

FIRE POLICE ASSOCIATION OF BERKS COUNTY BY-LAWS 2012

By-Laws adopted this 8th day of June 2012 at
the Kenhorst Fire Company, Kenhorst, Pennsylvania.

BY-LAW COMMITTEE

Peter M. Goda, Sr. – Chairman
J. David Bossard – Immediate Past President
Donald Bailey, Jr. – President
Dave Rice
Robert Englebach
Carol Rice
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Scott Ringler
Ron Waszyk
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BY-LAWS OF FIRE POLICE ASSOCIATION OF BERKS COUNTY

TABLE OF CONTENTS

| | |
|--------------|---|
| Article I | - NAME |
| Article II | - PURPOSE |
| Article III | - MEMBERSHIP |
| Article IV | - OFFICERS |
| Article V | - EXECUTIVE COMMITTEE |
| Article VI | - DUTIES OF OFFICERS |
| Article VII | - CORPORATE RECORDS |
| Article VIII | - COMMISSIONER AND COORDINATORS |
| Article IX | - STANDING COMMITTEES |
| Article X | - OTHER COMMITTEES AND APPOINTMENTS |
| Article XI | - DELEGATES TO OTHER FIRE SERVICE ORGANIZATIONS |
| Article XII | - REMOVAL OF OFFICERS AND DIRECTORS |
| Article XIII | - REMOVAL OF COMMITTEE CHAIRS AND MEMBERS |
| Article XIV | - MEETINGS |
| Article XV | - NON-DISCRIMINATION POLICY |
| Article XVI | - DISSOLUTION OF THE CORPORATION |

Article I - NAME

The name of this corporation shall be Fire Police Association of Berks County as Specified in Charter dated February 7, 1938 and recorded in Berks County records as a non-profit corporation in Charter Book Volume 12, page 634. Its Entity Number, 121777 is as recorded with the Pennsylvania Department of State.

Article II - PURPOSE

The purpose of the corporation shall be to coordinate the fire police in and about Berks County in order to provide service to and for local municipalities by augmenting the service of local municipal and regional police departments, Sherriff's Office and State Police in times of emergencies or public events when authorized to do so by the governing body of the local municipality; to provide education and training opportunities for fire police officers and other persons interested in the work and services of fire police; to obtain and distribute pertinent information relating to the rights, powers and duties of the fire police; to provide certain benefits for its members; and to provide and maintain a County-wide Fire Police radio communication system.

Article III - MEMBERSHIP

Section 1 - Active Members. In order to qualify for membership in the Association, applicants are required to have a copy of a properly executed 'Oath of Office' submitted by the fire company, fire department, or police department in which he serves as evidence of appointment as a Fire Police Officer in accordance with the "Special Fire Police Act of 2010, P.L. 1181, No . 118" and payment of such fees and dues prescribed in Article III, Section 7 of these By-Laws. Submission of a Fire Police Unit Roster containing the applicant's name, as initially required and in subsequent membership years, serves as a confirmation of the active status of the member. Upon submission of the Association's insurance form the member qualifies for the Association's program of benefits.

Section 2 - Associate Membership. Any person who had been an active member of this corporation for at least five (5) years; but, has relinquished active duties as a fire police officer, and who is a member in good standing of a fire company of Berks County shall be eligible for Associate Membership in this corporation. Associate Members shall pay the same fees and dues as Active Members. Associate Members will retain the right to vote but not to hold elected office.

Section 3 - Life Membership. Life membership may be conferred to any member by nomination of the Executive Committee and election by a majority of the members present at two consecutive meetings of the corporation. Life Membership shall be conferred only upon those members who have: (a) faithfully served as an officer of this corporation for at least five (5) years; or (b) rendered outstanding service to the corporation in furtherance of its objectives above and beyond the call of duty; or (c) faithfully served as a fire police officer for fifteen (15) years in functions at which this corporation has participated; or (d) performed an act of exceptional bravery or heroism. Life members are not required to pay dues. Life Members shall retain the right to vote at general and special membership meetings and at corporation meetings in accordance with Article III, Section 5, Privileges of Members; and to hold elected office if they meet the minimum attendance requirement in accordance with Article IV, Section 1, Elected Officers.

Section 4 - Honorary Members. Honorary membership may be conferred by resolution of the Executive Committee upon any person who has contributed to the betterment of this corporation or fire police service in general. Honorary Members shall not have the right to hold any office or to vote at meetings. Honorary Members will not be required to pay dues.

Section 5 - Privileges of Members. Only those persons who are eligible members in good standing shall have the right to vote at corporate meetings or to hold office. Eligible members shall be defined as active members who have attended at least two general membership, executive, or special meetings during the calendar year prior to the December General Membership Meeting.

Section 6 - Termination of Membership. Membership in this corporation may be terminated by: Resolution of the Executive Committee, approved by the majority of members present at any regular meeting of the corporation for (a) conduct detrimental to the corporation and shall be reported to the fire chief of the officers home company, department or chief of police of the officer's fire police unit for further action; or (b) failure to maintain eligibility qualifications for membership; or (c) non-payment of dues after the same shall have become due provided however, that a member whose membership has been terminated for non-payment of dues shall be reinstated upon payment of the same; or (d) notification of the member's termination from his home company or department fire police unit.

Section 7 - Dues. The dues for being a member of the Fire Police Association of Berks County shall be recommended by the Executive Committee and approved by a majority vote of the members present at any regular stated General Membership meeting. Each member of this Association must pay dues for every Fire Company, Fire Department, or Police Department of which he is an active Fire Police Officer. The dues may be paid either by the fire company, fire department or police department or by the member.

Article IV - OFFICERS

Section 1 - Elected Officers. The elected officers of the corporation shall be a President, a First Vice President, a Second Vice President, a Recording Secretary, a Financial Secretary, a Treasurer and a Director from each county fire zone. Only members who have attended at least three (3) meetings during the calendar year, of which December's meeting counts, shall be eligible for election to office. No member shall be permitted to hold more than one elected office at the same time.

Section 2 - Conduct of Elections. Nominations for office shall be opened at the October and November meetings and closed at the December meeting. The elections for office shall be held by secret written ballot at the December meeting of the members and conducted by a judge and two tellers to be appointed by the President from the members then and there present. Any person nominated receiving a greater number of votes than any other candidate shall be declared elected.

Section 3 - Term of Office. The term of office for Directors of odd numbered zones shall be two (2) years from January 1st of odd numbered years to December 31st of the following year. The term of office for Directors of even numbered zones shall be from January 1st of even numbered years to December 31st of the following year. All other officers shall hold office for a term of one calendar year commencing January 1st of each year.

Article V - EXECUTIVE COMMITTEE

Section 1 - Members. The Executive Committee shall consist of all elected Officers and Zone Directors. It is the intent and expectation of the membership for the members of the Executive Committee to attend all Executive Committee Meetings and all General Membership and Special Meetings of the members. The Executive Committee is entrusted by the membership to be the governing body of the Association as its Board of Directors and is therefore responsible for its management and well being. It shall retain or supervise custody of all corporate property. The Executive Committee shall keep minutes of its meetings which shall be recorded as part of the corporate records. It shall not authorize liquidation of corporate investments and certificates of time deposits without the approval of a majority of the members present at any meeting of the membership.

Section 2 - Meetings of the Executive Committee. The meetings of the Executive Committee may be held at such place or places as a majority of the Executive Committee may from time to time by resolution appoint. It is incumbent upon its members to attend all regular scheduled executive and membership meetings. Association members may attend Executive Committee meetings after their requests for placement on the agenda has been approved in advance by the President. Meetings shall be held during the months of January, March, May, July, September, and November. Special meetings may be called by the President or by any three (3) Executive Committee members.

Section 3 - Quorum. A quorum for an Executive Committee meeting shall consist of no fewer than seven (7) Officers of this Association.

Article VI - DUTIES OF OFFICERS

Section 1 - President - Powers and Duties. The President shall be the chief executive officer of the corporation. He shall have the power to perform all duties of his office in accordance with "Robert's Rules of Order, Current Revised Edition", unless contravened within the corporation's By-Laws. He shall preside over and maintain order at all meetings of the Executive Committee and regular meetings of the membership. He shall make such reports of the affairs of the corporation as the Executive Committee or the members may require. He is entrusted with the safeguard of one of three corporate seals. He may call special meetings of the membership according to the terms detailed in Article XIV, Section 2 over which he shall preside and maintain order. With the concurrence of the Executive Committee, he shall appoint the chairs of the Standing Committees and all other committees which the Executive Committee deems appropriate to further the interests of the corporation. He may appoint committee members who are recommended by respective committee chairs with the concurrence of the Executive Committee. He shall be a member ex-officio of all committees. He may be one of two officers of three, along with the Financial Secretary and Treasurer, who may sign the corporation checks and withdrawals. He shall act as the spokesperson for the Association unless such responsibility is otherwise delegated.

Section 2 - Vice Presidents. *The First Vice President* shall report to the President. He shall be a member, ex-officio, of each committee designated to report to his office by the Executive Committee. The First Vice President shall, in the absence or disability of the President, exercise the powers to perform the duties of the President. *The Second Vice President* shall report to the President. He shall be a member, ex-officio, of each committee designated to report to his office by the Executive Committee. The Second Vice President, in the absence or disability of the First Vice President and acting in the absence or disability of the President, shall have the powers to perform the duties of the President.

Section 3 - Recording Secretary. The Recording Secretary is the clerk for all executive committee, membership, and other meetings of the corporation. He shall present notices and other communications received by the corporation, record the minutes and all votes taken on the affairs of the corporation; and submit appropriate and printed reports of the same to its members. The Recording Secretary conducts corporate correspondence as directed by the President and Executive Committee, and maintains file copies of all communications of his office. He shall give, or cause to be given, notice of all meetings in keeping with the By-Laws, herein. He is responsible for maintaining the corporation's mailing address and, in a timely manner, submitting reports from the corporation as required by the Commonwealth of Pennsylvania. He is responsible for distributing received documents to appropriate officers, directors, and committee chairs. He is responsible for the administration of the corporation's program of insurance benefits for its members. He is entrusted with the safeguard of one of three corporate seals.

Section 4 - Financial Secretary. The Financial Secretary shall receive and appropriately receipt all membership fees and other meeting donations due the corporation; and record and deposit the same into the corporation's checking account and thereafter provide the Treasurer with a validated deposit slip of each transaction. He shall keep a full and accurate account of receipts in books belonging to the corporation and thereupon submit a report at each Executive Committee and each General Membership Meeting. He may be one of two members of three who may sign the corporation checks and withdrawals. He shall keep in safe custody the one of three corporate seals, and when authorized by the Executive Committee, attested by his signature, affix it to instruments as required. He maintains an official register to be signed by each member present at any regular meeting of the Executive Committee and at all meetings of the membership. He determines each member's eligibility to vote and to hold office, and prints and distributes appropriate ballots for the Annual Election of Officers and Directors at the December corporate meeting. In the capacity of Membership Secretary, he manages the Association's membership activities. He shall mail dues notices by November 15 of each year to every fire company, fire department, and/or police department in Berks County containing Fire Police Units, and likewise to cooperative like units located in counties contiguous to Berks County. Duplicate notices shall be mailed to respective fire police captains. Notices shall contain documents as required and authorized by the Executive Committee. Dues arrearage notices shall be distributed at or mailed to the above after the March General Membership Meeting. He shall maintain archived 'oaths' and files by Zone and Company for each active member's 'Oath of Office' and for each Fire Police unit roster; and other appropriate files related to his office. He is required to have basic computer literacy. He maintains the Membership Data Base and prints and distributes the Association's rosters, roster discs, and membership cards. He shall submit printed monthly membership reports to the Executive Committee and General Membership Meetings. He may appoint assistants with the approval of the Executive Committee.

Section 5 - Treasurer. The Treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and expenditures electronically or in books belonging to the corporation. He shall deposit all moneys and other valuable effects in the name of and to the credit of the corporation in such depository or depositories as may be designated by the Executive Committee. He shall issue proper and timely receipts to the Financial Secretary for each deposit and direct deposit into corporate accounts. He shall make withdrawals from corporate funds only upon receipt of a withdrawal slip or check signed by two of three members in accordance with Article VI, Section 1, which authorizes the same. He may honor requests for financial reimbursement from any member only when accompanied by the original or copy of an itemized receipt for authorized expenditures for which was issued a purchase order number. In the absence of the President he may issue required purchase order numbers. He shall submit printed monthly financial reports to the Executive and General Membership meetings and an annual financial report and budget to the Executive Committee meeting in January of each year. He shall be familiar with related State and Federal regulations and shall submit tax and other reports as are required in a timely manner.

Section 6 - Directors. As a representative of the Association, Directors shall attend scheduled Zone meetings and report all pertinent information thereof at the Association's monthly meetings. In the event the Director cannot attend his Zone's meeting he may delegate a member of the Association from within his Zone to attend the meeting, and report on the same to the Director and at the Association monthly meetings. He shall establish and maintain a liaison relationship with Fire Police Captains with whom he will act as a conduit between the Association and Captains. He shall refer issues in need of resolution to appropriate Association Officers and/or Committees. He shall schedule and confirm Association General Membership meetings in his Zone in accordance with the Annual Meeting and Zone Rotation Schedule. He shall report all of his activities on behalf of the Association at each Executive and General Membership meeting.

Section 7 - Vacancies. Vacancies in any office, except that of President and Vice President, shall be filled by Presidential appointment with the approval of a majority of the Executive Committee. Any officer so appointed shall hold office for the remainder of the unexpired term.

ARTICLE VII - CORPORATE RECORDS

Each and every officer shall make his records available to the Executive Committee or such other committee as the Executive Committee directs and shall upon termination of his term of office surrender all corporate books, papers, vouchers, money and other property of whatever kind under his control to the Executive Committee. Any officer may be required to supply a bond to the corporation for the faithful discharge of his duties and for the restoration of corporation property, provided however, the corporation shall bear the cost of any such bond premiums.

ARTICLE VIII - COMMISSIONER AND COORDINATORS

The President shall appoint a Commissioner and Coordinators East and West who are responsible for coordinating Fire Police in and about Berks County to augment the services of local police departments in times of extended emergencies and public events as authorized by the governing body of a municipality or municipalities.

ARTICLE IX - COMMITTEES

Section 1 - Standing Committees. The Standing Committees of the corporation, appointed at the first meeting of each calendar year by the President with the consent of the Executive Committee, shall be as follows: Radio Committee, Law Legislative Committee, Publicity Committee, Training Committee, Web Committee, and Audit Committees.

Section 2 - Radio Committee. The Committee is responsible for maintaining the operational capabilities of the Association's Radio equipment and system and compliance with the Federal Communications Commission (FCC). It shall submit printed reports to the Executive Committee when recommending equipment improvements and system expansion. The committee shall report at each regular membership meeting of the corporation.

Section 3 - Law and Legislative Committee. The Committee is responsible for establishing and maintaining liaison with local legislators in regard to current, pending, and proposed State and Federal legislation affecting fire companies and the Fire Police of Berks County. It shall report at each regular membership meeting of the corporation.

Section 4 - Publicity Committee. The Committee is responsible for the preparation and distribution of Association's newsletter and appropriate news releases in support of Association activities as requested and approved by the Executive Committee. It shall report at each regular membership meeting of the corporation.

Section 5 - Training Committee. The Committee shall establish and maintain relationships with community colleges, Fire Police Associations, and other entities which offer State certified Fire Police Training for the purpose of providing approved training opportunities for members of the Association and others who meet certain application requirements. When such training programs are sponsored by the Association, the Committee is responsible for managing the details of each training activity and for distributing notices containing relevant information to Fire Police Officers and Units. It recommends educational activities to the Executive Committee, and when appropriate, it may schedule guest speakers in support thereof. It shall report at each regular membership meeting of the corporation.

Section 6 - Web Committee. The Executive Committee serves as the Webpage Committee and is responsible for the contents thereof. It shall designate the members authorized to submit written notices containing additions, changes, deletions, and corrections to the webmaster. In lieu of the requirement for committees to submit printed monthly reports, the content of the website stands as record of the committee's activity.

Section 7 - Audit Committee. The Committee shall consist of three (3) active members of the corporation, none of whom shall be the Financial Secretary or Treasurer, and shall be appointed at the January Executive Committee meeting of each calendar year. It shall audit the records of the Financial Secretary and Treasurer for the previous year and submit its report at the February regular membership meeting of the corporation.

ARTICLE X - OTHER COMMITTEES AND APPOINTMENTS

The President shall appoint all other committees with the concurrence of the Executive Committee as he or she or the Executive Committee deem necessary or expedient. Ad hoc committees are formed to perform a specific task or objective and are dissolved after completion of its charge of duties.

ARTICLE XI - DELEGATES TO OTHER FIRE SERVICE ORGANIZATIONS

Delegates to other fire service organizations are appointed on an 'as needed basis' by the President with the approval of the Executive Committee. As representatives of the Association, delegates will present or argue issue positions as instructed by the Executive Committee. Delegates or approved alternates, including but not limited to the 'Fire Working Group', are responsible for reporting at the next meeting of the Association following attendance at a related organization's meeting.

ARTICLE XII - REMOVAL OF OFFICERS AND DIRECTORS

Two-thirds of the members present at any regular meeting of the members may declare any office vacant if the holder thereof: (a) has been convicted of a felony, (b) has engaged in conduct detrimental to the corporation, or (c) has failed to faithfully execute the duties of his office, or (d) for consistent failure to attend scheduled meetings of the corporation.

ARTICLE XIII - REMOVAL OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS

Standing Committee and other committee chairs and members may be removed by the President with the concurrence of the Executive Committee, or by resolution of the Executive Committee, for (a) conviction of a felony or (b) conduct detrimental to the corporation or (c) failure to execute the duties of the respective committee or for (d) failure to attend scheduled membership meetings of the corporation and submit required reports.

ARTICLE XIV – MEETINGS

All regularly schedule meetings of the corporation will be conducted in accordance with the most current edition of "Robert's Rules of Order".

Section 1 - General Membership Meetings. Regular meetings of the membership shall be held on the second Saturday of February, April, and December at 2:00 P.M.; and on the Friday preceding the second Saturday of June, August, and October at 7:30 P.M. at such place or places as may be proposed by members of the Association, and are scheduled at and confirmed by the Zone Director in accordance with the Annual Meeting and Zone Rotation Schedule.

Section 2 - Special Meetings of the Membership. Special meetings of the members may be called at any time by the President, or by a majority of the Executive Committee, or by the written request of seven (7) active members. A request for a special meeting shall be delivered to the Recording Secretary and shall state the purpose, or purposes, of the proposed meeting. Upon receipt of such request it shall be the duty of the Recording Secretary to notify all members that a special meeting of the membership is to be held not less than ten days nor more than twenty-five days thereafter as the Secretary may fix. The notification shall contain its purpose(s) and the location, date and time of the meeting. Business transacted at all special meetings shall be confined to the purpose or purposes stated in the call and matters germane thereto.

Section 3 - Quorum. The presence in person of seven active members shall constitute a quorum at all General Membership and Special Meetings of the members.

Section 4 - Order of Business. The order of business for all general membership meetings of the corporation shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call of Officers and Committee Chairs
4. Appointment of Sergeant- at-Arms
5. Reading of Minutes
6. Reading of Communications
7. Report of Commissioner
8. Report of Financial Secretary
9. Report of Treasurer
10. Reports of Officers
11. Reports of Committees
12. Nominations and Election of Officers (November and December)
13. Unfinished Business
14. New Business
15. Announcement of Time and Place of Next Meeting
16. Good and Welfare of the Corporation
17. Thank You to Host Company/Department
18. Adjournment

ARTICLE XV - NON-DISCRIMINATION POLICY

The Fire Police Association of Berks County does not discriminate against any person or persons on the basis of race, color, cultural heritage, national origin, religion, age, sex, sexual orientation, marital status, physical or mental disability, political affiliation, source of income, veteran status or any other status protected under local, state, or federal law. This policy extends to all personnel decisions, terms and conditions of employment, vendor contracts and provision of services. The Fire Police Association of Berks County does not tolerate harassment for any reason. Respect for the dignity of others shall be the guiding principle for our relations with each other. The pronoun 'his', in its singular and plural forms, is used as gender and bias-free.

ARTICLE XVII - AMENDMENTS

These by-laws may be altered, amended, or repealed by resolution adopted by the Executive Committee and, following notification to the membership, approved by two-thirds of the members present at two consecutive regular meetings of the members. Notwithstanding the foregoing, minor non-substantive changes to the wording of any provision of these By-Laws that do not affect the intent or substance of that provision may be approved by a majority vote at any Association Meeting.

ARTICLE XVIII - DISSOLUTION OF THE CORPORATION

Should for any reason the Corporation fail, after making arrangements for all corporate liabilities, all remaining assets should be sold and the remaining monies derived from such sales and all other monies of the corporation shall be distributed evenly among the fire companies and departments who had Fire Police members of the corporation at the time of dissolution.