

MABAS DIVISION XX CONSTITUTION AND BY-LAWS

ARTICLE I – ESTABLISHMENT

NAME

The name of this organization shall be “MUTUAL AID BOX ALARM SYSTEM DIVISION XX” (M.A.B.A.S.). It shall be incorporated under the laws of the State of Illinois as a non-profit corporation.

TAX STATUS

The Division shall not be organized for profit and will be operated exclusively for the promotion of social welfare purposes and operating procedures shall be consistent with an organization qualifying for exemption under Section 501 of the Internal Revenue Code of 1986, as amended (or the corresponding provisions of future law).

REGISTERED OFFICE

The Division shall continuously maintain in the State of Illinois a registered office. The principal office shall be located at 9526 Irving Park Rd, Schiller park, Illinois 60176.

STATUS OF THE FOUNDATION

No funds of the DIVISION shall inure to the benefit of or be distributed to its members, directors, officers or other private persons; except that the DIVISION shall be authorized and empowered to pay reasonable compensation for services rendered which are reasonable and necessary to carrying out the purposes of the DIVISION.

ARTICLE II – PURPOSE

The purpose of this DIVISION shall be to provide for a program of mutual aid to member fire departments in the event of incidents of fire, rescue, hazmat, man-made and natural disasters and to provide for the general safety and welfare of the public in member jurisdictions, and to transact such business of the division as may be deemed necessary to effectively carry out such a program.

The DIVISION shall hold, manage, invest and expend funds, gifts, grants and bequests, whether consisting of real or personal property and whether subject to directions or conditions imposed by the donors exclusively for the benefit of the programs and activities to the communities that the DIVISION serves.

The DIVISION shall strive to develop links among business, government and civic organizations, which will enhance community support of the programs and activities of the DIVISION for the public welfare of the region served.

The DIVISION also has such powers as are now or may hereafter be granted by the general Not for Profit Corporation Act of the State of Illinois.

ARTICLE III – MEMBERSHIP

Section 1. The members of this DIVISION shall consist of the fire chief, fire administrator, or Fire Director, whichever the case may be, of each member department.

Each member fire department shall have one (1) vote for voting purposes and shall be present. Only the fire chiefs or their designee shall be able to vote.

The member departments are as follows: Bellwood, Berkeley, Broadview, Elmwood Park, Franklin Park, Hillside, Leyden, Maywood, Melrose Park, Northlake, Norwood Park, River Grove, Rosemont, Schiller Park, and Westchester.

Section 2. Eligibility: Membership in this DIVISION shall be determined by the DIVISION. Any department eligible for membership shall make a written application to the DIVISION. The President will appoint a committee of three (3) members to investigate the fire department in question to determine if it is in a position as to manpower, equipment and apparatus to extend as well as receive mutual aid in emergencies as provided in the general mutual aid plan of this DIVISION. The application shall be accompanied by a three thousand five hundred dollar (\$3,500) initiation fee. If the applicant is not accepted for membership then the three thousand five hundred dollar (\$3,500) initiation fee will be returned. The committee shall submit the application, etc. along with their recommendation to the secretary and treasurer at the next regular meeting. The application and committee report shall then be read and voted upon. (Pro-rated \$7,000. Based on 12 months from January 1st to December 31st).

To be admitted to membership an applicant must receive a two-thirds (2/3) favorable vote of the active members present.

Section 3. The members shall determine the geographical area served by this DIVISION.

Section 4. It shall be the duty of this body:

To transact all business of the DIVISION not otherwise provided for.

To assume responsibility for the actual management of the work of this DIVISION.

To construe this constitution and to determine any question that may arise under it.

To initiate and execute whatever specific projects or programs the DIVISION may undertake, with or without the assistance of standing or special committees as the situation may indicate.

To formulate, put into operation, and maintain a definite workable plan of mutual assistance for the benefit of all the member departments of this DIVISION. Said mutual aid plan to be revised whenever deemed necessary by the DIVISION so that the same may be kept flexible in order to provide the best assistance possible to all members.

Section 5. Member departments or individuals are prohibited from engaging in any activity in the name of the DIVISION without the express approval of the DIVISION.

Section 6. The executive board shall temporarily appoint a chief to fill any vacancy occurring in the elective office that is not otherwise provided for in this constitution. The appointment shall be for the unexpired term. (Refer to Article V, Section 9)

Section 7. For the purpose of transacting official business, a quorum shall consist of a majority of the DIVISION members.

Section 8. Vendors may speak before the meeting, three (3) minutes will be allowed. If a previous arrangement has been planned for a presentation by a vendor the presentation shall not exceed ten (10) minutes.

Section 9. The fire chief of each member fire department and the representative of each associate membership shall keep on file with the DIVISION Secretary a current mailing address, business phone number, and/or a home phone number. This mailing list shall also include the name of member departments training officer, hazardous materials coordinator, technical rescue officer, ems coordinator and all other teams that may be organized for the betterment of the DIVISION.

The Secretary should be contacted of any changes and update this list during January of each year.

ARTICLE IV – REQUIREMENTS

Section 1. Member departments are required to be members of the mutual aid box alarm system, otherwise known as M.A.B.A.S.

Section 2. Member departments are required to participate fully in all DIVISION XX mutual aid functions. This includes but is not limited to mutual aid response for ambulance alarms, photography, hazardous materials incidents, fires, disasters, non-fire related incidents requiring assistance, investigations, rescues, etc.

Section 3. Member departments are required to participate fully in the state training and certification program for fire protection personnel.

Section 4. Member departments are required to meet Illinois Department of Public Health standards for providing emergency medical services.

Section 5. Member departments are required to participate in the National Fire Incident Reporting System.

Section 6. Member departments are required to participate in the following DIVISION XX teams: technical rescue (high angle, confined space, trench), hazardous materials, fire/arson investigations, and swift water rescue.

Section 7. Member departments are required to provide sufficient manpower on units responding to mutual aid requests, so that each responding unit will be able to perform at maximum efficiency.

As a guideline, four (4) firefighters are recommended to respond on an engine, ladder truck, or squad although three (3) would be acceptable, and two (2) emergency medical technicians or paramedics are required to respond on each ambulance. MABAS response staffing and assets shall remain with the vehicle throughout the incident. Note: When responding to an incident, each department shall respond with its crew on one emergency vehicle (i.e., engine, truck, squad, etc.)

Section 8. Member departments are required to have their revised box cards submitted to Norcomm before June 1st of each year. Other requirements may be instituted by the DIVISION XX membership, provided the majority of members agree to new requirements. At that time, the requirements will be amended into the by-laws.

ARTICLE V – OFFICERS

Section 1. The officers of this DIVISION shall be: President, Vice President, Secretary and Treasurer. Their term of office shall be for three (3) years, or until their successors are elected and have qualified. The office of President shall not be held by one (1) person for more than two (2) consecutive terms.

Section 2. In addition to all other duties required of them, all officers shall be members of this DIVISION. All officers shall deliver to their successors all records and documentation in a timely manner (not to exceed 90 days) upon leaving their elected office.

Section 3. Duties of the President:

The President shall be the principal executive officer of the DIVISION. He shall supervise and control all of the business and affairs of the DIVISION. He shall see that all the by-laws of the DIVISION are enforced. It shall be the duty of the President to preside at all meetings of the DIVISION, appoint all committees not otherwise provided for, and perform such other duties as may be identical to his office or which shall be required of him by the DIVISION.

Section 4. Duties of the Vice President:

In the absence or inability of the President, he shall perform all duties of that office, and when the President is presiding shall assist that officer in every way possible. Should a vacancy occur in the office of President, the Vice President shall at once assume all the duties and responsibilities of that office.

The Vice President shall substitute in the absence of the Secretary or Treasurer at DIVISION meetings and in general shall perform all duties required of that office. The Vice President shall perform all duties as designated to him by the President or members of the DIVISION.

The Vice President shall take inventory of all DIVISION XX properties each year in the month of January. He shall then submit a written report to the Secretary and Treasurer at the February meeting.

Section 5. Duties of the Treasurer:

He shall keep a true and correct record of all monies received, shall collect all monies due the DIVISION from all sources, and shall have custody of the funds of the DIVISION. All monies in his possession belonging to the DIVISION shall be deposited in a bank or credit union approved by the DIVISION, the account being in the name of the DIVISION. He shall keep a true and correct record of all monies dispersed and make all payments of accounts by a DIVISION check. He shall, at each monthly meeting, present a report on the condition of the finances of the DIVISION.

Section 6. Duties of the Secretary:

The Secretary shall keep a complete record of the proceedings of the DIVISION. He shall provide minutes of meetings to all member chief officers. At any meeting where there is to be balloting on new members or other such business, the Secretary shall so state on notice of the meeting to members. Minutes of the previous meeting shall be provided one (1) week prior to the next scheduled meeting for review by all members. He shall perform such other duties as may be required of him by the President in the transaction of the business of the DIVISION.

Section 7. Compensation

The officers of the DIVISION as such shall not receive any compensation for their services.

Section 8.

Upon retirement, resignation, or death, a special election will take place at the next meeting.

Section 9. Removal

Any officer elected or appointed by the members of the DIVISION shall cease to hold office upon suspension or expulsion from that office by a majority vote of the DIVISION members.

ARTICLE VI – MEETINGS

Section 1. The meetings of this DIVISION shall be held on a monthly basis. The monthly meeting will be held on the second Wednesday of each month for the transaction of DIVISION business. Site of the meeting shall be within the district and the location shall be provided to the member departments no later than forty-eight (48) hours before the meeting. Cancellation of upcoming meetings shall be by special order of the President with prompt notification to members.

Section 2. The annual meeting of the DIVISION shall be held on the second Wednesday in the month of September. The annual meeting shall begin promptly on the hour so designated by the President and shall not be unduly drawn out. Call for nomination for any open board position will be announced at the May meeting. The election of officers will take place at the annual meeting in September with newly elected officers assuming their responsibilities on January 1, of the new year.

Election Schedule

President / Vice President	Treasurer	Secretary
Sept 2020	Sept 2019	Sept 2018
Sept 2023	Sept 2022	Sept 2021
Sept 2026	Sept 2025	Sept 2024
Sept 2029	Sept 2028	Sept 2027
Sept 2032	Sept 2031	Sept 2030

The Executive Board shall cause to be prepared an annual report of activities (financial and operational). The annual report shall be distributed to each member representative and placed on file with the Executive Board Secretary.

Section 3. Special meetings of the DIVISION may be called by the President, or upon the request of three members qualified to vote. The notice of the special meeting shall clearly state the object thereof and shall be sent to all members qualified to vote at least three (3) days prior thereto.

Section 4. A quorum for the transaction of business at regular or special meetings shall consist of a majority of the active members.

Section 5. The order of business shall be as follows:

Call to Order

Pledge of Allegiance

Roll Call

Guests

Public Comment & Questions

Presentations – No longer than 10 minutes unless previous arrangements have been made

Committee Reports

Division XX Chief's (ONLY) Meeting

Approval of Previous Minutes

Treasurer's Report (Financials)

Old Business

New Business

Election of Officers (at annual meeting)

President's Report

Vice-President's Report

Announcements

Executive Session

Adjournment

Section 6. In the event of any controversy as to parliamentary procedure, the presiding officer shall be guided in his decision by the rules laid down in "Robert's Rules of Order".

Section 7. The Secretary shall send notice stating the place, day and hour of all annual, regular or special meetings to each member department, not less than forty-eight (48) hours prior to the date of said meeting.

The Secretary shall at the beginning of each year post a legal notice at the meeting place stating the dates and times of the regular meetings, conforming to the Open Meetings Act of 1987.

ARTICLE VII – COMMITTEES

Section 1. The President shall appoint such committees as the majority of the DIVISION members may deem advisable and not otherwise provided for in the by-laws of the DIVISION. The first person appointed to any committee, unless otherwise specified by the President, shall be the Chairperson of the committee.

Section 2. Finance and Auditing committee: The audit committee shall be appointed by the President at the annual meeting and shall consist of the Vice President and two (2) members of this DIVISION. Said committee shall audit the books of the DIVISION at the end of each calendar year and render a written report to the DIVISION and one (1) copy to each active member department. If necessary or desirable, said committee may also audit the books at any other time. The books shall not be turned over to the new Treasurer until the same have been audited and the former Treasurer released.

ARTICLE VIII – ELECTION, VOTING, NOMINATIONS

Section 1. Elections: At the annual meeting (2nd Wednesday of September) the DIVISION shall elect by ballot or by voice, the officers enumerated in Article V. Any candidate receiving a majority of all votes cast for any office shall be declared elected. If a candidate does not receive a majority, another election shall take place for the two (2) candidates who received the largest number of votes. Election of the President, Vice President, Secretary, Treasurer, and Director shall be at the annual meeting of the DIVISION. Those officers elected will take office on the following January 1st.

Section 2. Voting: Each member or his/her appointed representative shall be entitled to vote in the DIVISION election. All ballots cast in any election shall be by written secret ballot. The Secretary will call the roll of member departments; each member will go to the ballot box and cast his vote individually. The presiding officer shall appoint three (3) judges to count all ballots cast. Said judges will announce the results. Uniform blank sheets will be provided by the Secretary for the purpose of casting votes.

ARTICLE IX – FINANCE

Section 1. Annual dues will be assessed and approved from time to time by the membership. Said fees to be placed in the custody of the treasurer to be used for: general expenses of the DIVISION, the benefit of all member departments, and other such purposes as may be deemed necessary and desirable by the DIVISION membership (EMS, TRT, Haz Mat, Training, Honor Guard, Communication, Investigators, Swift water Rescue etc.). Annual dues are \$7,000 per department until 2025.

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\$7,000 Membership Breakdown:

Membership Dues	\$4,400
Special Operations	\$2,200
MABAS Dues	<u>\$400</u>

Section 2. If a member department remains delinquent for a period of ninety (90) days, the Treasurer shall recommend that the department be expelled. A two-thirds (2/3) vote of the eligible delegates shall be necessary to expel a member for non-payment of dues.

Section 3. The Executive Board may authorize any officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the DIVISION, and such authority may be general or confined to specific instances.

Section 4. No funded indebtedness shall be contracted on behalf of the DIVISION and no evidences of such indebtedness shall be issued in its name unless authorized by a resolution of the Executive Board. Such contracts may be general or confined to specific instances.

Section 5. All checks, drafts, or other order for payment of money, notes, or other evidences of indebtedness issued in the name of the DIVISION shall be signed by the Treasurer or any board member authorized as a designated signer with the bank. All transactions must be reported on the treasurer's monthly report for review of the members.

Section 6. All funds of the DIVISION, not otherwise employed, shall be deposited in a timely fashion to the credit of the DIVISION in such bank or credit union depositories as the Executive Board may select. The DIVISION shall maintain a \$20,000 reserve in a savings account. It shall only be accessed through executive board upon emergency request.

Section 7. Officers and their agents having charge or control of funds shall give bond for the safe custody of the funds of the DIVISION. The cost of said bond shall be borne by the DIVISION. This requirement can only be waived by a two-thirds (2/3) vote of the Executive Board.

Section 8. The fiscal year of the DIVISION shall extend from January 1 to December 31.

Section 9. All instruments executed by the DIVISION, which is acknowledged, which affect an interest in real estate, shall be deemed sufficient if executed by the President or Vice-president of the DIVISION and by the Secretary or Treasurer of the DIVISION, or otherwise executed as provided by specific DIVISION, including any releases of mortgages or liens of any kind, may be executed by the President or Vice-President, or Secretary, or Treasurer, or by any other person authorized by specific resolution by the Executive Board, or as otherwise may be provided in the bylaws.

Section 10. A thorough audit by a certified public accountant or other qualified person designated by action of the Executive Board shall be made once each year of all of the DIVISION's financial transactions.

Section 11. At the beginning of each fiscal year the Executive Board shall prepare or cause to be prepared a budget of estimated income and expenditures for the year which having been approved

by the Executive Board, shall stand as the limit or expenditures for the respective purposes unless otherwise ordered by the action of the Executive Board.

ARTICLE X – TERMINATION

Section 1. Any member department or fire protection district may withdraw from the DIVISION XX Mutual Aid DIVISION by notifying the fire chiefs of the other participating agencies in writing. The withdrawing member department or fire protection district will terminate participation ninety (90) days from the date of written notice and all Division XX equipment shall be returned.

Section 2. A member department or fire protection district may be expelled from the DIVISION XX Mutual Aid DIVISION if said member department or fire protection district does not meet the established requirements or is delinquent (on a continual basis) in providing the required mutual aid response to stricken communities. Furthermore, each member department or fire protection district must provide sufficient resources to its own community so as not to abuse other member departments or fire protection districts. The objective of mutual aid is to assist member departments not supplement them.

Section 3. Expulsion will occur only after all means necessary are taken to resolve any situation or dispute. Expulsion of a member shall occur only after the following steps are taken:

- Notice of a dispute, situation, or delinquency is placed in writing and served to the DIVISION.
- A committee is appointed by the President to investigate the allegation(s).
- The findings of the committee are presented to the full membership.
- If the committee does in fact find a problem, then said committee will meet to discuss, find and recommend a solution.
- The committee will present its solution to the full membership.
- The full membership shall then review the solution and either accept it or return it to the committee with recommendations.
- This process will continue until a solution is found.
- The solution, as approved by the majority, will be served on the offending member. Adequate time for compliance will be afforded the offending member. The time allotted will be determined by the majority members and will be reasonable but based on the severity or urgency of the problem.
- If the offending member is unable or unwilling to resolve the problem, then the offending member's board shall be notified of the problem.
- A meeting will be called by the President of the DIVISION. Notices will be sent to all member fire chiefs and member mayors or district board presidents requesting their attendance.
- Subsequent meetings will be called for the purpose of solving the problem between the offending member and the DIVISION.
- If the problem is not rectified or another solution cannot be found, then the offending member shall receive an expulsion order from the DIVISION.

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The offending member will have, as a minimum, ninety (90) days to correct the problem in a dispute. A longer time period will be granted if the particular situation dictates it.

However, the offending member must be actively attempting to correct said problem during this extension. If the offending member is found not to be actively attempting to correct said problem, the extension will be revoked.

ARTICLE XI – AMENDMENTS

These by-laws may be amended by a majority vote of the members of the DIVISION. All such amendments must be made in writing and presented at a regular meeting. It shall then be held over until the next subsequent regular meeting at which time it will be brought up for a vote.

ARTICLE XII – RATIFICATION

This constitution and by-laws are hereby adopted and shall be in full force and effect this 9th day of January 1996. As amended, this 14th day of February, 2018. As amended, this 13th day of September, 2023

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<hr/> <div>PRESIDENT Chief Dave Blondell Norwood Park FPD</div> <hr/>	<hr/> <div>VICE PRESIDENT Matt Martin Broadview FD</div> <hr/>
<hr/> <div>TREASURER Chief Mike Cesaretti Schiller Park FD</div> <hr/>	<hr/> <div>SECRETARY Chief Rivera Rosemont FD</div> <hr/>
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<hr/> <div>Chief Nick Amato Berkeley FD</div> <hr/>	<hr/> <div>Chief Mike Terzo Elmwood Park FD</div> <hr/>
<hr/> <div>Chief Mark Stewart Franklin Park FD</div> <hr/>	<hr/> <div>Chief Brenda Farlo Leyden FPD</div> <hr/>
<hr/> <div>Chief Craig Bronaugh Maywood FD</div> <hr/>	<hr/> <div>Chief Rick Beltrame Melrose Park FD</div> <hr/>
<hr/> <div>Chief Sean Flynn River Grove FD</div> <hr/>	<hr/> <div>Chief Ken Carling Hillside FD</div> <hr/>
<hr/> <div>Chief Paul Feldmann Northlake FPD</div> <hr/>	<hr/> <div>Chief Mike Mavrogeorge Westchester FD</div> <hr/>
<hr/> <div>Chief John Reitz Bellwood FD</div> <hr/>	<hr/>

Revised: February 14, 2018
Revised: September 13, 2023