

HOUSING AUTHORITY OF POTTER COUNTY

BY-LAWS

Enacted: November 23, 1970

As Amended: January 4, 1977

Amended and Enacted: April 15, 1991

Amended and Enacted:

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ARTICLE I – PURPOSES, POWERS, AND OFFICES

Section 1.0 – Purposes

The Housing Authority of Potter County, hereinafter referred to as the Housing Authority or Authority, shall have and exercise such purposes as are now or may hereafter be set forth in that certain Resolution of the Potter County Commissioners creating the said Authority dated the 23rd day of November, 1970, and in accordance with the Housing Authorities Law, 1937, May 28, P.L. 955, Section 1, codified at 35 Pa.C.S.A., Section 1501 et seq., as amended.

Notwithstanding any of the above statements of purposes, the Housing Authority shall not engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the said Authority.

Section 1.1 – Powers

The Housing Authority shall constitute a public body, corporate and politic, exercising public powers of the Commonwealth of Pennsylvania as an agency thereof, which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes set forth in the provisions of the Housing Authorities Law, 1937, May 28, P.L. 955, Section 1, codified at 35 Pa.C.S.A., Section 1501 et seq., as amended.

Notwithstanding any of the above statements of powers, the Housing Authority shall not exercise any powers that are not in furtherance of the primary purpose of the Authority.

Section 1.2 – Offices

The principle office of the Housing Authority shall be situate within the Commonwealth of Pennsylvania and County of Potter. The offices of the Housing Authority shall be such places as may be determined by the Authority from time to time by resolution.

ARTICLE II – MEMBERS OF THE HOUSING AUTHORITY

Section 2.0 – Powers

Except as otherwise provided by law or by these By-Laws, the Housing Authority shall have and exercise full power and authority to do all things deemed necessary and expedient in the governance, management, and control of the business and affairs of the Authority.

Section 2.1 – Number and Qualifications

The Housing Authority shall consist of five (5) citizens who shall be residents of Potter County. Individuals shall be selected by the Commissioners of Potter County for their experience,

relevant areas of interest and expertise, and ability and willingness to participate effectively in fulfilling the responsibilities of the Housing Authority.

Section 2.2 – Tenure and Compensation

No more than two persons holding any other paid public office shall be members of the Housing Authority at the same time. The members who are first appointed shall serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment as shall be specified at the time of their appointment. Thereafter, the term of office shall be five years. A member shall hold office until his successor as a member of the Authority has been appointed, unless he sooner ceases to be a member or resigns. A member may succeed himself. Vacancies for unexpired terms shall be filled promptly by the Commissioners of Potter County.

The Chairman, Vice-Chairman, Secretary, Treasurer, and Assistant Secretary-Treasurer shall be elected at the annual meeting of the Housing Authority and shall hold office for a term of one year, unless he sooner ceases to be a member of the Authority or resigns. Should any office become vacant, the Authority shall elect a successor from the Authority at the next regular meeting and such person elected to fill the vacancy shall serve for the unexpired term of office. An officer may succeed himself.

A member shall receive no compensation for his services but shall be entitled to reasonable and necessary expenses incurred in the discharge of his duties, including travel expenses from his residence to a meeting site.

Section 2.3 – Organization

The members of the Housing Authority shall select from among themselves a Chairman, a Vice-Chairman, a Secretary, a Treasurer, and an Assistant Secretary-Treasurer. The Authority may employ its own counsel and legal staff. Such officers shall hold office for one year or, in the case of a vacancy in office, until the successor is appointed.

Section 2.4 – Duties of Officers

The officers of the Housing Authority shall have the duties enumerated below:

- (a) Chairman – The Chairman is the principal officer of the Authority and shall preside at all meetings of the Authority. The Chairman may sign on behalf of the Authority all documents or instruments which the Authority has authorized, except where the signing and execution thereof is expressly delegated by the Authority or by the By-Laws to some other officer, or is required by law to be otherwise signed or executed. 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.

- (b) Vice-Chairman – The Vice-Chairman shall perform such duties as may be assigned to him by the Authority or by the Chairman. In the absence of the Chairman or when for any reason the Chairman is unable or refuses to perform his duties, the Vice-Chairman shall perform those duties with the full power of, and subject to the restrictions of, the Chairman. In the case of resignation, removal, 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 appoint a new Chairman.
- (c) Treasurer – The Treasurer shall oversee the care and custody of all funds of the Authority and shall verify same to be deposited in the name of the Authority in such bank or banks as the Authority shall select. The Treasurer shall keep or cause to be kept correct and accurate accounts of the properties and financial transactions of the Authority and shall cause to be rendered to the Authority, when requested, an account of transactions and financial condition of the Authority. If required by the Authority, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety as the Authority shall determine. The Treasurer shall countersign all financial instruments of the Authority.
- (d) Secretary – The Secretary shall provide for the keeping of minutes of all meetings of the Authority and shall assure that such minutes are filed with the records of the Authority. The Secretary shall give or cause to be given appropriate notices in accordance with these By-Laws or as required by law. The Secretary shall act as the custodian of all corporate records and reports and of the corporate seal, assuring that it is affixed to all documents or instruments when required by law. The Secretary shall keep or cause to be kept a roster showing the names of the current members of the Housing Authority and their addresses and telephone numbers.
- (e) Assistant Secretary-Treasurer – The Assistant Secretary-Treasurer shall act in the absence of the Secretary or the Treasurer according to the responsibilities of the respective positions. The Assistant Secretary-Treasurer shall also act as Chairman in the absence of both the Chairman and Vice-Chairman for a regular or special meeting.

ARTICLE III – MEETINGS

Section 3.0 – Attendance

The Housing Authority may establish by resolution requirements for the attendance by the members at meetings of the Authority

Section 3.1 – Quorum

Three members of the Authority shall constitute a quorum for its meetings.

Section 3.2 – Annual Meeting

The annual meeting of the Housing Authority shall be held on the third Monday of January in the regular meeting place and at the regular meeting time of the Authority, or in such place and at such time as designated by resolution of the Authority at the last regular meeting preceding the January meeting.

Section 3.3 – Regular Meetings

The regular monthly meetings of the Housing Authority shall be held, without call or notice, on the third Monday of each month at 7:00 p.m., unless that day falls on a legal holiday and in that event the meeting shall be conducted on the next business day immediately following as designated by the Authority at its previous monthly meeting. The location of the meeting shall be at the regular meeting place of the Authority, or in such place as designated from time to time by resolution of the Authority.

Section 3.4 – Special Meetings

Special meetings of the Authority for any purpose may be called by the Chairman or upon written request of two members. Written notice of the time, place, and purpose of any special meeting shall be personally delivered or mailed so as to be delivered to the business or home address of each member at least twenty-four (24) hours prior to the time of such special meeting. Members may also be notified telephonically of the time, place, and purpose of the special meeting. At a special meeting, only that business for which the special meeting was called shall be conducted.

Section 3.5 – Notice of Meeting

A notice of meeting shall specify the place, day, and hour of the meeting and the purpose of the meeting and any other information required by any other provision of law or by these By-Laws.

Section 3.6 – Waiver of Notice of Meeting

Whenever any notice is required, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, is deemed equivalent to the giving of such notice. Neither the business to be transacted at nor the purpose of a meeting need be specified in the waiver of notice. A waiver of notice for a special meeting of the Authority shall specify the general nature of the business to be transacted.

Attendance of a person at any meeting constitutes a waiver of notice of such meeting, except when a person attends a meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting was not lawfully called or convened.

Section 3.7 – Order of Business

At the regular monthly meetings of the Housing Authority, the following shall be the order of business:

- (a) Call to Order.
- (b) Roll call.
- (c) Presentation and Approval of Minutes of the Previous Meeting.
- (d) Old Business.
 - (i) Bills and Financial Reports.
 - (ii) Miscellaneous Old Business.
- (e) New Business
 - (i) Report of Director as to personnel, general administration, business, and finance.
 - (ii) Miscellaneous New Business.
- (f) Information Items – by Roll Call.
- (g) Public Comments.
- (h) Adjournment.

All resolutions of the Housing Authority shall be recorded in the minutes of the Authority.

Section 3.8 – Manner of Voting

Each member of the Authority shall be entitled to one vote on any matter properly submitted to the Authority for its vote at the annual meeting, the regular monthly meetings, or at special meetings. The voting on all matters before the Authority shall be by roll call, and the vote shall be entered in the minutes of such meeting, except that the election of officers may be by majority vote without the necessity of recording the individual votes upon the minutes.

Section 3.9 – Adjournment

When a meeting of the Authority is adjourned to another time or place, it is not necessary to give notice of the adjourned meeting if the time and place to which the meeting is adjourned are announced at the meeting at which the adjournment is taken. Any business that may have been transacted at the original meeting may be transacted at the adjourned meeting.

ARTICLE IV – HOUSING AUTHORITY COMMITTEES

Section 4.0 – Standing Housing Authority Committees

The Housing Authority has the following standing committees appointed by the Chairman:

- (a) Budget Committee.
- (b) Personnel Committee.

Section 4.1 – Creation and Combination of Committees and Re-Assignment of Functions

The creation of committees is discretionary with the Housing Authority. If the Authority determines that any one or more of such committees should not exist, it assigns the functions of such committee to a new or existing committee of the Authority, to the Authority, or to an individual officer or agent of the Authority. If a new committee is established, the resolution creating it must designate:

- (a) The members who are to serve as its voting members.
- (b) The chairman of the committee.
- (c) The authority of the committee and any limitations thereon.
- (d) The functions the committee shall discharge.

Section 4.2 – Powers and Reporting

Each committee shall have and exercise the powers of authority granted to it by resolution of the Authority creating it or in these By-Laws. Each committee must keep minutes of its proceedings and report its recommendation to the Authority for its approval.

Section 4.3 – Tenure

Each member of a committee holds office until the next annual election of officers and until his successor as a member of such committee is elected, unless he sooner ceases to be a member of the committee, resigns, or is removed from the committee.

Section 4.4 – Vacancies

A vacancy on any committee shall be filled for the unexpired portion of the term by a majority vote of the Authority members then in office.

Section 4.5 – Meeting

Meetings of a committee may be called by the chairman of the committee or a majority of the committee members. Each committee shall meet as often as is necessary to perform its duties.

ARTICLE V – PERSONNEL

Section 5.0 – Employment

The Housing Authority of the County of Potter may employ a secretary, such technical experts, and such other officers, agents, and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation of such persons as provided by the Housing Authorities Law and the Civil Service Act, 1941, Aug. 5, P.L. 752, art. I, Section 1, codified at 71 P.S., Section 741.1 et seq., as amended, and all other applicable laws of the Commonwealth of Pennsylvania. The Authority shall hire the Executive Director. Such other personnel as may be required shall be selected by the Executive Director, subject to the approval of the Authority. The compensation of all personnel shall be determined by the Authority, subject to the provisions of the said Civil Service Act and all other applicable laws of the Commonwealth of Pennsylvania.

Section 5.1 – Supervisory Duties of Executive Director

The Executive Director of the Housing Authority of the County of Potter shall have general supervision over the administration of the business and affairs of the Authority and shall be charged with the management of the housing projects of the Authority, subject to the direction of the Authority. He shall have full authority to appoint, promote, transfer, demote, suspend, and separate personnel, subject to the direction of the personnel committee of the Authority and in accordance with the said Civil Service Act and all other applicable laws of the Commonwealth of Pennsylvania, and shall perform such other duties as the Authority from time to time determines.

ARTICLE VI – FISCAL MATTERS

Section 6.0 – Methods of Payment and Endorsement

Payments shall be made by drafts, checks, or other orders all of which shall be signed by two of the officers of the Authority, or one officer of the Authority and the Executive Director, or as the Authority by resolution may from time to time provide. No bonds, bills, or notes shall be executed by or on behalf of the Authority unless the Authority shall by resolution authorize the same.

ARTICLE VII – MISCELLANEOUS

Section 7.0 – Fiscal Year

The Authority shall, by resolution, establish the fiscal year of the Authority.

Section 7.1 – Corporate Seal

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. The Authority may provide for a change in the corporate seal in such form and with such inscription as it shall determine.

Section 7.2 – Designations

In these By-Laws, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

ARTICLE VIII – AMENDMENT

Section 8.0 – Method of Alternation, Amendment, or Repeal of By-Laws

The By-Laws of the Authority shall be subject to alteration, amendment, or repeal by a majority vote of the Authority for the time being in office at any regular or special meeting of the Authority, provided that notice of such proposed alteration, amendment, or repeal shall have been given in writing to each member at least seven (7) days prior to the regular or special meeting at which action thereon is to be taken, or without any such notice by unanimous vote at any meeting of the Authority when all members are present.

SECRETARY’S CERTIFICATION

I, _____, Secretary of the Housing Authority of Potter County, certify that the foregoing By-Laws, as amended, were duly adopted by the Board of Commissioners of said Housing Authority on the _____ day of _____, 2019.

IN WITNESS WHEREOF, the undersigned has signed this Certificate and affixed the seal of the Housing Authority of Potter County hereon this _____ day of _____, 2019.

SEAL

Secretary
Housing Authority of Potter County

