

Stroud Township Volunteer Fire Department
Relief Association

Constitution and By-Laws

Article I
Name

This Association shall be known as the Stroud Township Volunteer Fire Department Relief Association of Stroud Township, Pennsylvania, with full power to hold personal property and real estate, and with the power to invest all surplus funds not required for maintenance of the organization, according to the Constitution and By-Laws.

Article II
Object

The object of the association shall be to oversee the expenditures of Act 84 funds received by this Association in accordance with the provisions of the Act as established by Pennsylvania Law. Within these duties, there shall be an established death fund for active and retired members, among those other expenditures, as permitted by Act 84 to provide for the health, safety and welfare of this Association's members. A preferred minimum of 50% of Act 84 funds received must be invested for said death, health safety and welfare funds before using them for any other permitted expenditure.

Section 1. Relief funds of the department may be used for any safety equipment, Radio Equipment or Vehicles such as rescue or Ladder trucks, as well as any other item deemed appropriate by the Commonwealth of Pennsylvania Act 84 Guidelines

Article III
Time and Place of meeting

Section 1. The stated meeting of this Association shall be held on the second Monday of each month at 7:30 PM at such a place as the Association may from time to time designate.

Section 2. Seven (7) members shall constitute a quorum for the transaction of business.

Article IV
Order of Business

1. The Presiding officer shall call the meeting to order.
2. Mandatory reading of the minutes of previous meeting.
3. Report of Relief Committees.
4. Report from the Trustees.
5. Report from the Treasurer.
6. Nominations, Election and Swear-In of Officers (Nov., Dec., Jan.)

7. Unfinished Business (Old)
8. New Business
9. Remarks for the good of the Association
10. Adjournment

Article V

Officers

Section 1. The officers of this Association shall be the President, Vice-President, Secretary, Treasurer, and Three (3) Trustees, one of whom shall be elected for a three-year term at each subsequent election in December. No one may hold more than one (1) Office.

Section 2. The township response areas shall be divided into two (2) sections. They shall be described as the Northern and Southern, (Northern being Analomink and Fifth street, Southern being Arlington and Poplar Valley).

Section 3. All elected officers shall assume charge of their respective duties at the regular meeting in January of each year.

Article VI

Nominations

Nominations for officers shall be made at the regular November meeting and held open at the December meeting each year. No member shall be declared elected who was not nominated.

Article VII

Removal and Vacancies

Section 1. Officers may be removed for not attending to the duties of their office.

Section 2. Any elected officer absent from Three (3) consecutive meetings may be required to show cause why his/her office shall not be declared vacant.

Section3. All vacancies so created shall be filled by nomination and election held the same evening.

Article VIII

Duties of Officers

Section 1. The President shall preside at all meetings of this Association and perform such other duties common to the presiding officer.

Section 2. It shall be the duty of the Vice President to perform the duties of the President in his/her absence.

Section 3. The Secretary shall keep an accurate account of the proceedings of the Association in a book provided for that purpose. The secretary shall make out all notices and have charge of the correspondence, records, and seal. The Secretary shall notify all members of any special meetings and adhere to Article XIV, "Mailing of proposed amendments" to all members in good standing and mailing of newly enacted amendments to all members. The secretary's Salary shall be determined each January for the year.

Section 4. As in any other case of one's personal activity, all members must give the correct address where they reside and necessary changes in their beneficiary(ies) to the secretary. All notices sent to the last address kept by the secretary shall be considered the legal notification of this Association.

Section 5. The Treasurer shall keep a correct accounting of all monies received; make no payments unless by warrant duly signed by the President and or secretary. Before entering upon the duties of the office, he/she must be bonded (in a sum to be determined each year at the annual meeting of this Association), as security warranting the faithful performance of the treasure's duties. The Treasurer's salary shall be determined each January for the year.

Section 6. The Trustees shall have charge of all properties of this Association, examine all bills which may be presented for payment and certify same, if legitimate. They shall attend to all matters and things not within the authority of any other officer. They shall have charge of all papers given as security and keep same in a safe place of deposit. As soon as there is a surplus in the treasury, they shall invest the same in good securities or, upon a proper motion and vote of members in attendance at a meeting, the trustees shall direct the treasurer to invest specified amounts of said surplus into specified securities. All additional investments of the Association must be made by the treasurer, as directed by the trustees, in the name of the said Association and be negotiable only when signed by all of the elected members of the association, with the seal of the association attached. No money of the Association shall be loaned to its members. They shall keep an inventory of all properties and perform such other duties pertaining to their office as the Association shall direct. They shall also review, at least every five (5) years from this date of October 11, 1993, the Constitution and By-Laws of this Association, for any necessary changes required by law and for the continuous benefit of its members.

Article IX

Committees

Section 1. At the regular meeting night in January, the President shall appoint an auditing committee of three (3) members, one from each district and one (1) at large as defined in Article V, whose duties it shall be to audit at the end of January, the accounts and books of the Secretary, Treasurer and the Trustees, for the current year. They shall make a report in writing of the receipts and expenditures during the year and submit same to the Association. No officer shall be a member of the auditing committee.

Section 2. All books of the Association shall be open at all times for examination when required for information by the Association and any duly appointed Auditor representing the Auditor General's Office of the commonwealth of Pennsylvania.

Section 3. The President shall also appoint a Relief Committee consisting of two (2) members each from the Northern, Southern (Northern being Analomink and Fifth street, Southern being Arlington and Poplar Valley).

The relief committee's duty shall be to monitor the sickness, health, and death of all members within their district.

Section 4. All committees shall make reports at the regular meeting, or at such time as deemed appropriate before a regular meeting, following their appointment. The first person appointed on the committee shall be the chairman, unless another is selected by the members thereof. All committees at every meeting shall make a report until discharged or otherwise determined unnecessary by the vote of the majority of the members present.

Article X

Classes of Membership

Section 1. All members of the Stroud Township Volunteer Fire Department including the Stroud Township Volunteer Fire Department Junior Division shall automatically be a member of the Stroud Township Volunteer Relief Association.

Section 2. All duly retired members of the Stroud Township Volunteer Fire Department, having completed all requirements to be placed on the "Retired" rolls, shall be considered a member of the Stroud Township Volunteer Relief Association.

Section 3. Should a member of the Association be expelled or allow him or herself to be dropped from the rolls of the fire department, the same shall be declared expelled from membership in this association, after being notified in writing by the secretary of the company.

Section 4. Title: **Classes of Membership**

Active: An active member is one who meets the following established criteria

A. Operational: Individuals in this category have fulfilled the physical and technical requirements to participate in emergency incidents and are qualified to ride or operate fire apparatus and maintains an average of Twenty Percent (20%) of dispatched alarms, Seventy percent (70%) of department meetings and Seventy percent (70%) of department drills and have fulfilled the fund raising requirement set forth in Article III Section 18 of the fire departments by-laws of the previous fiscal year. One year of service will be credited for every active year of service. A member is not considered absent if excused by the Fire Chief or any of the line Officers.

B. Administrative: This category applies to individuals who have previously qualified as an operational member with at least Twenty (20) years of active status, but presently do not perform operational duties but contribute to the betterment of the department by serving in other capacities.

C. Active Life Member: A member having served at least twenty years of service on the anniversary date of their signing of the rolls, shall be presented with a lifetime membership card; this member shall retain all rights and privileges while maintaining and average of five (5%) percent of all fire department requirements for active status including special assignments. Such person shall not be required to pay dues.

D. Inactive Member: An inactive member shall be one who initially was an active member, but due to some cause, cannot maintain an active status for two (2) consecutive years and is therefore placed on inactive status. An inactive member shall be dropped from the rolls of the department by 2/3's vote of the membership at a regularly scheduled meeting, he/she may be returned to active status by fulfilling the requirements of established criteria for active members.

E. Inactive Life Member: An inactive life member shall be one who initially was an active life member but can no longer fulfill those requirements. An inactive life member shall retain all rights and privileges of voting with the exception of voting for line officers or Fire Chief.

F. Retired Member: Any member who wishes to be placed on the retired rolls, shall do so in writing to the president. They must have served at least twenty (20) years of service on the anniversary date of their signing the rolls. They shall, with the exception of voting. They shall be recognized as members and retain all rights and privileges of the relief association. Such a person shall not be required to pay dues.

G. Honorary Member: An Honorary member shall be one who does not qualify for active membership but merely wishes to become affiliated with the department and wishes to contribute a special skill to the department or is deemed beneficial to the department by the approval by the body. They will have no privileges as active members do or voting rights. However, they will be covered under the Department's Workers Compensation Insurance for the purpose of working at Fire Department functions. The Department may bestow honorary membership by 2/3 vote at the regular meeting of those members present.

H. Junior Member: Individuals in this category who are between the ages of 14-17 and are enrolled in the Stroud Township Volunteer Fire Department Junior division. They shall have the same privileges as the operational members do as well as voting rights. They will also be covered under the Departments Workers Compensation Insurance for the purpose of working at emergency incidents and fire department functions. They must maintain a proper GPA in school as well as maintaining 70% of all training, meetings, and functions in a 12-month period.

Article XI

Discipline

Section 1. No member shall discuss the business affairs or proceedings at improper times and places, nor shall a member be questioned or approached relative to any action or part taken at any meeting.

Section 2. Any member who shall disregard the requirements of the Constitution and By-Laws may be punished by expulsion from the meeting.

Article XII
Death Benefits

Section 1. The association shall provide for all its members an accident policy covering injuries received on duty as a member of the fire department,

Section 2. Upon the death of a member of the association in good standing, the Relief Association shall pay the designated beneficiary(ies) or, in the absence of said information, the widow, widower, or estate, the sum of Twenty-Five Thousand dollars (\$25,000.00). In lieu of the above cash payment, the Association may elect to provide life insurance benefits in the above amount or more. Effective January 01, 1993, probationary members of the fire department shall be paid a maximum of Four thousand (\$4,000.00) from the "Trust Estate" until they become full members of the fire department. If death occurs in the line of duty (to be determined by the trustees), the maximum shall be Twenty-Five thousand (\$25,000.00).

Section 3. Effective January 01, 2006, any member removed from the rolls of the Stroud Township Volunteer Fire Department, shall be removed from the rolls and benefits provided by this association.

Section 4. (Grandfathered Members)

A list of honored former members entitled, "Grandfathered" is attached hereto. These so-honored members shall receive the designated amounts as listed and these amounts shall be paid from the trust fund. No further additions may be added to this "Grandfathered" list.

Section 5. Upon the death of a member not having any near relative to take charge of the deceased, it shall be the duty of the trustees of the said association to take charge of the deceased member and provide a decent burial. The expense is not to exceed the amount derived from the association per Article XII, Section 2.

Section 6. The death benefits of the association may be increased or decreased only upon recommendation of the body to the officers. The relief association shall meet with the trust officers of the bank or of the insurance underwriters, and their recommendations shall be brought before the body and will require a two-thirds vote for adoption. Both the bank administrators of the "Trust Estate" and /or the Insurance Underwriters shall be advised, in writing, of the decision of the body.

Article XIII

Appeals

Should any member consider themselves imposed upon by improper conduct, violation of the By-Laws or Rules, or any action of the association, said member shall have the right of making an appeal in writing and demand the appointment of an investigation committee which shall fully investigate the alleged wrong and report the results or decisions at the next meeting. The president shall appoint two (2) members from each section to serve on the investigation committee.

Article XIV

Amendments

Amendments to this Constitution, By-Laws, and Rules of order must be presented, in writing, signed by Three (3) members in good standing and read at two (2) successive meetings. They may be acted upon immediately after the second reading and shall require a two-thirds vote of the members present for adoption. Notice of the proposed amendment or amendments must be mailed to all members in good standing ten (10) days before the second reading and final action thereon.

Article XV

Trust Estate

The pre-existing indenture known in common as the "Trust Estate" and made the 28th day of July 1971 A.D. between the Stroud Township Volunteer Fire Department and Relief Association and the East Stroudsburg Savings Association, and its successors, of Stroudsburg, Pennsylvania, shall continue to remain in force. As of July 01, 1993, the principal of the "Trust Estate", including interest earned to that date, shall not be invaded for any purpose other than originally established, and shall be used if and whenever an acquired "Insurance Policy" fails to provide all established benefits as enacted in this Constitution and By-Laws. It shall be used for the same purpose for all members of record if and whenever the chartered status of the Stroud Township Volunteer Fire department should be altered by any action of the Stroud Township Government or the members of the Volunteer Fire Department and Relief Association. It shall be used to cover any claim against the Fire Department that may arise out of the deletion of section 3 of Article XI of the original By-Laws. It may be altered only upon Two-Thirds majority vote of all persons of record as to the beneficiary entitlement of the \$4,000.00 maximum death benefit in force before the enactment of the "Insurance Policy" dated December 01, 1992. It may also be used for sick benefits, if so, established by the Fire Department, as long as those benefits do not violate Act 84 as established by Pennsylvania Law. Additional monies to this

“Trust Estate” May not come from any Act 84 receipts unless permitted and, therefore, may be available for “sick benefits”, if so established.

Effective July 2, 1993, interest earned from the “Trust Estate” and other funds as directed by the voting members of the Relief Association, may be used for the acquisition of other sources of investment, i.e., insurance company mutual funds, ect., as long as they are for the same purpose as the “Trust Estate” and meet the guidelines of Act 84.

Original By-Laws Article XI, Section 3, and amendments of pro-rated death benefits of 5-10 years = \$800.00, 10-15 years = \$1,200.00, 15-20 years = \$1,600.00, is herewith deleted.

Voted on and enacted this 11th day of October, 1993

<u>“Grandfathered”</u>	<u>D.O.B.</u>	<u># of yrs Service</u>	<u>Benefit</u>
Greene, Doug Jr.		7	\$1,000.00
Greene, John		9	\$1,000.00
Kortright, John	1/25/1949	17 Deceased 2012	\$3,000.00
Kostenbader, Thomas		9	\$1,000.00
Kunkle, Marshall		10	\$2,000.00
Lebar, Robert	11/20/1948	12	\$2,000.00
Martin, Kevin	4/29/1963	9	\$1,000.00
Predmore, Steve		12	\$2,000.00
Sebring, Dale	09/27/1960	12	\$2,000.00
Smith, William	03/09/1951	15	\$3,000.00
Strunk, Richard	12/26/1948	10 Deceased 1994	\$2,000.00
Tamulis, Michael	0905/1952	14	\$2,000.00
Young, Frank	03/24/1921	16 Deceased	\$3,000.00