

BY-LAWS OF THE
WATERFORD VOLUNTEER FIRE DEPARTMENT
ORIGINALLY ADOPTED 16 OCTOBER 1985
MOST RECENTLY AMENDED 4-APRIL-2018

Purpose:

The purpose of the Waterford Volunteer Fire Department (“the Department”) and its subsidiaries is to provide fire protection for the Town of Waterford, to participate in and benefit from mutual aid systems, and to provide equipment and training to the members as stated within these Bylaws.

Bylaws:

0. Amendments

0.1 The following Bylaws can be amended, providing the proposed changes were brought to the attention of all members in writing at least one week prior to the business meeting at which such changes are discussed.

0.2 The actual vote to approve or disapprove the proposed amendment shall occur at the business meeting following the meeting at which the discussion of the proposed amendment occurred. Two-thirds of the active members present at the meeting must vote in favor of the amendment for the change to go into effect.

1. Membership, Attendance, Voting, and General Information

1.1 There shall be three classes of membership and a Cadet Program:

A. Charter Member (honorary) shall be anyone becoming a member during the first year of Waterford Volunteer Fire Department's organization (1 September 1985 to 1 September 1986).

B. An Active Member shall be one who meets the following conditions. He or she must:

i. be a legal resident of the Town of Waterford;

ii. ~~This may include non-residents residing in bordering towns to Waterford and limited to no more than 5 non-resident active members at any one time unless authorized by the Chief.~~

~~iii.~~ be a firefighter and/or EMS provider as classified by the Standard Operating Guidelines of the Department;

~~iii.~~iv. attend no less than 12 hours of firefighter training and/or 6 hours of EMS training, as approved by the Training Officer (at least 6 of those hours consisting of in-house, departmental training), within a calendar year, and

~~iv.~~v. ~~actually attend no less than 50%~~ Must attend all of all regular business meetings within a calendar year, unless excused by the Chief.

~~v.~~vi. actually, actively and safely respond to at least 10% of the EMS calls of the Department, if an EMS provider, and/or 10% of the fire calls, if a Firefighter, during a calendar year.

C. A Supporting Member shall be one who is interested in being available and/or helping in time of need, but not able to become an active member and doesn't take part in Fire Suppression. This may include non-residents residing in bordering towns to Waterford and limited to no more than 5 non-resident supporting members at any one time unless authorized by the Chief. He or

she must attend no less than 12 hours of firefighter training ~~and/or 6 hours of EMS training, as approved by the Training Officer (at least 6 of those hours consisting of in-house, departmental training)~~, within a calendar year and attend ~~a minimum of 4~~ all business meetings per year unless excused by the Chief. He or she must be familiar with and abide by departmental Standard Operating Guidelines when operating with the Department.

D. The Cadet Program provides the opportunity for young people, sixteen years of age and older, to become familiar with the Fire and EMS services.

1.2 Membership Requirements

A. Prior to becoming a member of the WVFD a person must

- i. be 18 years of age or older;
- ii. complete and submit an application form provided by the board of fire officers;
- iii. provide letters of recommendation upon request;
- iv. ~~have a physical examination (either performed or subject to review by the departmental physician);~~
- v. be interviewed by the board of fire officers.

B. When these requirements have been met, and upon recommendation by a two-thirds vote of the active members present at any business meeting, a candidate shall become **an active or** supporting member for a probationary period of one year. At the end of the probationary period, the board of fire officers shall interview the candidate and decide to:

- i. renew the probationary period for an additional 1 year, or
- ii. advance the member past probationary status to either active or supporting status, or
- iii. release the member from the department.

C. To be a member of the Cadet Program, a person must meet the following conditions. He or she:

- i. must be sixteen (16) years of age or older;
- ii. must reside in the Town of Waterford;
- iii. ~~must be a member in good standing of a recognized Fire or EMS Scout Explorer program;~~
- iv. must have signed permission from parents or guardian;
- v. must (if a student), obtain passing grades;
- vi. must abide by the rules, by-laws and standard operating guidelines of ~~both the Explorer group and~~ the WVFD;
- vii. must attend at least 12 hours of training (at least 6 of those hours consisting of in-house, departmental training) and ~~two~~ attend **all regular** business meetings with the WVFD each calendar year; **unless excused by the Chief.**
- viii. may respond to emergencies, but cannot operate emergency vehicles and will not be allowed a red light permit for a personal vehicle;
- ix. shall be considered an observer at all emergency incidents. Very close supervision will be

required at these incidents and the Incident Commander is responsible for the level of involvement of the Cadet.

D. Rejoining the Department

- i. If an Active Member in good standing resigns and wishes to rejoin the Department within a time period of one year from the date of resignation, the Board of Fire Officers can reinstate this person to the original membership status possessed at the time of resignation.
- ii. If an active member who has resigned wishes to rejoin the Department within a time equal to his membership tenure, up to a maximum of five years, from the date of his resignation, the Board of Fire Officers may recommend to the membership that it reinstate the individual to the membership status possessed at the time of resignation. The membership can approve this recommendation by a 2/3 vote of the active members present at any business meeting. **The membership of the Waterford Volunteer Fire Department do reserves the right to make exceptions on a case by case basis with 2/3rds approval of the active membership.**

E. The Board of Fire Officers shall perform an annual review of the status of all members, examining attendance at meetings, training sessions, work sessions, level of response to calls, and other pertinent issues. As a result of this review, the Board shall make recommendations to the Chief regarding the status of each member.

F. If a member of the department is unable to maintain his or her membership or active status, he or she may resign or request a change to supporting status, by informing the Chief, preferably in writing of this intent.

1.3 Only an active member has the right to vote.

1.4 The position of Fire Chief shall be appointed annually by the Selectmen upon recommendation by a two-thirds vote of the active members present at the first business meeting of each year. The position of Fire Chief must be an active member. The positions of President, Secretary, and Treasurer shall be voted into office by a two-thirds vote of the active members present at the first business meeting of each year. Candidates for these offices must be members in good standing and have proven their commitment to the department.

1.5 Any elected officer may be recalled and replaced prior to the first business meeting of the calendar year by a two-thirds vote of the active members present at any business meeting.

1.6 The Fire Chief shall appoint a First Assistant Chief, a Training Officer, a Safety Officer, and Fire Ground officers every year, within 30 (thirty) days of his appointment. These Officers, along with the Chief, will make up the Board of Fire Officers.

1.7 Any other business officers may be elected at any regular meeting.

1.8 Any elected positions or offices that become vacant during a year shall be filled at the business meeting following the occurrence of the vacancy. Training Officer, Safety Officer, First Assistant Chief and Fire Ground Officers shall be appointed within 30 (thirty) days following a vacancy.

1.9 A board that will make final decisions on grievances shall be assembled. It shall consist of the First Assistant Chief, a member-at-large voted into office for one year at the first business meeting of the calendar year, and the Chairman of the Selectmen (if not a member of the Fire Department) who will chair the board. If the Chairman is a member of the Fire Department, one of the remaining selectmen shall be appointed as a member of the board by the Chairman. In the

event that a member of the Grievance Board is a party in the grievance, the other members of the Grievance Board shall appoint a member of the Department to fill his or her spot on the Board.

1.10 Five standing committees will be appointed by the Chief within 30 days of his appointment. These committees will meet on an as-needed basis, except as noted below. These committees will be:

- A. An Occupational Safety and Health Committee, chaired by the Safety Officer, which will comply with the requirements of NFPA standard 1500;
- B. A Training Committee, chaired by the Training Officer(s);
- C. A Budget Committee, chaired by the Treasurer;
- D. A Fund-raising Committee;
- E. A General Committee, to fulfill any *ad hoc* needs.

1.11 A member may be reimbursed at an hourly rate by the Town of Waterford when responding to an alarm.

1.12 Insurance coverage for every member, consisting of workman's compensation and liability insurance, is provided by the Town of Waterford.

1.13 ~~It is desired and recommended that every member join the Vermont State Firefighters Association.~~

1.14 Regular, routine maintenance and upkeep expenses of up to \$750.00 (seven hundred and fifty dollars) may be expended without a vote of the membership. Any such expenditure must be authorized by the Chief, who shall inform the Treasurer of the expenditure. All other expenditures must be authorized by a two-thirds vote of the active members present at any business meeting.

1.15 The following shall be the regular order of business:

- ~~Call to order by the President~~
- ~~Approval of Minutes~~
- ~~Treasurer's Report~~
- ~~Roll Call~~
- ~~Election of New Members, if any~~
- ~~Reports of Committees~~
- ~~Unfinished business and new business~~
- ~~Adjournment~~

- Call to order by the President
- Roll Call
- Approval of Minutes
- Treasurer's Report

- Election of New Members, if any
- Reports of Committees
- Critique
- Chief Notes
- Unfinished business and new business
- Public Comment
- Executive Session
- Adjournment

1.16 To convene a meeting and conduct business, a majority of the active members must be present, and a majority vote of the active members present at the meeting is required to pass any issue.

1.17 Scheduled meetings will fall into three categories, Regular, Special, and Training, as follows:

A. Regular monthly business meetings will be held on the first Tuesday of each month. The date of the Regular meeting may be changed by a simple vote of the membership in attendance at the previous meeting.

B. Special business meetings may be held at any time and may be called by the Chief, the President, or a petition signed by two-thirds of the active members.

C. Fire training meetings will be held on the third Tuesday of each month. EMS training meetings will be held on the second Tuesday of each month. The date of a training meeting may be changed at the discretion of the Training Officer(s).

1.18 The Department shall have no more than forty (40) members at any one time. Up to thirty (30) of the members may be firefighters or firefighter/EMS providers, Up to ten (10) members may be EMS providers only. If the Department has a full roster and a person expresses an interest in becoming a member, he or she shall be placed on a waiting list. If an opening in the Department subsequently becomes available, the Board of Officers shall nominate the most qualified person on the waiting list for membership.

1.19 The Department shall have no more than five (5) Cadets in the program at any one time. To move from Cadet status to membership in the WVFD, a Cadet must meet the requirements of §1.2, sections A and B, of these By-Laws.

1.20 All votes of the membership at regular or special meetings that deal with personnel issues, such as the election of officers and new members, shall be by written ballot.

2. Discipline and Appeals

2.1 The Fire Chief shall be responsible for handling all disciplinary matters within the Department.

2.2 The Fire Chief shall have the authority to reprimand, demote, change the membership class, suspend, or terminate any member, or impose other appropriate sanction, for violation of these By-laws, for failure to abide by Standard Operating Guidelines, for failing to maintain a

level of physical fitness required to safely perform his or her assigned functions, for disobedience to the command of an officer, for reckless or dangerous conduct, or for any other good cause.

2.3 Before the Fire Chief imposes any disciplinary sanction, the member involved shall be given an opportunity to explain the conduct at issue and any mitigating factors.

2.4 All disciplinary decisions by the Fire Chief or probationary decisions by the Board of Fire Officers shall be in writing and provided to the member involved.

2.5 Any disciplinary or probationary decisions may be appealed to the Grievance Board described in §1.9. The member involved shall notify the Secretary of any intent to appeal within 10 days after the disciplinary or probationary decision.

2.6 Appeals shall be heard within 14 days of the notice of appeal by the Grievance Board described in §1.9.

2.7 In any appeal, the Fire Chief shall present the reasons for the disciplinary sanction and may call witnesses. The member involved shall have the right to representation by another member or legal counsel and shall be given the opportunity to present evidence, call witnesses and cross-examine any adverse witnesses, and to respond to all charges.

2.8 All decisions of the Grievance Board shall be by majority vote and shall be in writing. The decision of the Grievance Board shall be final.

3. Elected Officers Duties and Responsibilities

3.1 Fire Chief: The Fire Chief shall have ultimate authority and responsibility for all operations of the Department, review all Department operations, and take appropriate corrective action when required. The Chief shall appoint all fire officers and will chair the board of fire officers. The Chief shall be an ex-officio member of all standing and ad hoc committees of the Department. The Fire Chief shall represent the Department in any matter consistent with his duties as chief operational officer and shall represent the Department at all meetings for which a Department representative is required, such as meetings of the Board of Selectmen and meetings of mutual aid organizations. The Fire Chief may authorize expenditures of up to \$750, as described in §1.14.

3.2 President: The President shall preside over all Regular and Special business meetings in an efficient and businesslike manner. He or she **should** set the agenda and should be familiar with agenda items whenever possible.

3.3 Secretary: The Secretary of the Department shall keep the minutes of the meetings of the Department, maintain attendance records for meetings and draft such correspondence as directed by the Chief or President. **Minutes from each Business Meeting should be submitted to the Fire Chief within 48 hours of the Business Meeting.**

3.4 Treasurer: The Treasurer of the Department shall have responsibility for the financial records, funds, and bank account(s) of the Department. The Treasurer shall report on the finances of the Department at each Regular business meeting. ~~The Treasurer shall have the authority to sign checks on behalf of the Department for expenditures authorized by the Fire Chief or the membership.~~

3.5 Absences: If any of the above officers is unable to attend a particular meeting, he or she should appoint, on an ad hoc basis, a member of the Department to fulfill his or her

responsibilities at this meeting.

4. Conduct

4.1 A member shall always represent the Department in a professional and well-behaved manner at all times.

4.2 A member shall set a good example to everyone by **always practicing fire prevention**.

4.3 A member shall participate in all duties for the Department, as specified by these By-laws and the Departmental Standard Operating Guidelines, within his or her capabilities.

4.4 The use of alcoholic beverages or the illegal use of controlled substances shall be prohibited during Fire Department operations.

5. Fire Department Operations

5.1 All Department operations shall be governed by written Standard Operating Guidelines.

5.2 Standard Operating Guidelines shall be subject to review and/or critique by the entire membership and may be adopted or amended by the Board of Fire Officers.

6. Fire Department Property

6.1 All equipment issued to a member remains the property of the Department. The Chief may reassign equipment from one member to another as need arises.

6.2 A member shall see to it that all Department property that he or she is responsible for is kept in clean condition, properly maintained, and inspected regularly.

6.3 A member finding equipment defective or in poor condition shall notify the officer-in-charge at once.

6.4 All equipment issued to a member is to be returned within 7 days of a member's resignation or termination from the Department.

7. Membership Expenses

7.1 All normal and necessary costs associated with a member joining the Waterford Fire Department, including, but not limited to, ~~VSF~~**A membership**, purchase of personal protective equipment, workers' compensation fees, insurance premiums, and required training shall be the responsibility of the Department.

A. Specifically excluded from these costs are emergency lighting and sirens for personal vehicles, and "station wear" clothing.

B. The Chief, in consultation with the board of fire-ground officers, shall be the ultimate arbiter of costs to be paid by the Department.

C. If Department equipment assigned to a member has not been returned as stipulated in §6.4, the Chief, in consultation with the board of fire-ground officers, shall work with the Board of Selectmen to recover this equipment or replacement costs from the member or previous member in question.

7.2 Certification Training expenses, particularly Firefighter I and II training and EMT training, are the responsibility of the Department, with the following caveats:

A. It is expected that a member who has enrolled in one of these courses at the Department's expense will complete and pass all the certification requirements within the expected time period.

i. Should a member not complete the certification requirements within the required time period of ~~1-year~~, that member shall reimburse the Department the costs associated with that training.

B. It is expected that a member who has achieved certification at the Department's expense will actively serve on the Department for a period of no less than one (1) year after the date of the certification.

i. Should a member leave the Department prior to the one-year period, that member shall reimburse the Department, on a pro-rated basis as a fraction of the year served, the costs associated with that certification.

C. The Chief, in consultation with the board of fire-ground officers, shall be the ultimate arbiter of costs to be reimbursed, and shall work with the Board of Selectmen to recover costs from members or previous members.

I verify that, as a member of the Waterford Volunteer Fire Department, I have completely read and fully understood the By-Laws of the Department most recently amended on ~~1-October-2013~~, ~~August 1, 2023~~. I agree to abide fully by the requirements stipulated in these By-Laws.

Printed Name: _____

Signature: _____ member of the Waterford
Volunteer Fire Department

Date: _____