

BY-LAWS
of the
YORK HOUSING AUTHORITY
(d/b/a York Housing)

ARTICLE I

ORGANIZATION

Section 1. The York Housing Authority was organized pursuant to the provisions of Title 30 M.R.S.A sec. 4552, et seq. and pursuant to a resolution duly adopted at the Special Town Meeting of the Town of York held on the 21st day of November 1978 and exists pursuant to the provisions of Title 30-A, M.R.S. § 4701, et seq. and by resolution of the Town of York on May 19, 2012, retroactively effective to February 28, 1989. The York Housing Authority derives its powers and responsibilities from, and operates within the legal framework set forth in 30-A M.R.S. § 4721, et seq. as amended, and may do business as "York Housing."

Section 2. The York Housing Commissioners shall, pursuant to the provisions of Title 30-A, §§ 4721 and 4723, consist of a minimum of 7 Commissioners (Max 13) appointed by the York Board of Selectmen, 2 of which must be members of the resident population¹ by statute.

a. Of the Commissioners, by statute, one shall be elected by the Commissioners as chairman and one as vice-chairman. The Secretary and Treasurer are not Commissioners, but may be employed by the Commissioners. The Secretary shall also be York Housing's Executive Director.

b. Said resident Commissioners shall be elected by secret ballot by their resident-neighbors and such appointment recommendations made to the Commissioners/Board of Selectman. Resident Commissioners have the same responsibilities as non-resident Commissioners.

Section 3. Pursuant to the said provisions of Maine Statute, the York Board of Selectmen, by resolution adopted November 27, 1978, appointed the following as original Board Members of the York Housing Authority:

¹When a municipality has housing that is subsidized by U.S. Dept. of Housing and Urban Development

<u>Name</u> _____	<u>Term Expiring</u>
Hubert W. Dunston	April 1979
Lloyd P. Dodge	April 1980
Phyllis O. Salls	April 1981
Mary L. McDermott	April 1982
Joseph McCarthy	April 1982
Edmund W. Hadley	April 1983

Section 4. Vacancies. Any vacancy of the Board, now called Commission, shall be filled by appointment of the Selectmen pursuant to Maine statute Title 30-A, Section 4723 in the normal course of business. Joint interviews with Selectmen and Commissioners will be conducted before appointment of a new Commissioner. Recommendations for Commissioners from/through York Housing may be considered before appointment. An appointee shall not become a Commissioner until filing his/her oath with the York Town Clerk.

Any vacancy of the resident Commissioners shall be filled by recommendation to the Commissioners based upon secret ballot election by resident-neighbors.

Section 5. Resignation. Any member of the Commission may resign by filing a written resignation with the York Housing Commission, which will be forwarded to the Board of Selectmen. The departing Commissioner's term shall be completed by a new Commissioner, in accordance with Section 4 above.

Section 6. Orientation. All new Commissioners must be willing to participate in a Commission-approved Orientation Program.

Section 7. Terms. Members of York Housing shall, by statute, serve five-year terms. Renewal of 2 additional terms is automatic. Re-appointment of a member after three terms shall be conducted as set forth in Article I, Section 4 herein.

Section 8. Committees. Committees and sub-committees can be formed at the discretion of the Commission. Appointments to such committees may include non-Commission members. In addition, the Commission may seek guidance from persons with expertise who are not Commission members and may appoint such persons to advisory committees as needed, and compensated, if required. However, non-Commissioner advisors have no power to vote at meetings of the Commission.

ARTICLE II

MEETINGS:

Section 1. Regular meetings of York Housing shall be held monthly at *Baldwin Center*, or at such other location as may be selected by the Commission.

Section 2. Special meetings may be called solely by the Chairman, or by 4 or more Commissioners, with due notice to all Commissioners.

Section 3. Quorum. A simple majority of the Commissioners present at a duly called meeting shall constitute a quorum for transacting the business of York Housing, but in no case shall a quorum consist of fewer than four appointed Commissioners.

Section 4. Voting. Any resolution or any action of York Housing must be approved by a simple majority of appointed Commissioners in attendance.

Section 5. Annual Meeting. The annual meeting shall be held on the *second* Wednesday of each October, or such other time as the Commission may duly schedule, at which time officers will be elected to serve a term of one year.

ARTICLE III

OFFICERS:

Section 1. The officers of York Housing shall be the Chairman, Vice-Chairman, Secretary and Treasurer. Each shall serve for a term of one year or until a successor has been elected.

Section 2. Commissioners may appoint such additional officers and/or committee chairmen, as Commissioners shall deem desirable from time to time.

Section 3. Chairman and Vice-Chairman shall be elected by the affirmative votes of a simple majority of the Commissioners in attendance.

Section 4. Removal. An officer may be removed by an affirmative vote of the majority of all Commissioners.

Section 5. Any officer vacancy shall be filled by a simple majority vote of the Commissioners at a regular meeting or special meeting duly held.

Section 6. Powers and Duties of Officers:

a. Chairman. The Chairman shall be the principal executive officer of the Commission and shall in general supervise and control all of the business and affairs of York Housing. She shall preside at all meetings of the Commission; may sign, with attestation of the Secretary or any other proper officer authorized by the Commission, any deeds, mortgages, bonds, contracts, or other instruments which the Commission authorizes to be executed, except in cases where the signing and execution thereof shall be expressly delegated by authority of these By-laws or statute to some other officer or agent of York Housing; and in general shall perform all duties incident to the office of Chairman and such other duties as may be prescribed by the Commission, the Town or statute from time to time.

b. Vice-Chairman. In the absence of the Chairman or in the event of her

inability or refusal to act, the Vice-Chairman shall perform the duties of the Chairman, and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairman. Any Vice Chairman shall perform such other duties as from time to time may be assigned to her by the Chairman or the Commission, the Town or statute.

c. Treasurer/Secretary. The Treasurer/Secretary will review financial reports on behalf of the Commission and will review the minutes and other records of the Commission for accuracy and form before presentation to Commission. She will also manage the developments, review and research potential developments, collect rents, pay bills, keep financial records, interface with the community and Town and oversee other obligations of York Housing. The Secretary shall also be the Executive Director.

ARTICLE IV

GENERAL PROVISIONS:

Section 1. Commissioners shall receive no compensation.²

Section 2. York Housing shall have such powers and duties as provided by the laws of the State of Maine and as authorized from time to time by York Town Meetings, the Board of Selectmen or statute.

Section 3. Commissioners may from time to time confer on one or more of its officers the power to execute any and all documents on its behalf and to otherwise carry out its functions and purposes.

Section 4. As used herein "Authority" shall mean the "York Housing Authority" or "York Housing."

Section 5. Commissioners shall designate from time to time a bank or banks, duly authorized to do business in the State of Maine, as the official depository or depositories for such funds as York Housing shall receive and control. Commissioners may authorize and direct the Treasurer to invest any funds in certificates of deposit or securities, which are legal under the laws of Maine, for the investment of fiduciary funds. Commissioners may, but need not, require a fiduciary bond for any Commissioner, officer or employee handling its funds.

Section 6. As used herein Board, Board Member or Director shall mean Commission or Commissioner.

ARTICLE V

ORDER OF BUSINESS:

Section 1. Order of Business. The order of business at any regular or

² But may be reimbursed for necessary expenses §4723(1)(B)

special meeting of the members of York Housing shall be:

- a. Reading and approval of any unapproved minutes.
- b. Reports of officers and committees.
- c. Unfinished business.
- d. New business.
- e. Adjournment.

Section 2. Parliamentary Procedure. On question of parliamentary procedure not covered in these By-laws, a ruling by the Chairman shall prevail.