

# BYLAWS OF BOARD OF COMMISSIONERS

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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

### ARTICLE I:

#### DEFINITIONS AND ABBREVIATIONS

As used in this Code of By-Laws the term "District" means Westfield Fire District of the City of Middletown, a corporation established by Special Act of the General Assembly of the State of Connecticut; the term "By-Laws" means the By-Laws of the Westfield Fire District of the City of Middletown, as amended from time to time; the term "Commission" means the Westfield Fire District Commission; the term "Act" means Special Act No. 317 of the 1961 session of the Connecticut General Assembly entitled "An Act Concerning the Incorporation the Westfield Fire District of the City of Middletown"; the term "Electors" means those electors of the City of Middletown as designated in Section 1 of the Act and Article V, Section 1 of these By-Laws.

### ARTICLE II:

Section 1. Identification and Address. The corporate body politic created by the Act shall be known as and shall have as its name The Westfield Fire District of the City of Middletown. The post office address of the principal office of the District is 653 East Street, Middletown, Connecticut 06457.

Section 2. Seal of the District. The District seal shall be in the form of a circle and shall bear the name of the Westfield Fire District of the City of Middletown.

Section 3. Purpose. The District shall have as its purpose the protection of the life and property of the Electors from loss or destruction by fire and such other perils as are consistent with the aims and goals as First Responder of this fire department. In the furtherance of this stated purpose the District shall have full power and authority to organize and continue within its limits such fire departments as it deems necessary, and to purchase and procure suitable firefighting equipment and other apparatus for extinguishing fires, and to provide suitable buildings and places for keeping the same, and to provide for a proper and sufficient supply of water for fire purposes, and to do any other act or thing reasonably necessary to or associated with the purpose of the District.

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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

### ARTICLE III

#### The Commission

Section 1. Meetings. The office and regular meeting location of the Commission shall be at the Westfield Fire House, 653 East Street in the City of Middletown, Connecticut. The Commission may hold any of its meetings at other locations as it may designate by resolution or at a location designated by the Chairman.

Section 2. Composition of the Commission. The membership of the Commission will consist of nine (9) Commissioners. Each Commissioner must reside within the limits of the Westfield Fire District. No more than three members of the Westfield Volunteer Fire Department shall be eligible to be Westfield Fire District Commissioners at any given time. Persons employed by the Westfield Fire District and/or appointed or elected officers of the Westfield Fire Department shall not be eligible to be a Westfield Fire District Commissioner.

Section 3. Terms of Office. The elected term of office of a Commissioner will be three (3) years, commencing from the day next succeeding the date of such annual meeting. In the event of a vacancy on the Commission due to, for example, resignation, death, or relocation of residence to outside the limits of the Fire District, the vacancy may be filled by a vote of the remaining Commissioners. The appointment to any vacancy shall be valid only until the time of the next succeeding annual meeting, when said vacancy shall be filled via resident election.

Section 4. Election. Those individuals desiring their names to be placed in nomination as candidates for Commissioner shall submit their intent in writing to the Administrative Assistant of the District by registered mail, certified mail, or by hand with receipt by said Administrative Assistant. This notification shall be submitted by the close of business at least fifteen (15) calendar days before the annual meeting of the District. No nominations for Commissioner shall be accepted by the District within the fourteen (14) calendar days immediately preceding the annual meeting of the District, excepting that nominations may be accepted if there is an insufficient number of nominations to fill the composition requirements of the Commission. All Commissioner Elections shall be by secret vote of those Electors dwelling within the geographical limits of the District and qualified to vote in elections of the City of Middletown. The three candidates for Commissioner with a plurality of the ballots cast shall be elected to serve as Commissioners.

In the situation of an election of more than three Commissioners due to an Article III, Section 3 vacancy, the candidate with the fourth-highest plurality of votes will fill said vacancy, subject to Article III, Section 2 limitations.

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Section 5. Powers and Duties. Subject to the limitations of Section 3 of the Act, the Commission shall have full power and authority to manage the business and affairs of the District. The grant of the powers conferred upon the Commission shall be considered to be broad and sweeping so as to effectuate the purpose of the District and provide for orderly management of District affairs. Said powers and responsibilities shall include the following:

1. The Commission shall have the power to hire, retain appoint and dismiss such personnel as it desires to fulfill the purposes of the District and to pay said personnel compensation.
2. The Commission shall designate in writing the job description and responsibilities of all personnel of the District and shall make such rules and regulations governing the hiring, conduct and employment of personnel of the District as said Commission deems appropriate for the proper management of the District.
3. The Commission shall have charge of all of the assets of the District and shall maintain adequate records of the same.
4. The Commission shall prepare an annual budget in accordance with standard accounting principles and set the annual tax rate for the District.
5. The Commission shall ensure that any administrative assistant, clerk, treasurer or tax collector appointed by the Commission before entering upon the duties of office, shall be sworn to a faithful discharge of the duties of such office, in the form of general oaths prescribed by the statutes of this state, before some office by law authorized to administer oaths, and that any treasurer and collector shall, before entering upon their duties, give bond with surety to the acceptance of the Commission, conditioned for the faithful discharge of the duties of their offices.
6. The Commission shall administer, audit and supervise the collection of any taxes levied by the Electors pursuant to Section 6 of the Act and shall account for the same at the annual meeting of the District.
7. The Commission shall keep and maintain written records of the rules, regulations, proceedings and meetings of the District.
8. The Commission shall make a written report of its doings and of the conditions of the affairs of the District at the annual meeting of the District.

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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

### ARTICLE IV:

#### The Electors

Section 1. All electors of the City of Middletown dwelling for six (6) months within that portion of the said City comprised of that area bounded northerly by the Middletown town line; westerly by the Middletown town line; southerly by Washington Street where the said Washington Street lies within the confines of the Town Line of Middletown, Connecticut Route 66 where said Route 66 lies within or on the Town Line of the Town of Middletown; easterly by a line which runs northerly along Camp Street and then easterly on Westfield Street and then northerly along West Swamp Brook to Mile Lane and then northerly and northwesterly along Ridgewood Road to East Street and then northerly along East Street to the Middletown Town Line. This area is also to include land and buildings three hundred (300) feet east of Camp Street, Ridgewood Road and East Street where the said streets constitute the easterly bound of the above described land. Members of the Westfield Fire District of the city of Middletown shall be entitled to vote at all District meetings of the said Westfield Fire District of the City of Middletown.

### ARTICLE V

#### Meetings

Section 1. Annual Meeting. The annual meeting of the District shall be held on the first Tuesday of February in each year and at such place and hour as may be designated in the notice of said meeting. The Commission shall cause notice to be given by publicly advertising the call, list of candidates seeking election to the Board of Commissioners, the hour and place of said meeting in a newspaper with a circulation within the limits of the District in the City of Middletown, said notice shall be placed no more than fifteen (15) days and no less than ten (10) days before the date of said annual meeting. Those Electors present at such meeting shall constitute a quorum for the transaction of such business as may come before the meeting and a majority vote of those present shall be necessary for Elector action.

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Section 2. Regular Meetings of Commission. Unless the Commission votes otherwise, the Commission shall meet on the second Tuesday of each month, at the principal address of the District. In the event that the regular meeting day shall be a legal holiday, then and in that event, said meeting shall be held on the next succeeding Tuesday. The attendance of five (5) Commissioners shall constitute a quorum for the transaction of such business as may come before the Commission and a majority vote of those present at the meeting shall be necessary for Commission action, excepting that a smaller number may adjourn from time to time until a quorum is obtained.

Section 3. Budget Meetings. The annual budget meeting of the District shall be held on the second Tuesday of May in each year and at such place and hour as may be designated in the notice of said meeting. The Commission shall cause notice to be given by publicly advertising the call, hour and place of said meeting in a newspaper with a circulation within the limits of the District in the City of Middletown, said notice shall be placed more than fifteen (15) days and no less than ten (10) days before the date of said budget meeting. The Budget meeting shall have as its order of business the adoption of a fiscal budget and Tax rate +for the District for the following fiscal year. The Chairman of the Commission shall act as Chairman of said meeting and Roberts Rules of Order shall govern the conduct of said Meeting. Those Electors present shall constitute a quorum for the transaction of such business as may come before the meeting and a majority vote of the Electors present shall be required for action.

Section 4. Special Meetings of Electors. The Chairman of the Commission may, and shall upon the written request of two members of the Commission, call a Special Meeting of the Electors by publicly advertising the call, hour and place of said meeting in a newspaper with a circulation within the limits of the District in the City of Middletown, said notice to be placed no more than fifteen (15) days and no less than ten (10) days before the date of said meeting. Those Electors present at such meeting shall constitute a quorum for the transaction of such business as may come before the meeting and a majority vote of those present shall be necessary for Elector action.

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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

Section 5. Special Meetings of Commission. The Chairman of the Commission may, and shall upon the written request of two members of the Commission, call a special meeting of the Commission provided that twenty-four hours notice has been given to each Commissioner of the call, hour and place of said meeting, and further provided that said notice may be waived by a written waiver signed by all the members of the Commission. The attendance of three Commissioners shall constitute a quorum for the transaction of such business as may come before the Commission and a majority vote of those present at said meeting shall be necessary for Commission action. At such special meeting no business shall be considered other than as designated in the call, but if all of the members of the Commission are present at a special meeting, then any and all business may be transacted at such special meeting.

Section 6. Procedure. The Commission shall adopt such rules of order as it deems appropriate for the conduct of its meeting, but there shall be a recording secretary for each meeting and minutes of the meeting are to be prepared and maintained. Said minutes shall be public and open to inspection by any Elector.

Section 7. At the regular meetings of the Commission the following shall be the order of business:

1. Roll Call
2. Public Hearing
3. Reading and approval of the minutes of the previous meeting
4. Approval of Bills
5. Report of the Chief
6. Report of the Chairman
7. Report of Committees
8. Unfinished business
9. New business
10. Adjournment

There shall be a recording secretary for each meeting and minutes of the meeting are to be prepared and maintained. Said minutes shall be public and open to inspection by any Elector.

Section 8. The voting on all questions coming before the Commission at all District or Commission shall be by voice vote, and the yeas and nays shall be entered upon the minutes of each meeting, and the Chairman shall vote on all questions in his capacity as Commissioner, having no regard for the fact that he may be presiding over the meeting. A secret ballot may be used on any and all votes if the majority of those present agrees.

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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

### **ARTICLE VI:**

#### Officers, Committees and Duties

##### Section 1. Officers:

The officers of the Commission shall be a Chairman, Vice-Chairman, Secretary and Treasurer.

##### Section 2. Chairman:

The Chairman shall preside at all meetings of the Commission and except as otherwise provided by resolution of the Commission. The Chairman shall sign all contracts, deeds, and other documents on behalf of the Commission. At each meeting the chairman shall submit such recommendations as he may consider proper concerning the business affairs and policies of the Commission.

##### Section 3. Vice- Chairman:

The Vice-Chairman shall perform duties of the Chairman in the absence or incapacity of the Chairman, and in case of the resignation or death of the Chairman, the Vice-chairman shall perform such duties as are imposed on the Chairman until such time as the Commission shall meet and elect a new Chairman.

##### Section 4. Secretary:

The Secretary shall be the custodian of the records of the Commission, and shall keep a record of the proceedings of the Commission in a journal of proceedings and shall perform all duties incident to this office.

##### Section 5. Treasurer:

The Treasurer of the Commission shall have the care and custody of all the funds of the Commission and shall deposit the same in the name of the Westfield Fire District of the City of Middletown in such a bank or funds as the Commission may select. The Treasurer shall keep regular books of accounts showing receipts and expenditures, and shall report to the Commission at periodic intervals as directed by the Commission, an account of transactions and also of the financial condition of the Fire District. The Treasurer shall have a surety bond; the premium shall be paid out of the fund of the Westfield Fire District. The Treasurer shall be appointed by the Commission for a period determined by the Commission.

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### Section 6. Tax Collector:

The Tax Collector shall be appointed by the Commission. Any person appointed to fill the position of Tax Collector shall have such terms as the Commission fixes, but no member of the Commission shall be eligible to hold this office. The Tax Collector shall give a surety bond; the premium thereof shall be paid out of the funds of the Westfield Fire District of the City of Middletown.

### Section 7. Administrative Assistant:

The duties of the Administrative Assistant shall include supervision of paid personnel, public relations, purchasing, budget preparation assistance and administration. The work requires that the employee has considerable knowledge, skill and ability in administration as well as management skills.

### Section 8. Service Recognition Committee:

There shall be a Committee entitled the Service Recognition Committee. The Service Recognition Committee shall be composed of five (5) members as follows: The Chairman of the Westfield Fire District, the Fire Chief of Westfield Fire Department, two (2) Commissioners appointed with the consent of the Westfield Fire District Commission, and one (1) Fireman appointed by the Fire Chief. The Chairman of the Westfield Fire District and the Fire Chief shall serve on the Service Recognition Committee during their respective terms of office. The term of the Fireman shall be Three (3) years. The Commissioners shall serve during their respective terms of office and at the pleasure of the chairman of the Westfield Fire District Commission. It shall be the duty of the Service Recognition Committee to establish appropriate eligibility guidelines for members of the Westfield Fire Department to participate in the Service Recognition Program, to administer the Service Recognition Program, to authorize payments of all amounts to those eligible to participate in the same, to review on an annual basis and to report to the Westfield Fire District Commission at its February meeting the status of the Service Recognition program.

### Section 9. Additional Duties:

The officers of the Commission shall perform such other duties and functions as may from time be required by the bylaws, rules, regulations or requirements of the Commission.



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## WESTFIELD FIRE DISTRICT OF THE CITY OF MIDDLETOWN CONNECTICUT

Section 10. The Commission may from time to time employ such personnel as it may deem necessary to exercise its powers, duties and functions as prescribed under Special Act No. 317 of the 1961 Session of the Connecticut General Assembly entitled, “an Act Concerning the Incorporation of the Westfield Fire District of the City of Middletown”. The selection and compensation of such personnel, including the Administrative Assistant, Treasurer and Tax Collector shall be determined by the Commission in the exercise of the authority conferred upon it under such act.

Section 11. Thirty-five (35) members of the Westfield Fire District of the City of Middletown constitutes a quorum at any and all meetings of the said District. Each Member will be entitled to one (1) vote.

### **ARTICLE VI: AMMENDMENTS TO THE BYLAWS.**

The Bylaws of the Commission shall be amended only with the approval of at least five (5) members of the Commission at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days’ notice has been given to all the members of the Commission in writing.

<b><u>No.</u></b>	<b><u>Article/Section</u></b>	<b><u>Description of actions taken</u></b>	<b><u>Date of Vote</u></b>
	Various changes throughout	Update of entire By-Laws	11-11-2008
	Article III	Addition to Section 4 / Election Exception to Commissioner Election	07-14-2009
	Article III	Additions & Modification to Sections 2 / 3/ 4	12-16-2014