

BERKELEY HOUSING AUTHORITY
By-Laws

ARTICLE I – THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the Housing Authority of the Township of Berkeley.

Section 2. Seal of 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 offices of the Authority shall be at 44 Frederick Drive, Bayville in the Township of Berkeley, County of Ocean, State of New Jersey, but the Authority may hold its meetings at such other place as it may designate by resolution.

ARTICLE II – THE OFFICERS

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

Section 2. Chairman. The Chairman shall preside at meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairman shall sign all contracts, deeds and other instruments made by the Authority. At each meeting, the Chairman shall submit such recommendations and information, as he/she may consider proper concerning the business, affairs and policies of the Authority.

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

Section 4. Secretary-Treasurer. The Secretary-Treasurer shall be the Director of the Authority and, as such, shall have general supervision over the Administration of its business and affairs, subject to the direction of the Authority. He/She shall be charged with the management of the housing projects of the Authority. No Commissioner will be appointed to this position.

The Secretary-Treasurer shall keep the records of the Authority, shall act as secretary of the meetings of the Authority and record all votes, and shall keep a record of the proceedings of the Authority in a book of minutes of proceedings to be kept for such purpose, and shall perform all duties incident to his/her office. He/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.

The Secretary/Appointee 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/Appointee 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 Commissioners, except as otherwise authorized by resolution of the Authority, all such orders and checks shall be countersigned by the Chairperson or other appointed Commissioners. He/She or an appointee shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority at each regular meeting or (more often when requested) an account of his/her transactions, and also of the financial condition of his/her duties as the Authority may determine.

The Secretary/Appointee will furnish each member of the Authority with check payments made by the Authority.

The Director shall attend meeting of the Authority on a regular basis. No Meetings shall be conducted without the Director/Secretary, except in the case of an emergency.

A member shall be entitled to reasonable reimbursement for actual expenses incurred in the conduct of required Authority business which shall include parking, tolls, hotel or motel bills, required courses and training. Otherwise, the requests shall not be honored.

Section 5. Additional Duties. The Commissioners may by resolution appoint assistants to the Officers. The Officers and the assistants shall perform such other duties as may from time to time be required by the Authority.

Section 6. Election or Appointment. The Chairman and the Vice-Chairman shall each be elected from among the Commissioners of the Authority in September at the regular meeting. Chairperson and Vice-Chairperson can be voted repeated appointments. They will take office at the Annual Meeting and each shall hold office for one year or until his/her successor is elected and qualified.

Section 6B. Resident Commissioners. One member of the Authority Board must be a Public Housing Authority Resident or a Section 8 Housing Choice Voucher Program Resident who is in good standing with the Authority. Residents should not make decisions affecting his/her individual interests.

Section 7. Vacancies. Should the office of the Chairman, Vice-Chairman or Secretary become vacant, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired terms of said office.

Section 7B. Other term expirations. Any Commissioner will be held over once their term has expired. If their spot remains unappointed for longer than ninety (90) days, the Director will notify the Department of Community Affairs or Governing Body.

Section 8. Additional Personnel. The Authority may from time to time employ personnel, as it deems necessary and is not a financial burden, to exercise duties and functions. The selection and compensations of such personnel shall be determined by the Authority subject to the United States Housing Act of 1937, related Federal Laws, the Local Housing Authority Law and other laws as may from time to time hereafter be enacted.

The Director shall hire and terminate employees, if necessary, with notice to the Board of Commissioners.

No local town, municipality, county or state entity can approve or authorize the hiring/termination of Housing Authority personnel or any one commissioner, director, supervisors, contracts, contractors and professional services or, any of the day to day operations.

ARTICLE III – MEETINGS

Section 1. Annual Meetings. The annual meeting of the Authority shall be held in October, at a time to be announced, at a suitable public or semipublic place, to be selected by the Director no later than the regular meeting preceding the annual meeting, unless otherwise approved.

Section 2. Regular Meetings. After being duly noticed in accordance with the Open Public Meeting Act, the regular meetings will be held at the regular meeting place of the Authority – 44 Frederick Drive, Bayville, NJ 08721 or other designated site. The time and date of the regular meetings shall be as established by resolution of the Board at its annual meeting. The Board should meet at least five (5) times per year.

Section 3. Executive Sessions. Executive Sessions (closed meetings) may be convened, without notice, during any Regular, Special or Emergency Meeting of the Authority. Executive Sessions shall be utilized to discuss matters pertaining to Personnel matters, litigation matters, anticipated litigation matters and such other matters as New Jersey Law (Open Public Meetings Act) may allow. Unless otherwise noted, minutes of the Executive Sessions will be maintained by the Director and made available for public inspection when the need for confidentiality no longer exists in accordance with O.P.R.A.

Section 4. Special Meetings. The Chairman of the Authority may, when he/she deems it expedient, and shall, upon the written request of two members of the Authority or by request of Director, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting must be delivered to each member of the Authority at least two days prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call, but if all of the members of the Authority are present at a special meeting any and all business may be transacted at such special meeting. (Commissioners may, at their option, waive the “written request” requirements referenced above.)

Section 5. Quorum. Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purpose, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon an affirmative vote of a majority, but no less than four, of the Commissioners present.

Section 6. Attendance of Commissioners at Regular Meetings. In the event of non-attendance by any Authority member for three (3) consecutive meetings without a medical excuse or death, the Authority will notify the appointing Authority so that it may take appropriate action

Section 7. Personal matters of employees or file reviews. Employees must be notified thirty (30) days in advance of the meeting and the intention of the review.

Section 8. Order of Business. At the regular meetings of the Authority, the following shall be the order of business:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of the Minutes of the Previous Meeting
6. Bills and Communications
7. Reports to the Board
8. Unfinished Business
9. New Business
10. Public Portion
11. Closed Session
12. Adjournment

The chairperson may, at his/her prerogative, amend the aforesaid schedule.

The chairperson shall be responsible for running the meeting. Disputed procedural matters shall be subject to the desire of the Board as determined by a vote. If there is a procedural matter that cannot be decided by vote, the terms of Roberts Rule of Order shall prevail.

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 9. 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.

ARTICLE IV – AMENDMENTS

Section 1. Amendments to the By-Laws. The By-Laws of the Authority shall be amended only with the approval of at least four of the members of the Authority at a regular or special meeting provided ten (10) days written notice and a copy of the proposed amendment has been given to all of the members of the Authority.

ARTICLE V – MISCELLANEOUS PROVISIONS

Section 1. Partial Invalidity. If the United States of America, the State of New Jersey or a Court of Competent jurisdiction deems any provision contained herein to be invalid or otherwise unenforceable then in that event, such invalid or unenforceable provision shall be deemed to be deleted. However, such invalidity shall have no bearing or impact on the remainder of the provisions of the within By-Laws, which shall remain in full force and effect.

Section 2. Governing Law. The Authority shall, at all times, be subject to N.J.S.A.40A:12A-17 et seq. as the same may be amended from time to time.

Section 3. Applicability of By-Laws. The provisions contained herein shall apply to the Berkeley Housing Authority and any other name by which the Authority may formally be known.

Section 4. All Commissioners are required by the Department of Community Affairs to attend and complete required courses within eighteen (18) months. The Commissioner must advance the cost of the courses. Upon successful completion of each course, the Authority will reimburse the Commissioner. If a cancellation of courses by a Commissioner is not done in a proper and timely manner, the Commissioner will not be reimbursed by the Housing Authority for the course.

Adopted this 26 day of Apr, 2016

Grace Dekker, Directory/Secretary to the Board

HOUSING AUTHORITY OF THE TOWNSHIP OF BERKELEY

RESOLUTION # 2016-1-5

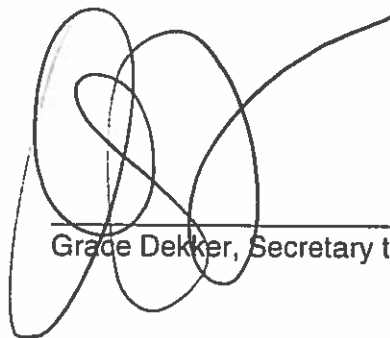
TO APPROVE THE REVISED BY-LAWS

WHEREAS, the Board of Commissioners of the Berkeley Township Housing Authority hereby agree to approve the revised By-Laws.

FURTHER, the revisions were prepared with Legal Counsel and in accordance with Board suggestions.

Date of Adoption: January 26, 2016

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chairperson Lynne Nutley	✓	—	—	—
Vice-Chairperson Kathleen Nunn	✓	—	—	—
Commissioner Katherine Fulcomer	✓	—	—	—
Commissioner Nikolaus Seitz	✓	—	—	—
Commissioner Judith Noonan	—	—	—	✓
Commissioner Nilda Garibaldi	✓	—	—	—
Commissioner Angeline Fratianni	✓	—	—	—



Grace Dekker, Secretary to the Board