

BY-LAWS OF THE HOUSING AUTHORITY OF THE BOROUGH OF CLEMENTON, NEW JERSEY

ARTICLE I- THE AUTHORITY

Section 1. Name of the Authority. The name of the Authority shall be “The Housing Authority of the Borough of Clementon New Jersey.”

Section 2. Seal of the Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3. Office of the Authority. The office of the Authority shall be located in the Wooster Towers, 22 Gibbsboro Road in the Borough of Clementon, State of New Jersey, but the Authority may hold its meetings at such other place as it may designate.

ARTICLE II-BOARD OF COMMISSIONERS

Section 1. Number, Qualification and Tenure. The Board shall consist of seven (7) members or such other number as may be provided hereafter by State law.

Commissioners shall serve for a term of five (5) years or such other term as may be provided hereafter by State law.

Five (5) Commissioners are appointed by the governing body of the Borough of Clementon, one (1) is appointed by the Mayor of the Borough of Clementon, and one (1) is appointed as a Governor’s Appointment through the Department of Community Affairs.

Vacancies are filled in the same manner as the original appointments were made, but for the unexpired term.

Any Commissioner may resign at any time by giving written notice to the Executive Director. Such resignation shall take effect at the time specified therein, or if the time is not specified, upon receipt thereof; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

All Commissioners are required to satisfactorily complete a course of study as prescribed by the State Department of Community Affairs. Any Commissioner failing to comply with such course of study within the ascribed time period will be required to resign.

No more than one member of the Board of Commissioners may be an officer or employee of the Borough of Clementon.

No Commissioner may be compensated for serving in such capacity except for reimbursement for actual expenses necessarily incurred.

ARTICLE III-OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chairperson, a Vice-Chairperson and a Secretary –Treasurer.

The Chairperson and Vice-Chairperson shall be elected at the annual reorganization meeting from among the members of the Board of Commissioners and shall hold office for one (1) year or until their respective successors are elected and qualified. Should the office of the Chairperson or Vice Chairperson become vacant, the Board shall elect a successor from its

membership at the next meeting and such election shall be for the unexpired term of said office.

Section 2. Chairperson The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall submit such recommendations and information as he may consider proper concerning the business affairs and policies of the Authority.

Section 3. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 4. Secretary- Treasurer. The Secretary-Treasurer shall be the Executive Director of the Authority and, as such, shall have the general supervision over the administration of its business and affairs, subject to the direction of the Board of Commissioners. The Executive Director shall be charged with the management of the housing projects of the Authority.

The Secretary-Treasurer shall keep the records of the Authority. He or She shall attend all meetings and act as secretary of the meetings of the Authority and record all votes. These duties may be assigned to another with approval from the Board of Commissioners. The Secretary-Treasurer shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose. And shall perform all duties incident to his or her office. He or she shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

He or she shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. The Secretary-Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Authority. Except as otherwise authorized by resolution or motion of the Authority, all such checks shall be countersigned by the Chairperson.

He or she shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each regular meeting (or oftener when requested), an account of his or her transactions and also of the financial condition of the Authority. He or she shall give such bond for the faithful performance of his or her duties as the Authority may determine.

The compensation of the Secretary-Treasurer shall be determined by the Authority, provided that a temporary appointee selected from among the commissioners of the Authority shall serve without compensation (other than the payment of necessary expenses).

Section 5. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the by-laws or rules and regulations of the Authority.

Section 6. Election or Appointment. The Chairman and Vice-Chairman shall be elected at the annual meeting of the Authority from among the commissioners of the Authority, and shall serve for one year or until their successors are elected.

The Secretary-Treasurer shall be appointed by the Authority. Any person appointed to fill the office of Secretary-Treasurer or any vacancy therein, shall have such terms the Authority

fixes, but no Commissioner of the Authority shall be eligible to this office except as a temporary appointee.

Section 7. Vacancies. Should the offices of Chairman or Vice-Chairman become vacant, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. When the office of Secretary-Treasurer becomes vacant, the Authority shall appoint a successor, as aforesaid.

Section 8. Additional Personnel. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Local Housing Authority Law and all other laws of the State of New Jersey applicable thereto. The selection and compensation of such personnel (including the Secretary-Treasurer) shall be determined by the Authority subject to the laws of the State of New Jersey. If in the execution of the day-to-day affairs of the Authority, the Executive Director determines that additional full time employees are necessary, the Executive Director may hire such employees provided that the Board of Commissioners has allocated appropriate funds for the compensation of proposed employee(s). The Executive Director may from time to time hire part time or temporary employees to assist in the Authority's operations as needed. The Executive Director shall be entrusted with the responsibility of taking disciplinary measures and/or carrying out the termination of employees as may be necessary.

ARTICLE IV-MEETINGS

Section 1. Annual Meeting. The annual meeting will be held at 4:00pm on the 3rd Wednesday of June unless otherwise changed by motion or resolution. In the event such date shall fall on a legal holiday the annual meeting shall be held on the next succeeding secular day.

Section 2. Regular Meeting. Monthly meetings shall be held at the regular meeting place of the Authority at 4:00pm on the 3rd Wednesday of each month unless the same shall be a legal holiday, there is a lack of quorum or a legitimate reason as determined by the Chairperson and Secretary/Treasurer for cancellation or postponement, of that date. Said meeting shall then be held at 4:00pm on the 3rd Wednesday of the following month unless a sooner date is determined to be needed by the Chairperson and Secretary-Treasurer. If so, the Secretary -Treasurer will reschedule said meeting on the next convenient date for a majority of the Commissioners with proper notice.

Section 3. Special Meeting. The Chairperson of the Authority may, when he or she deems it expedient, and shall, upon a written or verbal request of two members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered by telephone, electronic delivery or mailed to the business or home address of each member of the Authority at least two days prior to the date of such special meeting. Said such special meeting shall be publicly advertised at least forty-eight (48) hours in advance of said meeting and in accordance with New Jersey Open Public Meetings Law. At such special meeting no business shall be considered other than as designated in the call.

Section 4. Emergency Meeting – The Clementon Housing Authority may convene an “emergency meeting” when an urgent and important matter arises and a delay of the meeting

for the purpose of providing adequate notice would likely result in substantial harm to the public interest.

The Authority will comply with all laws and requirements concerning emergency meetings including but not limited to the Open Public Meetings Act –N.J.S.A. 47:1A-1 ET SEQ.

Section 5. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time.

Four commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained.

When a quorum is in attendance, action may only be taken by the Authority upon an affirmative vote of no less than four (4) Commissioners regardless of the number of commissioners in attendance.

Section 6. Severability. - If any clause or provision herein shall be adjudged invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision, which shall remain in full force and affect.

Section 7. Order of Business. At the regular meetings of the Authority the following shall be the order of business:

1. Pledge of Allegiance to the flag
2. Roll call
3. Approval of minutes of the previous meeting(s)
4. Bills and communications
5. Report of the Secretary-Treasurer
6. Reports of committees
7. Unfinished business
8. New business
9. Open to the public
10. Adjournment

Order of business may be permanently altered by resolution or motion. Order of business may be temporarily altered at a regular meeting by a majority voice vote.

All resolutions shall be in writing and shall be maintained in a journal.

Section 8. Manner of voting. The voting on all questions coming before the Authority shall be by roll call and the yeas and nays shall be entered upon the minutes of such meeting.

Section 9. Telephone Voting. Pursuant to the Open Public Meetings Act –N.J.S.A. 47:1A-1 ET SEQ., the Authority will allow telephone votes and conferences to take place. All action taken during properly conducted meetings, in which telephone votes are taken, will be considered binding under the law and the Authority.

Section 10. Open Public Meetings Law. All meetings of the Authority shall be held in compliance with the New Jersey Open Public Meetings Law, and Federal Law, rules regulations and policies adopted as they relate to the Housing Authorities.

Section 11. Duration of Meeting. No meeting of the Authority shall exceed three (3) hours. Notwithstanding this, the Board of Commissioners for good cause may extend the time of any regular or special meeting by adoption of a resolution or a motion in accordance.

Section 12. Committees. At any time it is deemed necessary or advisable for the Board of Commissioners to do so, the Chairperson shall establish an ad hoc committee to address a matter of concern of the Authority. The establishment of such ad hoc committee shall be done during a regular or special meeting for the Board of Commissioners and upon the adoption of an appropriate Resolution or motion. The Chairperson shall appoint no more than three (3) Board members to serve upon an ad hoc committee and shall designate a Chairperson from among them.

ARTICLE V-ETHICS

Section 1. Ethics. All Housing Authority Commissioners shall act in a professional and ethical manner in carrying out their official duties. They shall be bound by the rules and regulations and principles of the New Jersey Local Government Ethics Law.

Administration of the Local Government Ethics Law is the responsibility of the Local Finance Board (Department of Community Affairs). Annual Financial Disclosure Statements for local officials, minimum ethical standards for local government employees, investigation of complaints and the issuance of advisory opinions all fall within the purview of the Board. Any complaints or inquiries concerning ethics should be forwarded to the New Jersey Division of Community Affairs.

ARTICLE VI-AMENDMENTS TO BY-LAWS

Section 1. Amendments to By-Laws. The By-Laws of the Authority shall be amended only with approval of at least four (4) members of the Authority at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has been previously given to all of the members of the Authority.

Revision date: April 2013