of a Captain, 1<sup>st</sup> and 2<sup>nd</sup> Lieutenants, Treasurer, and 2 Trustees and a Secretary.
- (d) It shall be the duty of the Captain to preside at all Company meetings and perform all the duties required of an executive officer; he shall cast a deciding vote in the event of a tie.
- (e) The Captain shall report to the Chief and take command of every fire alarm or as detailed by his superior Officers; enforce the By-Laws rigidly and impartially, and report to the Chief any member disobeying orders or infractions of any rules or regulations of his Company. He shall call a special meeting of the Company on the written request of 5 members, or whenever he deems it necessary. He shall have full authority to remove from the apparatus any driver who is found incapable of driving.
- (f) It shall be the duty of the Lieutenants to aid the Captain in the discharge of his duties, and in the absence of the Captain to officiate and strictly perform the duties of that office.
- (g) It shall be the duty of the Secretary to keep a complete and accurate record of all business transacted by the Company.
- (h) It shall be the duty of the Treasurer to receive all money due the Company, pay all bills approved at the Company meetings, and report the financial standing of the Company at every meeting.
- (i) Meetings of each Company shall be held on the last Tuesday, or Thursday of each month. No meetings to be held on a legal Holiday. If a Holiday falls on the last Thursday, the meetings will be held on the last Tuesday.
- (j) 25% of the Company membership shall constitute a quorum for the transaction of business.



- (k) Nominations of Officers shall be made at the February Company meeting. The election shall be held at the March Company meeting. The elected officers shall assume office upon swearing in by the Chief of the Department at the April Department meeting.
- (l) No member shall incur bills for his Company or spend the Company's money except by an affirmative vote of the Company.
- (m) All Ex-Chiefs are to become honorary members of their Companies.
- (n) In the event of a resignation of a Department member, said resignation must be submitted at the next regular meeting of the Company. Said resignation shall be forwarded to the Department for submission to the District.
- (o) One member from each company may be appointed by the Captain, to maintain a record of service award points of the members respective companies. A record of each member shall indicate points received by the member in the various categories as outlined by the Department and/or District rules for service awards. The Captain of each company shall submit a written report of the service award points received by each member at the end of each month, and the end of the year, to the Chief of the Department.

## ARTICLE XXI

### FUND RAISING

05/13

- (a) The net profits of the Annual Department Fund Drive (mailing) shall be disbursed as follows:
1. The Fire Department ..... 40% of net.
  2. The remaining balance to be divided evenly among the Companies, except for the Fire Prevention Company which shall receive 1/4 of a share.
- (b) Any money raising affair for the Department other than the Annual Department Fund Drive (mailing) may be conducted by Department members under the following conditions:
1. Upon an affirmative vote of such a money raising event, a committee will be formed consisting of a chairperson and a minimum of 2 members (not including the chairperson). The committee will appoint a financial secretary who will be responsible for keeping a running tally of all incoming and outgoing finances of the fund raising event. The financial secretary will also keep copies of all records concerning the incoming or outgoing of all monies concerning the money raising event. At the completion of the fundraising event, the Department Treasurer can request a review of all financial records involving the fund raising event.
- (c) Each company may run their independent money fund raising affairs provided that they do not encumber or place the Department at risk and shall not be subject to the above paragraphs (a) & (b) of this article.
- (d) The Department may tax the Companies in order to make up a deficit. This shall be done by taxing each Company evenly according to the needs of the Department.
- (e) Any deficit in the Company's Treasury shall not become an obligation upon the Department's Treasury.
- (f) Funds received by any Company from the following means shall be exempt from paragraph (a) and (b) of Article XXI above.

1. Monies received by the Company as a result of dues collected from their members.
2. Monies received by the Company as a result of unsolicited donation from an individual or organization, given directly to said Company and specified for the use of said Company.
3. Monies received by participation of the Company in any charitable or educational fund raising program sponsored by a non-profit organization, not within the structure of the Brentwood Fire Department.
4. Companies receiving monies by any of the foregoing procedures set forth in this section shall be responsible for any debts incurred.

## **ARTICLE XXII**

### **EX-OFFICIO**

12/60

The four top Department Officers shall be invited as honorary guests to all Company social affairs.

## ARTICLE XXIII

### DESCRIPTION OF THE SHOULDER PATCH OF THIS DEPARTMENT

5/09

The device of a shoulder patch of the Brentwood Fire Department, as adopted December Fifth, Nineteen Hundred and Seventy-Seven, is hereby declared to be correctly described as follows:

- (a) At the top of the patch is the wording "Brentwood Fire Dept." in gold color.
- (b) In the center, standing amid red flames is a firefighter in turnout gear. He is looking down at a child he is holding in his arms. A Maltese Cross is pictured below the firefighter at thigh level. In the top section of the Maltese Cross is the word "Firefighter". In the left side section of the Maltese Cross is a ladder crossed by a pike pole. In the center of the Maltese Cross is the state abbreviated letters "N.Y.". In the right section of the Maltese Cross is a fire hydrant. In the bottom section of the Maltese Cross is the word "Courage". The firefighter and Maltese Cross are in black and white color.
- (c) Rounding the bottom left and right sides of the patch are the words "Suffolk County" in gold color.
- (d) The over-all shape of the patch is that of a shield.
- (e) The background color of the patch is dark blue.
- (f) A gold and a red interior border encompass this patch.
- (g) The unauthorized wearing or use of this patch is covered under New York State General Business Law Section 137.

## ARTICLE XXIV

### FIRE PREVENTION COMPANY

4/86

The Fire Prevention Company, also known as the Bureau of the Fire Prevention, shall have the same status as a Company of the Brentwood Fire Department except it shall have specific duties assigned.

8/88

- (a) The members assigned to the Bureau of Fire Prevention shall be appointed by the Chief of the Department with the acceptance of the Board of Fire Commissioners. They shall remain as members of the Bureau unless removed for cause by the Chief of the Department in accordance with the By-Laws. The members appointed to the Bureau shall be active members of the Brentwood Fire Department with all rights and privileges of any other active member and they must comply with the Department By-Laws (percentages, etc). Any member requesting a transfer to the Fire Prevention Company must be off probation and have the approval of the Captain from the Company the member is transferring from, the Captain of the Fire Prevention Company and the Chief of the Department.

***Note: Although the minimum age of 18 should stand, there shall not be a maximum age limit of 45 for appointment.***

6/97

- (b) The Bureau shall be commanded by a Captain, who shall be appointed to that rank by the Chief of the Department to serve in that capacity unless removed for cause by the Chief of the Department. The rank of Captain of the Fire Prevention Company shall be a Department Staff Officer rank and have full authority within the functions of the Fire Prevention Company. The Chief may also appoint other officers within the Company: Lieutenants, Secretary, Treasurer as may be necessary for the Company to function. Officers appointed within the Company shall have all other rights and privileges of other officers within the Department except staff officers shall not be eligible to run for the office of Chief or Assistant Chief of the Department.

- (c) Section deleted 5/90

(d) The Functions and Duties of the Fire Prevention Company are described in detail below:

1. Provide liaison between the Chief and the Community on Fire Prevention and Fire Safety Matters.
2. Provide liaison between the Chief and the Islip Town Fire Prevention Bureau and the Suffolk County Fire Marshall.
3. Assist the Chief to the determination of the cause and origin of fires.
4. Respond to structural alarms (Signal 13's and General Alarms) to determine if possible: Cause, Location or lack of smoke detectors and other information necessary for developing fire safety and fire prevention programs.
5. Research the high fire hazard areas, high-risk locations, times, and people within the District, so that programs can be developed and targeted to these problem or potential problem areas.
6. Research the cause of fire injuries and fire fatalities, so that educational programs can be developed to deter any reoccurrence.
7. Develop and present Fire Prevention and Fire Safety Programs.
8. Provide Fire Prevention and Fire Safety Literature and Materials.
9. Provide assistance in development of Fire Safety and Prevention Planning and Fire Drills to the residents, schools, business and industry.
10. Provide assistance in the forming and training of industrial fire brigades and evacuation teams.
11. Develop Audio-Visual programs for use in the schools, etc.
12. Provide the Department with a Photo Unit.
13. Provide Personnel to assist in Public Relations Functions and other committees of the Department.
14. Provide a Public Information Officer.

8/87

(e) No more than 10% of the actual company strength shall be assigned specifically to other committees. (Ex. Drill Team, Band and Softball).

## ARTICLE XXV

### MEMBERS IN GOOD STANDING

8/88

(a) To be a member in good standing, a member must meet the following requirements:

- 1) The member shall not have resigned from the Department prior to an Officer's Council hearing for charges that have been brought against the member. The member must face these charges before the member is eligible to be in good standing.
- 2) The member shall not be serving a period of probation from said charges or be on a period of suspension by the Chief, any of the Assistant Chiefs, or from the Officer's Council.
- 3) The member must maintain the required percentage as set forth in Article XV, Section (a) for the previous year, to be eligible to be in good standing. Once the member meets the requirements set forth by the Officer's Council, the member shall be reinstated as a member in good standing.

4/09

- 4) The member shall be in good standing in order to serve on any Department committee.



## ARTICLE XXVI

### DEPARTMENT MEDALS AND RIBBONS

9/01

The awards are intended to honor the members of this Department. It is important to remember that firefighting is inherently a dangerous profession. Therefore, these awards are intended to honor the member that displays an action that is not routinely seen on the fireground but rather an exceptional event that warrants some significant recognition.

The following By-Law is designed for the purpose of:

- a. Classifying the various categories of awards.
- b. Defining the requirements to receive an award.
- c. What is presented to the recipient.
- d. The make up of the Awards Committee. The rules of the committee, by which it will be governed.
- e. Medal and Ribbon design/.

#### (a) Awards Classification

1. Class I - Medal of Honor
2. Class II - Medal of Valor
3. Class III - Medal of Exceptional Merit
4. Unit Citation
5. Chiefs Citation
6. Citation of Merit
7. Exceptional Firematic Duty
8. Certificate of Recognition
9. Civilian Certificate of Merit

#### (b) Award Requirements

1. Class I - Medal of Honor
  - a. The Departments highest award given to a member who, in the course of firefighting duties displays a complete disregard for their own safety with an extreme risk of losing his/her life.
  - b. The member will have performed a rescue and the member extended himself or herself in the performance of this rescue beyond the expected performance in an extreme fire or hazardous situation.

- c. Subject to review of the awards committee, the victim survived up to at least 24 hours.
- 2. Class II - Medal of Valor
  - a. The second highest award given to a member who in the course of firefighting duties places oneself in extreme danger with the risk of serious injury.
  - b. The member performed or assisted in a rescue in a fire situation with extreme heat and fire conditions or a hazardous situation.
- 3. Class III - Medal of Exceptional Merit
  - a. The third highest award given to a member who in the course of firefighting duties places oneself in above average danger with the risk of personal danger.
  - b. The member performed or assists in a rescue or attempted to perform a rescue in a fire or hazardous situation.
- 4. Unit Citation
  - a. This award is given to an individual unit (engine/truck), which during any Fire Department response displays outstanding ability as a unit and accomplishment in the situation presented.
- 5. Chiefs Citation
  - a. This award is given to a company, multiple companies or the entire Department who during any fire alarm response performed outstanding.
- 6. Citation of Merit
  - a. This award is given to a member who during firefighting or other type alarms provides necessary CPR to prevent loss of life.
  - b. This award is given to a member who during firefighting or other type alarms provides emergency first aid to prevent the loss of life or further serious injuries.
- 7. Exceptional Firematic Duty
  - a. This award is presented to a member who developed an innovative tool or technique, which furthers the professionalism of the Department.

- b. This award is presented to a member who through community service brings exceptional Honor to the Department.

8. Certificate of Recognition

- a. This award is presented to a member who while outside the confines of the Brentwood Fire District, provides necessary intervention at the scene of a fire, medical or hazardous emergency, preventing further injury or loss of life. In the performance of the cited activity the member brought exceptional Honor to the Department.

9. Civilian Certificate of Merit

- a. This award is given to a civilian who at a fire or other emergency provided necessary intervention to help prevent the loss of life or serious injuries to others

***NOTE: The term Firematic within the context of this By-Law shall mean activities that are duties of the members of the Brentwood Fire Department. Firematic intervention shall not include CPR and EMS activities except as stated in Certificate of Recognition and Citation of Merit.***

(c) Presentation of Awards

1. Class I - Medal of Honor

- a. This award shall be presented to the member at the Department Installation.
- b. The member shall receive:
  - 1. Proclamation
  - 2. Neck Ribbon and Medal
  - 3. Ribbon for class "A" uniform.
  - 4. Members name added to the Department Medal of Honor Plaque

2. Class II - Medal of Valor

- a. This award shall be presented to the member at the Department Installation.
- b. The member shall receive:
  - 1. Proclamation
  - 2. Breast Medal

3. Ribbon for class "A" uniform
  4. Members name added to the Department Medal of Valor Plaque
3. Class III - Medal of Exceptional Merit
  - a. This award shall be presented to the member at the Department Installation.
  - b. The member shall receive:
    1. Proclamation
    2. Breast Medal
    3. Ribbon for class "A" uniform
    4. Members name added to the Department Medal of Exceptional Merit Plaque
4. Unit Citation
  - a. This award shall be presented to the members at the Department Installation.
  - b. The Company shall receive the certificate mounted on a plaque for display.
  - c. Each member assigned to the unit for the incident shall receive a copy of the certificate with the members name on it.
  - d. Ribbon for class "A" uniform No more than 2 (two) unit ribbons may be displayed on the uniform.
5. Chiefs Citation
  - a. This award may be presented at an Awards Dinner or the Department Installation. Chief's Office to determine.
  - b. Company Captain or representative to receive the Certificate mounted on a plaque for display.
6. Citation of Merit
  - a. This award may be presented at an Awards Dinner or the Department Installation. Chief's Office to determine.
  - b. Member to receive the Certificate mounted on a plaque for display.
7. Exceptional Firematic Duty
  - a. This award may be presented at an Awards Dinner or the Department Installation. Chief's Office to determine.
  - b. Member to receive the Certificate mounted on a plaque for display.

8. Certificate of Recognition

- a. This award may be presented at an Awards Dinner or the Department Installation. Chief's Office to determine.
- b. Member to receive the Certificate mounted on a plaque for display.

9. Civilian Certificate of Merit

- a. This award may be presented at an Awards Dinner or the Department Installation. Chief's Office to determine.
- b. The recipient shall receive the Certificate mounted on a plaque for display.
- c. The recipient's family shall be Department guests at the presentation.

(d) Awards Committee

1. The committee will consist of 1 (one) regular member (with at least 5 years service) and 1 (one) Line Officer from each Company and 1 (one) Chief Officer.
2. The Chief Officer shall act as committee Chairman.
3. The Chairman shall schedule all committee meetings or at the request of a Company.
4. Each member of the committee will be entitled to a vote.
5. A company will replace any committee member who is submitted for an award.
6. No member proposed for an award shall be present at any Award committee meetings except to explain his/her actions and leave before any discussion and voting an the award takes place.
7. All awards shall be considered on a yearly basis starting from January 1 and ending December 31.
8. All proposals shall be submitted to the Chief's Office in writing no later than the January Department meeting of the New Year.
9. The Award committee shall review all requests for the presentation of all Medals and Awards.

10. All proposals need not be confined to just one person or unit.
11. Awards shall be confined to emergencies being handled by the Department within the Fire District or during mutual aid and shall conform to the classification list. The exception is the Certificate of Recognition.
12. Voting will be by closed ballot.
13. Decisions made pertaining to individual Medals and other Awards by a sitting Award Committee shall be final and cannot be changed by any future Award Committee.
14. The minutes of all meetings shall be kept in a bound book. The book shall remain the property of the Department under the care of the Department Recording Secretary.

(e) Medal and Ribbon Design

1. Ribbons to be worn on Department class "A" uniform.
2. Class I Medal - The ribbon is accompanied with a medal for presentation of the award to the member. The medal is imprinted with the Class award and looped cloth to wear around the neck with its matching color scheme of the ribbon.
3. Class II & Class III - The ribbon is accompanied with a medal for presentation of the award to the member. The medal is imprinted with the Class award and cloth with pin with its matching color scheme of the ribbon.
4. There is no medal for the Unit Citation.

Class I - Medal of Honor Ribbon Design



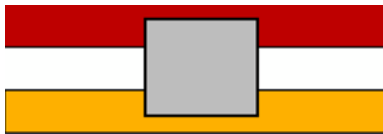
Class II - Medal of Valor Ribbon Design



Class III - Medal of Exceptional Merit Ribbon Design



Unit Citation Ribbon Design



Ladder Company Unit Citation will display an axe in the gray panel

Engine Company Unit Citation will display a trumpet in the gray panel.

## ARTICLE XXVII

### DEPARTMENT MEMORIAL

9/05

- (a) To have a name placed on the Department Memorial (Monument), the deceased member must meet one or more of the following requirements:
1. Any Brentwood Fire Department member killed in the line of duty.
  2. Any Department member to receive a Class 1, 2, or 3 Medal by the Department.
  3. Any currently active member of the Department.
  4. Any Honorary member of the Department with at least 20 years of service.



## DEFINITIONS

<b><i>Accrued Time</i></b>	That time a firefighter accrues towards what is required to run for Company and Chief Officer and the time required to receive Length of Service Awards from the Department.
<b><i>Company Drills</i></b>	Training Exercises conducted by the Individual Companies of the Department. These Drills shall include Alternative Drills for Night Workers and Driver Training.
<b><i>Exterior Firefighter</i></b>	A firefighter who can only operate on the exterior of a building or vehicle. He or she cannot be involved in the suppression evolutions in or on a structure or a vehicle.
<b><i>Fire building</i></b>	A building involved in fire, during the initial suppression evolutions.
<b><i>Interior Firefighter</i></b>	A firefighter who has completed required training both on Department and Company Level and is wearing the prescribed approved interior fire fighter protective clothing. He/She has also passed the OSHA physical prescribed for interior firefighters
<b><i>Member in Good Standing</i></b>	A “Member in Good Standing” is regarded as having complied with all of his/her explicit obligations according the the Constitution and By-Laws.
<b><i>Service Awards</i></b>	These are the Service Awards that are provided by the Service Awards Program of the Fire District. (Provides a monthly award when a Fire Fighter reaches the age of Sixty Two.)
<b><i>Officers position</i></b>	Seat on the right side of the Cab of all department apparatus, normally occupied by an officer or the acting officer for that alarm.
<b><i>Scott-Pak</i></b>	Generic term used for all Self Contained Breathing Apparatus (SCBA), regardless of the Manufacturer.

## LISTING OF RECENT CONSTITUTION AND BY-LAW CHANGES

ARTICLE	TITLE	SEC	DATE	NEW/CHANGE/DELETE
Article XV	Percentage Requirements	D	11 / 88	Change
Article XVIII	Honorary Membership	F / G	11 / 88	Change
Article III (*)	Officers & Elections	F, G, H	1 / 89	Change
Article X	General Routine	C / E	1 / 89	Change
Article XX	Companies	J	1 / 89	Change
Article III (*)	Officers & Elections	I	3 / 89	Change
Article VIII	Duties of the Members		9 / 89	Change
Article XXI	Fund Raising	A	5 / 90	Change
Article XXIV	Fire Prevention Company	C	5 / 90	Deleted
Article III (*)	Officers & Elections	D	7 / 90	Change
Article XX	Companies	N	7 / 90	New
Article VIII	Duties of the Members		6 / 91	Delete to add 2 sect.
Article VIII	Duties of the Members	A/B	6 / 91	New
Article X	General Routine	D	8 / 91	Delete 2 Sentences
Article XVI	Conduct	E/F	8 / 91	New
Article X	General Routine	B	12 / 91	Change
Article VIII	Duties of the Members	C	6 / 92	New
Article VI	Duties of the Trustees	B, C, E	8 / 92	Change
Article I (*)	Constitution		12 / 92	Change
Article IV (*)	Constitution	D	12 / 92	New
Article VI	Duties of the Trustees	A, B, C	6 / 94	Change
Article VI	Duties of the Trustees	D, E	6 / 94	Change
Article VI	Duties of the Trustees	F, G	6 / 94	Change

(\*) Designates change in the Constitution

## LISTING OF RECENT CONSTITUTION AND BY-LAW CHANGES

ARTICLE	TITLE	SEC	DATE	NEW/CHANGE/DELETE
Article VI	Duties of the Trustees	H / I	6 / 94	New
Article VI	Duties of the Trustees	J / K	6 / 94	New
Article VI	Duties of the Trustees	L	6 / 94	New Sec. Letter was (e)
Article X	General Routine	F	9 / 94	New Section
Article XXV	Members In Good Standing	A4	9 / 94	New Section
Article VI (*)	Officers Council	A / B	12 / 95	Change
Article VI (*)	Officers Council	C to Y	12 / 95	New Section
Article XVII	Senior Active Members	A to C	12 / 95	Change
Article XV	Pct Procedure New Members	3	12 / 95	New Section
Article XV	Pct Procedure New Members	3 to 5	12 / 95	Change to 4, 5, 6
Article XXI	Fund Raising	A to C	12 / 95	Changes & Additions
Article X	General Routine	A to C	10 / 96	Moved to Constitution
Article I (*)	Constitution	n/a	10 / 96	Change
Article II (*)	Membership	A to D	10 / 96	Change
Article III (*)	Officers and Elections	A	10 / 96	Change
Article X	General Routine	D to F	10 / 96	Change to A, B, C
Article II (*)	Membership	G	6 / 97	Remove Section G
Article VI	Duties of the Trustees	B	6 / 97	Change
Article XIII	Appointment Of Drivers	A / B	6 / 97	New Sections A to K
Article XXIV	Fire Prevention Company	B	6 / 97	Remove sentence
Article XXVI	Conduct	G	6 / 97	New Section
Article XI	Period of Probation	B	5 / 98	New Section, re-letter remainder
Article II	Duties of the Officers	All	5 / 98	Completely re-written

(\*) Designates change in the Constitution

## LISTING OF RECENT CONSTITUTION AND BY-LAW CHANGES

ARTICLE	TITL E	SEC	DATE	NEW/CHANGE/DELETE
Article V	Duties of the Treasurer	B	4 / 99	New Section
Article III (*)	Officers and Elections	b, d, f	3/00	Change
Article III (*)	Officers and Elections	g, i	3/00	Change
Article XII	Leaves of Absence	(e)	2/00	Change
Article XXIII	Department Patch	(b)	4/03	Change
Article XI	Period of Probation	1, e	6/04	New/Delete
Article VI	Duties of the Trustees	m, n, o	6/04	Delete
Article XVIII	Honorary Members	7	9/05	New
Article XV	Percentage	a	9/05	Change
Article XXVI	Medals & Ribbons		9/01	New
Article XXVII	Department Memorial	A	9/05	New
Article II (*)	Membership	G	11/07	New
Article I (*)	Constitution		11/07	Change
Article II	Duties of the Officers	C	11/07	Change
Article IV (*)	Amendments	C	11/07	Change
Article XVII	Senior Active Members	A	11/07	Delete and Re-letter
Article III (*)	Officers & Elections	D	2/09	Change
Article XVI	Conduc	A	4/09	Change
Article XXIII	Shoulder Patch	F	5/09	Change
Article XXV	Committees	A	6/10	Change
Article XVII	Ex-Chief's	D	6/10	Change
Article V	Duties of the Treasurer	A	9/10	Change
Article II (*)	Membership	E	9/10	Change

(\*) Designates change in the Constitution

## LISTING OF RECENT CONSTITUTION AND BY-LAW CHANGES

ARTICLE	TITLE	SEC	DATE	NEW/CHANGE/DELETE
Article VI	Duties of the Trustees	H	9/10	Change
Article VI	Duties of the Trustees	D	9/10	Insert New
Article XV	Percentage / Class B	3	9/10	Change
Article VI	Duties of Trustees	L	9/10	Change
Article VI	Duties of Trustees	A	5/11	Change
Article III (*)	Officers & Elections	I & J	10/11	Change
Article XV	Percentage	C 6&7	10/11	New
Article XI	Probation	A	10/11	Change
Definitions	Good Standing		10/11	New
Article XV	Percentage	A & B	4/13	Change
Article XXI	Fund Raising	A	4/13	Change
Article I (*)	Constitution		4/13	Change
Article XI	Probation	A	9/13	Change
Article XII	Leaves of Absence	F	11/13	Change
Article XX	Companies	A	11/13	Change
Article XXI	Fund Raising	B 1	11/13	Change
Article XII	Leaves of Absence	D	12/13	Change
Article I (*)	Constitution		2/14	Change
Article XX	Companies	A	2/14	Change
Article XXI	Fund Raising	A	4/13	Change
Article I	Duties of Chief	B	6/14	New

(\*) Designates change in the Constitution