

BYLAWS

FIRE DISTRICT NO. 1

OF THE TOWN OF
SOUTH HADLEY, MASSACHUSETTS

HISTORY OF CHANGES TO BYLAWS

Revised vote April 25, 2005
Revised vote April 24, 2006
Revised vote April 28, 2008
Revised vote April 25, 2011
Revised vote May 4, 2015
Revised vote April 24, 2017
Revised vote April 30, 2018

Printed Annual Report dated June 30, 1989

Printed Annual Report dated June 30, 2006
Printed Annual Report dated June 30, 2009
Printed Annual Report dated June 30, 2010
Printed Annual Report dated June 30, 2015
Printed Annual Report dated June 30, 2017
Printed Annual Report dated June 30, 2018

FIRE DISTRICT NO. 1

BYLAWS

ELECTIONS

SECTION 1. The annual district election shall be held on the month and day to coincide with the month and day of the Town of South Hadley's annual election as stated in Chapter 18-1 of the bylaws of the Town of South Hadley, as amended from time to time. The hours and location of voting for the annual district election shall be set to coincide with the hours and location of the Town of South Hadley's annual election as established by Order of the Select Board. The polling place for the district voters shall be in a separate location within the building from the polling place for the town voters.

SECTION 2. The Prudential Committee shall appoint at least four (4) election officers (who should, as nearly as possible, equally represent the leading political parties) consisting of a Warden, Clerk and two or more ballot clerks and they shall be compensated for their duties.

SECTION 3. The Clerk of the District shall prepare the ballot, also specimen ballots, and post the letter in at least five conspicuous places within the limits of the District, before noon of the Monday preceding the annual election.

SECTION 4. Names of candidates for any office shall be placed on the ballot by petition of the Clerk of the District, accompanied by an acceptance by the candidate, and shall be signed by not less than ten registered voters of the District and filed with the Clerk of the District before five o'clock in the afternoon of the seventh Monday preceding the annual election.

SECTION 5. All articles to be inserted in the warrant for the annual district meeting shall be placed in the hands of the Clerk of the District thirty-five days before the annual district meeting.

SECTION 6. The provisions of the general election laws, relative to Fire District elections, shall apply to the annual and special elections of the District.

ELECTED OFFICERS

SECTION 7. The elected officers of the District shall consist of a Clerk/ Treasurer, Moderator, a Prudential Committee of three members and a Board of Water Commissioners of three members. The Moderator is to be elected annually by ballot, and after being duly sworn in, shall hold office for one year. The Clerk/ Treasurer shall be elected for a term of three years. The Prudential Committee members and the Board of Water Commission members shall be elected, one each year to serve for a term of three years on their respective Boards.

DUTIES OF ELECTED DISTRICT OFFICERS

SECTION 8. Clerk/Treasurer. The Clerk shall keep a correct record of all meetings of the District; shall furnish blanks for the nomination of District officers; shall prepare the official ballots; shall issue the warrant for the annual meeting, and shall call all meetings (after notice) as provided for in the General Laws of the Commonwealth. The Clerk shall be the custodian of all records pertaining to the office.

SECTION 9. Clerk/Treasurer. The Treasurer shall receive all monies accruing to the District and deposit same promptly in a Bank or Trust Company; disburse all money required to pay bills contracted by the District after such bills have been approved and a warrant issued by the Prudential Committee or by the Board of Water Commissioners as the case may be; pay without a warrant, interest or principal due on notes or bonds issued by the District; keep a correct record of all receipts and disbursements in a cashbook and make a report showing all the receipts and disbursements for the year and the financial condition of the District

SECTION 10. In case of a vacancy occurring in the office of the Clerk/Treasurer, the Prudential Committee and Board of Water Commissioners shall elect by Ballot a suitable person to fill such vacancy and the person so appointed shall serve until the next annual or special district meeting.

SECTION 11. Moderator. The Moderator shall preside at all annual and special District meetings and shall have the powers of the Moderator of the Town Meeting. In case of a vacancy occurring in the office of the Moderator, the clerk/Treasurer shall serve as Moderator until the next election.

SECTION 12. The Prudential Committee shall consist of three members elected in the manner herein before described. The Prudential Committee shall:

- a. meet for organization not later than the fourth week after the annual meeting, and shall then elect by ballot from their number, a Chairman and Clerk, each of whom shall serve one year or until their successors are chosen.
- b. meet at least once a month, and two members shall constitute a quorum for the transaction of business.
- c. have the custody of the property of the District and keep the same in good condition at all times.
- d. approve and have the custody of the bonds of the Treasurer of the District and the collector of the Water Department.
- e. issue warrants to the District Clerk/Treasurer signed by a majority of them for the payment

of bills when due and which are contracted by the District, at which time the Clerk/Treasurer shall draw from the amounts deposited in its depository Bank or Trust Company, an amount equal to discharge the bills as set out in the warrant.

- f. employ an expert auditor to examine the account of the officers of the District and such examination shall be made at least every other year or earlier at the discretion of the Prudential Board.
- g. cause to be printed for distribution to the inhabitants of the District their annual report, such report shall be ready for distribution at least one week before the annual meeting of the District, and deposited in locations near where warrants are posted and notice of this fact be published in a newspaper of local circulation.
- h. Chairman. The Chairman shall preside at all meetings and shall have general oversight of the District. In the event of the Chairman's absence the Clerk shall preside.
- i. Clerk. The Clerk shall keep a record of all meetings and business transactions in a book provided for that purpose and known as the "Record" book. The Clerk shall send notices of meetings when necessary and shall relinquish to his/her successor all books and records pertaining to the District at the expiration of his/her term.

SECTION 13. If a vacancy of one or more members shall occur on the Prudential Committee, the remaining members of the Board shall meet jointly with the Board of Water Commissioners and elect by ballot a person or persons to such office who shall hold such office until the next annual election.

SECTION 14. The Board of Water Commissioners shall consist of three members who shall be elected in the manner herein before described. The Board of Water Commissioners shall:

- a. As soon as possible after the annual District meeting the Board of Water Commissioners shall meet for organization and elect by ballot from their members a Chairman an Associate Member and a Clerk.
- b. All bills are to be approved by the Board or a majority of them and warrants are to be issued to the Treasurer of the District for payment of same.
- c. Chairman. The Chairman shall preside at all meetings and shall have general oversight of the entire water system. In the event of the Chairman's absence the Clerk shall preside.
- d. Clerk. The Clerk shall keep a record of all meetings and business transactions in a book provided for that purpose and known as the "Record" book. The Clerk shall send notices of meetings when necessary and shall relinquish to his/her successor all books and records pertaining to the Department at the expiration of his/her term of office.
- e. If a vacancy of one or more members shall occur on the Board of Water Commissioner, the remaining Board Members shall meet jointly with the Prudential Board and elect by BALLOT a person or persons to such office who shall hold said office until the next annual election.

SECTION 15. Superintendent. The Superintendent shall serve at the pleasure of the Commissioners unless they vote to provide the Superintendent with other than at-will status by approving a written employment contract.

SECTION 16. Assistant Superintendent. The Assistant Superintendent shall perform such work as the commissioners and Superintendent designate.

FIRE DEPARTMENT

SECTION 17. The Fire Department shall consist of a Fire Chief and Officers (Collectively referred to as the "Command Staff") and a sufficient number of firefighting privates and call firefighters to adequately protect the District.

FIRE CHIEF

SECTION 18. The Fire Chief shall have sole and entire command over the fire department and over all members of the department, and have charge of all apparatus belonging to the same, and direct all measures the Chief may deem proper for the extinguishing of fires and operation of the ambulance service. The Fire Chief shall have all authority and responsibility pursuant to the provisions of MGL Chapter 48 Section 42A.

SECTION 19. Appointment of the Fire Chief shall be subject to the following conditions:
The Prudential Committee shall appoint the Fire Chief. The Fire Chief shall serve at the pleasure of the Prudential Committee unless they vote to provide the Fire Chief with other than at-will status by approving a written employment contract. All such appointments shall be based upon a test that will be given by an independent testing service selected by the Prudential Committee.

Minimum requirements for current department members taking any examination for appointment are as follows:

Officer- 5 years permanent firefighter service with Fire District Number 1

Chief – 5 years permanent firefighter service with Fire District Number 1 and currently serving as a fire department officer. Notwithstanding the foregoing, if no more than one of the above officers applies for the position of Fire Chief, then, and in that event, any permanent firefighting private with a least ten years' experience with the department may sit for the Fire Chief's examination.

- a. Notwithstanding the above, any firefighter may sit for any examination to gain experience.

- b. The results of the written and oral examinations shall be the sole basis upon which the Fire Chief's appointment shall be made. The Prudential Committee shall appoint the testing service's highest passing grade and most qualified applicant for Chief.
- c. The Prudential Committee, only by UNANIMOUS vote, may reject the testing service's recommended appointee and select another candidate; provided, however, that the Prudential Committee shall specify in writing the reasons for rejection of the testing service's recommended appointee and such written document shall be retained by the Treasurer as a permanent record of the District.
- d. The initial and all future promotion lists will be valid for three years from the date of the examination.
- e. At the time of the first vacancy after the expiration of the most recent promotion list, a new test will be given. The results will be used to fill the vacancy and create a new promotion list.
- f. Notwithstanding anything in the foregoing, the Prudential Committee may appoint a duly qualified Fire Chief who is not a current member of the Department, provided said non-member applicant is duly qualified by said testing service.

COMMAND STAFF

SECTION 20. The Command staff shall perform such duties as the Chief may direct and in the absence of the Chief, unless otherwise designated by Chief, the most senior command staff Officer next in rank shall act as chief. In the case of the absence of all Officers, the first senior firefighter shall act as Chief.

PERMANENT FIREFIGHTERS

SECTION 21. Permanent firefighters shall perform such duties as the Fire Chief shall direct.

ON CALL FIREFIGHTERS

SECTION 22. To be eligible to be an on call firefighter, applicants must be not less than eighteen (18) years of age, a citizen of the United States and of good moral character and properly qualified and shall perform such duties as the Fire Chief and Officers shall direct and be subject to the rules and regulations prescribed by the Command Staff.

LONGEVITY

SECTION 23. Longevity compensation will be paid to each employee of the District working at least twenty-five hours per week during the full calendar year including the District Clerk /Treasurer, but not including other elected District Officials or the Tax Collector and the Assessors. The sum of two hundred dollars (\$200.00) shall be paid annually upon completion of ten years of continuous full time employment; plus an additional two hundred dollars (\$200.00) annually for each additional five (5) years of continuous full time employment to the maximum of one thousand dollars (\$1000.00).

CHANGES, ALTERATIONS OR AMENDMENTS

These bylaws will take effect when approved by the Attorney General, may be changed, altered or Amended only at a regular annual meeting of the District.

End

CHANGE: SECTION 12:f MAY 4, 2015
CHANGE: SECTION 18 APRIL 24, 2017
CHANGE: SECTION 1 APRIL 30, 2018