

NEW JERSEY POOL MANAGERS ASSOCIATION

CONSTITUTION

ARTICLE I - NAME AND ASSOCIATION

Section 1 - The name of this Association shall be the NEW JERSEY POOL MANAGERS ASSOCIATION, hereafter referred to as the Association.

Section 2 - It is incorporated as a non-profit corporation, under Title 15, Section 1-12 of Revised Statutes of the State of New Jersey.

ARTICLE II - PURPOSES OF THE ASSOCIATION

Section 1 -To unite in one organization those persons who are or have been engaged as managers operating swimming pools or swim clubs.

Section 2 -To further fellowship.

Section 3 -To work for the welfare of employees, the advancement of swimming and the improvement of pool and waterfront operation for all.

Section 4 -To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as a professional.

Section 5 -To enable Association members to speak with a common voice on matters pertaining to pool management and to present their individual and common interests to other managers, assistant managers, coaches, trustees, council people, commissioners and other recognized legal authorities.

Section 6 -To cooperate with other managers associations and aquatic organizations

ARTICLE III - MEMBERSHIP

Section 1 - Membership in the Association shall be open to all professional personnel involved in activities related to pool operation, excluding trustees, commissioners, or others who by law are considered an employer(s).

Section 2 - An Associate membership shall be open to any Recreational Professional involved in activities relating to pool operation. This would exclude those volunteer organizations such as trustees, commissioners or others who by law are considered as employer(s).

Section 3 - Active members, upon retirement with 15 years of service, may continue to enjoy all rights and services of active members except the right to vote.

Section 4 - Membership shall be continuous until one resigns from the Association or fails to pay membership dues.

Section 5 - Rights of Membership:

- (a) Every active member shall have the equal rights and privileges within the organization to nominate candidates for office; to vote in elections or on

referenda of the Association; to attend membership meetings; to participate in the deliberations and voting upon the business of such meetings.

- (b) Associate membership rights shall include attendance of monthly meetings to discuss views and opinions with professionals in the field of pool operation. Membership under this category will not be permitted to nominate or hold office in the organization.
- (c) Every member shall have the right to meet and assemble fully with other members; to express any views, arguments or opinions, at meetings upon any business properly brought before the association.

ARTICLE IV - OFFICERS

Section 1 - The Officers shall be current or retired managers of a swim facility or persons recognized by the association who have been active members while employed as a manager.

Section 2 - *The officers of the Association shall be:*

- President
- Vice President
- Recording Secretary
- Corresponding Secretary
- Treasurer
- Past President (non-elected), automatic for one year.

Section 3 - Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their offices. Where an officer is guilty of misconduct, such an officer may be removed for cause (shown after notice and hearing) and by a majority vote of the members of the Association at any regular meeting or a meeting specifically for such a vote.

Recommendation for recall of an officer can be made by the submission of a petition containing the signatures of 51% of the membership to the Executive Council.

Section 4 - Pool Representatives: There may be at least one representative from each pool at all official meetings The other representative(s) or guest(s) must pay a meal assessment but cannot vote.

ARTICLE V - EXECUTIVE COUNCIL

Section 1 - The Executive Council shall be the policy forming body of the Association

Section 2 - The Executive Council shall consist of Chairperson of all the Standing Committees and the Officers of the Association.

ARTICLE VI - ELECTION OF OFFICERS

Section 1 - Officers (President, Vice President, Secretaries, Treasurer)

- a. Officers shall be elected at the April/May meeting and shall assume their duties at the following meeting.
- b. Officers shall be elected for three-year terms. Those elected officers shall not be precluded from election to subsequent or consecutive terms.
- c. In case of a vacancy of office, the Executive Council shall have the power to fill the same until the next election.

Section 2 - Pool Managers

- a. The pool representative shall be the manager. The assistant manager may attend meetings in the absence of the manager. One vote per pool may be cast on all motions or surveys by the managers or representative assistant manager attending.
- b. In case of a vacancy of a manager's position, the new manager or representative of the dues paying facility may replace the manager from the same pool for the remainder of the year.

BY LAWS

ARTICLE I - OFFICERS

Section 1 - President: The President shall preside over meetings of the Association and the Executive Council, appoint the chairperson and members of standing committees, appoint special committees, and shall be the Executive Officer of the Association. The President shall call special meetings of the Association or the Executive Council or committees whenever he/she deems it necessary with proper notification to all members (at least two days in advance of said meeting, except in cases of emergency).

Section 2 - Vice President: In the absence of the President, the Vice President shall assume all duties and have all powers and prerogatives of the President. The Vice President shall maintain a roll of the members.

Section 3 - Secretaries: The Recording Secretary shall keep accurate minutes of all meetings of the Association and the Executive Council, shall maintain official files, and shall assist the President with all Association correspondence. In the absence of both the President and the Vice President, the Corresponding Secretary shall have all the powers and prerogatives of the President

Section 4 - Treasurer: The Treasurer shall hold the funds of the Association and disburse them upon the authorization of the Association or the Executive Council. The treasurer shall ask the members for their annual dues and collect them. The Treasurer shall keep accurate accounts and disbursements records, and will make a report at each meeting of the Association, and shall keep the President and Executive Council informed of the financial condition of the Association.

Section 5 - Executive Council: The function of the Executive Council is to act for the Association between meetings, to recommend policies, authorize all expenditures within the limits of the budget, propose policies for consideration, execute policies established by the general membership, and provide general direction for the activities of the Association. All executive action should be presented to pool managers for consideration. When there is objection to an action by the Executive Council, the Council must meet again to reconsider the matter.

Section 6 - Past President: The immediate past president shall be a member of the Executive Committee for the year immediately following his term in office and shall advise the President at his request, as stated in Article V, Section 3, Constitution.

ARTICLE II - ASSOCIATION MEMBER

- a. The pool manager shall act as liaison between the Executive Council and the members of there pool or club.
- b. The pool manager shall make known to the entire Executive Council the opinions, suggestions and feelings of the employers of his pool concerning any matters relative to the business of the Association.

- c. The pool manager shall be responsible for giving notification to his trustees; assistant manager or coach for meetings called by the President, as stated in Article I Section 1, Laws.

ARITCAL III - COMMITTEES

Section 1 - Structure: There shall be Standing Committees of the Association to carry on the specific functions listed below.

Section 2 - Appointment: The President with the advice and consent of the Executive Council shall appoint members to the standing committees for a term length determined by the President. These appointments are not to exceed the term of office of the president.

Section 3 - Titles and Duties:

- a. Public Relations: The Public Relations Committee shall keep others informed of Association activities. They shall make all press releases with the approval of the President. The President shall act as an alternate.
- b. Nominating Committee: The Nomination Committee shall prepare a slate of candidates for all offices bi-annually, to present at the first regular meeting in the spring.
- c. Auditing Committee: The Auditing Committee shall be appointed by the President to audit the books of the Association. Their report shall be made at the spring meeting. A copy of the audit shall become part of the Association's permanent record.
- d. Social Committee: The Social Committee shall be composed of at least two members. This committee shall be responsible for purchasing all gifts and sending cards according to the policies concerning gifts and cards as set forth by the Association. It also shall organize such social activities as may serve the needs of the members and promote fellowship within the Association. At least one executive board member will be a member of this committee.
- e. Membership Committee: The Membership Committee shall consist of at least one pool manager and the Treasurer of the Association. The Committee shall keep an accurate list of the Association members and the committee shall assist the Treasurer in collecting all monies for the Association.
- f. Championship Committee: The Championship Committee shall consist of a manager chairperson who will be nominated by the majority vote at the first June meeting, the past chairperson of the Championship Committee, and the President. The chairperson shall have the power to select his committee members from the Association.

The Committee shall present its outline of proposals to the Association for approval. A majority vote of those present shall constitute approval and results given without delay. The committee shall explore and prepare recommendations with regard to monies paid for services such as officials, etc.

- g. Special Committees: Each year the President shall appoint, with the approval of the Executive Committee special committees as may be necessary, and shall disband them upon completion of their duties. These committees shall operate according to the rules approved by the Executive Committee.

ARTICLE IV - ELECTIONS

Section 1 -The Nominating Committee shall present a slate at a spring meeting for the following officers: President, Vice President, Secretaries, and Treasurer. Any member of the Association may make additional nominations from the floor.

Section 2 - Election shall be by ballot at a spring meeting. If the slate presented by the Nomination committee is unopposed, a call for election by acclamation shall be in order. If election by ballot is necessary, the regular parliamentary procedure shall be adhered to.

Section 3 - Filling an unexpired term shall not be considered a full term in office.

Section 4 - All officers shall immediately become members of the Executive committee. They shall assume office during a designated meeting prior to the introduction of new business.

ARTICLE V - MEETINGS

Section 1 - Regular Meetings: There shall be at least four regular meetings during the year. The spring meeting shall be held during the third or fourth month

Section 2 - Special Meetings: Special meetings may be called at any time with the approval of the President of the Association pursuant to Article 1, Section 1 of the by-laws.

ARTICLE VI - QUORUM

Section 1 - Association Business: A representation of two-thirds of the members present shall constitute a quorum, authorized to transact any business duly presented at any meeting of the Association.

Section 2 - Executive Council Business: A Representation of two- thirds of the total membership of the Executive Council shall constitute a quorum authorized to transact any business duly presented at the meeting of the Council.

ARTICLE VII - AMENDMENTS

Section 1 - Amendments to the Constitution or the by-laws of the Association shall be made at a regular or special meeting thereof by a two-thirds vote of the membership present, provided that:

- a. the Amendments have been submitted in writing to the Secretary of the Association.
- b. copies of the Amendment have been distributed to the members of the Executive Council.
- c. the Council by a majority vote proposes to recommend said Amendments to the general membership.
- d. copies of the Amendments so proposed have been distributed to all active members of the Association at least one week in advance of the meeting.

ARTICLE VIII - CALENDAR YEAR

The calendar year of the Association shall begin January 1 and end December 31.

ARTICLE IX - DUES

Section 1 -The annual dues for each year shall be set by January 1st by the Executive Board of the Association and billed to each facility during the week of January 15th.

Section 2 - Dues shall be due and payable annually by the first regular meeting, on admission to membership or before April 30th of that year.

Section 3 – Facilities not paying their dues by April 30th will forfeit participation in the Swim/Dive championships sponsored by the NJPMA. Facilities must meet all eligibility requirements to participate in the Swim/Dive Championships. As set forth on the NJPMA website. These eligibility requirements are subject to change, and it is the sole responsibility of each member facility to review the eligibility requirements.

ARTICLE X – LEGAL FEES

Section 1 - Actions against the Association for which litigation costs will be imposed. The full cost of litigation, including counsel fees for both parties, will be imposed upon the member who takes legal action against the association its board members and/or any member assigned by the board or its membership to committees.

- a. Any litigation which challenges, in whole or part, the Constitution, Bylaws, Rules or Regulations adapted by the general membership of the NJPMA, or policies and protocol instituted by the Executive Board of the NJPMA.
- b. Since participation in particular events conducted by the NJPMA is completely voluntary, any member which challenges either the rules and regulations for a particular event and/or the interpretation or implementation of such rules or regulations by responsible NJPMA Committees will be assessed the full cost of litigation.

Section 2 - The payment of any litigation cost or counsel fees shall be rendered in accordance with the following procedures:

- a. At the conclusion of any litigation brought by a member as defined by Section A above, counsel for the NJPMA shall transmit to the NJPMA Executive Board a statement of cost and counsel fees incurred in this litigation. Cost shall include all filing fees, reproductions and transcript cost, appearances fees and expenses of any witness at any hearing or other proceedings, as well as all postage and telephone cost incurred in this litigation, after a final decision is made.
- b. The Executive Board Treasurer shall thereafter transmit the Statement of cost and counsel fees to the litigating member club, for payment to be rendered within sixty (60) days payable to the association.
- c. In the event an association member club joins another member club in any litigation as defined in Section A. The cost will be split between all parties bring litigation against the association is to be paid in the same manner as stated above in Section B, #2.
- d. Any member, who does not remit full payment of the cost and fees within sixty (60) days of rendering the statement of cost and counsel fees to that member, shall be deprived of all rights to participate in any event conducted by the NJPMA.

ARTICLE XI – NJPMA RESPONSIBILITIES CONCERNING SWIM LEAGUES

Section 1 – The NJPMA does not control, run or conduct business with individual leagues

Section 2 – The NJPMA take no responsibility on how leagues are conducted. Rules and regulations for said leagues come from within the leagues themselves.

Section 3 – Each league conducts business in accordance with their individual league rules separate from the New Jersey Pool Managers Association. The NJPMA's responsibility is to the NJPMA Swim and Dive Championship only.

Section 4 – In order to swim/dive in the championships, swimmers must follow eligibility guidelines that are located on the back of the NJPMA directory or on the Association's web site, www.njpma.org. These eligibility guidelines are for the sole purpose to enter the NJPMA Swim and Dive Championships.

ARTICLE XII - AUTHORITY

The current edition of Roberts Rules of Order shall be the parliamentary reference for the Association on all questions not covered by the Constitution and By-laws and such standing rule as the Executive Council may adopt.

- (a) Call to order
- (b) Approval of minutes
- (c) Correspondence
- (d) Report of the Treasurer
- (e) Reports of the Standing Committees
- (f) Reports of the Special Committees
- (g) Old Business
- (h) New Business
- (l) Adjournment

Revised: 8/2007