

**BY-LAWS**  
**of the**  
**VOLUNTEER AND EXEMPT**  
**FIREMEN'S**  
**BENEVOLENT ASSOCIATION**  
**OF WANTAGH**  
**NASSAU COUNTY,**  
**NEW YORK, Inc.**

**Revised: September 20<sup>th</sup>, 2017**

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## **ARTICLE I**

### **TITLE**

This corporation shall be known as the “Volunteer and Exempt Firemen’s Benevolent Association of Wantagh, Nassau County, New York, Inc.”

## **ARTICLE II**

### **PURPOSES**

Section 1. The purposes for which this corporation has been formed are:

- (a) Relief, aid and assistance to the members of such corporation and their families who are disabled or indigent.
- (b) The maintenance of suitable headquarters for the promotion of fraternal intercourse among the members of such corporation.
- (c) The promotion of the volunteer fire service within the territory of the Wantagh Fire District.

## **ARTICLE III**

### **MEMBERSHIP**

Section 1. Any eligible person may apply for membership in this corporation pursuant to these by-laws.

Persons eligible for membership to this corporation are—

All persons who on February 29<sup>th</sup>, 1940, or who have been, or shall hereafter be an active volunteer member of any Company in the Wantagh Fire Department, and who shall heretofore acquired the status of exempt volunteer Firefighter/Firemedic (as defined by law) by virtue of having rendered five (5) years of active accumulative service in any Company in the Wantagh Fire Department.

Section 2. Application for membership in this corporation shall be made in writing upon forms provided for that purpose by the corporation and shall be accompanied by the initiation fee hereinafter provided for. Such initiation fee shall be returned if the application is denied.

Section 3. Application for membership may be received at any regular or trustees meeting, shall be referred to an investigation committee and shall be reported upon at the following meeting. Each applicant shall be voted upon separately. An affirmative majority of those voting shall be sufficient to elect an applicant to membership.

The Recording Secretary shall notify the applicant as to the result of the ballot on his/her application.

- Section 4. Upon election to membership such member shall be required to subscribe to these by-laws, shall be issued a certificate of membership which shall entitle them to all benefits of such membership, and shall indicate in the records for that purpose, the name of his/her beneficiary in case of death.
- Section 5. Any person whose membership in this organization shall date prior to June 1, 1940, shall be considered a charter member.

## **ARTICLE IV**

### **INITIATION FEES, DUES AND ASSESSMENTS**

Section 1. The initiation fee for active membership in this corporation shall be:

- (a) For active exempt candidates the fee is fifty (50) dollars provided; said candidate file application for membership within one (1) year of the date he/she served his/her five (5) years active accumulative service in any company in the Wantagh Fire Department. The times served in any company shall be cumulative. The initiation fee thereafter shall be fifty (50) dollars plus fifty (50) dollars for each year or fraction thereof from one (1) year after date of completing his/her five (5) years of service to date of application.
- (b) For exempt, non-active Firefighter/ Firemedic not less than fifty (50) dollars such initiation fee to be computed on the basis of fifty (50) dollars per year from date of organization of this corporation until date of meeting at which applicant is presented or date of acquired exempt status or whichever is least.

Section 2. The annual dues of membership shall be ten (10) dollars, and shall be payable in advance, due on the first day of January. Annual dues shall be computed on a quarterly basis for any part of the year.

Section 3. There shall be a pro-rata assessment to take care of deficiency, against each member of the corporation, payable immediately, whenever the funds of the corporation fall below one thousand (1,000) dollars.

## **ARTICLE V**

### **BENEFITS**

Section 1. (a) Each and every member of this corporation, upon receipt of a certificate of membership shall designate thereon, the name of his/her beneficiary.

Upon the death of a member (provided such deceased member, at the time of his/her death, was not in the arrears to the corporation for dues, fines and/or assessments for more than six (6) months) consideration shall be given to honor funeral and/or medical bills of the deceased member, up to the amount of thirteen thousand (13,000) dollars, upon proper presentation of said bills, supported by a report, indicating the need for assistance by the beneficiary.

- (b) Each member shall have the right to change the beneficiary named in his/her certificate of membership by notifying the Secretary of the corporation, and a payment fee of ten (10) dollars for the same.
- (c) The payment resulting from the death of a member shall be paid by the Treasurer after receipt of proof of such death by the beneficiary, and the surrender of the certificate of membership.

Section 2. Indigent, disabled or needy members of this corporation and their families, shall receive all necessary help, which in the opinion of the Board of Trustees, the resources of the corporation warrant.

## **ARTICLE VI**

### **MEETING, SPECIAL MEETINGS, QUORUM AND ORDER OF BUSINESS**

Section 1. There shall be four (4) meetings of this corporation per year to be held on the third Wednesday of September, January, March and May. Notice of such meeting shall be given at least seventy-two (72) hours in advance.

Section 2. The annual meeting of this corporation shall be held on the third Wednesday of March, at which time the election of officers shall take place.

Section 3. Special meetings of this corporation shall be held:

- (a) Upon the written request of twelve (12) members of the corporation.
- (b) At the request of the Board of Trustees.
- (c) Upon call of the President, when in his/her opinion the affairs of the corporation necessitate.
- (d) Notice of a special meeting shall be given at least seventy-two (72) in advance of such meeting and shall state the purpose of such special meeting. No other business may be transacted at a special meeting, other than that for which the meeting has been called.

Section 4. Notice of regular and/or special meetings of this corporation shall be mailed by the Corresponding Secretary, at least seventy-two (72) hours previous to the meeting. However, in the event of the death of a member of this corporation, this required form notice to meet, or attend the funeral of a deceased member may, at the discretion of the President, be dispensed with.



- Section 5. (a) A quorum for any regular and/or special meeting of this corporation shall consist of fifteen (15) members.
- (c) A quorum for the annual meeting of this corporation shall consist of twenty (20) members.

Section 6. **ORDER OF BUSINESS**

Invocation

Reading of minutes of the previous meeting

Collection of dues and assessments

Reports of Committees

Financial Secretary and Treasurer's Report

Correspondence and bill's

Sickness, Distress, Aid and Sympathy

Proposal and Election of Candidates for Membership

Resignations

Unfinished Business

New Business

Election of Officers and Roll Call

Adjournment

- Section 7. Robert's Rules of Order shall be the authority for the parliamentary proceedings of this corporation.

## **ARTICLE VII**

### **OFFICERS – THEIR DUTIES AND MANNER OF ELECTION**

Section 1. The officers of this corporation shall consist of the following:

President, Vice-President, Secretary, Financial Secretary, Recording Secretary, Treasurer, and four (4) Trustees who shall be elected by the members of this corporation; and one (1) Trustee Pro-Tem (who is the most immediate past president of the corporation and will automatically appointed to the position); and a Chaplain or Chaplains, and a Sergeant-at-arms, who shall be appointed by the President.

Section 2. The duties of the officers of this corporation are –

- (a) It shall be the duty of the President to preside at all meetings, to maintain proper order, to convene special meetings when required at the request of fifteen (15) members of the corporation or at the request of the Board of Trustees. (He/she shall appoint all committees not otherwise provided for.) He/she shall engage a certified public accountant to audit the books of the corporation. He/she is hereby authorized to counter-sign all checks drawn by the Treasurer upon the corporation's accounts for payment of all bills and claims permissible under these by-laws. He/she shall perform all other duties attendant upon his office.

He/she shall represent the organization as an official delegate at the Firemen's Association of the State of New York (FASNY) meetings.

He/she shall be compensated in this capacity, to the extent of actual personal expenses so incurred, not to exceed \$999.99, all bills supporting these expenses must be turned in at the next regular meeting of the trustees.

- (b) It shall be the duty of the Vice-President to perform all of the duties of the President in case of the vacancy or absence of the President. He/she shall perform all duties attendant upon his office. He/she shall represent the organization as an official Delegate at the Firemen's Association of the State of New York (FASNY) meetings. He/she shall be compensated in this capacity, to the extent of actual personal expenses so incurred, not to exceed \$999.99, all bills supporting these expenses must be turned in at the next regular meeting of the trustees.
  
- (c) It shall be the duty of the Secretary to keep a true account of the proceedings of the corporation at each meeting, to call the roll, read the minutes of the preceding meeting, keep and file all records and documents of the corporation. He/she shall keep a record of all members, together with their ages. He/she shall receive for faithful performance of his/her duties an annual salary or expenses.

- (d) It shall be the duty of the Financial Secretary to collect all moneys of the Corporation, dues, fines, assessments, fees, Etc. He/she shall collect such insurance money due this corporation from insurance agencies and shall keep a correct account of all moneys received by this corporation. He/she shall turn over to the Treasurer all Monies collected and take his receipt in a book provided for that purpose. He/she shall render a report of receipts at each meeting and shall report such members of the corporation who are delinquent in their financial obligations. He/she shall receive for faithful performance of his/her duties an annual salary or expenses.
- (e) It shall be the duty of the Treasurer to receive from the Financial Secretary all money collected by him/her and deposit same in such bank or sureties as shall be designated by the Board of Trustees, and he/she shall draw all checks for the disbursement of corporation funds, such checks to be counter-signed by the President, or Vice-President, or any one of the five (5) Trustees. The Treasurer shall render a report of the financial condition of the corporation at each meeting, and when called to do so by the Board of Trustees. He/she shall perform all other duties attendant upon his/her office. He/she shall receive for faithful performance of his/her duties an annual salary or expenses.
- (f) It shall be the duty of the Corresponding Secretary to send all notices of meetings. He/she shall perform all other duties as may be attendant upon his/her office. They shall receive for faithful performance of his/her duties an annual salary or expenses.

- (g) The duties of the Trustees shall be as outlined in Article VIII of these by-laws.
- (h) The Chaplain or Chaplains shall bring to the attention of the President or Board of Trustees, any case of a member or his/her family in need of help, aid or sympathy. He/she shall perform all other duties of his/her office. The annual dues of the Chaplain or Chaplains shall be waived.
- (i) The Sergeant-at-arms shall keep order at meetings, and shall at times be under the direction of the President. He/she shall perform all duties attendant upon his office.
- (j) The Financial Secretary and Treasurer are to post bond, to be paid for by the corporation, in a reputable surety company for the faithful performance of duty.
- (k) The officers of this corporation shall adhere strictly to the letter of these by-laws and shall enforce them impartially.
- (l) Any officer who is absent without excuse from three (3) successive meetings shall be notified to appear at the next regular meeting and show cause why he/she should not be removed from office. A Trustee meeting shall be deemed a meeting under this article. Failure to appear shall be deemed cause for removal.
- (m) Officers shall continue in office until their successors have been elected and installed. When vacancies occur, officers may be nominated and elected at any regular meeting.

Section 3.

Officers and Trustees shall be nominated and elected at the March meeting of the corporation and shall assume the duties of their respective offices on April 1<sup>st</sup>.

- (a) Officers shall serve for one (1) year and there shall be one (1) Trustee elected each year to serve a four (4) year term.
- (b) Candidates for office must be members in good standing of this corporation.
- (c) Suspensions, expulsion, or loss of membership for any reason automatically vacates office.
- (d) A majority of members present is necessary to elect to any office.
- (e) Candidates for office shall be members of the corporation for a minimum of one (1) year prior to date of appointment to the office.
- (f) Candidates for the office of Vice-President shall have served at least one (1) year in the following offices:
- (g) Trustee, Corresponding Secretary, Financial Secretary, Secretary, or Treasurer of the corporation.
- (h) Candidates for the office of President shall have served at least one (1) year in the office of Vice-President of the corporation.

## **ARTICLE VIII**

### **BOARD OF TRUSTEES AND THEIR DUTIES**

Section 1. The President, Vice-President, Secretary, Financial Secretary, Corresponding Secretary and Treasurer, as well as four (4) members elected to the office of trustee and the trustee pro-tem shall constitute the Board of Trustees of the corporation.

- (a) The control and disposal of the funds, property and estate of this corporation, the exercise of its powers, and the control and management of its affairs, except as herein provided, shall be vested in and exercised by the Board of Trustees.
- (b) The Board of Trustees shall –
  - (1) Hold meeting on months other than the four (4) regularly scheduled months in which the membership meetings are held for the proper transaction of its business. Special meetings of the Board of Trustees may be held without prior notification at the time of any regularly scheduled membership meeting. A quorum for such meeting shall consist of five (5) members of the Board of Trustees.
  - (2) Diligently inquire into the merits of any calls for relief, aid or assistance to the end that no worthy, disabled or indigent member or member's family fail to receive all necessary help to which the resources of this corporation permit.
  - (3) Advance in every possible way to the welfare of all members.
  - (4) Guard and conserve the funds and property of the association.

- (5) Render an annual report to the corporation regarding its real and personal property, etc., property acquired during preceding year, date, manner of acquisition, etc. With the exception of providing the names of members who were granted assistance, they shall also report the amount applied, appropriated or expended during the preceding year and the objects and persons for which they have been made. They shall report the names and places of residence of all people who have been admitted to membership during the preceding year. This report to be abstracted and made a part of the proceedings of the annual meeting.
- (6) They shall exercise such other powers as are vested in the Board of Trustees.
- (7) Trustee Pro-Tem shall serve a term of not more than two (2) consecutive years, being appointed annually.
- (8) Any Trustee who is absent without excuse from three (3) successive meetings shall be notified to appear at the next Regular Meeting and show cause why he/she should not be removed from office. The Trustee shall be summoned to a meeting under this article, failure to appear shall be deemed cause for removal.



## **ARTICLE IX**

### **LOSS OF MEMBERSHIP, EXPULSION, SUSPENSION, REINSTATEMENT FOR CAUSES OTHER THAN COVERED IN ARTICLE X**

#### Section 1. **Loss of Membership and Expulsion.**

- (a) Any person who has been convicted of a felony in any Court of Law may, upon affirmative vote of two-thirds (2/3) of the members present at a meeting or annual meeting when said vote is taken, be expelled.
- (b) Any member who willingly or knowingly defrauds this corporation to the value of anything, or who is guilty of knowingly permitting another person to do so, shall be expelled immediately by the Board of Trustees, providing a majority of the Board find such member to be guilty upon examination into facts at a hearing, wherein the accused shall be given reasonable notice of such hearing and shall be given an opportunity to be heard. Failure of the accused to appear at any such hearing will be deemed as an admission of guilt. The Board of Trustees shall report at the next regular Meeting of the corporation, the name of the Member so expelled but may, if in their opinion such report of details would serve no useful purpose, not be required to furnish a detailed report.
- (c) Any person may be expelled by a two-thirds (2/3) vote of the corporation on recommendation for such expulsion by the Board of Trustees.
- (d) Any person suspended from membership in this corporation for any period of time, may be expelled from this corporation if within six (6) months of the expiration of his/her term of suspension, he/she not apply for reinstatement therein. Such expulsion shall apply automatically.

- (e) Any person who ceases to be a member of this corporation either voluntarily or otherwise, shall forfeit all interest in the property of this corporation, and all rights and benefits to which he/she might otherwise be entitled. His/her certificate shall be canceled.
- (f) Any member who fails to comply with the duly adopted by-laws of this corporation, or who is charged with conduct detrimental to the welfare of this corporation, shall be notified of his/her delinquency and can be called to account at a hearing of the Board of Trustees.
- (g) Any person suspended from this corporation shall not attend its meetings.
- (h) Any person suspended may be eligible for reinstatement by a two-thirds (2/3) vote of the trustees present at the meeting following such expiration of the term of suspension.
- (I) During the period that a member is under suspension for any of the foregoing violations, he/she shall have forfeited all rights and privileges including benefits.

## **ARTICLE X**

### **EXPULSION AND SUSPENSION OF MEMBERSHIP FOR DUES, FINES OR ASSESSMENTS**

- (a) Any member in arrears for two (2) years' dues, shall be automatically expelled on the date the third years' dues become due and payable.
- (b) Any member whose dues, fines or assessments remain unpaid for six (6) months, shall be notified by the Financial Secretary by certified mail, return receipt requested, that he/she stands suspended from the corporation and it is hereby expressly stipulated that no further action by the corporation or any of its members is necessary to make such suspension legal and operative.
- (c) Any person who has been suspended for non-payment of dues, fine or assessments shall not be reinstated until all fines, dues and assessments have been paid, had his/her membership been continuous. A two-third (2/3) vote of Trustees present at a Trustees meeting shall be necessary to reinstate.
- (d) Any person who has lost his/he membership in this corporation if eligible under Article III, may, after payment of all assessments, dues and fines, which have been levied, had his/her membership been continuous, be elected to membership by a two-thirds (2/3) vote of Trustees present at a Trustees meeting.
- (e) Any member suspended from this corporation shall have forfeited all rights and privileges, including benefits and shall not attend its meetings.

- (f) Any member suspended for non-payment of dues (unpaid by June 30<sup>th</sup> of the current calendar year) shall be fined ten (10) dollars for each six (6) months, or fraction thereof of such suspension year.

## **ARTICLE XI**

### **CORPORATION FUNDS AND THE DISBURSEMENT THEREOF**

Section 1. All money received by this corporation from Insurance companies and taxes shall be used for the care and relief of disabled or indigent volunteer and exempt Firefighter/Firemedic and their families.

Section 2. With the exception of the appropriation of funds for members' assistance, no money of the corporation shall be appropriated otherwise than as stated in these by-laws, and no sum in excess of one thousand (1,000) dollars shall be appropriated at any regular or special meeting, unless a written or printed notice shall have been sent to each member of the corporation at least seventy-two (72) hours prior to such a meeting stating the proposition to vote said money and the object for which it is to be used. A two-thirds (2/3) vote of the membership present shall be necessary to appropriate any money.

Section 3. No money is to be appropriated for flowers for any deceased member.

Section 4. No money is to be solicited from the general public in the Wantagh Fire District without first obtaining the consent of the active volunteer fire department of the Wantagh Fire District.

Section 5. All funds shall be deposited to the credit of this corporation As per directions of the Board of Trustees.  
All disbursements shall be made by the Treasurer, counter signed by the President, Vice-President, or any one of the five (5) elected Trustees.

## **ARTICLE XII**

### **AMENDMENTS OR ALTERATION**

Section 1. No alteration or amendment shall be made to these by-laws except by notice given in writing at least two (2) weeks previous to acting upon same, and it shall require a two-thirds (2/3) vote of the members present to pass such alterations or amendments.

Section 2. These by-laws shall become effective immediately.