

Return Date: March 20, 2018

**SUPERIOR COURT OF CONNECTICUT
The Judicial District of New Haven**

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS,
LOCAL 825,

Plaintiff,

v.

UNIFORMED PROFESSIONAL FIRE FIGHTERS
ASSOCIATION OF CONNECTICUT, INC.,

Defendant.

COMPLAINT

AND NOW comes Plaintiff International Association of Fire Fighters, Local 825 (“Local 825”), by and through its undersigned attorneys, and states the following claim for relief against Defendant Uniformed Professional Fire Fighters Association of Connecticut, Inc. (“UPFFA”), and avers as follows:

SUMMARY OF THE CASE

1. This is a civil action in which Local 825, New Haven Fire Fighters’ local union, requests that this Court declare its rights and legal obligations pursuant to UPFFA’s erroneous claim that Local 825 owes approximately \$52,816.96 in back dues to UPFFA. This matter also seeks relief from this Court in the form of restitution for breach of fiduciary duty and/or for return of at least \$96,000.00 dues paid as a result of UPFFA’s misrepresentations.

2. On January 4, 2016, Local 825’s executive board voted by unanimous consent to terminate Local 825’s “legislative only” membership with UPFFA, notice of which was transmitted to UPFFA president, Peter S. Carozza, Jr., by Local 825’s president, Frank Ricci. Mr. Carozza

acknowledged receipt of Mr. Ricci's legislative only membership termination notice by e-mail to Mr. Ricci and Mark Vendetto, Local 825's vice president.

3. Since that time, Local 825 has endured repeated efforts from UPFFA to coax Local 825 into reinstating its legislative only membership with UPFFA and demands that Local 825 continue to pay legislative only membership dues.

4. On or about December of 2017, UPFFA utilized Recovery Solutions Group, LLC ("Recovery Solutions"), a Delaware based collections agency, to collect alleged past-due payments from Local 825 from the time period after which Local 825 terminated its UPFFA legislative only membership until the present day.

5. Additionally, Local 825 contends that from 2006 to 2016, during its legislative only membership, UPFFA was misappropriating Local 825's dues. On or about February 26, 2016, Local 825 officials were informed by UPFFA and the International Association of Fire Fighters ("IAFF") that Local 825's legislative only membership dues were actually being used in significant part to pay for UPFFA's collective bargaining and other activities on behalf of other UPFFA locals, instead of legislative activities on behalf of Local 825.

6. Local 825 files this action and requests that this Court declare that it has no legal obligation to pay UPFFA legislative only membership dues for the time period of January 4, 2016, to the present day. Local 825 further requests that this Court issue an injunction to ensure that UPFFA takes no further action to collect any alleged back dues based on the time period from January 4, 2016, through the present, as Local 825 has not been a legislative only member of UPFFA during that time period.

PARTIES

7. Plaintiff, Local 825, is an unincorporated local fire fighters union with its principal place of business located at 350 Ferry Street, New Haven, Connecticut 06513. Since April 10, 1945, Local 825 has been a local affiliate of the IAFF.

8. Defendant UPFFA is a statewide union incorporated under the laws of the State of Connecticut with its principal place of business at 30 Sherman Street, West Hartford, Connecticut 06110. UPFFA is a state affiliate of IAFF.

JURISDICTION AND VENUE

9. Local 825 brings this action pursuant to the Connecticut Declaratory Judgment Act, Conn. Gen. Stat. § 52-29. Pursuant to said section, this Court may “declare rights and other legal relations on request for such a declaration.”

10. This action is an actual controversy in which Local 825 seeks a declaration of its rights and legal obligations and injunctive relief regarding UPFFA’s demand for payment of legislative only membership dues, and other such relief named herein.

11. Venue is proper before this Court pursuant to section 51-345(a)(3) of the Connecticut General Statutes as both Local 825 and UPFFA reside in the State of Connecticut and Local 825 resides in this judicial district. Furthermore, substantial acts giving rise to this action have occurred in this judicial district.

FACTUAL ALLEGATIONS

12. Local fire fighters unions in Connecticut affiliated with the IAFF can choose to affiliate with the state affiliate, UPFFA, but they are not required to do so by the IAFF.

13. Instead, the IAFF merely “urge[s]” local affiliates to join state affiliates. IAFF Const. & By-Laws art. XIII, sec. 23. Due to its length, only select, relevant portions of IAFF’s Constitution and By-Laws are attached hereto as “Exhibit A,” and incorporated by reference herein.

14. Indeed, Local 825 has chosen, at certain times since its founding, to neither be affiliated with nor pay dues to UPFFA.

15. On information and belief, immediately prior to 2006 or thereabout, Local 825 was not a member of or formally affiliated with UPFFA.

16. Local 825 is not a charter member of UPFFA.

Local 825's Legislative Only Membership in UPFFA

17. Two affiliation levels exist for IAFF local unions that wish to join UPFFA—"full membership" or "legislative only" membership. UPFFA Const. & By-Laws 3 (art. II, sec. 1), 9 (art. X, sec. 1) (Mar. 30, 2017). A true and correct copy of UPFFA's Constitution and By-Laws is attached hereto as "Exhibit B," and incorporated by reference herein.

18. In 2006 or thereabout, Local 825 did not join UPFFA as a "full" member.

19. However, on information and belief, in 2006 or thereabout, Local 825 decided to pay UPFFA "legislative only" membership dues.

20. On information and belief, during 2006 or thereabout and subsequent, Local 825 never executed an agreement to be a legislative only member of UPFFA.

21. UPFFA legislative only members have fewer UPFFA membership rights than UPFFA full members.

22. Legislative only members are only allowed to vote on UPFFA business involving "legislative issues, political endorsements, PAC fund budget, and distribution of PAC fund donations." *Id.* at 4 (art. V, sec. 6).

23. Legislative only members are also limited as to their say in executive board members and their ability to vote in elections. *Id.* at 5 (art. VI, sec. 2).

24. Local 825 began to pay legislative only membership dues to UPFFA pursuant to its understanding and UPFFA's representation that Local 825 was paying for only UPFFA's legislative services.

25. UPFFA represents to its legislative only members that as a result of their legislative only membership the UPFFA acts as their representative to legislators and others regarding legislative matters.

26. UPFFA represents to its legislative only members that as a result of their legislative only membership the UPFFA advocates in the legislative only members' best interests related to legislative matters.

27. Local 825 believed from on or about 2006 through April 26, 2016, that UPFFA was using all of the legislative only membership dues that it was paying to UPFFA only to fund legislative efforts in furtherance of Local 825's legislative interests.

28. UPFFA members pay a per capita rate to UPFFA, calculated by multiplying a set amount, determined by UPFFA, per local union fire fighter member.

29. Generally, UPFFA legislative only member locals pay less per capita to UPFFA than UPFFA full member locals pay per capita.

30. On information and belief, Local 825 did not execute a written agreement with UPFFA setting forth UPFFA legislative only membership dues or fees payment requirements.

31. Local fire fighter unions that are UPFFA legislative only members but not full members are not provided with UPFFA's services other than legislative representation.

32. Local fire fighter unions that are UPFFA legislative only members but not full members are not provided with certain rights and opportunities that are provided to UPFFA full member local unions.

33. Local 825 estimates that it has paid UPFFA approximately \$200,000.00 in legislative only membership dues between 2006 and 2015.

34. As Local 825 learned on or about February 26, 2016, UPFFA has not used legislative only membership dues paid to UPFFA by Local 825 exclusively for legislative activities.

35. Instead, UPFFA has used certain amounts of legislative only membership dues paid to it by Local 825 to support collective bargaining and other non-legislative activities for locals other than Local 825.

36. Local 825 estimates that at least \$96,000.00 of said dues were used by UPFFA on non-legislative activities.

37. Some of Local 825's legislative only membership dues paid to UPFFA were used by UPFFA for the benefit of other Connecticut fire fighter local unions for activities and expenditures such as collective bargaining and not on legislative activities and expenses inuring to the benefit of Local 825.

38. Local 825 believed and relied upon UPFFA's representation that UPFFA would use Local 825's legislative only membership dues for only legislative purposes and not for UPFFA expenditures related to non-legislative activities or expenses.

39. Said expenditures by UPFFA of at least \$96,000.00 of Local 825's legislative only membership dues are inconsistent with UPFFA's obligations and duties concerning how it utilizes and spends Local 825's legislative only membership dues.

Local 825's Disassociation from UPFFA

40. UPFFA's constitution and by-laws contain no prohibition for local affiliate disassociation from UPFFA.

41. On January 4, 2016, Local 825's executive board voted, by unanimous consent, to "terminate [its] membership in the Uniformed Professional Fire Fighters Association." Local 825

Exec. Bd. Meeting Mins. 4 (Jan. 4, 2016). A true and correct copy attached hereto as “Exhibit C,” and incorporated by reference herein.

42. After the January 4, 2016 vote by Local 825’s executive board to terminate Local 825’s UPFFA legislative only membership, Local 825’s president, Frank Ricci, by e-mail, notified UPFFA’s president, Mr. Carozza, of Local 825’s executive board’s action terminating its UPFFA legislative only membership.

43. From January 2016 through the present, Local 825 has not paid any dues to UPFFA based on the fact that it terminated its UPFFA membership on January 4, 2016 and Local 825 is under no obligation to continue the payment of dues upon disassociation.

UPFFA’s Response to Local 825’s Disassociation

44. On or about January 26, 2016, Mr. Carozza e-mailed Mr. Ricci and Local 825’s vice president, Mark Vendetto, and confirmed that he was in “receipt of President Ricci’s email notifying [him] of Local 825[’s] withdrawal from affiliation with the Uniformed Professional Fire Fighters of Connecticut.” Mr. Carozza then “request[ed] that [Local 825] reconsider [its] decision.” E-mail from Peter S. Carozza, Jr., to Frank Ricci & Mark Vendetto (Jan. 26, 2016). A true and correct copy attached hereto as “Exhibit D,” and incorporated by reference herein.

45. On or about February 26, 2016, Mr. Ricci, Mr. Vendetto, Mr. Carozza, Rob Fitzpatrick, and Jay Colbert, the third vice president of the IAFF, met to discuss Local 825’s termination of its UPFFA legislative only membership.

46. At that aforementioned meeting, Mr. Carozza and Mr. Colbert focused the discussion on trying to convince Mr. Ricci and Mr. Vendetto to have Local 825 rejoin the UPFFA.

47. Also at said meeting, Mr. Carozza stated that it is the responsibility of the larger city unions, including Local 825, to support the smaller local fire fighter unions.

48. Furthermore, at said meeting, Mr. Carozza informed Mr. Ricci and Mr. Vendetto that the dues Local 825 paid to UPFFA were used for UPFFA's expenditures and activities related to collective bargaining and other costs and expenditures related to other Connecticut fire fighter local unions.

49. At the aforementioned February 26, 2016 meeting, Mr. Ricci asked Mr. Carozza to have UPFFA stop sending bills to Local 825 for payment of legislative only membership dues because Local 825 was no longer a member of UPFFA. Mr. Carozza denied Mr. Ricci's request, and UPFFA has continued to send legislative only membership dues bills to Local 825. True and correct copies of certain UPFFA's legislative only membership services bills sent to Local 825 are attached hereto as "Exhibit E," and are incorporated by reference herein.

50. Since 2016, Mr. Ricci has several times made requests to UPFFA for any document that shows a written fee agreement between UPFFA and Local 825 and, to date, UPFFA has not provided any documentation.

51. Since 2016, Mr. Ricci has several times made requests to UPFFA for any document that shows a written membership agreement between UPFFA and Local 825 and, to date, UPFFA has not provided any documentation.

52. Since 2016, Mr. Ricci has several times requested from UPFFA that it produce a document evidencing that Local 825 is a charter member of UPFFA and, to date, UPFFA has not provided any such document.

53. Between January 2016 and the present day, UPFFA has continued to send Local 825 regular invoices, requiring payment from Local 825 for legislative only membership dues, despite the fact that Local 825's executive board voted on January 4, 2016, to terminate its UPFFA legislative only membership.

54. On or about April 5, 2016, UPFFA sent a letter to Local 825 notifying Local 825 that UPFFA suspended “Local 825 from membership.”

55. Local 825’s membership cannot be suspended since its executive board voted on January 4, 2016, to terminate its UPFFA legislative only membership.

56. UPFFA retained Recovery Solutions, an alleged collections agency based in the State of Delaware, to collect from Local 825 legislative only membership back dues in the amount of approximately \$52,816.96 that UPFFA alleges Local 825 owes in arrears for periods of time subsequent to Local 825 terminating its UPFFA legislative only membership.

57. Todd Harris from Recovery Solutions sent letters dated December 6, 2017, and December 13, 2017, addressed to Mr. Ricci and Mr. Vendetto claiming that Recovery Solutions had been enlisted to collect approximately \$52,816.96 on behalf of UPFFA from Local 825. A true and correct copy of said letters are attached hereto as “Exhibit F,” and incorporated by reference herein.

58. The two aforementioned letters were mailed to Local 825’s office address, 350 Ferry Street, New Haven, Connecticut 06513, and sent first-class U.S. Mail.

59. Mr. Harris from Recovery Solutions made phone calls to Mr. Ricci regarding collection of allegedly owed legislative only membership back dues, leaving voicemail messages on Mr. Ricci’s voicemail on or about December 8, 13, and 14, 2017 (the December 14 voicemail message referencing Mr. Ricci’s wife by name).

60. On or about December 19, 2017, and twice on or about December 28, 2017, Mr. Harris left additional voicemail messages for Mr. Ricci regarding the collection of alleged back dues.

61. Mr. Harris from Recovery Solutions made a phone call on or about December 28, 2017, to Mr. Ricci’s parents’ home phone regarding the collection of allegedly owed legislative only membership back dues to UPFFA and left a message related to such on his parents’ home phone line voicemail.

62. Mr. Ricci faxed a letter to Mr. Harris on December 29, 2017, noting that he just received Mr. Harris' letters on December 22, 2017, and due to the holidays and out-of-town travel he would not have time to immediately review the situation but would respond on January 26, 2018. A true and correct copy of said letter is attached hereto as "Exhibit G," and incorporated by reference herein.

63. On January 31, 2018, Mr. Ricci faxed Mr. Harris a letter dated January 26, 2018, notifying Mr. Harris that the alleged back dues amount was in dispute. A true and correct copy of said letter is attached hereto as "Exhibit H," and incorporated by reference herein.

64. On February 1, 2018, Mr. Harris sent a "Suit Authorization" letter to UPFFA stating that "legal action [against Local 825] is necessary to ensure payments or final resolution," and sent a copy of said letter to Local 825. A true and correct copy of said letter is attached hereto as "Exhibit I," and incorporated by reference herein.

COUNT I

(Local 825's claim against UPFFA for declaratory judgment
as to its rights and legal obligations)

65. Local 825 re-alleges and incorporates by reference all foregoing paragraphs of this complaint as if fully set forth herein.

66. Local unions can disaffiliate at any time. *Vilella v. McGrath*, 74 A.2d 187, 189–90 (Conn. 1950). That default rule can be altered only if local unions agree in advance to follow valid, reasonable procedures or provision of notice to the statewide or international affiliate. *See Am. Brass Co. v. Ansonia Brass Workers' Union Local 445*, 101 A.2d 291, 293 (Conn. 1953).

67. Local 825 never explicitly or implicitly subjected itself to any agreement with UPFFA or terms that restricted Local 825's right to disassociate from UPFFA at any time and for any reason.

68. Local 825 therefore validly disassociated from the UPFFA on January 4, 2016, upon unanimous consent by the executive board of Local 825 to disassociate from UPFFA.

69. As such, UPFFA has illegally demanded legislative only membership dues from Local 825 for the time period of January 4, 2016, through the present day, even though during said time period Local 825's UPFFA legislative only membership was terminated, has not since been a UPFFA legislative only member, and, as a result, owes UPFFA no legislative only membership dues for that time period.

COUNT II

(Local 825's claim against UPFFA for breach of fiduciary duty)

70. Local 825 re-alleges and incorporates by reference all foregoing paragraphs of this complaint as if fully set forth herein.

71. From 2006, or thereabout, until January 4, 2016, Local 825 was a legislative only member of UPFFA.

72. From 2006, or thereabout, until January 4, 2016, Local 825 relied on UPFFA to be its representative to legislators and others on matters of legislative import to Local 825.

73. As a legislative only member during that time period, Local 825 relied on the expertise and resources of UPFFA and its officers in researching and advocating on matters of legislative concern.

74. As a legislative only member during that time period, Local 825 also relied on the expertise and resources of UPFFA and its officers in properly accounting for UPFFA's use of legislative only member dues.

75. UPFFA represented and represents to legislative only members that their dues are utilized exclusively for legislative purposes.

76. UPFFA had a fiduciary obligation to act in the best interest of Local 825.

77. Because Local 825 was a legislative only member of UPFFA, UPFFA had a duty to represent Local 825's interests.

78. Yet, as discovered by Local 825 on or about February 26, 2016, UPFFA's actual practice is to utilize legislative only membership dues in ways not promised or otherwise anticipated by Local 825.

79. Among other activities, Local 825's legislative only membership dues were utilized as a means to support the collective bargaining efforts and other activities of UPFFA on behalf of and for the benefit of other local fire fighters' unions' and not on behalf of Local 825.

80. UPFFA violated its fiduciary duty to Local 825.

COUNT III

(Local 825's claim against UPFFA for negligent misrepresentation)

81. Local 825 re-alleges and incorporates by reference all foregoing paragraphs of this complaint as if fully set forth herein.

82. UPFFA represented and represents to legislative only members, including Local 825, that their dues are utilized exclusively for legislative purposes.

83. UPFFA made and makes such representations to prospective and current legislative only members, including Local 825, for the purpose of inducing them into beginning or maintaining such membership.

84. Local 825 reasonably relied upon such representations in maintaining its legislative only membership from 2006, or thereabout, until January 4, 2016.

85. However, such representations were known or should have been known by UPFFA to be false.

86. As discovered by Local 825 on or about February 26, 2016, UPFFA's actual practice is to utilize legislative only membership dues in ways not promised or otherwise anticipated by Local 825 or other legislative only members.

87. As a result, Local 825 suffered pecuniary harm, including misuse of a portion of its legislative only membership dues on non-legislative activities which were not promised by UPFFA or otherwise anticipated by Local 825.

88. Among other activities, Local 825's legislative only membership dues were utilized as a means to support collective bargaining efforts for other local fire fighters unions, including those which were UPFFA full members.

COUNT IV

(Local 825's claim against UPFFA for innocent misrepresentation)

89. Local 825 re-alleges and incorporates by reference all foregoing paragraphs of this complaint as if fully set forth herein.

90. UPFFA represented and represents to legislative only members, including Local 825, that their dues are utilized exclusively for legislative purposes.

91. UPFFA made and makes such representations to prospective and current legislative only members, including Local 825, for the purpose of inducing them into beginning or maintaining such membership.

92. Local 825 justifiably relied upon such representations in maintaining its legislative only membership from 2006, or thereabout, until January 4, 2016.

93. However, such representations were false.

94. As a result, Local 825 suffered damages, including misuse of a portion of its legislative only membership dues on non-legislative activities which were not promised by UPFFA or otherwise anticipated by Local 825.

95. Among other activities, Local 825's legislative only membership dues were utilized as a means to support collective bargaining efforts for other local fire fighters unions, including those which were UPFFA full members.

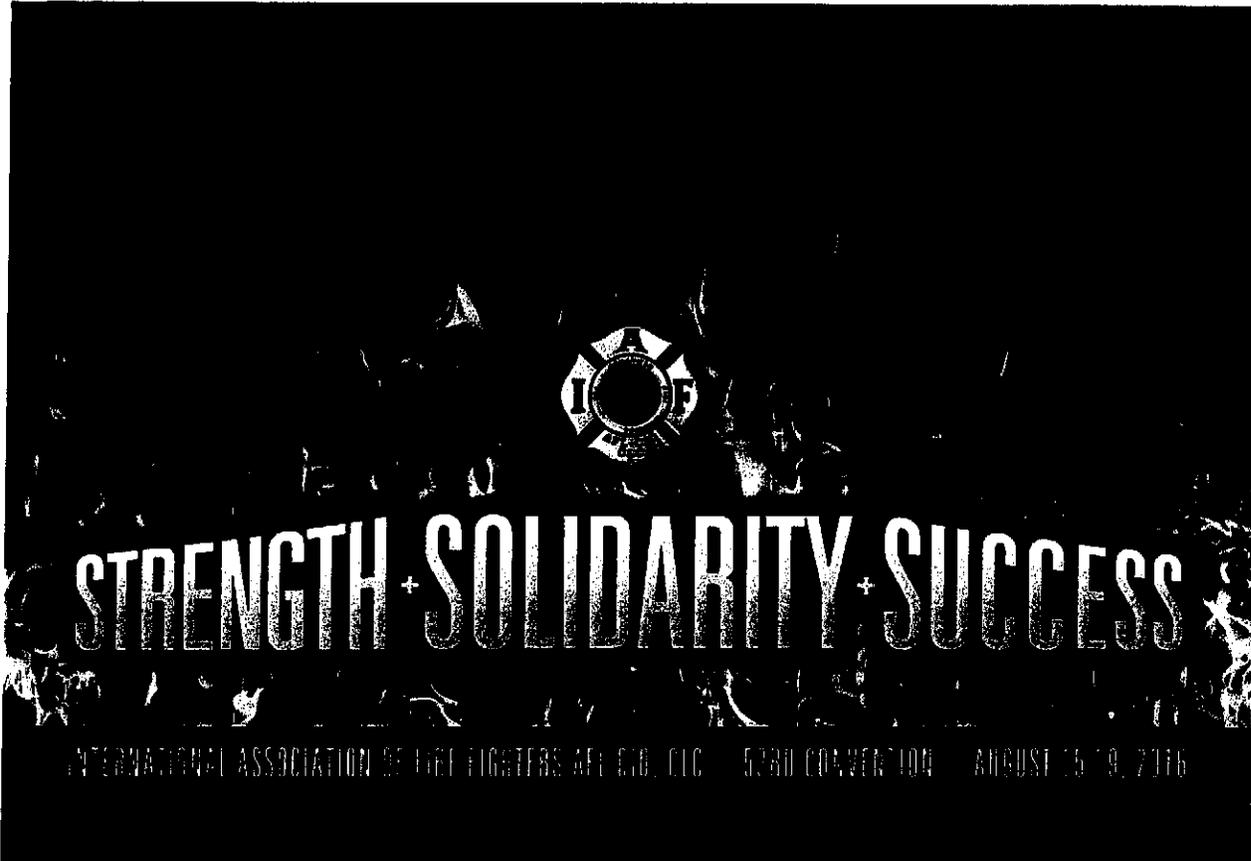
PRAYER FOR RELIEF

WHEREFORE, Local 825 prays that this Court:

- a. enter a judgment based upon actual, current, and *bona fide* controversy between Local 825 and UPFFA as to the legal relations and obligations between them, declaring:
 - i. that Local 825 terminated its UPFFA legislative only membership on January 4, 2016, fully and completely disaffiliating from the UPFFA; and
 - ii. that Local 825 owes UPFFA no legislative only membership dues, fees, or any other form of payment for any alleged UPFFA membership from January 4, 2016, through the present date.
- b. adjudicate UPFFA in breach of its fiduciary duty with respect to its use of Local 825's legislative only membership dues and order return of such misused dues, with interest, to Local 825;
- c. enter a judgment against UPFFA for negligently and/or innocently misrepresenting to Local 825 that it would use Local 825's legislative only membership dues exclusively for legislative purposes and order return of such misused dues, with interest, to Local 825;
- d. enter a permanent injunction barring UPFFA from seeking legislative only membership dues or any form of payment from Local 825 related to UPFFA legislative only membership during the time period of January 4, 2016, through the present date;
- e. award Local 825 such additional relief this Court deems just and proper; and
- f. enter a judgment awarding Local 825 its costs, including reasonable attorneys' fees.

Exhibit A

IAFF's Constitution and By-Laws select pages, including article XIII, section 23



STRENGTH + SOLIDARITY + SUCCESS

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO, CLC 53RD CONVENTION AUGUST 15-19, 2016



Constitution and By-Laws

Officer's Oath

I pledge my honor to perform the duties of my office in compliance with the Constitution and By-Laws of the International Association of Fire Fighters and this [local union, state association, or provincial association].

All properties and records of this union will be turned over to my successor in office at the close of my official term.

I will dutifully abide by and promote the positions taken by the majority.

I will dedicate my talents and energies to represent the mandates and directives of this union. I will use my good office to promote unity and harmony – all of which I solemnly promise and swear to keep to the best of my ability.

**Constitution and By-Laws
of the
International Association of Fire Fighters**

Organized February 28, 1918
in the
City of Washington, DC

As amended by the Fifty-Third Convention
Las Vegas, Nevada
August 2016

Affiliated with AFL-CIO, CLC

Harold A. Schaitberger
General President

Edward A. Kelly
General Secretary-Treasurer

International Headquarters
1750 New York Avenue, NW
Washington, DC 20006
<http://www.iaff.org>
August 2016

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The funds of any local union shall not be obligated or used directly or indirectly to pay the fine of any officer or employee convicted of any willful violation of the Labor-Management Reporting and Disclosure Act of 1959, but this prohibition shall not prevent the assumption by any local union of the costs of defending the union or any officer, agent, representative or employee thereof in any civil or criminal proceedings in which they may become involved for alleged violations of law.

Section 22. Assistance of International on Disputes and Grievances

Upon request to the General President by any local union and after approval by the local union's membership and upon clearance with and the approval of the Vice President of the District in which such local is located, the International Association will render all reasonable and possible assistance within its financial capabilities in the handling of local disputes and grievances.

Section 23. State/Provincial Affiliation

The IAFF shall work diligently to organize state, provincial and federal fire fighter associations in those states, provinces or regions in which such associations do not now exist.

All local unions of this International are urged to affiliate with their respective state, provincial or federal fire fighters associations.

In keeping with the solidarity of the Trade Union Movement this International strongly urges and encourages the affiliation of all local unions with state and provincial AFL-CIO and CLC Associations and Local Councils.

ARTICLE XIV – STATE AND PROVINCIAL ASSOCIATIONS AND JOINT COUNCILS

Section 1. Proposals for Charters

A majority of the local unions located in any one state, province or federal installation may submit a proposal to charter a state or provincial association or joint council. Joint councils shall be the state or regional subordinate organizations established and chartered by the Association to represent fire fighters employed by the federal government.

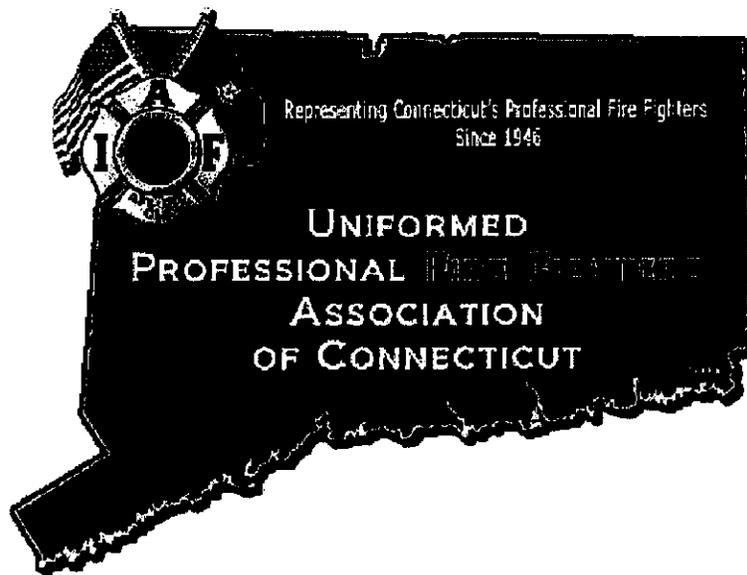
Local unions qualified to submit proposals for a charter as aforesaid may obtain a charter application upon request from the International Vice President of the District in which such state or provincial association or joint council is located. Such form shall be answered in full and returned to the International Vice President accompanied by a check or money order covering the established charter fee which shall be promptly remitted to the General Secretary-Treasurer.

Following receipt of a proposal to charter a state or provincial association or joint council, the International Vice President shall accept or reject said proposal subject to

Exhibit B

UPFFA's Constitution and By-Laws dated March 30, 2017

Uniformed Professional Fire Fighters Association Of Connecticut



Constitution and By-Laws

**Revised: March 30, 2017
Special Constitution & By-Laws Meeting**

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ARTICLE 1 - NAME

Section 1 This Association shall be known as "The Uniformed Professional Fire Fighters Association of Connecticut," International Association of Fire Fighters, AFL-CIO.

Section 2 All references in this Constitution and By-Laws to Association shall refer to the Uniformed Professional Fire Fighters Association of Connecticut and all references to International shall refer to the International Association of Fire Fighters.

Section 3 This Association, its officers, representatives and members shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International Association of Fire Fighters and the interpretations rendered by the International General President, the resolutions, decisions and directives of the Executive Board or officers of the International when made in conformity with the authority granted by the Constitution and By-Laws of the International and the resolutions adopted and policies established by the delegates at conventions. Article 14 of the Constitution and By-Laws of the International is recognized as providing the basic rules governing this Association.

ARTICLE 2 - JURISDICTION

Section 1 Only affiliated local unions of the International Association of Fire Fighters, AFL-CIO, which locals are located in the State of Connecticut are eligible to be affiliates of this Association; such affiliation shall consist of "Full membership" affiliation or "Legislative only" affiliation. In addition, there shall be an alumni association with group representation on a regional area determined by Congressional Districts.

ARTICLE 3 - PURPOSE

Section 1 This Association will always endeavor to raise the standards of all whom are gainfully employed as paid employees engaged in firefighting, emergency medical or rescue service activities or related services

Section 2 This Association shall endeavor to organize all employees engaged in firefighting, emergency medical or rescue service activities or related services as permitted by Connecticut General Statutes.

Section 3 This Association shall be a clearinghouse for all statewide legislation introduced by all subordinate locals.

Section 4 This Association shall provide affiliated locals with advice and service whenever it is deemed necessary.

ARTICLE 4 - DELEGATES

Section 1 Each affiliate local union in good standing shall be entitled to two (2) delegates for its first 100 members or any fraction thereof, and one (1) delegate for each additional 100 members or majority fraction thereof, for which per capita has been paid, based on the average of the last twelve months.

Section 2 Accredited delegates shall be those designated, in writing, by the President of the local to the Secretary of the Association.

Section 3 Any member in good standing of an affiliated local union may be heard at any meeting, but cannot vote unless he is an accredited delegate

Section 4 The establishment of an Alumni Association shall consist of a regional area to allow one (1) Delegate per Congressional District to represent the alumni association at Delegates meetings of the UPPFA. The cost for affiliation with the UPPFA as an alumni member shall be one-twelfth of the annual cost of a legislative member.

ARTICLE 5 - MEETINGS

Section 1 Regular meetings of the Association will be held at least once every four (4) months and may be called more often at the discretion of the President. Notice of time, place, and date must be sent to each affiliated local at least seven (7) days in advance of the meeting, with minutes of the previous meeting.

Section 2 Special meetings shall be called when a petition is presented to the President of the Association, signed by at least five (5) Presidents of local unions, stating the purpose of such special meeting. Notice of special meetings shall be sent to all affiliated locals stating the purpose, date, time, and place. Such meeting shall be held not sooner than seven (7) days nor later than fifteen (15) days after the President receives such petition.

Section 3 The delegates of Five (5) local unions shall constitute a quorum at a regular or special meeting.

Section 4 Each delegate or member local in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the Constitution and By-Laws of the Association and the recognized parliamentary procedure adopted by this Association. Delegates shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or this Association.

Section 5 The rules contained in Atwood's Rules for Meetings shall govern meetings of this Association in all cases except when in conflict with this Constitution and By-Laws or the Constitution and By-Laws of the International or interpretations of these documents.

Section 6 Legislative Affiliated Locals shall be entitled to delegates who shall be permitted to vote only on legislative issues, political endorsements, PAC fund budget, and distribution of PAC fund donations.

Section 7 The Alumni representative shall only be entitled to speak and vote on matters affecting members and future alumni member's issues, including Political Action issues.

Section 8 In accordance with the limitations set forth in Section 6 & 7, a roll call vote may be had on any motion when such roll call is supported by at least ten percent (10%) of delegates present. The question put to a roll call shall be decided by a majority vote tallied on the per capita membership of the local, except that no delegate shall be entitled to vote more than one hundred (100) votes. No proxy voting shall be permitted on a roll call vote.

<p style="text-align: center;">ARTICLE 6 - OFFICERS, EXECUTIVE COMMITTEE AND ELECTIONS</p>

Section 1 The officers of this Association shall consist of a President, Secretary, and Treasurer whose terms of office shall be three (3) years

Section 2 The Executive Board shall consist of the three (3) officers as defined in Section 1 of this Article and a total of seven (7) District Vice Presidents; six (6) District Vice Presidents who shall be elected by Full membership affiliates and one (1) District Vice President who shall be elected by Legislative only affiliates. The Executive board member's terms of office shall be two (2) years. Members of Legislative affiliates of the UPFFA of Ct., and in good standing may hold any elective executive board position with the UPFFA not to exceed fifty (50%) percent of the board, legislative affiliates shall receive one-half (1/2) the delegates for voting purposes, and no legislative affiliate shall have more than three (3) delegates for voting purposes.

Section 3 Trustee's positions shall consist of three (3) trustees; the individual receiving the most votes would be elected for three (3) year term, the individual receiving the 2nd most votes would hold a 2-year term and the individual receiving the 3rd most votes would hold a 1-year term. After the initial elections for the position of Trustee, the terms for each position shall be three (3) years and each position shall be staggered. The duties of the trustees shall be to review the Professional Accountants Report and Recommendations.

Section 4 Any member in good standing of any Membership Local of the UPFFA may hold elective office within this organization except as provided for in Section 2, provided he or she is either nominated by a delegate of his or her Local or an incumbent member of the Executive Board or Principal Officer of the UPFFA. Any member that has separated in good standing of an affiliated UPFFA Local in good standing and is currently serving as a Principal Officer or member of the Executive Board of the UPFFFA shall be eligible to be nominated and run for office. The candidate shall be an active member or active retired member of the IAFF.

Section 5 Each candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all local unions in good standing at the candidates own personal expense. If the Association grants this request, all other

candidates for office shall receive the same privilege. "A candidate for office" includes a candidate for membership on the Executive Committee. There shall be no discrimination in favor of or against any candidate with regard to use of membership list.

Section 6 No funds received by this Association, through initiation fees, dues, or assessments or otherwise, shall be contributed or applied to promote the candidacy of any person in elections of officers of this Association. This section does not prevent the expenditure from Association funds for notices, factual statements of issues, and other necessary expenses to conduct elections so long as they do not invoke promotion of any candidates of this Association.

Section 7 Elections - At least fifteen (15) days' notice shall be given to all affiliated local unions before the election meeting is held. Nominations and elections shall be held during the same regular meeting or special meeting called for this purpose.

Regular elections shall take place at the regularly scheduled September delegates meeting. Voting for all offices shall be by secret ballot except when there is only one (1) candidate, the motion to have the Secretary cast one ballot is in order. Each person voting shall vote for the number of candidates needed to fill all vacancies for the position being voted on. The candidate who received the highest number of votes for any office is considered elected. All voting shall be by per capita as ascertained by the records of the Treasurer, except that no delegate shall cast more than one hundred (100) votes. The Chair shall appoint a three (3) member committee to conduct the election and the ballots shall be preserved until the next election. In case of a tie vote for any office there shall be a runoff election at the same meeting between the candidates who finished in the tie. All nominations for any office must receive a second.

Section 8 Whenever a vacancy occurs during the term of office of any Officer or Executive Board member, there shall be an election held at a special meeting called for this purpose not later than forty-five (45) days after such vacancy occurs and such election shall follow the same procedure as that used at regular elections.

Section 9 If both the President and Secretary shall be absent or removed from office, the order for the presiding Officer shall be as follows; Treasurer, Senior District Vice President, or in their absence, a presiding officer shall be elected from the floor.

Section 10 The absence of an Officer or Executive Board member from two (2) consecutive meetings without a legitimate excuse shall be cause for his removal from office.

Section 11 Upon a member's election to office, he takes and assumes the responsibility for such office immediately and holds this office until his successor is elected.

ARTICLE 7 - DUTIES OF OFFICERS

Section 1 President

- a. Have under his direct charge the care, management, and general oversight of all affairs of the Association.
- b. Preside at all meetings and affairs of the Association.
- c. Appoints all committees not elected by the body of the Association.
- d. Call special meetings when he deems it necessary.
- e. Discharge on behalf of the Association such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal and State Authorities, and he shall cause to be maintained by the Association such records as the law requires to be kept in support of reports filed by it.
- f. The President shall be responsible for the Association' Legislative activities.
- g. The President shall be compensated and his compensation and expenses shall be adjusted per the provisions of Article 13, Section 4 of this Constitution and By-Laws.

Section 2 Secretary

- a. The Secretary shall coordinate all servicing activities of the Staff Representatives.
- b. In the absence of the President, performs all duties of the President.
- c. Have charge of all papers and effects of the Association.
- d. Keep a record of the proceedings of all meetings of the Association and also of the Executive Committee.
- e. Give notice of all meetings of the Association, both regular and special, to all affiliates of this Association at least seven (7) days in advance of the meeting.
- f. Be Secretary of all committees of the Association. He shall, whenever necessary, appoint someone to take his place as acting of any committee.
- g. Receive and send all communications pertaining to the Association.
- h. Shall discharge on behalf of the Association such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal and State Authorities, and he shall cause to be maintained by the Association such reports, as the law requires to be kept in support of reports filed by it.
- i. The Secretary shall be compensated, and his compensation and expenses shall be adjusted per the provisions of Article 13, Section 4 of this Constitution & By-Laws.

Section 3 Treasurer

- a. Have charge of all books of the Association.
- b. Collect and take charge of all monies of the Association.
- c. Keep a record of all financial proceedings of the Association and give an accounting at the regular meetings.

- d. Have custody of all monies of the Association and deposit same in such bank as may be designated. He shall have the authority to endorse, for deposit only, all checks, drafts, money orders, etc.
- e. Pay all bills of the Association.
- f. Shall forward the annual audit of the Association to the General Secretary-Treasurer.
- g. Shall discharge on behalf of the Association such duties as be imposed upon him by applicable law including the execution and filing of any reports to Federal and State Authorities, and he shall cause to be maintained by the Association such reports as the law requires to be kept in support of reports filed by it.
- h. The Treasurer shall be compensated, and his compensation and expenses shall be adjusted per the provisions of Article 13, Section 4 of this Constitution & By-Laws.

Section 4 All Officers and Executive Board Members of the Association shall turn over to their respective successors all monies, assets, books and papers belonging to the Association.

ARTICLE 8 - EXECUTIVE BOARD & COMMITTEES

Section 1 The Executive Board shall have the power to act on all matters for the Association, except when specifically instructed by a vote of the Association. They shall carry out such instructions.

Section 2 The Executive Board shall meet monthly, with the exception of July and August. The Executive Board shall meet upon the call of the President or upon written request of not less than three (3) members of said Board.

Section 3 The members of the Executive Board shall receive a per diem set in accordance with the provisions of Article XIII, Section 4 herein.

Section 4 The President shall appoint two (2) members to serve as co-chairmen of all authorized committees. The authorized committees shall be charged with all matters pertaining to the committee's area of responsibility. All committees shall report activities to the membership at the regular meetings. The policies of all committees shall be consistent with those adopted by the IAFF.

Section 5 Authorized committees shall be reimbursed for all actual expenses approved by the Executive Board.

Section 6 In addition to their current duties and responsibilities, Executive Board members may be assigned additional duties and responsibilities by the President.

ARTICLE 9 - BONDING

Section 1 All Officers and employees of the Association who handle funds or property of the Association, shall be bonded in such amounts as may be required by the Board of Trustees with the International General Secretary-Treasurer, in compliance with applicable

law. The expense of the first \$5,000.00 of such bonding shall be borne by the International. If additional bond is necessary, the Association shall pay the additional premium. The Association shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets.

ARTICLE 10 - INITIATION FEES AND PER CAPITA TAX

Section 1 The initiation fee for any local wishing to affiliate with the Uniformed Professional Fire Fighters Association of Connecticut shall be Five-Hundred (\$500.00) Dollars. There shall be two (2) types of affiliation with the Uniformed Professional Fire Fighters Association of Connecticut as follows: Legislative Only Affiliation: Per Capita for those Locals desiring Legislative Only Affiliation shall be determined in accordance with Section 2 of this Article.

Full Membership Affiliation: Per Capita for those Locals desiring Full Membership Affiliation shall be determined in accordance with Section 2 of this Article.

Any local union changing their affiliation from a Legislative Only Affiliation to Full Membership Affiliation, upon application shall be subject to Article 10, Section 3.

Section 2 Per capita changes to the UPPFA shall be put into effect on January 1st of each calendar year based on the approved budget.

Section 3 Any local union which fails to pay its full per capita tax **monthly** on or before the **first (1st)** day of the month following its due date shall be notified by the Association's Treasurer that it is delinquent, and if at the end of three (3) months from the date of such notification it is still in arrears, such local union and all of its members shall become automatically suspended from membership in good standing in this Association. A suspended local union and its membership, or a local union requesting to re-affiliate, may be reinstated in this Association upon payment of all arrearages; provided however, the Association shall, for good cause shown, have the authority to waive payment of all or a portion of such arrearages. The waiving of such arrearages shall be by a majority vote of the Association at a regular or special meeting, and such local union shall be treated as a new local union joining the Association.

Section 4 All money due to the Association by an affiliated local shall be remitted by check made out to the Uniformed Professional Fire Fighters Association of Connecticut, or via electronic funds transfer, as provided by the Association, on or before the first (1st) day of the month following its due date.

Section 5 Special assessments may be levied only when deemed necessary by the Executive Committee to carry on the work of the Association and after approval of majority vote by secret ballot at a regular or special meeting.

Section 6 Whenever changes in the established rates of initiation fees, per capita tax, or assessments are proposed, they shall only be adopted after approval by a majority vote in a regular or special meeting after all affiliated local's unions have been given at least thirty (30) days written notice. Such notice shall include the purpose and reason for the proposed increase, as stated above.

Section 7 The funds and property of the Association shall be used solely for the benefit of the Association and its affiliated locals. The funds are not to be used as loans to any officer or member of this Association. The Association Officers and members who handle the Association funds or property shall be held to this standard of conduct and accountable for any breach thereof under this Constitution and By-Laws and as provided by Law.

Section 8 The fiscal year of this Association shall be from January 1st, to December 31st.

Section 9 The per capita tax shall be increased according to the Consumer Price Index (CPI) which is published in February of the previous fiscal year. The cap for any CPI increase shall be set at three percent (3.0%).

ARTICLE 11 - AUDIT

Three (3) duly elected trustees of the Association shall annually audit the books of the Association and to certify to the Association, the International and whatever government bodies or agencies necessary, their condition. No member of the Executive Board shall be a member of this Committee. The books shall also be audited annually by an outside auditor.

ARTICLE 12 - MISCONDUCT AND PENALTIES

Section 1 Any Member, Officer or Executive Board member, charged with misconduct as defined in Article XV of the International Constitution and By-Laws shall be served with written specific charges as required in Article XVI of the International Constitution and By-Laws and be given reasonable time to prepare his defense and afforded a hearing as provided in Article XVII of the International Constitution and By-Laws.

Section 2 Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws; such appeal must be filed with the General President of the International within thirty (30) days of the action to be appealed.

ARTICLE 13 - SERVICING LOCAL UNIONS

Section 1 The servicing staff of the Association shall consist of a coordinator, who shall be the Secretary of the Association, and up to six (6) service representatives. The Secretary shall submit to the delegates for their ratification at a regular or special meeting, the name(s) of individuals to fill the position(s) of the servicing staff. If any or all such names are rejected, the Secretary shall submit such additional names until sufficient person(s) are ratified for such position(s) by the delegates. If a vacancy develops in any such position, it shall be filled in accordance with the foregoing procedure. All members of the servicing staff shall meet the qualifications as outlined by the Executive Board.

Section 2 Whenever any "Full Membership" local union desires the services of a member of the servicing staff to assist them, they shall contact the Secretary explaining the need for the Staff Representative, the Secretary shall have the right to assign which of the

staff shall be assigned to help decide in all cases, except the Executive Board or delegates at a regular or special meeting may overrule the need and desirability of sending a staff member to assist in any matter. Whenever any Local Union desires legislative services of the Association, they shall request, explaining the need, to the President who shall have the right to assign the Director of Legislative Affairs or designee to the local.

Section 3 The compensation and expenses of the servicing staff shall be set by a majority vote at a regular or special meeting of the Association, provided notice of such pending action is given to each "Full Membership" affiliated local union at least seven (7) days prior to the meeting at which such action is to take place.

Section 4 The President, Secretary, Treasurer Salaries and covering personnel for servicing shall be paid at the approved budgetary rate per covering shift, as set forth in the policy book.

Section 5 No Staff Representative shall be a voting member of the Executive Committee with the exception of the Principal Officers.

Section 6 If a full service affiliated Local causes a Staff Representative per diem coverage to exceed the Local Union's annual per capita total for that fiscal year; the Local shall reimburse the UPFFA of CT. fifty (50%) of the per diem coverage cost which exceeds their annual per capita tax.

ARTICLE 14 - AFFILIATIONS

Section 1 This Association shall be affiliated with the International Association of Fire Fighters, the Federation of State and Provincial Association and the Connecticut State Labor Council, AFL-CIO.

Section 2 Delegates to Conventions:

By virtue of their election to office, the President and Secretary are the duly elected delegates to the IAFF Convention. In the event the President or Secretary is unable to attend; the delegate shall be elected by secret ballot of the UPFFA. (Reference IAFF Constitution, Article IV, Section 4)

By virtue of his election as President of the Association, he shall be the duly elected delegate to the Connecticut State AFL-CIO Convention.

By virtue of their election to office, the President and Secretary or in their absence, the President's designee(s) shall be the duly elected delegates to the Federation of State and Provincial Association.

ARTICLE 15 - CONVENTIONS

Section 1 This Association shall meet biennially in Convention at Foxwoods Resorts or a Hotel/Facility within a City/Town in Connecticut for a period of not less than two (2) days during the Fall. In a non-convention year, a Regular State Meeting shall be scheduled for the month of September. A Convention Committee shall be appointed by the President.

Section 2 Resolutions must be submitted to the Executive Board at least Sixty (60) days prior to the start of the Biennial; Convention or Special Meeting, which has been called for such purpose by a petition that is signed by no less than fifteen "Full Membership" affiliated Local Presidents or Association Officers, submitted by Registered or Certified mail to the President of the UPPFA. Such proposed amendment shall be reported to the convention or special meeting with the recommendation from the Executive Board.

The President shall hold the special meeting not less than sixty (60) days after the President has received the petition. It shall take a two-thirds (2/3) vote of the voting delegates to amend the Constitution and By-Laws.

Section 3 At least fifteen (15) days prior to the start of the Biennial Convention or Special Meeting, which has been called for such purpose, the delegates shall receive copies of all resolutions submitted.

ARTICLE 16 - AMENDMENTS

Section 1 Proposed amendment resolutions to this Constitution and By-Laws shall be submitted to the Executive Board by an accredited delegate at least Sixty (60) days prior to the start of the annual Biennial Convention, annual September meeting, or Special Meeting, which has been called for such purpose. Such proposed amendment shall be reported to the membership with a recommendation from the resolutions committee. It shall take a two-thirds vote to amend the Constitution and By-Laws.

Section 2 Proposed amendments to this Constitution and By-Laws shall have a cost estimate attached to them prepared by the Treasurer, the cost estimate shall be attached to the resolution in enough time for the resolutions committee to act accordingly. Resolutions that have a cost associated with it cannot be passed without the necessary funds being approved.

ARTICLE 17 - POLITICAL ACTION COMMITTEE

Section 1 There shall be established, a UPPFA of Connecticut Political Action Committee (PAC) Fund whose guidance and regulations shall be consistent with the laws of the State of Connecticut, which govern such Political Action Committee. In accordance with Article 10, Section 2, a set amount of all per capita monies shall be dedicated to the UPPFA PAC Account. The delegates of this Association shall be the approving authority for

endorsements and shall serve as the UPFFA COPE Committee and shall authorize all donations from the PAC account.

Two-thirds (2/3) majority of the delegates present at a meeting or convention are required for any candidate(s) to be endorsed by the Association.

Section 2 The UPFFA will present to the Locals at each regularly scheduled meeting, a report listing the amount and names of each recipient of the PAC monies since the previous meeting.

ARTICLE 18 - ORDER OF BUSINESS

The Order of Business at a meeting of this Association shall be as follows:

Opening

Roll Call of Officers and Delegates

Minutes of Previous Meeting

Report of Treasurer

Communications and Bills

Report of Officers

Report of Committees

Unfinished Business

New Business

Good of the Association

Adjournment

This order of business may be suspended or changed by a majority vote at any meeting, except that a motion to adjourn shall not be in order if in the opinion of the presiding officer there remains necessary business to be acted upon.

ARTICLE 19 - POLICY MANUAL

Section 1 There shall be a Policy Book in effect.

Section 2 When existing policy is changed, those changes shall be printed in loose-leaf form and transmitted to all affiliated locals with policy books in their possession.

Exhibit C

January 4, 2016 Local 825 Executive Board Meeting Minutes

**IAFF-Local 825
New Haven Firefighters
305 Ferry Street
New Haven, CT 06510**

Telephone: 203 865-6597

Facsimile: 203 865-6591

Email Address: info@nhfflocal825.org

Website: www.nhfflocal825.org

**Local 825
Executive Board Meeting Minutes**

Date: January 4, 2016
Time: 12:00 p.m.
Location: Local 825 Office
305 Ferry Street
New Haven, CT 06513

I. Call To Order

The meeting was called to order at 12:15 pm

II. Roll Call

Executive Board Member Attendance:

Name	Position	Present	Absent
Frank Ricci	President	Present	
Mark Vendetto	VP / Treasurer		Absent
Timothy Borer	Secretary	Present	
Greg Boivin	Executive Board	Present	
Steve Durand	Executive Board	Present	
Scotte Pullen	Executive Board	Present	
Pat Canon	Executive Board	Present	
Dan Coughlin	Executive Board	Present	
Angel Aviles	Executive Board	Present	
Pat Psarras	Executive Board	Present	
Justin McCarthy	Executive Board	Present	
Kevin Reilly	Executive Board	Present	

IAFF-Local 825
New Haven Firefighters
305 Ferry Street
New Haven, CT 06510

Telephone: 203 865-6597

Facsimile: 203 865-6591

Email Address: info@nhfflocal825.org

Website: www.nhfflocal825.org

III. President's Opening Remarks:

- Newly elected Union President Frank Ricci welcomed the E-Board stating he was looking forward to working together and moving the Local in a new direction for the betterment of our members.
- He cautioned E-Board members to use discretion when "speaking out" to rank and file members as statements may be misinterpreted as official union positions. He also reiterated the necessity of E-Board member's to handle communications and discussions with members in a responsible manner.

IV. Organizational

- President Ricci stated a need to elect an Executive Board member to serve in the capacity of recording secretary and nominated Tim Borer for the position. A motion was made by Greg Boivin to elect Tim Borer as Local 825 Recording Secretary and Pat Canon seconded the motion. Pat Canon asked if anyone else had an interest in serving in that capacity and suggested opening up the floor for any other nominations. President Ricci asked if there were any other nominations. Hearing no other nominations the motion was approved by unanimous consent.
- Greg Boivin stated that, at President Ricci's suggestion, he made up a proposed list of station assignments for Executive Board members to be responsible for in acting as "Shop Stewards." Greg presented a hard copy list and emailed a copy to each member prior to the meeting. Greg asked if anyone had any questions or concerns about their assignment and stated there was flexibility in changing assignments if needed. Steve Durand made a motion to accept the steward assignments into the record, seconded by Tim Borer. Steve Durand suggested that moving forward we should come up with a set procedure regarding the chain of communication for shop stewards. Greg Boivin agreed and stated he also wanted to provide "grievance tutoring" for new rank and file members. Hearing no other discussion the question was moved and the motion was approved by unanimous consent.
- Steve Durand asked if our by-laws were accepted by the IAFF and if not should make sure they are.
- President Ricci said he will get Robert's Rules of Order up on the website and have a class to educate our members soon. The time and date of the class is dictated by the availability of instructor and I.T. specialist. He said he was waiting on a call back from a contact he had and would forward the info to the membership as soon as plans were confirmed.
- Justin McCarthy stated some members are opting out of receiving emails and he was concerned members would not be getting important information. Pat Canon added that we should send a letter of official notification to each firehouse to post on the union bulletin board letting members know about firehouse union reps were assigned and they can use them as a resource.
- Pat Psarras stated concerns about personal information that should be confidential is accessible on open computers within the firehouses. Frank said they would look into it to ensure only basic information is accessed.

**IAFF-Local 825
New Haven Firefighters
305 Ferry Street
New Haven, CT 06510**

Telephone: 203 865-6597

Facsimile: 203 865-6591

Email Address: info@nhfflocal825.org

Website: www.nhfflocal825.org

- Frank Ricci stated he spoke to Rick Fontana about a new operational plan possibly dropping a squad and adding emergency units. Frank said according to Rick Fontana the city is applying for a grant for funds.
- President Ricci stated he would entertain nominations for chairman of various committees. That way we can establish committees and then fill in committee members at a later date after discussion and asking rank and file members to submit letters of interest in serving on specific committees. The following motions were made and all approved by unanimous consent:

<u>COMMITTEE</u>	<u>CHAIRMAN</u>	<u>MOTION BY</u>	<u>SECONDED BY</u>
➤ Negotiation	F. Ricci/ D. Coughlin	P. Canon	G. Boivin
➤ Bylaw	G. Boivin	P. Psarras	P. Canon
➤ Pension Rep	P. Canon	T. Borer	D. Coughlin
➤ Discipline	S. Pullen	T. Borer	S. Durand
➤ Good of the Local (<i>Golf</i>)	S. Durand/Kevin Reilly	P. Canon	D. Coughlin
➤ Safety Committee	J. McCarthy	P. Canon	S. Durand
➤ EMS	A. Aviles	S. Durand	P. Canon
➤ Uniform	D. Coughlin/ J. McCarthy	S. Durand	P. Canon
➤ Legislative	P. Cannon (chair) P. Psarras (treas.)	D. Coughlin	S. Durand
➤ Info Technology	T. Borer/Justin McCarthy	S. Durand	A. Aviles
➤ Awards	P. Psarras	K. Reilly	S. Pullen
➤ Grievance	S. Pullen	S. Durand	A. Aviles

V. Treasurer's Report(s) - No Report due to Treasurer absence.

VI. Committee Report(s) - No committee reports, organizational meeting only.

VII. Old Business - No old business

VIII. New Business

- A motion was made by Steve Durand for our local to take a stand on "position for position" hiring practice stating we should go back to the established practice of detailing personnel first then hire overtime. Angel Aviles duly seconded the motion on the floor. Frank Ricci stated that the language should be clarified. Moving the question the motion was passed by unanimous consent.
- A motion was made by Greg Boivin to write a letter to Anthem Blue Cross in order to start a conversation regarding the SPD issue. The motion was seconded by Steve Durand and passed by unanimous consent.
- President Ricci entertained a motion to write a letter to the city regarding to the changes they made to the weights of the B.C. test without bargaining. The motion was made by Dan Coughlin, seconded by Greg Boivin and passed by unanimous consent.

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- President Ricci entertained a motion to terminate our relationship with our current legal counsel Patricia Cofrancisco. The motion was made by Steve Durand and seconded by Pat Canon. In brief discussion Frank Ricci stated with our new Local 825 administration now in place we are moving in a new direction and he thought it was important have new legal counsel reflecting that change. The question was moved and approved by unanimous consent.
- Steve Durand made a motion that we write a letter to the city notifying the Mayor of opinion that her appointment of a new Chief should be made from candidates of current NHTFD/Local 825 members in good standing. The motion was seconded by Justin McCarthy and passed by unanimous consent.
- President Ricci entertained a motion to terminate our membership in the Uniformed Professional Fire Fighters Association (UPFFA). The motion was made by Justin McCarthy and seconded by Greg Boivin. Pat Canon stated that it wasn't really worth the money we spend each year. Pat Psarras agreed stating from what he's seen at the state it wasn't worth it. The motion was passed by unanimous consent.
- President Ricci entertained a motion to reduce our contributions/association with MDA. He said there are other local charities that we can contribute to and should look into it. Tim Borer agreed that there are deserving local charities and it would be a great idea to form partnerships and contribute to those we serve. Tim Borer stated we should explore specific worthy charitable entities before deciding. Greg Boivin stated he agreed at looking into it further before acting and suggested tabling it. The issue was tabled.
- President Ricci stated he needed to make improvements to the union office including buying a new conference table, cleaning etc. Steve Durand made a motion to approve \$1,000 for furniture and general improvements to the office. The motion was seconded by Kevin Reilly and Greg Boivin and approved by unanimous consent.

IX. Other Business – *Informational and general comments made with no official action taken or necessary.*

- President Ricci gave a brief update on personnel legal issues concerning FF Burgos and stated discussions were ongoing for FF Burgos possible retirement but could not elaborate more because no decision has been made and because of the sensitive nature of the issue. Frank said he and would apprise the board as things develop further.
- Greg Boivin stated the board should consider using cloud or some other secure back up for Union computers in order to avoid future union officials from erasing files. Justin McCarthy also expressed concern of technology security and said maybe a forensic audit of the deleted files by Jim Kottage was necessary. Frank said we would discuss it further moving forward and look into getting a computer specialist to examine the computer in question.
- Steve Durand stated that 3 Kings day was coming up and the Hispanic Society was going to be at the Helen Grant School to hand out gifts to the children. He said if available members were welcome to attend and support the event. Steve also stated we should look into having off duty members possibly volunteer for the rehab unit on box alarms.
- Frank Ricci stated that he wanted to order business cards for the Executive Board members and for each board member to contact the office with the information needed to have the business cards printed up.

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- Steve Durand expressed concern over the recent radio communications problems on the fire ground during recent jobs. He recommended we get to the bottom of the problem and maybe get new radios. Justin McCarthy agreed stating his Safety Committee would explore the Radio problem and also planned to look into the rehab unit procedure, the possible safety issues regarding the LDH trial being discussed and hose pack and apparatus inventory inconsistencies throughout the city.
- Pat Psarras stated he would like to see consistency in the public education procedure as well to help on duty firefighters with in station visits from schools etc. Maybe buying a fire safety video. Tim Borer stated it might be a good idea to produce our own video with the content reflecting the neighborhoods we serve for larger school visits. Frank stated he loved the idea and knew someone who could help produce the video and would welcome exploring that option further in the near future.
- Frank Ricci stated he would schedule our next meeting for Wednesday, January 25th 2016 at 9:00 am in the Local 825 business office.

XI. Adjournment

- A motion to adjourn was made by Pat Canon and seconded by Justin McCarthy. The meeting was adjourned at 3:55 p.m.

Minutes Certification:

Proposed minutes respectfully submitted,

Timothy Borer

Board Secretary /Recording Secretary

January 17, 2016

Date

Approved by the Executive Board of Directors on <Date of Meeting>

Board Secretary

Date

Vice President

Date

President

Date

Exhibit D

January 26, 2016 E-mail from Peter S. Carozza, Jr., to Frank Ricci and Mark Vendetto

From: Peter Carozza <pcarozza@aol.com>
Subject: Re: UPPFA
Date: January 26, 2016 8:41:29 PM EST
To: "ricci@local825.org" <ricci@local825.org>
Cc: Mark Vendetto <mrk534@aol.com>

Ok great
Thanks

Sent from my iPad

On Jan 26, 2016, at 8:02 PM, "ricci@local825.org" <ricci@local825.org> wrote:

Pete,
As I state before Mark and I are willing to meet with you. I believe due to the unfortunate death of the 3rd VP you canceled two meetings we had set. Send me a few days and times after the 5th.

Frank Ricci President
New Haven Fire Fighters
203-285-4907
Ricci@local825.org
Twitter @NHFDRicci

On Jan 26, 2016, at 7:47 PM, Peter Carozza <pcarozza@aol.com> wrote:

President Ricci and Vice President Vendetto:

Let me take this opportunity to formally congratulate you on your election to the leadership of Local 825, IAFF. The job of local union officers are the most difficult in the IAFF, I know from experience from serving as a local president for twenty five years .

I am in receipt of President Ricci's email notifying me of Local 825's withdrawal from affiliation with the Uniformed Professional Fire Fighters of Connecticut. I respectfully request that your local reconsider this decision.

I along with our officers and staff would welcome the opportunity to meet with you, your executive board and membership to make a formal presentation concerning the services and benefits your state association provides in addition to reviewing the IAFF/UPFFA Constitution and By Laws and Policy and of course answer any of your questions. (I did request this also on January 6, 2016)

New Haven Fire Fighters Local 825, IAFF plays an important role in our organizations daily work protecting fire fighters rights and benefits throughout our state. I am sure you will agree an attack on one of us is an attack on all of us. I have always maintained that we must remain united in order to protect those rights and benefits on the local,

state and national levels.

Thank you for the time and I look forward to meeting with you soon.

Fraternally,

Peter S. Carozza, Jr.

President

203 592 7331

Sent from my iPhone

Exhibit E

Certain UPFFA's legislative only membership services bills sent to Local 825

Uniformed Professional Fire Fighters Assoc. of CT

Uniformed Professional Fire Fighters Assoc. of C

Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Invoice

Date	Invoice #
12/02/2015	12550
	Due Date
	01/01/2016

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600

Month
JANUARY 2016 DUES

Date	Activity	Quantity	Rate	Amount
12/02/2015	Per Capita for Legislative Members	238	7.12	1,694.56
12/02/2015	DUES FOR MONTH OF JANUARY			
Total				\$1,694.56

Please bring all outstanding Invoices current for the year 2015

Uniformed Professional Fire Fighters Assoc. of CT

Uniformed Professional Fire Fighters Assoc. of C

Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Invoice

Date	Invoice #
12/02/2015	12550
Due Date	
01/01/2016	

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600



PAST DUE

				Month
				JANUARY 2016 DUES
Date	Activity	Quantity	Rate	Amount
12/02/2015	Per Capita for Legislative Members	238	7.12	1,694.56
12/02/2015	DUES FOR MONTH OF JANUARY			
			Total	\$1,694.56

Please bring all outstanding Invoices current for the year 2015

Uniformed Professional Fire Fighters Assoc. of CT

Uniformed Professional Fire Fighters Assoc. of C

Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Invoice

Date	Invoice #
01/05/2016	12608
	Due Date
	02/01/2016

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600

				Month
				FEBRUARY 2016 DUES
Date	Activity	Quantity	Rate	Amount
01/05/2016	Per Capita for Legislative Members	238	8.80	2,094.40
01/05/2016	DUES FOR MONTH OF FEBRUARY			
			Total	\$2,094.40

Please bring all outstanding invoices current for the year 2015
 Please adjust your Per Capita payments in accordance with the increase adopted
 on December 7, 2015 Delegates meeting

Uniformed Professional Fire Fighters Assoc. of CT

Uniformed Professional Fire Fighters Assoc. of C

Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Invoice

Date	Invoice #
02/01/2016	12722
	Due Date
	02/15/2016

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600

Month
MARCH 2016 DUES

Date	Activity	Quantity	Rate	Amount
02/01/2016	Per Capita for Legislative Members	238	8.80	2,094.40
02/01/2016	DUES FOR MONTH OF MARCH			
			Total	\$2,094.40

Please adjust your Per Capita payments in accordance with the increase adopted on December 7, 2015 Delegates meeting.
 Assessment Payment due by March

Uniformed Professional Fire Fighters Assoc. of CT

Invoice

Uniformed Professional Fire Fighters Assoc. of C
 Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Date	Invoice #
03/02/2016	12779
Due Date	
	04/01/2016

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600



PAST DUE

Month
APRIL 2016 DUES

Date	Activity	Quantity	Rate	Amount
03/02/2016	Per Capita for Legislative Members	238	8.80	2,094.40
03/02/2016	DUES FOR MONTH OF APRIL			
			Total	\$2,094.40

Please adjust your Per Capita payments in accordance with the increase adopted on December 7, 2015 Delegates meeting.
 Assessment Payment due by March

Uniformed Professional Fire Fighters Assoc. of CT

Uniformed Professional Fire Fighters Assoc. of C

Attn: Treasurer, Per Capita
 30 Sherman St
 West Hartford, CT 06110-1915

860-953-3200
 treasurer@upffa.org

Invoice

Date	Invoice #
12/12/2016	13421
Due Date	
01/01/2017	

Bill To
New Haven Fire Fighters L 825 350 Ferry Street PO Box 613 New Haven, CT 06513-3600

Month
JANUARY 2017 DUES

Date	Activity	Quantity	Rate	Amount
12/12/2016	Per Capita for Legislative Members	238	9.00	2,142.00
12/12/2016	DUES FOR MONTH OF JANUARY			
			Total	\$2,142.00

Please note Dues increase approved in 2017 budget

Exhibit F

December 6 and 13, 2017 letters from Todd Harris to Frank Ricci and Mark Vendetto

Recovery Solutions Group, LLC
1008 Mattlind Way
Milford, DE 19963
Phone: 302-241-0686
Fax: 302-566-6117

December 6, 2017

New Haven Firefighters Local #825
350 Ferry Street
New Haven, CT 06513

CREDITOR: Uniformed Professional Firefighters Association of
ACCOUNT#: 1552815
BALANCE: **\$ 52816.96**

Dear Frank Ricci & Mark Vendetto,

Our Client, (CREDITOR referenced above) has asked Recovery Solutions Group to look into placing a lien against the property serviced, for the outstanding balance detailed above. This letter has been mailed to your immediate attention, to notify you (the property owner) of this process.

Should you and/or your attorney have any questions concerning this potential lien, any and all communication or correspondence must be directed to Recovery Solutions Group and my immediate attention. My direct office number and extension is listed below.

To make a payment online, please visit www.rsgcollect.com/payment.

Yours Truly,

Todd Harris
Legal Administrator
302-289-3371

Unless this account or any portion thereof is disputed within 7 days from receipt of this notice, we will assume this debt to be valid. If you dispute this debt or any portion thereof within this 7 day time period we will furnish at your written request, a verification of this debt, or the name and address of the original creditor. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Recovery Solutions Group, LLC
1008 Mattlind Way
Milford, DE 19963
Phone: 302-241-0686
Fax: 302-566-6117

December 13, 2017

New Haven Firefighters Local #825
350 Ferry Street
New Haven, CT 06513

CREDITOR: **Uniformed Professional Firefighters Association of**
ACCOUNT#: **1552815**
BALANCE: **\$ 52816.96**

Dear Frank Ricci & Mark Vendetto,

In spite of numerous requests for payment, your account remains seriously delinquent. This is your final opportunity to work out anything in a voluntary manner.

We have advised our client we have exhausted our attempts to resolve the above noted matter amicably and despite our efforts to communicate with you and the principals of your organization, you refuse cooperation to satisfy this just and legal debt.

Having conducted a preliminary Asset & Liability Investigation, we have determined that you represent a viable candidate for legal action. Accordingly, we will recommend to our client that they should retain counsel in your locale for the purpose of initiating suit.

Upon receipt of a judgment, our counsel will move to attach any and all assets necessary to satisfy this debt. Since that would include bank accounts, real estate, accounts receivable, inventory, vehicles and any other assets you may possess, we have retained a private investigator to identify any and all assets for attachment.

In order to avoid this type of action, contact my office immediately to work out viable arrangements for the purpose of satisfying this debt without having to endure this painstaking and costly action.

Please take notice...an amicable arrangement must be made with our office within 7 days of the date of this letter or WE WILL RECOMMEND ACTION BE BROUGHT AGAINST YOU WITHOUT FURTHER NOTICE. To make a payment online, please visit www.rsgcollect.com/payment.

Yours Truly,

Todd Harris
Legal Administrator
302-289-3371

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Exhibit G

December 29, 2017 letter from Frank Ricci to Todd Harris

TX Result Report

P 1
 12/29/2017 16:34
 Serial No. A5C0011028987
 TC: 188833

Addressee	Start Time	Time	Prints	Result	Note
13025666117	12-29 16:34	00:00:22	001/001	OK	

Note TX: Timer TX, POL: Polling, OOS: Original size setting, PPS: Press Green TX, PPS: Press Separation ID, B: Banded Original TX, CALL: Hold TX, C: Copy, E: E-Code, F: FAX, M: Multiple-sided Binding Direction, S: Special Original, T: T-Code, W: W-Code, Y: Y-Code, Z: Z-Code, M: Confidential, M: Bulletin, S: SIP Fax, I: IP Address Fax, I: FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PS-OFF: Power Switch OFF, TEL: RX from TEL, NS: Other Error, CONC: Continuous, No one, No Answer, BUSY: Receipt Released, Busy, Busy, H-Full: Memory Full, LOOP: Receiving length over, R: Receiving page over, FILL: Error, SC: Scope Error, M: Monitor Response Error, DEL: Response Error, P: Compulsory Memory Document Print, DEL: Compulsory Memory Document Delete, SEND: Compulsory Memory Document Send.

Fax to 302-566-6117

RSG,

I have received both of your letters on December 22, 2017. I am currently away in the DC area and will need time to review and get back to you on this. Due to travel and the holidays, I expect to be able to respond by January 26, 2018. Please confirm that you received this fax.

Frank Ricci President
 New Haven Fire Fighters
 203-285-4907
Ricci@local825.org
 Twitter @NHFDRicci

Exhibit H

January 26, 2018 letter from Frank Ricci to Todd Harris



New Haven Fire Fighters Local 825

Frank Ricci, President
203-285-4907 / ricci@local825.org

Mark Vendetto, Vice President
203-464-9659 / mrk534@aol.com

January 26, 2018

FAXED TO: 302-566-6117

RE: RSG Letters

Dear Sir,

I have reviewed your letters. The amount in question is in dispute. I will contact the UPFFA.

Sincerely,

Frank Ricci

Frank Ricci
President

Exhibit I

February 1, 2018 suit authorization letter from Todd Harris to UPFFA

Date: 02/01/2018

Recovery Solutions Group, LLC
1008 Mattlind Way
Milford, DE 19963
Phone: 302-241-0686 Fax: 302-566-6117

File#: 1552815

Amount: 52816.96

Uniformed Professional Firefighters Association of CT
30 Sherman Street
West Hartford, CT 06110

New Haven Firefighters Local #825
350 Ferry Street
New Haven, CT 06513

SUIT AUTHORIZATION

We have made diligent efforts to procure payment from the above debtor to no avail. We have completed our evaluation on the account and have concluded that legal action is necessary to ensure payments or final resolution. Please complete this form by signing, dating and returning to our office as soon as possible.

Respectfully;

Todd Harris
Legal Administrator

ASSIGNMENT AND APPOINTMENT OF ATTORNEY:

For and in consideration of the promise of Recovery Solutions Group, LLC , a licensed debt collection agency, to undertake the collection of certain money due us, I(we) hereby irrevocably assign and transfer to *the said Recovery Solutions Group, LLC* , for the purpose of collection only, rights, title and interest to that *certain account, chattel paper, contract rights or instrument*, as the case may be against the above said debtor *with full power to take whatever action may be necessary to collect the unpaid balance of principal and interest due or that comes due in respect thereof, including bring suit in respect thereof in its own name, to receive any money paid in respect thereof, and to discharge or release the same.* I(We) do hereby appoint **(Place Attorney name here)**, attorney at law, of **(Place Attorney Address here)**, my(our) attorney to initiate and prosecute any suit that may be necessary to collect the unpaid balance of principal and interest due or that comes due in respect to the above.

DATE AT _____, this _____ day of _____

CREDITOR'S SIGNATURE

** If a trial is scheduled, I(we) will provide witness if necessary: YES NO **