

**BY-LAWS OF
LOCAL FIREMEN'S RELIEF ASSOCIATION
*2023***

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TABLE OF CONTENTS

	<u>Page</u> <u>No.</u>
ARTICLE I - Name of Association	1
ARTICLE II - Object of Association	1
ARTICLE III - Membership and Officers – Section 1 to 5	1
ARTICLE IV - Meetings – Section 1 to 3	2
ARTICLE V - Duties of Officers – Section 1 to 12	3
ARTICLE VI - Investment of Funds – Section 1	4
ARTICLE VII - Management of Funds – Section 1 to 8	5
ARTICLE VIII - Committees – Section 1 to 2	6
ARTICLE IX - Duties of Committees – Section 1 to 2	6
ARTICLE X - Rules of Order – Section 1 to 2	6
ARTICLE XI - Amendments	6

**BY-LAWS OF
LOCAL FIREMEN'S RELIEF ASSOCIATIONS**

ARTICLE I NAME

This Association shall be known as "The _____ Firemen's Relief Association".

ARTICLE II OBJECT OF ASSOCIATION

The object of this Association shall be to establish, provide for and maintain a fund for the relief and support of needy firefighters who are members of this association and their families.

ARTICLE III MEMBERSHIP AND OFFICERS

Section 1. The membership of such corporation shall consist, without any formal election thereto, of the officers and members of such fire engine, hook and ladder, hose and supply company or companies, fire association or fire department, or board of fire wardens, as shall be under the supervision or control of the governing board or body of the municipality or fire district and who, at the time of their becoming eligible for membership in the New Jersey State Firemen's Association, shall be not less than 18 years of age and not more than 57 years of age and shall furnish evidence of good health in accordance with such reasonable rules and regulations as the executive committee of the New Jersey State Firemen's Association shall from time to time establish; the officers and members of any nonprofit corporations and associations incorporated pursuant to N.J.S. 15A:1-1 et seq.; and the officers and members of any association therein of exempt firemen. The whole body of the membership of such corporation shall have the same rights therein as the charter members thereof. N.J.S.A. 43:17-9. N.J.T.

Section 2. On or before the second Monday in December, in every year, each fire engine, hook and ladder, hose or supply company, and the Board of Trustees of any fire association or department, and any Board of Fire Wardens, which is under the supervision or control of any municipal governing body, Board of Fire Commissioners, or nonprofit corporations and associations incorporated pursuant to N.J.S. 15A:1-1 et seq., and which is organized for and doing public fire duty in any municipality or fire district in this state, shall choose not more than three (3) representatives, and the exempt firemen's association, if any such there be, shall choose not more than three (3) representatives, who together with the president, if any, of such fire association or department, and the chief, or, if there be no chief, then the next highest ranking officer, shall constitute a Board of Representatives, and shall have and exercise all the powers and perform all the duties herein committed to them, and shall hold office until their successors be chosen, and until their successors shall meet for the purpose of holding the annual election of officers, as provided in N.J.S.A. 43:17-11. The President of a local fire company is not statutorily mandated a position on the Board of Representatives. When there are more than one (1) fire company operating as a fire department, then and only then does the President of the fire department become a member of the Board of Representatives. If the by-laws of any firemen's relief association provide for the election, by each of the several companies, associations, or boards of which the relief association is comprised, of more than one (1) member of the Board of Representatives thereof, the firemen's relief association may provide for a rotation in the terms of office of the members of the Board of Representatives, and at any annual election thereafter one (1) representative for one (1) year, one (1) for two years, and, if deemed desirable, one for three (3) years. Thereafter at each election, one (1) representative shall be elected for the longest term provided for, not exceeding three (3) years, from each company, association, or board comprising the firemen's relief association. N.J.S.A. 43:17-12. Representatives shall be members of the Local Relief Association. Written notification shall be provided to the Local Relief Association secretary from each fire company.

Section 3. The board of representatives shall, on or before the third Monday in December in every year, elect by ballot from among their own number, or out of the whole membership of that association a president, vice president, treasurer and secretary, who shall be the board of officers of the corporation, and not more than five members of a board of trustees.

At the first election after the incorporation or reincorporation, there shall be elected not less than three nor more than fifteen trustees, who shall then be divided by the representatives, by lot, into three classes, of not more than five persons each, those of the first class to hold office for one year, those of the second class to hold office for two years, and those of the third class to hold office for three years after the date of their election, so that one class shall go out of office each year, and in each year after the first election not more than five trustees, who shall hold office for three years after the date of their election, shall be elected at the annual election.

The trustees may be elected in the same manner and from the same source as the representatives are chosen, in which case they shall be divided by the representatives, by lot, into three (3) classes for the aforesaid terms. When the term of any trustee so elected expires, the successor shall be selected from the same source as that from which the trustee was chosen and shall hold office for three (3) years after the date of the election. All of the officers and trustees shall hold office until their respective successors are elected. N.J.S.A. 43:17-13. Any elected officer or trustee shall be a member of the Local Relief Association.

Section 4. No person shall at one time serve on the board of representatives and the board of trustees. If elected to both he shall resign one or the other, as he sees fit. No officer may serve on the board of trustees. N.J.S.A. 43:17-18.

Section 5. If a vacancy occurs in the office of representative, it shall be filled forthwith by the company, association, or board by which the representative was elected, for the remainder of the term for which he was elected, at a special election held for that purpose. N.J.S.A. 43:17-21.

ARTICLE IV MEETINGS

Section 1. The board of representatives shall be convened by its president at least 5 times a year and when the president thinks proper or is requested so to do by most of the representatives. The board of trustees shall be convened by its chairperson at least twice a year and when the president thinks proper or is requested so to do by any trustee. The representatives may provide in their by-laws for regular stated meetings of the representatives and the trustees. N.J.S.A. 43:17-20.

The Board of Representatives meetings shall be convened at least five (5) times a year during the months of January, April, July, October and December.

Section 2. A majority of board representatives or of the board of trustees, as the case may be, shall constitute a quorum at the meetings of the respective boards. N.J.S.A. 43:17-17.

Section 3. All members with a line number are eligible to attend the Local Relief Association meetings. They may speak but shall not be entitled to make or second motions and vote on any matter. Only representatives may make or second motions and vote on any matter.

ARTICLE V DUTIES OF OFFICERS

Section 1. The President of the Board of Representatives, as President of this association, shall preside at all meetings of this association, and of the Board of Officers, and of the Board of Representatives and shall be, ex-officio, a member of all committees and of the Board of Trustees, and shall execute all contracts and instruments which shall have been duly approved by said boards, or either of them, and shall countersign all vouchers for payment of money, which shall have been ordered by said board or when for temporary relief only, have been signed by two (2) of the trustees, and shall report the countersigning of all such vouchers to the secretary of the association.

Section 2. In the absence or disability of the president, the vice president shall act as president, and shall have all the powers and perform all the duties of president.

Section 3. The treasurer shall do and perform the usual duties assigned to his or her position and shall submit a written report to the Board of Representatives at each meeting. The treasurer shall be bonded by the New Jersey State Firemen's Association in such sum as they may deem necessary, premium for which shall be paid by the State Association.

Section 4. All monies of this Association shall be deposited by the treasurer in the name of the association in a financial institution to be selected by the Board of Representatives. No monies can be drawn from financial institutions without the signature of at least three (3) of the officers of the association. Bonds and securities must be registered in the name of the association. Any safe deposit box provided by the association in which are deposited bonds and securities, shall not be opened by the treasurer unless accompanied by one (1) or more of the officers of the association as shall be designated. Reference to N.J.S.A. 43:17:33. All Treasurers documents must be kept within the State of New Jersey

Section 5. The secretary shall do and perform the usual duties assigned to his or her position and shall report to the Board of Representatives at each meeting. The secretary shall attest the execution and keep a record of all contracts or instruments signed by the president of the association. The secretary shall notify all officers of their election and members of committees of their appointment, and shall give reasonable notice and keep a record of all meetings, and record all votes of the association or of the Board of Representatives or Board of Officers, and shall, upon his or her election, take an oath of office for the faithful performance of his or her duties, which oath shall be administered by the president of the Association. All Secretary's documents must be kept within the State of New Jersey

Section 6. The total amount of administrative expenses paid by the association shall not exceed the amount set by the Executive Committee. All expenses shall be paid and included in the annual statement for the years in which they are earned. Said annual statement shall be forwarded to the New Jersey State Firemen's Association not later than February 20th each year.

Section 7. The terms of all officers, except those filling vacancies shall begin on January 1st following their election.

Section 8. If a vacancy occurs in the office of president, vice president, treasurer, secretary or trustee, it shall be filled forthwith for the remainder of the term by the representatives, at a special election held for that purpose. N.J.S.A. 43:17-22.

Section 9. On or before May 1st in each year, the board of representatives of each duly incorporated local firemen's relief association in this State shall choose, out of the whole body of the membership thereof, three delegates to the convention or meetings of the New Jersey State Firemen's Association and three alternates, one or more of whom shall act in the place of any delegate so chosen who may be unable to attend the convention or meetings of the New Jersey State Firemen's Association. They, together with the chief, or if there is no chief the next highest-ranking officer, or their alternate shall represent the local association at the conventions or meetings of the New Jersey State Firemen's Association. N.J.S.A. 43:17-42.

Section 10. On or before May 1st in every year, each duly incorporated exempt firemen's association shall choose, by ballot, one delegate and one alternate who shall act in the place of the delegate who may be unable to attend the convention or meeting of the New Jersey State Firemen's Association out of the whole body of the membership thereof, who shall represent and vote for the local Exempt Firemen's Association at the convention or meetings of the New Jersey State Firemen's Association. This delegate or alternate shall have the same rights, powers and privileges as the delegates elected to the New Jersey State Firemen's Association by the local firemen's relief associations.

N.J.S.A. 43:17-43.

Section 11. The said Board of Trustees shall at once, in each year, immediately, after the election of the new members thereof, elect by ballot, a chairperson and secretary, and their chairperson, shall convene them when he or she may think proper, at least twice in each year, and also whenever so required by the Board of Representatives.

Section 12. If any member of the Board of Representatives, or Trustee or any officer is charged with misconduct or malfeasance in office or charged with a violation of any law or the rules and regulations adopted by the New Jersey State Firemen's Association, such person shall immediately be served with a copy of the complaint, including charges and specifications. The charges shall then be investigated by a member or committee of the membership of the Local Relief Association elected thereby and a report of the investigation shall be submitted thereto. If the association by a majority vote of the membership present determines that there is probable cause that an offense has been committed or there is misconduct or malfeasance in office, then a hearing shall be conducted.

The person or persons charged may be represented in person or by an Attorney-in-Fact or Attorney-at-Law, and may examine, cross-examine, or present witnesses or testimony, and written or oral evidence. The hearing before the membership shall be conducted by an officer or other designated person selected by the association, and at the conclusion of the hearing the officer or such duly selected person shall make findings and recommendations which shall be submitted to the membership. A majority vote shall determine the guilt or innocence of the person or persons charged and any penalty to be imposed. If any person is found guilty of misconduct or malfeasance in office, the association or Board of Representatives may declare the office vacant and fill the vacancy as hereinbefore provided. ,
Reference to N.J.S.A. 43:17-27

ARTICLE VI INVESTMENT OF FUNDS

Section 1. No firemen's relief association, however incorporated, shall invest its moneys in any manner, except as follows:

- a. In stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the full faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof.
- b. In interest-bearing bonds of this State.
- c. In bonds of any state of the United States that has not, within ten years before making the investment, defaulted in the payment of any part of principal or interest of any debt authorized by any law of that State to be contracted.
- d. In stocks or bonds of any governmental entity of this state or any other State of the United States, which have been or may be issued pursuant to a law of that State, and in any interest-bearing obligations issued by a governmental entity in which the relief association is situated. No investment shall be made under this paragraph if that governmental entity has, within ten years previous to making the investment by the relief association, defaulted in the payment of any part of principal or interest of any debt authorized by the Legislature of that State to be contracted or if the total indebtedness of that governmental entity is not limited by law to ten per centum;
- e. Deleted by amendment, P.L. 1996, c 151
- f. Deleted by amendment, P.L. 2005, c 151
- g. Deleted by amendment, P.L. 1996, c 151
- h. In bonds, stocks, accounts or other financial instruments of any State or Federal Financial institutions organized and existing under the laws of the State of New Jersey or the United States of America, provided the bonds, stocks, accounts or other financial institutions are insured or guaranteed by the State of New Jersey or the United States Government, or any agency or instrumentally of either or both.
- i. Deleted by amendment, P.L. 2005, c 39
- j. All investments authorized pursuant to this section shall be in the name of the Local Relief Association.

ARTICLE VII MANAGEMENT OF FUNDS

Section 1. No part of the funds of the corporation shall be used for banking purposes or in any manner except as provided in this article and except for necessary expenses in carrying out the interests and objects of the corporation. N.J.S.A. 43:17- 28.

Section 2. The management of the business and affairs, the custody of the property and the disposal of the funds and property of the corporation shall be entrusted to the Board of Representatives thereof in accordance with R.S. 43:17-35 and the rules and regulations adopted by the New Jersey State Firemen's Association. Reference to N.J.T.A. 43:17-25.

Section 3. All financial relief assistance shall be judged by need and must be by application in all instances. Local relief assistance must be requested using "Local Relief Assistance" Form # 101 and #101-A, which is provided by the Executive Committee of the New Jersey State Firemen's Association and available with the Local Relief Association.

(a) Processing Form # 101 is handled by the Secretary of the Board of Trustees. Said Board shall investigate and report their recommendations on the application for presentation to the next meeting of the Board of Representatives.

(b) In case of necessity, temporary assistance may be given with the approval of at least two (2) Trustees who shall issue a voucher to the Treasurer for the amount they deem necessary and said voucher shall before payment, be countersigned by the President. A report thereof shall be made to the Board of Representatives at its next meeting. The total amount of temporary relief granted by the Trustees shall be not less than \$100.00 and not more than ten percent (10%) to the Local Relief Association Scale between meetings of the Board of Representatives.

Section 4. Local Relief Associations shall be governed for relief assistance in accordance with the Relief Assistance Scale of maximum allowable payments to an individual in a calendar year. (See scale on page 11)

Section 5. The permissible maximum payment will be based on the assets listed on the Financial Report as filed for the previous year. All changes in maximum payment will be preceded by notifications, in writing, from the Field Examiner.

Section 6. Should financial assistance beyond the maximum scale be required, Special Relief Assistance Form #113 must be filed. This form is available from the New Jersey State Firemen's Association office or online at www.Njsfa.com. Documentation and a copy of bills must be provided. Form # 113 must be executed and returned to the State Office. Local Relief payment using Form # 101 must be paid in the maximum amount allowed on the local level of the Relief Assistance Scale and a copy of such form must accompany the Special Relief request. Documentation and a copy of bills must be provided.

(a) The Committee will review the application and render a decision. Upon approval, payment will be made from the Special Relief Fund in the amount not to exceed the maximum allowed amount that is listed on the Relief Assistance Scale.

(b) Decision of the Committee will be noted, and one (1) copy shall be returned to the Local Relief Association secretary.

Section 7. Should financial assistance beyond the maximum scale be required, Supplemental Assistance Form # 102 must be filled out. This form is available on-line or from the New Jersey State Firemen's Association office.

(a) Form #102 must be executed and returned to the State Office. Local Relief payment using Form #101 must be paid in the maximum amount on the local level of the Relief Assistance Scale and a copy of such form must be attached.

(b) The Committee will review the application and render a decision. If approved, the total amount will not be more than three (3) times the maximum allowed by the Relief Assistance Scale.

(c) Decision of the Committee will be noted and one (1) copy shall be returned to the Local Relief Association Secretary

Section 8. At any meeting of the Board of Representatives, it shall have the right to inquire into and control the application of the funds and property of the Association, and to suspend any of the trustees, or officers if judged by them to be guilty of misconduct or malfeasance in office, until a trial thereof can be had.

ARTICLE VIII COMMITTEES

Section 1. At the first meeting in each year, the newly elected president of the Board of Representatives shall appoint an Auditing Committee, of three (3) to five (5) individuals, from among the representatives, or from the whole membership. The first member appointed shall be the chairman, to hold office for one (1) year, unless sooner suspended by the Board of Representatives, and the committee shall serve until their successors are appointed.

Section 2. Both the President of the Board of Representatives and the Chairman of the Board of Trustees may from time to time appoint and suspend special committees, of one (1) or more persons, from the whole membership.

ARTICLE IX DUTIES OF COMMITTEES

Section 1. Any regular committees shall do and perform such duties as may from time to time be assigned to them by the Board of Representatives. The Auditing Committee shall make a complete audit of the books and accounts of the association at least once a year, and submit a report in writing, signed by each member of the committee.

Section 2. The special committees shall do and perform such duties as may be from time to time assigned to them by the president and chairman appointing them.

ARTICLE X RULES OF ORDER

Section 1. All meetings of the Association shall be conducted in accordance with *Robert's Rules of Order*.

Section 2. The Board of Representatives may establish from time to time such rules of order as they may deem expedient, not inconsistent with these by-laws, and may at any time revoke, alter or amend the same.

ARTICLE XI AMENDMENTS

Any proposed amendment to these by-laws shall be presented at a regular meeting of the Board of Representatives and shall not be acted upon until the next regular meeting of the Board of Representatives and at least ten (10) days' notice in writing has been given to each member of said Board of Representatives of the proposed amendment. Any such amendment shall not become effective until approved by the Executive Committee of the New Jersey State Firemen's Association.

All questions regarding the construction of these by-laws shall be decided by a majority of the representatives present at any meetings of the Board of Representatives, subject to appeal to the Executive Committee.