

**BYLAWS
PEACHAM VOLUNTEER FIRE DEPARTMENT**

ARTICLE I: ORGANIZATION

- § 1. This organization shall be known by the name of the Peacham Volunteer Fire Department (hereinafter PVFD). The purpose and authorities of PVFD are outlined in its separate Organizational Statement. The Organizational Statement is reviewed and accepted by the Selectboard of the Town of Peacham and the Fire Chief.

ARTICLE II: GOVERNANCE, OFFICERS & ADMINISTRATION

- § 1. Executive Board: The Executive Board is the governing body of PVFD, and shall consist of five members, to include the Fire Chief (appointed by the Selectboard) and the four Administrative Officers including President, Vice President, Secretary, and Treasurer (elected by the PVFD membership). The powers, duties and responsibilities of the Executive Board are set forth in Article V.
- § 2. Line Officers: Pursuant to 24 V.S.A. § 1953 the line officers of PVFD shall consist of a Fire Chief (Chief Engineer) also known as “Chief”, a Deputy Fire Chief (Assistant Chief Engineer) also known as “Deputy Chief”, and Captains and any other positions as determined necessary to fulfill PVFD duties and responsibilities.

Line Officers shall perform duties assigned by the Fire Chief and may be removed at the direction of the Fire Chief consistent with these Bylaws and any other applicable procedures. PVFD has authorized the following line officer positions:

- a. *Fire Chief* – The Fire Chief, or, in their absence, the line officers in the order of their rank, shall have charge of the apparatus and equipment for the prevention and extinguishment of fires and medical first response, and shall keep the same in serviceable order. The Fire Chief has command of all PVFD personnel on an emergency scene, during training, work sessions and all other times. The Fire Chief serves as an incident commander in accordance with 20 V.S.A. § 2921. For purposes of these Bylaws, the position shall constitute a Chief Engineer as described under 24 V.S.A. § 1953.
- In PVFD, the ranking medically certified member on scene **at a medical incident** oversees patient care and the medical operations command of the medical incident. At scenes where both fire and medical emergencies are present the Fire Chief will work with the ranking medically certified member to manage the scene and will retain command of the overall incident.
- b. *Deputy Chief* – The Fire Chief shall appoint a Deputy Chief to assume the Fire Chief’s duties in their absence or unavailability, and to perform other duties as assigned, to include service as an incident commander in accordance with 20 V.S.A. §

2921. For purposes of these Bylaws, the position shall constitute an Assistant Chief Engineer described under 24 V.S.A. § 1953.

- c. *Captains & Lieutenants* – The Fire Chief shall appoint one Captain and may appoint more Captains and/or Lieutenants who will take commands from the ranking officers and assist in the operations of the Department and may serve as an incident commander if so designated or situated as the senior officer at the incident.
- d. *EMS Training Coordinator* – The Fire Chief shall appoint an EMS Training Coordinator responsible for training PVFD EMS personnel and overseeing the operation and maintenance of all EMS equipment and supplies.

§ 3. Administrative Officers: Consistent with these Bylaws, administrative officers shall be elected by the membership to support the Department's operations. The elected department administrative officers shall be President, Vice President, Secretary and Treasurer. The same individual member may be appointed to fulfill multiple roles, and any other line officer or administrative officer positions, except for Fire Chief:

- a. *President* – The department's President shall preside at all business meetings; maintain order; enforce the Bylaws and Personnel Policies; and shall appoint chairpersons of any special committees as needed throughout the year.
- b. *Vice President* – The Vice President shall preside at all meetings in the absence of the President. Upon the President's resignation or death, the Vice-President shall become President until the next Annual Meeting.
- c. *Secretary* – The Secretary shall keep an accurate record of the minutes of all business meetings; notify all members of all meetings, drills and work details as required; maintain an updated roll of department members; and keep an attendance list of members present at business meetings. The Secretary's report/minutes shall be made publicly available within ten (10) days or as soon as possible after the meeting. The Secretary shall write and deliver any correspondence designated by the Fire Chief, Executive Board, or the membership. The Secretary shall support all administrative functions of the Department, Executive Board, and other tasks as designated by the Fire Chief.
- d. *Treasurer* – The Treasurer shall maintain charge of all department funds (as distinct from Town Funds), receive all bills and pay all bills as the department so directs, and present at each business meeting a report of all PVFD receipts, disbursements of department monies, and PVFD account balances.

§ 4. Other Coordinators or Teams: The Fire Chief or President may create other standing, temporary, or ad hoc teams or designate coordinator positions to attend to the necessary business and administration of PVFD operations.

ARTICLE III: MEMBERSHIP

§ 1. Forms of Membership:

- a. *Volunteer Firefighters and EMS Members* – Pursuant to 24 V.S.A. § 1954, firefighters and EMS members who have been accepted by vote of the department membership, shall be appointed by the Fire Chief, subject to the rules and regulations set forth in these Bylaws. The Fire Chief may assign special duties, roles, positions, or responsibilities based on the qualifications, proficiency, and experience of the member to fulfill PVFD's mission requirements.
- b. *Support Specialist Members* – Any individual interested in PVFD membership not involving firefighting and/or EMS member duties may apply for membership as a Support Specialist. Active Volunteer Firefighters and EMS members of PVFD may transition to a Support Specialist position without reapplying for membership by simply notifying the Fire Chief.
- c. *Junior Members* – Any individual between the age of sixteen (16) and eighteen (18) may apply for membership as a Junior Firefighter or Junior EMS member with their parents/guardian written permission and signed liability waiver. Applicants must be able to follow directions under stressful conditions. Applicants should be in good physical condition to perform essential tasks. Junior Members may not hold elected office but are voting members if in good standing. Junior Members may not drive any apparatus or participate in dangerous activities as determined by the Fire Chief. Membership of a Junior Member may be terminated in writing at any time by the Fire Chief or at the request of the Junior Member's parent or guardian.
- d. *Life Members* – PVFD values the dedication of longer-standing members, and therefore recognizes and honors those members who have achieved 20 years of continuous service with PVFD without breaks in membership. These members will be given the title of "Life Member", an honorary form of membership in the department. A member may continue as a Volunteer Firefighter, EMS Member or Support Specialist membership once honored with Life Member status. Life Members have no further service requirements, but their continued service and support are encouraged. Life Members can vote if they maintain good standing status. If a Life Member wishes to maintain certification for specialized firefighting or EMS certified activities (such as SCBA use, CPR/AED, EMS licensure, or any other certified activity determined in writing by the Fire Chief) they must train to the same standards as any other member of the department for that activity. Life Members have full privileges of the department until they leave.

- § 2. Membership Application Process: An individual interested in joining PVFD must express their interest to the Fire Chief. Any person interested in becoming a member of PVFD must be willing to work as a team member of the department. The Fire Chief will furnish each interested individual with an application and a copy of the department's Bylaws and

Personnel Policies. All individuals must complete the application and submit it to the Fire Chief and agree to abide by these Bylaws and Personnel Policies of PVFD. The applicant must attend a minimum of three department meetings, training sessions or other activities prior to being considered for membership. It is during these activities that the individual will get to know the members of the department. The completed membership application will then be voted on by the Executive Board and will be presented to the membership together with a recommendation by the Executive Board at the next business meeting. Approval for membership requires the vote of a majority of the members in good standing present at the meeting. Upon acceptance to PVFD, each new member shall sign the Acknowledgement of Receipt to signify acceptance of the Department's Bylaws and Personnel Policies.

- § 3. Non-Discrimination: No qualified person shall be barred from membership because of race, color, sex, sexual orientation, gender identity, religion, physical handicap, veteran status, or political affiliation. Such discrimination shall not be tolerated within PVFD.
- § 4. Probationary Period: New members shall successfully complete a twelve (12) month probationary period. During the probationary period, new firefighters and EMS members must review and/or understand basic fire ground procedures and/or receive medical certification, or in the case of Support Specialist members demonstrate commitment to PVFD as defined in the Personnel Policies. This can be accomplished through State programs or in-house training as per PVFD Standard Operating Guidelines. The probationary period serves to demonstrate an individual's physical and mental ability to perform firefighting and/or medical first response tasks. Following the probationary period, the Fire Chief may review the member's performance and authorize, in writing, satisfactory completion of probation, extension of probation, or removal from PVFD. The Fire Chief may also, in writing on the Probationary Review Form, recommend termination of a member's probation for good cause at any time prior to the expiration of the twelve (12) month period.
- § 5. Membership Responsibilities & Privileges:
- a. A full description of membership responsibilities and privileges is available in the PVFD Personnel Policies.
 - b. *Property Access* – Rules regarding members' access to gear, pagers, keys, computer equipment, telephones, and records are available in the Personnel Policies. Under no circumstances shall records of any kind, including patient run forms, be removed or discussed outside the PVFD, copied, or electronically “forwarded” without prior written authority from the Fire Chief or Executive Board as a whole.
 - c. *Member Driving Privileges, PVFD Vehicles* – Before being approved to operate PVFD vehicles, members must complete the minimum pre-determined driver training hours and other criteria as established in the PVFD Driver/Operator List and receive ultimate approval from the Fire Chief. The Fire Chief retains the right to deny or

rescind member PVFD driving privileges or to require additional training. Any member who possesses a valid driver's license (including a CDL) must notify the Fire Chief immediately if their driver's license is suspended or revoked.

- d. *Member Driving Privileges, Personal Vehicles* - The Fire Chief retains sole authority to issue and revoke PVFD member license plates and red light and/or siren permits for use on members' personal vehicles for the purpose of responding to PVFD operations. The Fire Chief retains the right to deny or rescind member Personal Vehicle driving privileges and request immediate return of above-mentioned items, if previously issued.

§ 6. Good Standing and Attendance:

- a. A member in good standing requires attendance at no less than 60% of all scheduled business meetings, work sessions and trainings.
 - i. Excuses for absenteeism must be approved by a member of the Executive Board and be logged on the activity log in the Excused column. Approved excuses may include a member notifying an Executive Board member of anticipated absence due to a member's vacation, work time, time out of town, illness or other reason as determined by the Executive Board member.
 - ii. Any Attendance Credit denoted on the activity log will be counted toward the member's good standing status. (See Reward Program details.)
 - iii. Attendance in the probationary period will be counted toward the member's good standing status.
- b. Support Specialists are required to attend no less than 60% of all scheduled business meetings only to maintain good standing.
- c. Attendance will be recorded regularly and measured annually by the Secretary from Annual Meeting to Annual Meeting for the purpose of determining "good standing". Attendance records will be posted quarterly by the Secretary. Any firefighter or EMS member who is unable to maintain their good standing status will be placed on attendance notice for one year; Life Members are exempt from this requirement. If the member is unable to maintain good standing status in the year in which they are on notice, at the completion of that year the member has the following options:
 - i. Reclassify as a Support Specialist member and perform the unique and varied duties of that position;
 - ii. Submit a request for inactive status;
 - iii. Resign their membership.If a member does not select one of the options above, they will be removed from membership by the Executive Board at the next regular business meeting.

§ 7. Inactive Status and Resignations: All requests for inactive status and resignation shall be made in writing to the Executive Board and, if approved, shall be accepted at the next business meeting.

- a. Inactive Status is a complete, though temporary, separation from PVFD and thus inactive members can neither hold office nor vote. Members on inactive status may not participate in emergencies or in any other PVFD function designated by the Executive Board. Inactive members need to see the Fire Chief to be approved to return to active status.
- b. Members who resign must reapply for membership if they wish to rejoin the PVFD.
- c. Upon submitting a request for inactive status or a resignation, a member shall immediately return to the Fire Chief all PVFD-issued gear and equipment, radio, pager, PVFD member license plates, and any red light permits they hold, and their electronic notification services will be suspended. The Fire Chief will notify the DMV of the revocation of the red light permit.
- d. A memo will be placed in the member's file by a member of the Executive Board regarding the nature of the inactive status or resignation.

§ 8. Removal from Membership: PVFD's rules of conduct and disciplinary actions are outlined in the department's Personnel Policies.

- a. *Member Dismissal*: Dismissal of a member, other than the Fire Chief, will be voted upon by the Executive Board upon the recommendation of the Fire Chief or the President. A majority vote is required of the Executive Board for dismissal. Grounds for dismissal will be confidential between the member, the Executive Board, and if requested during the member's Right of Review, the Selectboard.
- b. Members who have been removed from membership by the Executive Board must reapply for membership if they wish to rejoin the PVFD.
- c. A memo will be placed in the member's file by a member of the Executive Board regarding the nature of the dismissal.
- d. *Removal of the Fire Chief from Office*: Only the Selectboard can remove the Fire Chief from their position. PVFD members may call for a vote of no confidence in the Fire Chief which requires a vote of two-thirds (2/3) of the membership in good standing. A vote of no confidence shall be forwarded by the Secretary to the Selectboard. The President will be the point of contact for any discussion with the Selectboard.
- e. *Right of Review*: The decision of the Executive Board is final and binding with respect to probationary, Junior Members, and Support Specialists. In accordance with

24 V.S.A. § 1954, a Volunteer Firefighter or EMS member, including Life Members, may be dismissed or suspended but shall be entitled to a hearing on such dismissal or suspension before the Selectboard if a written request for a hearing is submitted to the Selectboard within five (5) days after receipt of notice thereof. The Selectboard may revoke such dismissal or suspension and may order reinstatement.

- f. *Emergency Suspension* – Upon receipt of a credible complaint of inappropriate behavior or member misconduct as outlined in PVFD Personnel Policies, the Fire Chief, or Deputy Chief in their absence, may in their sole discretion immediately suspend a member pending investigation and hearing before the Executive Board. This also includes the suspension of appointed line officers from duties. The Fire Chief, or Deputy Chief in their absence, in exercising such discretion, shall promptly inform the members and Executive Board in writing of the decision. The Executive Board shall determine if a member under Emergency Suspension should continue under suspension, be reinstated, or be dismissed from membership.

ARTICLE IV: APPOINTMENTS AND ELECTIONS

- § 1. Appointment of the Fire Chief: The Selectboard appoints the Fire Chief annually after each Town Meeting. At each PVFD Annual Meeting, a recommendation for Fire Chief will be made by a simple majority vote of the members in good standing. The Secretary will forward that nomination in a written recommendation to the Selectboard of the Town of Peacham within ten (10) days of the PVFD Annual Meeting. The term of Fire Chief shall be for one (1) year. Term of office shall commence with the appointment by the Selectboard.
- § 2. Appointment of Remaining Line Officers: The remaining Line Officer appointments are made at the discretion of the Fire Chief each year, within thirty (30) days of their appointment by the Selectboard. The term of Line Officers shall be for one (1) year. To be a line officer, the member must have been an active member in good standing for at least one year, following completion of the probationary period with PVFD.
- § 3. Election of President, Vice President, Secretary and Treasurer (Administrative Officers): At each Annual Meeting, elections for Administrative Officers shall be held. The term of Administrative Officers shall be for one (1) year. Terms of office shall commence with the end of the Annual Meeting of each year.
- § 4. Form of Elections: Elections shall be held by floor vote of the membership and all voting shall be in person. A vote by written ballot may be requested by any member in good standing. Individuals may self-nominate for positions. The Secretary shall call for the vote of each elected position, except that of Secretary, where the President shall call for and record the vote. A simple majority of votes shall be required for each position.
- § 5. Voting Eligibility: All non-probationary members in good standing are authorized to vote in elections. Inactive or suspended members and members not in good standing may not vote in any elections.

- § 6. Eligibility for Elected Positions: The following minimum qualifications are required for each elected position. Junior Members and probationary members may not hold elected office.
- a. *Fire Chief*– To be eligible to serve as Fire Chief (Chief Engineer), the candidate must have at least three (3) years of service and membership in good standing with PVFD, and at least five (5) years of total firefighting experience.
 - b. *President, Vice President, Secretary & Treasurer* – To be eligible to serve as an Administrative Officer, the candidate must have at least one (1) year of service and membership in good standing with PVFD at the time of the election.
- § 7. Vacancies: If any elected position other than Fire Chief becomes vacant, the Executive Board shall appoint a replacement upon a majority vote, or alternatively, they may hold an election at a special meeting. Any member appointed to a vacant position shall fulfill the remainder of the term of office. In the event of a vacancy in the position of Fire Chief, the Executive Board shall warn a special meeting of the PVFD membership to recommend a new Fire Chief and forward that recommendation to the Selectboard. Upon vacancy of the Fire Chief, the Deputy Chief shall assume the role of interim Fire Chief until the appointment is made by the Selectboard.

ARTICLE V: EXECUTIVE BOARD

- § 1. Composition: The Executive Board shall be composed of the Fire Chief, President, Vice President, Secretary, and Treasurer. The President shall serve as the Chair of the Executive Board, the Vice President shall serve as the Vice-Chair and the Secretary will serve as Clerk responsible for the taking of minutes and warning of meetings. Each member shall have one (1) vote. A quorum shall consist of at least three (3) members.
- § 2. Responsibilities & Authority: The Executive Board shall conduct and transact the necessary public business of PVFD, develop and approve Personnel Policies, support the Fire Chief and line officers, and take other actions necessary for the sustainment and operations of PVFD. The Executive Board specifically shall:
- a. Approve an annual budget proposal to the Selectboard;
 - b. Approve an annual report of PVFD to the Town of Peacham;
 - c. Arrange for the investigation and hearing of personnel matters that require deliberative process or quasi-judicial proceedings; and
 - d. Convene and hold public meetings as necessary to promote transparency and public involvement in significant organizational and policy decisions.

- § 3. Rules of Order: Meetings shall be as per Robert's Rules of Order, particularly as pertaining to small boards. The format for order of business shall be created by the Executive Board.
- § 4. Conflicts of Interest: The Executive Board shall adhere to the Town of Peacham conflict of interest policy applicable to public officers. If a personnel complaint is directed toward a member of the Executive Board, he or she shall be disqualified from deliberating in any related proceedings.

ARTICLE VI: PUBLIC PVFD BUSINESS

- § 1. Public Business of PVFD: In accordance with 1 V.S.A. § 310 “business of the public body” shall be conducted in open or executive session, as appropriate, during a duly warned meeting, and includes:
- a. Submission of the annual budget proposal to the Selectboard;
 - b. Submission of the annual report of PVFD and any associated financial report of the Treasurer to the Selectboard;
 - c. Election of Administrative Officers during the Annual Meeting;
 - d. Submission of any grant proposals requiring notice to or approval of the Selectboard;
 - e. Personnel actions requiring deliberative process or quasi-judicial proceedings;
 - f. Proposed modification of these Bylaws;
- § 2. Public Meetings: All public meetings shall be warned in accordance with 1 V.S.A. § 312. The warning shall be provided by the Secretary to the Town Clerk for dissemination as prescribed by the Selectboard for the warning of other municipal department, board, or commission meetings.
- a. *Annual Meeting of Peacham Volunteer Fire Department Membership* – PVFD shall hold an Annual Meeting in February of each year. The annual report of the PVFD shall be provided to the public and membership in attendance, voting members in good standing shall have the right to elect officers as provided for in these Bylaws, and any other lawful business may be transacted.
 - b. *Special or Emergency Meetings of the Executive Board or Full Membership* – Special meetings of the Executive Board or the full membership may be called at the discretion of the Fire Chief, the President, or at the request of five (5) or more members in good standing. Notice of a special meeting will be sent by email and/or other electronic means to each member and with notification made at least 48 hours

prior to the meeting. Emergency meetings of the Executive Board or the full membership may be called at the discretion of the Fire Chief or the President. Notice of an emergency meeting will be sent by email and/or other electronic means to each member without advance notice, although every effort should be made to provide as much advance notice as possible considering the reason for the emergency meeting.

ARTICLE VII: PVFD MEMBERSHIP ACTIVITIES

- § 1. Membership Activities: PVFD may convene regular membership meetings, sessions for the maintenance of equipment and apparatus, and training or work sessions each month. The Fire Chief or other line officer may organize and assemble membership for other training, work detail, or organizational activities necessary to support PVFD operations, as these activities do not entail the transaction of public business.
- a. *Regular Membership Meetings* – PVFD shall meet each Monday evening, except holidays, at 7:30 P.M. at the fire station. The first Monday of the month will be the business meeting. If a holiday falls on the first Monday of the month, the business meeting will be held on the second Monday of the month. The remaining Mondays of the month will be utilized for training, work nights or other required activities as determined by the Fire Chief.
 - b. Dissemination of reports or information at monthly membership meetings, maintenance nights, trainings, and work sessions shall not constitute public business and these gatherings of the full membership are not generally open to the public, except by invitation. The adoption or modification of Standard Operating Guidelines by the membership or adoption of other firefighting procedures and protocols shall not constitute public business.

ARTICLE VIII: FINANCES

- § 1. Approved Budget: PVFD shall not make expenditures in excess of the anticipated annual receipts authorized in the annual town budget, except as approved by the Selectboard in writing or via other board action.
- § 2. PVFD Expenditures: PVFD may expend town funds designated for the fire department (general funds) and fire department supplemental funds (non-town funds) for any lawful purpose approved at the direction of the Fire Chief. An expenditure of supplemental funds of more than one thousand dollars (\$1,000.00), unless necessary for the immediate continued operation of the Department, should be brought before the full membership for a vote prior to the purchase.
- § 3. Reports: The PVFD Treasurer shall maintain and administer all accounts and prepare, at least monthly, a report of PVFD's finances and expenditures, and provide that report to

the membership at a regular business meeting. The PVFD Treasurer shall also provide reports or information to the Fire Chief, Executive Board, or Town of Peacham Town Clerk/Treasurer in a timely manner upon request.

- § 4. Supplemental Funding Sources: In addition to funds appropriated from the general fund, PVFD may engage in fundraising and the solicitation of grants, consistent with Town of Peacham policy, or accept donations through the following means:
- a. Grants from public or private sources;
 - b. Monetary or in-kind donations from public or private sources;
 - c. Events or services that generate funds (e.g. food or clothing sales, service/support to third parties);

The PVFD Treasurer shall record and maintain a record of all donations, property or monetary, received by PVFD, and adhere to any reporting requirements directed by the Selectboard or Town of Peacham Town Clerk/Treasurer.

PVFD supplemental funds are owned by the fire department and shall remain distinct from general fund town funds.


- § 5. Member Rewards: The annual budget proposal may request, and the Selectboard or voters of Peacham may authorize, member rewards. The Executive Board shall promulgate Rules & Regulations prescribing the eligibility and rates of such rewards and must adhere to any restrictions or rules provided for by the Selectboard.

ARTICLE IX: AMENDMENTS, MODIFICATIONS, OR REPEAL OF BYLAWS

- § 1. Membership Initiated: No amendments shall be made to these Bylaws except at a regular or special meeting. Any amendment must be in writing and is subject to the review of members for 30 days. Thereafter, at an annual or special meeting of the PVFD membership, a modification may be approved by a two-thirds (2/3) vote of good-standing voting members present. If approved, the Secretary shall deliver a copy of the accepted changes to the Town Clerk and Selectboard for approval.

CERTIFICATION OF ADOPTION

These Bylaws are brought into full order and effect based on a vote of the membership and approval by the Town of Peacham Selectboard:



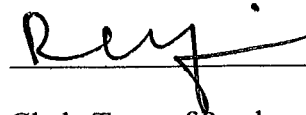
Chair, Town of Peacham Selectboard



Jeffrey Berwick
Fire Chief, Peacham Volunteer Fire
Department

DATED: 2/7/24

ATTEST:



Clerk, Town of Peacham