

Village of Sherman Stanley Hose Company

8/12/2026
Board
Meeting

The Committee on Open Government opinion OML-AO-3904, while covering Open Meetings Law and FOIL, really captures the essence of the subject:

The not-for-profit Fire Company is a “public body”, “formed by consent of the municipality”, “conducting public business and perform a governmental function”, whose “existence is inextricably linked to, dependent on, and under the control of the municipality for which they provide an essential public service”.

The Fire Company is an “agency” of the municipality, under the ““Council” of the Fire Department”.

GENERAL MUNICIPAL LAW, Article 10 Firefighters

Fire Company - Code of Ethics - General Municipal Law Art 10 § 209-ee

General Municipal Law Art 10 § 209-ee(3)(a) For the purpose of this section the term fire company shall have the same meaning as defined in section three of the volunteer firefighters' benefit law.

General Municipal Law Art 10 § 209-ee(2) Any elected and/or appointed officer of a volunteer fire company responsible for governance, including but not limited to a line officer, treasurer, president, vice president and secretary...

General Municipal Law Art 10 § 209-ee(1) Notwithstanding any provision of general, special or local law to the contrary, every fire company that contracts with or is under the control of a county, city, town, village or fire district to provide fire protection or other emergency service, shall adopt a code of ethics. Such code shall set forth the standards of conduct reasonably expected.

Fire Company - Raising of funds - General Municipal Law Art 10 § 204-a

General Municipal Law Art 10 § 204-a 1. Definitions. a. “Fire company” means:

- (1) A volunteer fire company of a county, city, town, village or fire district fire department, whether or not any such company has been incorporated under any general or special law,
- (2) A fire corporation the members of which are volunteer firefighters and was incorporated, and which is not included within subparagraph (1) of this paragraph, if such corporation is by law under the general control of, or recognized as a fire corporation by, the governing board of a city, town, village or fire district.

Fire Chief - Duties of the Chief - General Municipal Law Art 10 § 204-d

Village Law Art 10 § 10-1018 Duties of chief and assistants. The chief shall be president of the council and of the meetings of the fire department. ...report to the board the condition of the property of the department and such other information respecting the department as may be required.

PUBLIC OFFICERS LAW

Public Officers Law Art 1 § 2. Definitions. The term "local officer" includes every other officer who is elected by the electors of a portion only of the state, every officer of a political subdivision or municipal corporation of the state, and every officer limited in the execution of his official functions to a portion only of the state.

Public Officers Law Art 6 § 86. Definitions. 3. "Agency" means any state or municipal department, board, bureau, division, commission, committee, public authority, public corporation, council, office or other governmental entity performing a governmental or proprietary function for the state or any one or more municipalities thereof, except the judiciary or the state legislature.

Public Officers Law Art 7 § 102. Definitions. 2. "Public body" means any entity, for which a quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for the state or for an agency or department thereof...

VOLUNTEER FIREFIGHTERS' BENEFIT LAW

Volunteer Firefighters' Benefit Law Art 1 § 3. Definitions. 2. "Fire company" means:

- a. A fire company of a county, city, town, village or fire district fire department, whether or not any such company has been incorporated under any general or special law,
- b. A fire corporation incorporated under or subject to the provisions of article ten of the membership corporations law, which is not included within paragraph a above, if such corporation is by law under the general control of, or recognized as a fire corporation by, the governing board of a city, town, village or fire district.

(NYS) VILLAGE LAW, Article 10 Fire Department

Village Law Art 10 § 1004 Organization of companies. The ~~board of fire commissioners~~, with the approval of the board of trustees, may organize and maintain fire, hose, protective and hook and ladder companies, whenever in its judgment the public interests require.

NOT-FOR-PROFIT CORPORATION LAW § 1402

Not-for-Profit Corporation Law § 1402 Fire Corporations (e) Powers. (1) A fire, hose, protective or hook and ladder corporation heretofore incorporated under any general law or a fire corporation hereafter incorporated under this section shall be under the control of the city, village, fire district or town authorities having, by law, control over the prevention or extinguishment of fires therein. Such authorities may adopt rules and regulations for the government and control of such corporations.