



May 16, 2013

Richard T. Colella, President
Forest Hills Volunteer Fire Department
2071 Ardmore Blvd.
Pittsburgh, PA 15221

Dear Mr. Colella:

I received your response re: my request for a copy of your bylaws so as to have a copy in our borough files. I want to clarify that my request was in the form of a letter and not a public records request as it was not placed on one of those forms. Regardless, I appreciate your positive response.

Rather than require the borough to pay any money, I ask that someone bring the bylaws to our office where we would be happy to copy them for our files at no cost. Please let me know when this can be arranged.

Thanks for your help and cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Steven J. Morus". The signature is fluid and cursive.

Steven J. Morus
Manager/Secretary

CONSTITUTION

AND

BY-LAWS

of the

FOREST HILLS VOLUNTEER FIRE COMPANY No. 1

2071 Ardmore Boulevard, Forest Hills Borough - Pittsburgh, Pennsylvania 15221 (412) 351-7335

Adopted: September 2012

Amended:

Received in borough office 3/10/14

CONSTITUTION AND BY-LAWS

Forest Hills Volunteer Fire Company No. 1

2071 Ardmore Boulevard, Forest Hills Borough - Pittsburgh, Pennsylvania 15221 (412) 351-7335

PREAMBLE

WHEREAS, for the proper management and regulation of the Department, it is necessary to adopt rules and regulations for the guidance of its officers and members;

THEREFORE BE IT RESOLVED:

That, we as members do hereby adopt and pledge ourselves to abide by and enforce the Constitution, By-Laws and Rules of Order as adopted.

ARTICLE I: TITLE

Section 1:

This organization shall be known as the FOREST HILLS VOLUNTEER FIRE COMPANY No. 1, but in this and other documents of the organization, it may be referred to simply as the "Department" or as the "Organization" or as the "Forest Hills Volunteer Fire Department", or as the "Forest Hills Volunteer Fire Company No. 1 and Relief Association".

ARTICLE II: ORGANIZATION AND MISSION

Section 1:

The Department shall consist of sufficient members to efficiently man all fire fighting apparatus that may be in the possession of the Department.

Section 2:

The object of the Organization shall foremost be the preservation of life, property, and the environment from formidable disasters, both natural and manmade, and from other public menaces and the prevention of such; that may occur in the Borough of Forest Hills and vicinity.

Section 3:

In the event that this Organization should dissolve, all properties and monetary possessions shall be donated to a non-profit civic organization of the Borough of Forest Hills agreed upon by the remaining membership at the time of dissolution. The property and assets will not revert to the membership or the Borough of Forest Hills.

ARTICLE III: MEMBERSHIP CLASSIFICATIONS AND PROCEDURES AND FIRE POLICE

Section 1:

The members of the Department shall consist of the following classifications:

Probationer
Active Member
Active Life Member
Inactive Life Member
Junior Member

- (a) A Probationer is one who has complied with the requirements of Section 2, 3, and 4 of this Article. They will be required to pay dues and upon recognition from the Chair, shall have a voice but no vote on the subject under discussion. They shall be subject to the same attendance requirements as an Active Member.
- (b) An Active Member is a Probationer who has been elected to active membership. They shall maintain residence in the Borough of Forest Hills or a neighboring community as approved by the board and line officers, attend at least six regular or special meetings of the Department a year and attend fire calls. They must attend the amount of training hours required as determined by the line officers unless prevented by sickness, employment, or some other unavoidable occurrence. All unavoidable occurrences are to be reviewed by the Line Officers and/or the Executive Board for approval. They shall accept all appointments to committees referred by the chair and perform the duties assigned to them until their completion or the expiration of the term of office of the chair, unless excused by a reasonable request. They shall pay all dues and assessments charged against them before they become delinquent. Non-conformance with any of the above will invoke suspension. Any active member who is physically disabled in a Department function shall remain on the active rolls.
- (c) An Active Life Member is an Active Member who has served the Department for a period of fifteen years (military service included). They shall not be required to pay dues, but shall be charged for any assessments. They shall be entitled to all the privileges of an Active Member, attend four meetings of the Department a year, accepts committee assignments and performs all other activities possible. A member at the age of forty may include the service from another company after they have served ten years in this Company.
 - 1) An Inactive Life member is any Active Life Member who has retired from the fire fighting activities of the Department. They shall be entitled to vote for Executive Officers and Administrative Offices if they attend four meetings of the Department a year and perform other Department activities. They shall not be required to pay dues or pay assessments. Any Active Member through illness or physical disability not sustained in a Department activity or advanced age as determined by the Executive Officers, is no longer able to participate in any fire fighting activities shall become and Inactive Life Member.

- (d) A Junior Member shall be at least fourteen (14) years of age and up to eighteen (18) years of age. A permanent committee consisting of the President, Chief, and one Director shall have jurisdiction over all Junior Members. They shall process all applications for membership and recommend acceptance or rejection. They shall have a work permit prior to acceptance. No Junior Member shall be permitted to enter the fire station, unless accompanied by a senior member or authorized to do so by a member of the permanent committee. Junior Members must attend regular monthly meetings, but shall not be able to make or second any motions, nor shall they be permitted to vote on any issue. They must attend all drills and schools scheduled by officers in charge unless excused for legitimate reasons. They shall not answer fire alarms until given appropriate approval by the Chief. When permitted to answer fire alarms, they shall proceed to the fire station in a safe manner without undue excess speed. They shall not be permitted to use "blue lights". They shall be governed by all laws set forth by the Pennsylvania Department of Labor and Industry known as the *Child Labor Laws of the Commonwealth of Pennsylvania*. All Junior Members must have legal parental/guardian consent. All members in good standing with relatives desiring admission will have preference. Probation for Junior Members shall be from the date of acceptance until they reach their 18th birthday at which time they shall become, with a majority vote from membership, an Active Member.

Section 2

All applicants for membership must be at least fourteen (14) years of age, a citizen of the United States of America, and must be of sound mind and body and of good moral character.

Section 3

The application, when properly filled in and signed by the applicant, and recommended by one Active Member of the Department, shall be presented to the Membership Committee, who shall read it at the next regular meeting of the Department and date it.

The Membership Committee shall then inquire into the character, ability and sincerity of the applicant and advise them that they will need a doctor's certificate. They will also be subject to a background check, including but not limited to calls to prior emergency services organizations participated in, references and an official criminal background investigation. It shall make its report in full, not later than the third regular meeting of the Department after the application was read to the Department by the Membership Committee and dated.

If the report of the Membership Committee is favorable, a ballot shall be had and, if favorable to the applicant, he is then declared a Probationer. He is then notified by the Secretary and given a copy of the Constitution and By-Laws, and Rules of Order of the Department. He shall present himself not later than the second succeeding meeting of the Department to be formally sworn in for duty, unless excused for any occurrence beyond his control.

If the report of the Membership Committee is not favorable or after a favorable report of the Membership Committee, the ballot is not favorable, the applicant is declared rejected. Upon a motion, duly made and seconded, and a majority vote of two-thirds (2/3) of the members present, a second ballot may be had at the next succeeding regular meeting of the Department. The applicant is then notified of the results.

The applicant, if rejected, may reapply after a period of one year ~~of rejection date~~, if they so desire.

Section 4

A Probationer shall serve a period of six months. At the expiration of this period, they must have twenty hours of local fire training, attend the fire training schools, if possible, and attend at least four meetings of the Department. A report shall then be made by the Line Officers and Executive Officers at the next regular meeting of the Department showing whether the applicant has met all the requirements. If the report is favorable, a secret ballot shall be taken, and if a majority vote is in favor of the candidate, the Probationer is then declared an Active Member. They will then be reimbursed the amount as set in the Rules of Order, for their physical examination.

Should the ballot be unfavorable to the Probationer, they are then declared rejected. They are so notified by the Secretary. They shall return all property of the Department loaned to them and their initiation fee and any dues paid by them shall be refunded to them by the Department, upon return of all property belonging to this Department.

Section 5

No member of this Department shall be an active firefighting member of any other volunteer fire department whose duty it is to provide for the protection of life and property within this local area as determined by the Board/Line Officers. This provision does not apply to any member who is a member of an industrial fire department or other fire department that provides employment to them.

ARTICLE IV: FEES - DUES - ASSESSMENTS - PURCHASES - PAYMENTS

Section 1

The amount of dues shall be set by the Department (currently \$1.00), payable annually or otherwise, but final payment must be made by the first regular meeting in March of each year.

Section 2

The entrance fee for membership shall be an amount set by the Department (currently \$1.00), and shall accompany the application together with the first year's dues.

Section 3

Whenever necessary, special assessments may be levied by the Department.

Section 4

Dues shall be payable at the January meeting, however, if unpaid by March of the current year, the member concerned shall be notified by mail and if not paid within thirty (30) days will be suspended by the appropriate officers (Board of Directors and Executive Board) and so notified by the Secretary.

Section 5

Members suspended under Article IV, Section 4, may be reinstated by the membership, by a majority of those present and voting at a regular membership meeting provided said suspended members make their desire for reinstatement known during the one (1) year period following the date of their suspension.

Section 6

All purchases made with the funds from the Department shall be in the name of the "FOREST HILLS VOLUNTEER FIRE COMPANY".

ARTICLE V: OFFICERS

Section 1

The Line Officers shall consist of one Chief, one Assistant Chief, one First Captain, one Second Captain, one First Lieutenant and one Second Lieutenant. A second Assistant Chief and a Third Lieutenant shall be added if the number of Active Members exceeds forty-five (45). They shall be elected by ballot at a regular business meeting held in December of the odd years, and serve for a term of two years.

- (a) The Chief may appoint a Deputy Chief at any time he deems necessary. He shall answer directly to the Chief, and oversee all fire and rescue training. His rank shall be the same as an Assistant Chief, and shall act as an Assistant Chief in their absence. His term shall expire with the term of the officers that appointed him.

- (b) The Chief and all line officers must live in a neighboring community as defined by the Board of Directors.

Section 2

The Executive Officers shall consist of a President, Vice-President, Secretary, Treasurer, and a Board of Directors. They shall be elected by a ballot at the regular business meeting held in December of the even years and serve for a term of two (2) years. Two of the Board of Directors are to be elected at the December meeting of the odd years, and three at the December meeting of the even years. Section 3 All delegates shall be elected by the Department whenever it becomes necessary.

Section 3

The term of office for the standing committeemen shall expire with that of the President in office at the time of their appointment, unless they shall have been dismissed by the President prior to termination in office.

Section 4

No committeeman or officer shall be excused from the performance of their duties until their successors has been elected or appointed.

Section 5

A vacancy caused by the resignation or removal of an executive officer shall be filled by a substitute appointed by the President and a line officer will be filled by a substitute appointed by the Chief , until the next regular business meeting when the vacancy shall be filled by a special election as per Article IX.

Section 6

An Assistant Treasurer may be appointed by the President and approved by the Board in the event that the Treasurer is absent for due cause that impedes with the normal operation of the Department. The Assistant Treasurer will act in the same capacity and all duties of the Treasurer.

ARTICLE VI: QUALIFICATIONS OF OFFICERS

Section 1

In order for a member of this Department to be eligible to become a Line Officer, they must meet the following general qualifications starting with the adoption of these by-laws.

The member must:

- (a) Be twenty-one years old.
- (b) Be a member for at least two (2) years.
- (c) Have ~~the~~ Firefighter I
- (d) Have Pump Operations I and working knowledge of Department Apparatus.
- (e) Have EVOC and be approved by the Fire Chief for driving apparatus.
- (f) General knowledge of the fire equipment.
- (g) Have knowledge of the location of borough streets.
- (h) Have successfully completed the NIMS 100 and NIMS 200.

Section 2

The Lieutenants must:

- (a) Meet all of the general qualifications.

Section 3

The Captains must:

- (a) Meet all of the general qualifications.
- (b) Have been a Lieutenant with this department first.

Section 4

The Assistant Chiefs must:

- (a) Meet all of the general qualifications.
- (b) Have been Captain with this department first.
- (c) Have at least five (5) years of fire fighting experience.

Section 5

The Chief must:

- (a) Meet all of the general qualifications.
- (b) Have been an Assistant Chief of this department or have been a Captain with this department for at least six (6) years.
- (c) Have at least ten (10) years of fire fighting experience with this department.

Section 6

At the Chief's discretion a firefighter may hold a line officer position without meeting the above qualifications with the exception of Assistant Chief. (The Chief must meet all requirements.) If a lack of qualified candidates happens to occur, the Chief may select members to run for those positions.

ARTICLE VII: DUTIES AND PRIVILEGES OF OFFICES

Section 1

The duties of the President are:

- (a) to preside and maintain order at all meetings.
- (b) to decide points of order without debate, subject to an appeal to the Department.
- (c) to cast a deciding vote in the event of a tie.
- (d) to enforce the regulations of the Department.
- (e) to see that all fines and dues are paid.
- (f) to sign orders on the treasury when so directed by the Department.
- (g) to be present, whenever possible, at all fires.
- (h) to appoint a Sergeant-at-Arms at the opening of each meeting, and instruct as to the duties, if necessary
- (i) appoint members to all standing & special committees.

Section 2

The duties of the Vice President are:

- (a) to preside and maintain order at all meetings in the absence of the President.
- (b) to assist the President as needed.

Section 3

The duties of the Secretary are:

- (a) to keep an accurate record of the proceedings of the Department.
- (b) to call the role and record all absentees.
- (c) to notify applicants of their election or rejection, and conduct all other correspondence of the Department, except that which may be the work of standing or special committees.
- (d) A \$30 monthly stipend is paid to the Secretary for their duties.

Section 4

The duties of the Treasurer are:

- (a) to collect and secure the funds of the Department, and expend them at the authorization of the Department.
- (b) to keep an accurate record of the receipts and expenditures of the Department, and report verbally on same at each regular business meeting.
- (c) to render a complete written report annually, for examination by the Finance Committee and presentation to the Department.
- (d) A \$30 monthly stipend is paid to the Treasurer for their duties.
- (e) To account for all money given to the Department from the Borough of Forest Hills and keeping such money separate from Department funds and to give the Borough a yearly report as required by the Borough.

Section 5

The duties of the Board of Directors are:

- (a) to interpret the laws as set up by the Department.
- (b) to act in an advisory capacity in all matters referred to them by the Department.
- (c) that the Board of Directors and officers shall meet at least once a month or at any time upon request by the President.

Section 6

The duties of the Committees:

- (a) Standing and special committees shall transact the business entrusted to them as efficiently as possible.
- (b) No committee shall be discharged until it has submitted a final report, submitted any bills it may have contracted, and turned over to the Secretary all correspondence and other papers in it's possession. However, the President may discharge any or all the members of the committee at any time and appoint successors at once.
- (c) Should a committee fail to report at the proper time, the Department may transact its business as a whole.
- (d) All committees appointed shall elect their Chairman at the first meeting. The first named committeeman shall act pro-tem.
- (e) The Membership Committee shall investigate the character and fitness of all applicants for membership, and report their findings to the Department. They shall consider all questions relating to the personnel of the Department, including the advisability of increasing or decreasing the membership, and report their decisions to the Department.
- (f) The Finance Committee shall exercise a general supervision over the finances of the Department, and shall audit the books of the Secretary and Treasurer yearly submitting their report to the membership. This committee shall also make recommendations to the Department in all matters relating to the treasury, including the assessment of dues.
- (g) The Grievance Committee shall investigate all complaints regarding the Department, and report their findings to the Department for action.
- (h) The duties of the House Committee are to care for the properties of the Department, to see that order be kept and to enforce all the house rules, to keep out all persons not entitled to admittance, and to obtain any articles necessary for the benefit of the members when authorized by the Department.
- (i) Other committees may be created as needed.

Section 7

The duties of the Line Officers:

All Line Officers shall attend at least fifteen (15) hours of outside training a year while holding office in the Department.

The Chief shall have supervision of the service duties of the Department. The Chief shall be responsible for all service apparatus, equipment, attending all fires and service calls, planning methods of attack, decide when other help is required, decide when a call is over and to return equipment to the fire station. Also, file all accident reports, keep list of members attending fires, obtain medical attention when required and all other duties required in fire fighting.

Section 8

Assistant Chiefs shall aid the Chief in the performance of duties and replace the Chief in the event of accident or absence.

Section 9

Captains shall have command of their crews at all times. They shall receive and obey orders from their superiors at all times and observe and direct their subordinates to discharge their duties to the best of their abilities.

Section 10

The Lieutenants shall aid the Captains in the performance of their duties and replace them in their absence.

Section 11

It shall be the duty of the Line Officers to appoint qualified Equipment Engineers and one Chief Engineer and in an emergency to authorize any qualified member to operate the equipment. Each Equipment Engineer or appointee shall have a current Commonwealth of Pennsylvania driver's license and must demonstrate their ability to drive the truck, operate the pumps and be familiar with location and use of all tools and other fire fighting equipment.

Section 12

When necessary, the Fire Chief shall recommend to the Forest Hills Borough Council a Volunteer Fireman for the position of Fire Marshal. The Fire Marshal shall work with the Fire Chief to enforce the Fire Code of the Borough of Forest Hills. This Fire Marshal shall be the Forest Hills Volunteer Fire Department Fire Marshal.

ARTICLE VIII: DUTIES AND PRIVILEGES OF MEMBERS

Section 1

The first duty of every member is to obey the commands of their superior officers.

Section 2

It shall be the duty of each member to report promptly at the fire station when the alarm is sounded and to remain on duty until released by the Fire Chief or senior officer in charge. All activities in the firemen's quarters must cease during the period of the fire or emergency.

ARTICLE IX: NOMINATIONS AND ELECTIONS

Section 1

The Secretary, with the assistance of the nominating committee, shall post a list of eligible members of the Department on the bulletin board at the October meeting.

Section 2

A member cannot be nominated, appointed, or elected to an office unless they shall have been a member in good standing for at least one year for Executive Offices, and two years for Line Offices plus they must meet the qualifications for that office as per Article VI.

Section 3

Nominations shall be made by the Nominating Committee, appointed by the President; or from the floor in open meeting and properly seconded by members in good standing.

Section 4

All nominations of offices shall be made one month previous to the election, and all special elections are to be governed by these regulations, except elections for delegates. Any member nominated and not present must submit a letter of acceptance to the President within ten (10) days of the nomination.

Section 5

No member shall run for more than one office in any election.

Section 6

The presiding officer cannot close the nominations until he or she has issued the call at least three (3) times.

Section 7

The President shall appoint three tellers, the Vice President one. No nominee shall be eligible as a teller.

Section 8

The Department shall provide a special ballot for the election of officers.

Section 9

If there is only one candidate nominated for the office, it shall be the duty of the Secretary to cast one ballot for said candidate. The tellers shall then confirm the ballot.

Section 10

The presiding officer and tellers shall examine the ballot box, or other receptacle before balloting, and shall declare same to be clear.

Section 11

The Secretary shall call the roll of all eligible members and the tellers shall distribute ballots to the same. No proxy, mail, or write in votes shall be allowed.

- (a) Active, Active Life, and Inactive Life Members may vote for the Executive Officers.
- (b) Only Active and Active Life Members may vote for the Line Officers.
- (c) Probationary and Junior Members may not vote.

Section 12

The members do personally deposit the ballot in the box provided for that purpose.

Section 13

The presiding officer shall ask if all have voted who wish before closing the election. After the voting is officially closed by the presiding officer, no ballots can be cast.

Section 14

A report of the actual ballots cast for each nominee shall not be made to the body, only the names of the winning candidates. Upon written request to the Secretary within 90 days of the date of election, a nominee may receive an accounting of all votes cast in that election.

Section 15

A candidate receiving the high vote shall be declared elected.

Section 16

In case of a tie vote, a run off election shall be held between those candidates who tied that same night of the balloting. If, after three (3) tries, a deciding vote cannot be established, then the Chief will cast the deciding ballot for the Line Officers and the President will cast the deciding ballot for the Executive Officers. If the Chief or the President is not available, then the next highest-ranking officer will cast the deciding ballot.

Section 17

The term of office shall be for a period of two (2) years and shall expire in December of the even numbered years for Executive Officers and three (3) board members, and December of the odd numbered years for Line Officers and two (2) board members.

ARTICLE X: MEETINGS

Section 1

Regular business meetings shall be held at the Fire Department Social Hall on the first Monday of each month unless postponed by the Executive Board.

Section 2

Members only shall be permitted to attend business meetings, except by motion approved by a majority of those Department members present.

In due respect to the assembled body, all other activities shall cease when the regular meeting is called to order.

Section 3

The fiscal year shall end with the December meeting of each year, at which time all reports shall be made, and election of offices held.

Section 4

The President shall call special meetings, or upon the written request signed by five (5) members, stating the business to be transacted.

Section 5

The Secretary shall notify each member of the time and place of a special meeting, together with the business to be presented for discussion. Notification may take place by physical notice or by electronic means (ie. Pager, cell, phone, text message or e-mail).

Section 6

No business except that designated shall be transacted at a special meeting.

Section 7

Roberts' Rules of Order shall be the standard for the conducting of all regular and special meetings.

Section 8

The order of business shall be as follows:

1. Call to order by the President.
2. Roll Call.
3. Reading of the Minutes of the previous meeting.
4. Financial decisions as determined by the Board.
5. Collection of Dues.
6. Reports of Committees. Balloting on candidates for membership.
7. Communication.
8. Unfinished Business
9. New Business.
10. Nomination of Officers.
11. Election of Officers.
12. General Discussion.
13. Adjournment.

Section 9

The President may transpose the regular order of business, unless the Department sustains an objection to so doing.

Section 10

Voting at all meetings shall be via voice except balloting for candidates for membership, election of officers, or suspension or expulsion of members, in which case the vote shall be taken by secret ballot.

Section 11

Ten (10) Active Members, one of which must be the President, Vice President, or Secretary shall constitute a quorum for the transaction of business.

Section 12

Financial transactions involving the transfer of funds from one account to another and disbursements of any money must be a recommendation of the Treasurer or be a motion from the floor. Board approval may be obtained for the transfer of money electronically, if needed, by phone or in person with written approval to be obtained within one week.

Section 13

A credit card may be obtained for Department use. A limit of \$150.00 is set for purchases not preapproved by the Department. All purchases under \$150.00 will be approved at the next meeting.

Section 14

The Treasurer's signature must be one of the three (3) signatures required on all Department checks and financial account transfers. Electronic payment of bills is permitted with a purchase order or in the event of a reoccurring bill.

ARTICLE XI: CHARGES AND TRIALS

Section 1

A Grievance Committee consisting of five (5) members, three elected by the membership and two appointed by the President, is hereby established. The Chairman shall be a member of the Committee elected by the membership.

It shall have jurisdiction of all charges brought against any officer or member. It shall have the power to censure and suspend for a definite time any member it shall have found guilty of charges brought before it. It may, by majority vote, recommend to the Department the removal from office of an officer and the expulsion of a member who shall have been found guilty of charges brought before it. This must be finalized by a majority vote of the members present at a regular meeting.

Section 2

Charges against any officer or member, for abuse of authority, misconduct, conduct unbecoming, insubordination or any act which may tend to bring disrespect upon the Department may be filed by any member. The complaint shall be filed with the Secretary. It shall then be referred to the Grievance Committee, which shall investigate and hold hearings, at which it shall demand the presence of all interested parties in order to lead it to a fair and equitable decision. It shall make its report in writing not later than the second succeeding meeting of the Department.

Section 3

A member against whom charges are pending shall not be denied any privileges of membership until proven guilty.

Section 4

The President and Chief, individually have the right to temporarily suspend a member for due cause for a period of fifteen (15) days at which time a grievance will be filed and a decision will be rendered for consideration of the membership. In these cases the suspension will supersede Section 3 of Article XI.

Section 5

Any member of the Department convicted of a misdemeanor involving moral turpitude or of a felony in any state or federal court and such conviction has become final, shall be expelled from the Department.

ARTICLE XII: FLORAL TRIBUTE

Section 1

A floral or monetary tribute, as set in the Rules of Order, shall be provided by the Department in the event of the death of:

- (a) a member, their spouse, their child, their parents or siblings.
- (b) a member's spouse's parents or siblings.
- (c) Any other persons at the discretion of the President.

Section 2

It shall be the duty of the bereaved member to notify the Treasurer in the event of such deaths.

ARTICLE XV: AMENDMENTS

This Constitution and By-Laws shall not be altered or amended unless submitted to the membership of the Department for the first and second readings at a regular monthly meeting, the third and final readings shall be at the following regular monthly meeting and must be approved by a two-thirds (2/3) vote of the members present.