

BY-LAWS OF THE HOUSING AUTHORITY
of the
TOWN OF SECAUCUS, NEW JERSEY

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority - The name of the Authority shall be “ The Housing Authority of the Town of Secaucus.”

Section 2. Seal of Authority - The Authority shall have a seal in such form and with such inscription as the Commissioners shall, by resolution, direct.

Section 3. Office of Authority - The offices of the Authority shall be at 700 County Avenue in the Town of Secaucus, State of New Jersey, but the Authority may hold its meetings at such other places as it may designate by resolution.

Section 4. Fiscal Year - The fiscal year of the Authority shall begin with the first day of April of each year and end with the last day of March of the following year.

ARTICLE II - OFFICIALS

Section 1. Number, Qualification and Tenure. The Board of Commissioners of the Housing Authority of the Town of Secaucus shall consist of seven members or such other number as may be provided hereafter by New Jersey Law. All Commissioners are required to satisfactorily complete a course of study as prescribed by the New Jersey Department of Community Affairs. Any Commissioner failing to comply with such course of study within the ascribed time period will be deemed to have resigned, as required by and provided for in N.J.S.A. 40A:12A-46. No Commissioner may be compensated for serving in such capacity except for reimbursement for actual expenses necessarily incurred.

Section 2. Officers - The Officers of the Authority shall be a Chair, a Vice-Chair and an Executive Director and General Secretary.

Section 3. Chairman - The Chairman shall preside at all 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. The Chair shall establish and revise committees of the Authority Commissioners and make appointments thereto from time to time. At each meeting the chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Authority.

Section 4. 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 elect a new Chairman.

Section 5. Treasurer - The Treasurer shall keep in safe custody the financial records of the Authority and shall be authorized to sign all checks, bills, notes, drafts and other obligations of the Authority, and perform any other duties incidental to his office.

Section 6. Executive Director and General Secretary - The General Secretary shall be designated as Executive Director of the Authority in accordance with N.J.R.S. 55:14A-6 et. Seq. He shall have general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Commissioners. In order to continue the maintenance of the day-to-day functions of the Authority, the Executive Secretary may sign any contract, deed or other instrument entered into and authorized by the Authority. He shall be charged with the management of the housing units; the development of a comprehensive housing program based on the needs of the community, and shall serve as Chief Contract Officer. In carrying out the policy and directives of the Local Authority, he shall act as Equal Opportunity Officer for tenants as well as employees of the Authority. He shall be designated as Certifying Agent with the responsibility of processing on the local level all documents pertaining to the Public Employees Retirement System.

The Executive Director and Secretary 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 journal of proceedings to be kept for such purpose, and shall perform all duties incident to his office. The Executive Director and Secretary 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 Executive Director and Secretary 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 Executive Director and Secretary shall sign all orders and checks for the payment of money and shall payout and disburse such monies under the direction of the Board of Commissioners. Except as otherwise authorized by resolution of the Authority, all such orders and checks shall be countersigned by the Chair. The Executive Director and Secretary shall keep regular books of accounts showing receipts and expenditures and shall render to the Board of Commissioners, at each regular meeting, or more often when requested, an account of transactions and also of the financial condition of the Authority. The Executive Director and Secretary shall give such bond for the faithful performance of his or her duties as the Board of Commissioners may determine.

The Board of Commissioners of the Authority hereby reserves to itself the right to be appointing authority for the Deputy Executive Director, the Chief Financial Officer and all other senior level employees designated by the Board of Commissioners from time to time by resolution, including the authority to hire, terminate and compensate all such employees. The Executive Director and Secretary shall be the appointing authority for all other employees of the Authority, including the authority to hire, terminate, train, supervise and compensate any such permanent, temporary, or part time-employee of the Authority. The Executive Director and Secretary, subject to the foregoing limitation, may from time to time employ such personnel as he or she deems necessary to exercise the powers, duties and functions of the Authority as prescribed by the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and all other laws of the State of New Jersey applicable thereto. The Board of Commissioners may revoke or amend the power of the Executive Director and Secretary to be the appointing authority for the categories of employees otherwise permitted above, at any time by resolution of the Authority. The Executive Director shall have no authority to hire or compensate any individual, other than the designated employees, as determined pursuant to the procedures above. All independent contractors, professionals, bidders, or others who may have a contractual relationship with the Authority shall have that contractual relationship established only pursuant to selection by, and resolution of, the Board of Commissioners.

The General Secretary shall be an employee of the Authority, and as such shall serve at the pleasure of the Authority and shall be compensated in accordance with resolutions and budgets adopted by the Authority.

Section 7. Deputy Executive Director – In the event that it may become necessary, there may be a Deputy Executive Director who shall be an employee of the Authority, and as such shall serve at the pleasure of the Authority and shall be compensated in accordance with resolutions and budgets adopted by the Authority.

The Deputy Executive Director shall be responsible to perform all functions assigned by the Executive Director. Additionally, the Deputy Executive Director shall be responsible to assume the role and perform the duties of General Secretary should the Executive Director be absent or unable to perform the duties of the General Secretary as described in Section six (6) above. In the absence of an appointed Deputy Executive Director, the Executive Director shall delegate to such other employees the functions that would have been assigned to the Deputy Executive Director.

Section 8. Absence of Executive Director and Deputy Executive Director – In the event of a temporary simultaneous absence of both the Executive Director and Deputy Executive Director, the Board of Commissioners, upon a majority vote, may select a temporary appointee, pursuant to law, for a period not to exceed twenty-eight (28) days. If a majority of commissioners does not agree on a temporary appointee, then a temporary appointee selected from among the Commissioners shall serve without compensation, other than the payment of necessary expenses. Should both Executive Director and Deputy Executive Director be absent or unable to perform their duties for a period that exceeds twenty-eight (28) days, then the Board of Commissioner's shall select a temporary appointee from among the Commissioners who shall serve without compensation, other than the payment of necessary expenses until such time that either the Executive Director or Deputy Executive Director is able to continue with the duties.

Section 9. 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 these By-Laws or rules and regulations of the Authority.

Section 10. Election or Appointment. The Chair and Vice-Chair shall be elected at the annual meeting of the Authority from among the Commissioners of the Authority, and shall hold office for one year and until their successors are elected and qualified.

The Board of Commissioners shall appoint the Executive Director and Secretary. Any person appointed to fill the office of Executive Director and Secretary, or any vacancy therein, shall have such term as the Board of Commissioners fixes, except as otherwise provided by law. No Commissioner of the Authority shall be eligible to this office except as a temporary appointee.

Section 11. Vacancies. Should the offices of Chair or Vice-Chair become vacant, the Board of Commissioners 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 Executive Director and Secretary becomes vacant, the Board of Commissioners shall appoint a successor, as stated above.

ARTICLE III - MEETINGS

Section 1. Annual Meetings - The annual meeting of the Authority shall be held on the 4th Thursday of April of each year at 7:00 P.M., at the regular meeting place of the Authority. In the event such date shall fall on a legal holiday, the annual meeting shall be held on a date to be set by the Commissioners.

Section 2. Regular Meetings - Monthly meetings shall be held at one of the Authority's three buildings on the 4th Thursday of each month, unless the same shall be a legal Holiday, in which event, said meeting shall be held on a date to be set by the Commissioners. The Authority may waive the requirement for a meeting in the months of August and November to permit commissioners and employees to participate in mandatory and voluntary seminars.

Section 3. Special Meetings - The Chairman of the Authority, or the vice-chair in the absence of the chair, may, when he deems it expedient, and shall, upon the written 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. At such special meeting of the Authority, no business shall be considered other than as designated in the call.

Section 4. Meetings. If the Chair and the Vice-Chair are unable to attend a meeting of the Authority, then in their absence the Executive Director and Secretary, if a quorum is present, may call the meeting to order and request that the Commissioners present elect a temporary Chair to act as Chair pro tem, who would hold office during that session.

Section 5. Notice. All Meetings, Regular and Special, shall be noticed and conducted in compliance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

Section 6. 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 power and for all other purposes, but a smaller number may adjourn the time of such meeting on a specific date until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority only upon the affirmative votes of the majority, but not less than four, of the Commissioners present, unless otherwise provided for by Law or in these By-Laws for a greater number.

Section 7. Meetings by Telephone or Similar Communications Equipment. Members of the Board of Commissioners may participate in a meeting of the Authority by means of telephone conference or similar communications equipment by means of which all Commissioners participating in the meeting can hear each other, and participation in such a meeting shall constitute presence in person by any such Commissioner at such meeting.

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

1. Roll Call;
2. Reading and approval of the Minutes of previous meeting;
3. Bills and communications;
4. Report of Treasurer;
5. Miscellaneous reports;
6. Reports of the Committees;
7. Unfinished business;
8. New business;
9. Adjournment.

Section 9. Manner of Voting - The voting on all questions coming before the Authority shall be by roll call, and the ayes and nays shall be entered upon the minutes of such meetings, except on the election of officers, which may be by ballot.

Section 10. Public Comment. The Authority shall provide an opportunity for members of the public to speak at the beginning of, or after the order of business has been concluded, prior to the adjournment of the meetings of the Authority. In order to provide comments, individuals must sign-up, for themselves only, on a sign-up list that shall be provided at meetings of the Authority. The sign-up period shall be closed at the earlier of 7:30 P.M. prevailing time (thirty minutes after the meeting begins if the meeting is scheduled for a time other than 7:00 P.M.) or the time at which the last individual who has signed up to speak yields the floor. Public comments shall be made according to the order of the sign-up list, and each speaker is limited to five minutes. The public comment period shall generally be no more than 45 minutes in duration.

Section 11. Closed Session. When the Board of Commissioners deems it necessary or appropriate, the Authority may enter into a meeting session excluding the public in compliance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

ARTICLE IV- NOTICES

Section 1. Manner of Delivery. Whenever notice is required to be given to the Commissioners, it shall be given in writing or by electronic mail to the Commissioner at his or her address as it appears on the books of the Authority, unless otherwise specifically provided by these By-Laws. Notice given to the Commissioner by mail shall be deemed to be given when deposited in the United States mail, postage prepaid, or to be given when sent by electronic mail and not returned as undeliverable. Notice to a Commissioner may also be given by personally delivering written notice.

Section 2. Waiver. Whenever any notice is required to be given for any reason, a written waiver thereof signed by the person entitled to said notice, whether before or after the time stated therein, shall be deemed to be equivalent to such notice. Any Commissioner who attends a meeting of the Authority without protesting the lack of notice at the commencement of the meeting shall be conclusively deemed to have waived notice of such meeting.

ARTICLE V- ETHICS

Section 1. The Members of the Board of Commissioners shall comply with the applicable ethics requirements enacted by the State of New Jersey and by the United States Department of Housing and Urban Development.

ARTICLE VI - AMENDMENTS

Section 1. Amendments to 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 a special

meeting, but no such amendment shall be acted upon unless a written copy of the proposed amendment is given each member at least one month prior to consideration of the amendment for adoption or rejection.

I, Christopher W. Marra, duly appointed Executive Director of the Housing Authority of the Town of Secaucus, New Jersey, do hereby certify that the above is a true and correct copy of the By-Laws of said Authority last amended February, _____ 2021.