



# **Constitution and By-Laws**

## **Essex County Fire Chiefs' Association, Inc.**

### **Essex County Fire Chief's Association Mission Statement**

The mission of the Essex County Fire Chief's Association is to provide a single source of programs to assist the fire departments of Essex County in their efforts to prevent or mitigate harm to life, property, and the environment.

**Revised  
October 2019**

## **ARTICLE I**

### **Organization**

- Section 1.** This organization shall be known as the Essex County Fire Chiefs' Association, Inc. as incorporated under the Articles of Organization, General laws, Chapter 180, and is a non-profit organization within the Commonwealth of Massachusetts.
- Section 2.** All records, accounts and correspondence shall bear the name Essex County Fire Chiefs' Association, Inc. and shall not be official unless bearing said name of the organization and signed by an appropriate officer of the Association.

## **ARTICLE II**

### **Purpose**

- Section 1.** To provide a means for exchanging ideas among members and with those having specialized knowledge on particular matters affecting the fire service, and the study of such matters by its committees including professional development and training seminars as the Association sees fit from time to time to present to its members (and/or non-members in accordance with the rules established by the Association.
- Section 2.** To encourage and cooperate in the development of new techniques, equipment and practices and to promote more effective organizations and functions of fire departments with a view toward greater protection of life and property from the dangers of fire and other hazards including training of specialized response teams in accordance with rules established by the Association.
- Section 3.** To provide a source of support for its members who may be encountering difficulties or problems in the performance of their duties and responsibilities as chief, and to provide the resources which may be needed from time to time by any member for the betterment of his department or office.
- Section 4.** To aid in the dissemination of information among the Fire Chiefs of Essex County concerning new equipment, techniques and procedures for fighting fires and carrying out the other functions of the fire service, the developments and practices within the scope of management of fire departments, and other matters affecting and concerning the fire service including the collective purchasing and maintenance of equipment belonging to the Association.

- Section 5.** To represent the interests of those in the profession of firefighting before Legislative and other bodies considering matters in which they are concerned, and to report on any legislation which affects the fire service and its members.
- Section 6.** To maintain and keep in repair, the mutual aid communications system utilized by the members.

### ARTICLE III

#### **Regular & Associate Memberships**

The levels of non social membership in the association are as follows. The dues for each level shall be determined by the Board of Directors and presented to the voting membership for ratification.

**Section 1. Gold Membership**

Gold level memberships shall be open to all Essex County permanent paid, call or volunteer fire chiefs.

Any chief requesting active membership in the association shall do so in writing on the form provided. Approval for membership shall require a unanimous vote of the voting membership present at a meeting of said membership.

Acting or temporary fire chiefs, serving in such capacity during which time there is no permanently appointed fire chief serving in the same department shall qualify for membership only for the duration during which they serve in said capacity.

Active members shall have full voting rights within the organization.

Any permanent fire chief who vacates his/her position for any reason shall cease to be a gold member of the Association.

**Section 2. Sterling Memberships**

Sterling level memberships (Associate memberships) shall include (but not be limited to), Chiefs of Non-Essex County fire departments, and the district warden of the Department of Conservation and Recreation, members of the Department of Fire Services. Any person requesting associate membership in the association shall do so in writing on the form provided. Approval for associate membership shall require a majority vote of the Board of Directors present at a meeting of said board, and ratification by a majority of the members present at a general membership meeting. Sterling members may serve on committees and vote within the committee. At regular meetings they may vote on all matters brought before the association.

**Section 3. Silver Memberships**

Silver level memberships shall be available to vendors who wish to join the Association. Approval for Silver level membership shall require a majority vote of the Board of Directors present at a meeting of said board, and ratification by a majority of the members present at a general membership meeting. Silver members may serve on committees and vote within the committee. At regular meetings they may vote on all matters brought before the association, except on matters that affect any fire department operations.

Silver members shall enjoy membership in the Association at the will of the Board of Directors. Vendor members may be removed from membership for just cause, or for acting or representing themselves in any way against a Fire Chief or their fire service organization.

**Section 4. Platinum Memberships**

Any retired Chief, Acting Chief or eligible Deputy Chief who has served in their capacity for a period of at least one full year shall be a Platinum member. Any Gold member who vacates his position as Chief, after serving at least one full year, shall become a Platinum member upon ratification (unanimous vote) of the membership. Platinum members may attend all meetings and functions of the association. They may serve on committees and vote within their committee. At regular meetings they may vote on matters brought before the Association, but may not vote on operating issues that affect fire departments.

The Chaplain of the Essex County Fire Chief's Association shall be considered a platinum member.

**Section 5. Life Membership**

Any Platinum member who has attained the age of 70 and has been retired from active service for a period of at least five years shall be eligible for Life Member status and all the benefits of said membership.

**Section 6.** Any member of the Association may be removed from membership for just cause after a hearing by a majority vote of the Board of Directors present at a meeting called for that specific purpose.

## **Section 7**

Each community is allowed to offer and recommend membership into the ECFCA to any Chief Officer with the following provisions:

1. The recommended individual must hold the rank of a Chief Officer.
2. The Chief of Department shall approve in writing the additional Chief Officer membership. In cases where the Chief refuses to approve, the ECFCA membership must bring to a regular monthly meeting the reason(s) why he is not in support of the new membership.
3. The Chief of Department may at any time for cause request the removal from the ECFCA of any Chief Officer within their ranks by submitting a request in writing to the Board of Directors.
4. In the instance when a vote is taken the Chief of Department or designee may vote but at no time will there be more than one vote per department.
5. A Chief Officer may not hold an elected position but may serve on any committee with full voting rights only on that Committee.
6. If an issue arises at a meeting where a Chief Officer's membership vote may become volatile in nature, the President may close the meeting to Chief Officer Members to address the issue at hand.

**Section 8** Any application for membership shall be accepted at a regular meeting of the Association and voted upon at the next regularly scheduled meeting.

## **ARTICLE IV**

### **Social and Division Memberships**

The conditions of social and divisional membership in the association are as follows. The dues schedule for social membership shall be determined by the Board of Directors and presented to the voting membership for ratification.

#### **Section 1 Divisional Membership**

Division memberships shall provide a means for exchanging ideas among members having specialized knowledge on particular matters affecting the fire service. Divisions will allow members to network and share information with others who have a common interest.

Divisions shall also spread their professional expertise throughout the fire service community by sponsoring publications, workshops and conferences, Web sites and e-mail lists.

Divisional memberships shall be open to any fire service discipline that applies for membership and is sanctioned by the Board of Directors.

**Section 2** Each Division will offer a unique array of benefits specifically tailored to meet the needs of its members. Divisions shall include, but not be limited to the disciplines of Fire Prevention, Training, EMS, Technical Rescue, and Communications. Divisions shall be formed by a consensus of the Board of Directors and the Membership Committee of the Essex County Fire Chief's Association.

**Section 3** Each Division shall form their own Board of Governance, by electing officers annually and either appointing or electing a Board of Directors.

**Section 4** Each Division shall appoint a liaison to the Essex County Fire Chief's Association. Said liaison shall routinely make report to the general membership or the Board of Directors as needed or requested. The Board of Directors of the Essex County Fire Chief's Association shall appoint a liaison to each division.

**Section 5** Division dues shall be determined by the Division Board of Governance. . Division dues of active fire service personnel shall be billed to the respective city or town as an option to Gold member dues.

## **ARTICLE V**

### **Meetings**

Regular meetings of the Association shall be held on the second Wednesday of each month. Any deviation from this schedule shall be approved by a majority vote of the Board of Directors of the Association.

## **ARTICLE VI**

### **Dues**

Dues shall be determined by the Board of Directors and ratified by the membership. Dues shall be payable by July 20<sup>th</sup> each year. Notices shall be sent out by the Treasurer indicating the amount of the dues and the date payable at least sixty (60) days prior to the due date. Any member delinquent in dues by the September meeting shall be notified of their delinquency in writing by the Secretary. If dues are not paid by November 1<sup>st</sup>, membership shall be terminated.

Dues notices of Gold and Sterling members shall be sent to the community. Dues of Platinum and Silver membership shall be sent to the individual Chief unless otherwise indicated.

Any increase in dues shall be approved by a two-thirds vote of active members present.

Annual dues shall be for the period July 1 to June 30.

## **ARTICLE VII**

### **Duties of the Officers**

#### **President**

It shall be the duty of the President to preside at all meetings. The President shall appoint all committees unless otherwise voted by the membership. The President may call for special meetings as he sees fit or when requested to do so by three or more members of the Association.

The President shall have the authority to expend funds of the Association up to and including two hundred and fifty dollars (\$250) for unexpected expenses of an appropriate nature which are in the best interests of the Association without prior approval of the membership. Such expenditure(s) shall be reported to the membership with receipt(s) provided at the next regular scheduled meeting.

#### **Vice President**

It shall be the duty of the Vice President to perform the duties of the President during his absence. The Vice President shall assist the President in conducting the business of the Association and to perform such other duties as prescribed by the Association.

Should both the President and the Vice President be absent from a meeting, the membership shall elect a President Pro Tem to carry out the duties of the President for that one meeting.

#### **Secretary**

It shall be the duty of the Secretary to keep a true record of all regular and special meetings of the Association and they shall keep such reports and communications as may be important to the membership. The Secretary shall notify members of monthly and special meetings at least seven (7) days in advance of the meeting.

#### **Treasurer**

It shall be the duty of the Treasurer to receive and keep records of all monies of the Association; to disburse funds, pay bills, and invest funds according to the vote of the membership at a regular or special meeting, or as directed by signed vouchers by the officers.

The Treasurer shall make a report of income, expenses and financial position at each monthly meeting of the Association.

The Treasurer shall submit all financial records to the Auditing Committee at least once annually for auditing.

## **Executive Director**

It shall be the duty of the Executive Director to carry out the provisions of the job description as determined by the Board of Directors. The Executive Director shall report to the Board of Directors through the President of the Association. The Board shall determine the Executive Director's salary and other compensation, as well as conditions of employment.

## **ARTICLE VIII**

### **Board of Directors**

The Board of Directors shall consist of seven (7) members including the President, Vice-President, Secretary, Treasurer, Immediate Past President and one member elected from each of the two major fire districts (5 & 15). If the Immediate Past President is not available to serve, the President shall appoint a member to serve in their place.

In the event that the Executive Director also holds the position of the Past President, the Executive Director shall recuse them self from voting. In this situation a seventh voting member shall be appointed by the President with the approval of the Board of Directors.

A quorum of the Board of Directors shall consist of four (4) members. The President may at any time call a meeting of the Board of Directors to conduct business pertinent to the Association.

## **ARTICLE IX**

### **General Meeting**

**Section 1** The rules of order for the Association shall be governed by Roberts Rules of Order.

**Section 2** No request for appropriation of funds from the floor can exceed \$1,000. Requests for amounts greater than \$1000 must first be reviewed and approved by a 2/3 vote of the Board of Directors, and then be presented to the general membership for approval. That approval shall be a majority vote of the members present at a general meeting.



## ARTICLE X

### **Election of Officers**

**Section 1** The Nominating Committee shall present the slate of candidates for the four principle officers; President, Vice President, Secretary and Treasurer, to the membership at the April meeting. Candidates may actively campaign for office during the interim between this date and the election.

**Section 2** At the May meeting of the Association there shall be elected the four principle officers: President, Vice President, Secretary and Treasurer. They shall serve as members of the Board of Directors. Their term shall start upon taking the oath of office, which must take place no later than 15 days following the election

**Section 3** The representative to the Fire Chiefs' Association of Massachusetts (FCAM) Board of Directors from Fire Districts Five and Fifteen shall be nominated by a majority vote of the active members of the Association within their respective districts. The Nominating Committee shall present the slate of interested candidates at the October meeting, and the vote shall take place at the November meeting. This election shall be held annually.

**Section 4** Article X of the by-laws of the ECFCA states that any member who wishes to be a candidate for the Fire Chiefs Association of Massachusetts Board of Directors must notify the nominating committee before the October general membership meeting of their intent. This shall be done annually.

The October meeting is usually scheduled on the second Wednesday of the month, so any member who wishes to run for these positions must notify the nominating committee no later than the end of the September monthly meeting. FCAM's by-laws state that this position must be held by an active Chief.

The two positions are:

FCAM Director for District 5  
FCAM Director for District 15

**Section 4** A Gold member from each of fire districts 5 & 15 shall be elected by a caucus of the districts gold members. Each community in the district shall have only one vote at the district caucus. For purposes of this election Lynn shall be considered in District 5, Andover in District 15, Wakefield and North Reading in District 5, Reading in District 15. The caucus shall be held no later than the date of the April business meeting

**Section 5** If an elected officer retires during their term, they shall be allowed to complete the term of office. If for some reason an elected officer cannot complete their term of office, the Board of Directors shall appoint a replacement to complete the term.

**Section 6** Only Gold members are eligible to seek the offices of President, Vice-President, Secretary and Treasurer.

## **ARTICLE XI**

### **Nominating Committee**

It shall be the duty of the Nominating Committee to present a slate of candidates for President, Vice President, Secretary, Treasurer, Audit Committee, FCAM representatives. The Nominating Committee shall be appointed by the President at the February meeting and shall stand for a one year term.

### **Standing Committees**

Chairpersons of standing committees shall be appointed by the President.

Standing Committees shall be determined as required by the needs of the Association.

The President and/or the Board of Directors may appoint Standing Committees as necessary to carry on the business of the Association. Standing Committees shall report to the membership at a regularly scheduled business meeting.

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### **Ad Hoc Committees**

The President and the Board of Directors may appoint Ad Hoc Committees as necessary to carry on the business of the Association. Ad Hoc Committees shall report to the membership at a regularly scheduled meeting.

The President shall appoint a minimum of three members to the the Audit Committee in February and they shall meet in May to conduct an audit of the Association. The Committee shall report back to the membership at the regularly scheduled meeting in June.

## **ARTICLE XII**

### **Amendments**

Amendments to the by-laws may be proposed at any regular meeting, but shall be acted upon no sooner than the next regular meeting. A two-thirds vote of the active members present shall be required to pass any amendment. All active members shall be notified in writing at least three (3) days prior to the meeting at which any amendment(s) will be voted upon.

## **ARTICLE XIII**

### **By-Laws**

- Section 1. These By-Laws will become effective on May 13, 2009 after being duly voted at a regular meeting of the Association.
- Section 2. These By-Laws may be amended in accordance with Article XII by a two-thirds vote of the active membership of the Association present at a meeting. It shall be the responsibility of any group or individual proposing a by-law change to present said change to the Board of Directors at least ten (10) days prior to the next monthly meeting of the Association in order for the committee to make a recommendation to the full membership. Any vote by the active membership for a change in the By-Laws shall take place at the next monthly meeting of the Association following the initial presentation.
- Section 3. Changes in the By-Laws shall take effect upon approval by the active membership.

## **ARTICLE XIV**

### **Order of Business**

The order of business at business meetings of the Association may include the following:

1. Call to Order
2. Minutes From Previous Meeting
3. Treasurer's Report
4. Communications from the President
5. Communications from the Secretary
6. Communications from the Executive Director
7. Standing Committee Reports
8. Ad-Hoc Committee Reports
6. Old Business
7. New Business
8. Good & Welfare
9. Next meeting
10. Adjournment

## **ARTICLE XV**

### **Conduct of Members**

**Section 1** No member shall claim to represent the Association, other than declaring membership, in either written or verbal formats without the express permission of the Board of Directors and/or the Executive Director.