

**CLAREMONT HOUSING AUTHORITY,
CLAREMONT, NEW HAMPSHIRE
BYLAWS**

Adopted September 28, 2021

Amended:
Resolution #9: 11/29/1967
Resolution #29: 04/30/1969
Resolution #646: 09/30/1998
Resolution #680: 12/26/2001
Resolution #754: 09/17/2018
Resolution #758: 11/26/2019
Resolution #765: 09/28/2021

ARTICLE I - THE AUTHORITY

Section 1. NAME OF AUTHORITY. The name of the Authority shall be "Claremont Housing Authority."

Section 2. SEAL OF THE AUTHORITY. The seal of the Authority shall be in the form of a circle and bear the name of the authority and the year of its organizations and the words "New Hampshire".

Section 3. OFFICE OF THE AUTHORITY. The offices of the Authority shall be at 243 Broad Street, Claremont, NH, Zip Code 03743.

ARTICLE II – BOARD OF COMMISSIONERS

Section 1. MEMBERSHIP. The Claremont Housing Authority is governed by a Board of Commissioners composed of five persons and two alternates. At least one member shall be a resident of Marion Phillips. (a board of commissioners may request that the mayor *appoint a sixth commissioner, who shall be a public housing resident or assisted housing participant within the programs administered by that board of commissioners.* Upon receiving such request, the mayor shall appoint a sixth commissioner. Any such sixth resident commissioner shall serve for a term of 5 years with all of the powers and responsibilities of that position.") All members shall reside in the City of Claremont. The City Manager shall appoint persons as Commissioners of the Authority. Appointments shall be for five-year terms, ending on May 29.

Section 2. OFFICERS. Officers of the Board shall be a Chairperson, a Vice Chairperson and a Secretary who shall be the Executive Director. Note: A Commissioner cannot be the Secretary.

Section 3 CHAIRPERSON. The Chairperson shall preside at all meetings of the Board. Except as otherwise authorized by resolution, the Chairperson shall sign all contracts, deeds, and other instruments made by the Board. At each meeting the Chairperson shall submit such recommendations and information as he/she may consider proper concerning the business, affairs, and policies of the Board.

Section 4. 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 until the end of the Chairperson's term.

Section 5. SECRETARY. The Secretary shall be the Executive Director of the Authority. As an ex-officio member of the Board, the Secretary shall not have the power to vote. The Secretary shall maintain the records of the Board of Commissioners, record all votes, and take the minutes of all meetings of the Board, and shall perform all duties incident to said office.

Section 6: EXECUTIVE DIRECTOR. The Executive Director shall be charged with the administrative management of the Authority. As such, he/she shall have general supervision over the administration of its business and affairs, subject to the direction of the Board of Commissioners. The Executive Director 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 Board.

The compensation of the Executive Director shall be determined by the Board. The Executive Director shall be appointed for an indefinite term and shall be removable only upon the adoption of a Resolution terminating his/her services passed by a majority of the Board. He/she shall, upon demand, be given a written statement of the reasons for his/her proposed removal and the right to be heard publicly at a meeting of the Board prior to the passage of such a Resolution. Pending such hearing and action, the Board may suspend him/her from office and may not reduce the salary or the benefits of the Executive Director.

The Executive Director shall also function as the Treasurer of the Authority, and as Treasurer 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 Board of Commissioners may select. The Executive Director shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board of Commissioners. Except as otherwise authorized by Resolution of the Board of Commissioners, all such orders and checks shall be countersigned by such persons as designated by the Board of Commissioners by Resolution. The Executive Director shall keep regular books of accounts, showing receipts and expenditures, and shall render to the Board of Commissioners at each regular meeting, or when requested, an account of all such transactions and the financial condition of the Authority. The Executive Director shall be bonded for the faithful performance of said duties in an amount as the Board of Commissioners may determine

Section 7. ADDITIONAL DUTIES. The officers shall perform such other duties and functions as may, from time to time, be required by the Board of Commissioners or its bylaws or rules and regulations.

Section 8. ELECTION OR APPOINTMENTS. The Chairperson and Vice Chairperson shall be elected at the Annual Meeting of the Board and shall hold offices for two years or until their successors are elected and qualified.

Section 9. VACANCIES. Should the office of Chairperson or Vice Chairperson 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.

Section 10. ADDITIONAL PERSONNEL. The Board of Commissioners may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed under the Laws of the State of New Hampshire applicable thereto. The selection and compensation of such personnel shall be determined by the Board in accordance with the Authority's Personnel Policy and upon recommendation of the Executive Director.

Section 11. ATTENDANCE. It is expected that Commissioners will make every effort to attend scheduled meetings. If a Commissioner fails to attend two (2) consecutive meetings without the Chairperson's excusal, the Chairperson may send a letter to the City Manager of the City of Claremont alerting him or her of the circumstances.

Section 12. COMPENSATION. No Commissioner may be compensated for serving in any capacity; except that he or she is entitled to reimbursement for necessary expenses, including traveling expenses incurred in the discharge of his or her duties.

Section 13. RESIGNATION. Any Commissioner may resign at any time by giving written notice to the Chairperson of the Board. Such resignation takes effect at the time specified in the resignation, or if the time is not specified, upon receipt thereof. Unless otherwise specified in the resignation, the acceptance of a resignation is not necessary to make it effective.

Section 14. REMOVAL. A Commissioner may be removed by the City Manager of Claremont for inefficiency or neglect of duty or misconduct in office. However, a Commissioner may be removed only after he or she is given a copy of the charges at least ten (10) days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. When a Commissioner is removed, a record of the proceedings will be kept.

ARTICLE III - MEETINGS

Section 1. ANNUAL MEETING. The Annual Meeting of the Board shall be held immediately following the Board's regular meeting in September or October. The purpose of the meeting includes, but is not limited to, the election of officers, the establishment of goals, the recognition of people and the evaluation of the Executive Director.

Section 2. REGULAR MEETINGS. Regular meetings shall be held on the fourth Tuesday of each month, at 1:30 p.m., unless the same shall be a legal holiday. In this event, said meetings shall be held on the next business day. Meeting notices will be posted seven days in advance in a minimum of two locations, one of which will be in a local newspaper. (*Notice: Minimum of 24 hours, not including Sundays or holidays, either published in a local newspaper or posted in two prominent public places, one of which may be the public body's website. RSA 91-A:2.*)

Section 3. SPECIAL MEETINGS. When deemed necessary, the Chairperson, the Executive Director or a majority of the Board of the Commission may call a special meeting for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Board of Commissioners or may be mailed to the business or

home address of each member at least two days (forty-eight hours) prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call. Notice requirements for the public should also be included. Note: Suggestion would be to refer to notice requirements outlined in the regular meeting.

(NONPUBLIC SESSIONS: Meetings or portions of meetings that the public may not attend. Begin in a properly noticed public meeting. A motion for nonpublic session is made and seconded, citing the statutory reason, and a majority roll call vote is taken. Once in the nonpublic session, only the reason(s) cited in the motion may be discussed. Minutes must be kept and (unless the board votes to seal them) made available to the public upon request within 72 hours after the meeting, whether or not approved yet. RSA 91-A:3.)

Section 4. QUORUM. Three commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the commissioners present.

Section 5. ORDER OF BUSINESS. At the regular meetings of the Authority the following shall be the order of business:

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVE AGENDA
4. PUBLIC COMMENT
5. APPROVAL OF MINUTES
6. REPORT OF EXECUTIVE DIRECTOR
 - a. HOUSING CHOICE VOUCHER REPORT
 - b. MARION L. PHILLIPS REPORT
7. COMMITTEE REPORTS (IF APPLICABLE)
8. UNFINISHED BUSINESS
9. NEW BUSINESS
10. EXECUTIVE SESSION (IF APPLICABLE)
11. ADJOURNMENT

The Chairperson and the Executive Director shall formulize an Agenda in conformity with this section. The agenda shall include time allotments for each item. The Executive Director shall distribute the agenda and supporting documentation to the Board no later than the Thursday preceding each meeting. The Commission, by majority vote, may alter the order of business during any meeting if the need to take action arises after the posting of the agenda.

Section 6. RULES OF MEETING.

*Anyone, not just local residents, may attend, take notes, record and photograph the meeting. However, except as required in a public hearing, **the public has no guaranteed right to speak.** RSA 91-A:2.)*

1. Persons wishing to present a complaint must have exhausted all options with the office prior to presenting it to the Board. Any complaints not brought to the office first will not be heard by the Board.
2. A time limit of 3 minutes shall be imposed on the persons speaking before the Board. The time limit may be extended at the discretion of the Chairperson.
3. Public comment will be permitted on pertinent subject matter if approved by the Chairperson. Persons requesting to speak after public comment must follow the same public comment rules of conduct.
4. Any persons who persist in disruptive conduct may be asked to leave by the Chairperson from the meeting of the Board.

Section 7. CONFLICT OF INTEREST. No commissioner or employee of an authority shall acquire any interest direct or indirect in any housing project or in any property included or planned to be included in any project, nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If any commissioner or employee of an authority owns or controls an interest direct or indirect in any property included or planned to be included in any housing project, he immediately shall disclose the same in writing to the authority and such disclosure shall be entered upon the minutes of the authority. Failure so to disclose such interest shall constitute misconduct in office. Upon such disclosure such commissioner or employee shall not participate in any action by the authority affecting such property.

Section 8. MANNER OF VOTING. The voting on all questions coming before the Board shall be by voice vote or by roll call, and the yeas and nays shall be entered upon the minutes of such meetings. (Deliberations: Public bodies may only deliberate in properly held meetings and may not use communication outside a meeting (such as sequential emails or phone calls) to circumvent the spirit or purpose of the law. RSA 91-A:2-a).

ARTICLE IV - AMENDMENTS

Section 1. AMENDMENTS TO BYLAWS. The by-laws of the Authority shall be amended only with the approval of at least a majority of the Board at a regular meeting or at a special meeting which has been duly called and held pursuant to Article III, Section 3 of the By-Laws, but no such amendment shall be adopted unless at least seven days' notice thereof has been previously given to all of the members of the Board.