

# BYLAWS OF THE HOUSING AUTHORITY OF THE TOWNSHIP OF OLD BRIDGE, NEW JERSEY



## ARTICLE I THE AUTHORITY

**SECTION 1. Name of Authority.** The name of the Authority shall be the Housing Authority of the Township of Old Bridge. Also known as The Old Bridge Housing Authority, the Authority or OBHA.

**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 Authority.** The offices of the Authority shall be at the Maher Manor, 2000 Route 18 North, Suite 100 in the Township of Old Bridge, County of Middlesex, State of New Jersey. The Authority may hold its meetings at another place as it may designate by resolution and notifying the public per the NJ State Open Public Meetings Act. All documents of the Authority shall be stored at the OBHA office or at a designated data storage facility.

**ARTICLE II COMMISSIONERS** - The commissioner's role is governance, establishing policy and ensuring oversight. The Commissioners shall elect their officers each year.

**SECTION 1. Quantity of Commissioners.** There are 7 Commissioners. The 5 commissioners appointed by the Old Bridge Town Council must be U.S. Citizens. One Commissioner will be appointed by the Commissioner of the Department of Community Affairs (DCA) and One Commissioner will be appointed by the Mayor of Old Bridge. These 7 members constitute the Board of Commissioners of the "Authority". In the event of a vacancy of any one of the Commissioner seats, notification is to be made by the secretary to the Old Bridge Township Clerk within 30 days.

**ARTICLE III OFFICERS** – The officers of the Authority shall be a Chairperson/Treasurer and a Vice Chairperson. The Officers are selected from among the Commissioners each year. The Chairperson and Vice Chairperson shall be elected at the annual meeting of the Authority from among the commissioners of the Authority and shall hold office for one year or until their successors are elected. Should any of the offices become vacant, the Authority shall elect a new Officer and such election shall be for the unexpired term of said office. There are no term limits. Each year at the reorganization meeting, an election shall take place for officers. A simple majority vote will determine a win of the office.

### SECTION 1. Chairperson/Treasurer

The Chairperson/Treasurer shall

- A) Preside at all meetings of the Authority.
- B) Have general supervision over the administration and of all OBHA business and affairs.
- C) Establish Committees
- D) Manage projects of the Authority.
- E) Be the second signature on all checks.
- F) Sign all Contracts, Deeds and other Instruments made by the Authority.
- G) Approve an agenda for each meeting and submit such recommendations and
- H) Keep order in the meetings.

## **SECTION 2. Vice Chairperson.**

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of vacancy of the Chairperson, the Vice Chairperson shall perform such duties imposed on the Chairperson until the Authority selects a new Chairperson.

**ARTICLE IV Recording Secretary.** The Secretary of the Authority may be a private citizen or other professional and cannot be a commissioner. The Secretary is appointed by the Chairperson. The Secretary starts the meeting under the direction of the Chairperson. The Secretary takes a roll call for attendance and vote tally. The Secretary shall keep the records of the Authority, shall be secretary of the meetings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office. The Secretary creates the physical agenda of each meeting under the direction of the Chairperson and Executive Director. The Secretary notifies the Authority of upcoming meetings and ensures a quorum exists. The Secretary takes minutes of meetings and distributes approved minutes to the Authority. The Secretary prepares and submits bids/proposals and quotes to the public.

**ARTICLE V Executive Director/Secretary/Assistant Treasurer (ED).** The Commissioners shall appoint an ED to manage the operations of the OBHA. The ED may be a full/part time or outsource subcontractor professional hired by the Authority. Outsourced Subcontractor's Contract supersedes these By-Laws regarding the ED Position. The ED position qualifies in accordance with NJSA 40A:12A-18. The ED's role is management. Commissioners and the ED need to be cognizant of one another's roles without overstepping or undermining the other. The Authority shall determine the compensation of the ED.

### **(1) General Duties of the Executive Director**

- a. Administer the affordable housing programs of the Township of Old Bridge
- b. Shall be responsible for the supervision of personnel.
- c. 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.
- d. Keeps commissioners informed of all operations, situations, and occurrences.
- e. Develops, implements, and oversees the operating budgets.
- f. Ensures compliance with all federal laws and HUD guidelines.
- g. Manages the day-to-day operations of the PHA.
- h. Hires, evaluates, trains, and terminates staff. The Authority must approve all staff hires/fires.
- i. Interprets, implements, and administers the policies of the Board of Commissioners and all applicable federal and state housing regulations.
- j. Acts as the OBHA Personnel Officer assuring that all personnel policies, procedures, position descriptions and general personnel practices conform with all applicable statutes.
- k. Shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority.
- l. Shall sign all orders and sign checks and shall pay out and disburse such monies under the direction of the Authority. The Chairperson/Treasurer or Vice Chairperson shall countersign all orders and checks.
- m. Shall keep regular books of accounts showing receipts and expenditures.
- n. Acts as the Authority's Public Relations Officer clearing all external statements, reviews, and policies before being released to media.
- o. Shall render to the Authority the financial condition of the Authority.
- p. Represents the Agency and maintains liaison with regulatory agencies, local officials, and community-based organizations.

- q. Maintain waiting lists of households which may be eligible to rent or purchase lower income dwelling units or to obtain funding from the Housing Rehabilitation, Conversion and Assistance Fund of the Township from such other state funded program as may be available to qualified applicants in the Township of Old Bridge
- r. To advertise the availability of lower income housing units or spaces on the waiting list for Section 8 vouchers when they become available.
- s. To advertise the availability of funds for housing rehabilitation, or other programs established by the Authority, if and when such funds are available.
- t. To arrange for such inspections of any lower income housing units necessary to for requirements or rules and regulations promulgated by the OBHA.
- u. To carefully record the progress of construction of lower income housing within the Township, and to perform the certification as to developer's adherence to Court ordered or voluntary developer agreements, as provided in such agreements.
- v. Perform additional duties as required by the OBHA.
- w. Shall be the custodian of Documents for the Authority

**SECTION 1. 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 Authorities Law and all other laws of the State of New Jersey applicable thereto. The Authority shall determine compensation and requirements of such personnel. All hires and fires of personnel are under the direction of the Authority.

**SECTION 2. Removal.** Any Commissioner(s) can be removed from the Authority for any cause considered detrimental to the best interests of the Housing Authority. The procedure for removal shall be as follows:

1. At a regular meeting or special meeting called for this purpose, a majority of Commissioners must agree to the need for removal and agree to have a hearing in the presence of the Commissioner(s) facing removal.
2. The Commissioner(s) facing removal shall be notified of the hearing by registered letter citing the reasons expressed by the majority of the Commissioners for removal.
3. Any Commissioner(s) unexcused absence from three (3) of the regular meetings in any 12-month period shall be cause for removal.
4. At the conclusion of the hearing or at a later regular or special meeting of the Board, a vote shall be held to remove or not to remove the subject Commissioner(s). If the subject Commissioner(s) fails to respond to the hearing notification, the removal shall become automatic. If the subject Commissioner(s) attend the hearing he/she shall be informed of the majority vote as soon as possible.
5. In the event the majority votes to remove the subject Commissioner(s) the Authority shall immediately notify the Township Clerk or the proper appointing authority of this action with reasons, requesting that a successor be appointed to fill the unexpired term of the Commissioner(s) so removed.

**SECTION 3. Removal of the Executive Director**

120 Days' notice must be given to remove the Executive Director.  
 Executive Directors may be removed with or without cause by a majority vote of Commissioners.

**SECTION 4. Management Agreement.** The Authority may negotiate and compensate a Professional Management Agreement with an established Housing Authority formed under the Local Housing Authority Laws in the State of New Jersey.

## ARTICLE VI - MEETINGS

**SECTION 1 Annual Meetings** The annual meeting of the Authority shall be held on the third Tuesday of May each year at seven o'clock PM prevailing Time at the regular meeting place of the Authority. In the event such date falls on a legal holiday, the annual meeting shall be held on the next succeeding business day.

**SECTION 2. Regular Meetings.** Monthly meetings shall be held with notice at the regular meeting place of the Authority at 7:00 p.m. on the Third Tuesday of each month, unless the same shall be a legal holiday, in which event said meeting shall be held on the next succeeding business day.

**SECTION 3. Special Meetings.** The chairperson or Three (3) Commissioners of the Authority may, when deems it expedient, call a special meeting of the Authority for the purpose of transacting any business designed in the call. The call for a special meeting may be delivered via email to each member of the Authority or may be mailed to the business or home address of each member of the Authority at least two days prior to the date of each special meeting. Notice will be given to the public 2 days prior when possible.

**SECTION 4. Meetings Held by Electronic Communication Equipment.** Notice will be given in compliance with the provisions of the Sunshine Law, N.J.S.A. 10:4-6, et seq., (the Open Public Meetings Act) which provides meetings to be held in person or by means of communication equipment, N.J.S.A. 10:4-8(b), to include streaming services and other online meeting platforms. When the Chairperson feels it is in the best interest to hold a meeting via electronically, the above Sunshine Notice will be advertised in the newspaper previously approved by the Board. All pertinent information will be in said Notice so the public can attend at no cost to them. Notice will be given on the Authority's website, with the information to either call or connect to the link supplied.

**SECTION 5. Quorum.** The powers of the Authority shall be vested in the Commissioners. 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. However, no official business can be conducted. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the commissioners present, but only to the extent of regular or normal business. Resolutions require the affirmative vote of at least four commissioners.

**(a) Committees.** The Chairperson may create committees to meet on an ad-hoc basis of no more than three commissioners and consider projects/issues/recommendations to be considered by the full Authority.

**SECTION 6. Agenda.** At the regular meetings of the Authority, the following shall be the order of Business, unless otherwise stated:

1. Salute to the flag
2. Roll Call
3. Reading and approval of the Minutes of the previous meeting
4. Finance report and approval of Bills
5. Report of the Executive Director
6. Report of Legal
7. Report of the Secretary
8. Report of the Committee
9. Unfinished business

10. New business and written communications
11. Commissioner's Comments
12. Public Comments
13. Adjournment

All resolutions shall be in writing and commissioners shall be supplied copies before the next meeting for the Commissioners to review.

**SECTION 7 Manner of Voting.** The voting on all questions coming before the Authority may be by roll call or voice, and the yeas and nays shall be entered upon the minutes of such meetings. At all meetings, Roberts' Rule of Order shall govern in all cases not covered by these By-Laws.

**SECTION 8. Public Time Limits for Public Comments.**

An individual has a time limit of three (3) minutes per person for discussion on any matter or resolution that may come before the Board. This limit can be extended at the pleasure of the Chairperson, at any time. There are no time limits for Commissioner comments.

**ARTICLE VII -- COMMISSIONER/EXECUTIVE DIRECTOR TRAINING**

The New Jersey Redevelopment and Housing Law of 1992 requires all Commissioners and Executive Directors of local public housing authorities and redevelopment agencies to complete a comprehensive training program consisting of required courses and elective courses. Under N.J.SA 40A: 2A-45, Commissioners must complete their training within eighteen (18) months of appointment and Executive Directors within two (2) years of appointment.

**ARTICLE VIII – FUNDS**

A Certified Public Accountant (CPA) will annually audit the books and records of this Authority as per State and Federal Law. The Authority is required to produce an annual budget for the Authority and publish the budget. A synopsis of the audit must be published in the newspaper. All checks for payment must be signed by two officers. Qualified expenses of Commissioners must be submitted by Expense Report to the Chairperson and Executive Director for authorization and be signed/approved by same.

**ARTICLE IX – AMENDMENT PROCESS**

Apart from Article I, Section I, any part of these By-Laws can be amended by five affirmative votes of the commissioners. Amendments to these By-Laws must be read aloud and distributed once at two regular OBHA meetings before a super vote for ratification can occur. After the second reading, a vote can occur at the second meeting by which five affirmative votes are necessary for ratification of said amendments. The initial Amendment process to these By-Laws must be completed within one calendar year and be completed and voted upon with-in 365 days.

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