

# **BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES**

Approved June 13, 2017 by Board of Trustees

## **ARTICLE I - NAME AND PURPOSE**

This organization shall be known as The Howland Public Library, existing by virtue of the Absolute Charter, Number 25,219, granted by the Regents of the University of the State of New York as amended October 19, 2010, and located at 313 Main Street, Beacon, New York 12508.

The purpose of The Howland Public Library shall be to provide superior public library service to the residents of the Beacon City School District.

## **ARTICLE II - BOARD OF TRUSTEES**

The Howland Public Library shall be governed by a Board of nine Trustees consistent with the above charter and any other applicable laws and regulations. Vacancies due to causes other than expiration of term shall be filled by the Board of Trustees at a regular or special meeting until the next annual election.

Eligibility for office shall be limited to registered voters of the Beacon City School District.

Any Trustee who shall fail to attend three consecutive regular meetings of the Board, without prior notice, may be removed from the Board. Removal shall be by a two-thirds vote of the entire Board.

No Trustee may serve as an election official or poll inspector at any polling place in the Beacon City School District when library business is being voted upon.

## **ARTICLE III - ELECTION OF TRUSTEES**

Election of Trustees and submission of an annual budget for public vote shall occur on a date and place to be determined by the Board of Trustees and in accordance with New York State law.

The Board of Trustees shall consist of nine members. Each member shall serve a five-year term. Pursuant to the Library Charter and New York State Law, the terms of the Trustees are to be staggered so that no more than two five-year terms may be voted upon in any year.

At each election for Trustees of The Howland Public Library, the person or persons receiving the most votes shall be deemed to have been elected to the full five-year term or terms which would become vacant as of the first day of July following said election.

In the event that a Library Trustee resigns from his or her position before the expiration of the five-year term, the remaining members of the Board of Trustees may appoint a person to serve in such position until the 30<sup>th</sup> day of June of the school year in which the appointment is made.

# **BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES**

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## **ARTICLE III – OFFICERS**

### *A. ELECTION*

All newly-elected Trustees shall be officially seated at the special reorganization meeting held during the first two weeks in July. In addition, at this same meeting, the officers of the Board shall be elected from among the members of the Board of Trustees. The officers shall be: President; President-Elect; Secretary. The Treasurer is appointed by the Board, but is not an officer of the Board. This meeting shall be chaired by the most senior officer present and qualified to retain his or her office or, otherwise, a temporary chair elected by the Trustees present at the meeting.

### *B. TERMS OF OFFICE*

Officers shall serve a term of one year from the meeting at which they are elected by the Board and until their successors are elected. Tenure of officers of the Board shall be limited to two consecutive years. The tenure of the President shall be limited to two years, after which the President-Elect shall be automatically nominated for the office of President upon completion of one term as President-Elect or in the event of that the President shall resign.

### *C. DUTIES OF OFFICERS OF THE BOARD*

#### 1. President:

The President shall preside at all meetings, be an ex officio member of all committees, is expected to consult regularly with the Director of the Library, the President-Elect, and committee chairs, and shall perform all duties usually incident to the office of President.

#### 2. President-Elect:

The President-Elect shall in the absence or disability of the President, perform the duties and exercise the powers of the President. The President-Elect shall have such powers and perform such duties as may be delegated to him or her by the President or prescribed by the Board of Trustees. The President-Elect is expected to consult regularly with the President and Committee Chairs and perform all duties incident to the office of President-Elect. The President-Elect shall automatically be nominated President when the two-year term of the President is up or if the President resigns.

#### 3. Secretary:

The Secretary shall perform all such duties generally associated with that office and also any duties other than those performed by the Board Recorder. The Secretary will

# BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES

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take minutes in the absence of the Board Recorder and shall perform such other duties as are generally associated with that office.

A Board Recorder, who need not be a Trustee, may be selected by the Board to assist the Secretary in the performance of his/her duties. The Recorder shall keep a true and accurate record of all meetings of the Board and shall make minutes of all meetings of the Board available to the public within time limits prescribed by provision of the Freedom of Information Act and shall issue notice of all regular and special meetings.

## 4. Treasurer:

The Treasurer is not an elected officer but is appointed by the Board of Trustees. The Treasurer is required to take an Oath of Office and to perform their duties as defined in state law. The Treasurer shall perform such duties as are generally associated with that office, including serving on the Finance Committee.

Checks over \$5,000 shall require two signatures: that of the Library Director and co-signed by a Trustee with check signing privileges.

A list of Trustees and Employees with check-signing privileges shall be reviewed annually at the reorganization meeting in July.

## ARTICLE V – COMMITTEES

The President of the Board shall appoint Board members to serve on each of the standing committees. Each committee shall consist of at least three (3) Board members unless otherwise agreed upon. Committee members will serve for the term of one year, until the next reorganization meeting, and may serve on committees for consecutive years upon annual reappointment by the President of the Board.

All committees shall make a progress report to the Board at each of its meetings. If the committee is presenting a recommendation to the Board, it must circulate it via email in the form of a motion so that trustees can read it prior to the meeting. The motion will be presented for discussion and voting at the time of the Committee Report. This in no way precludes motions from the floor at any meeting.

The President of the Board of Trustees and the Library Director shall be ex-officio members of all committees, standing and ad-hoc.

The Board of Trustees shall have the following committees:

***Board Development & Policy Committee:*** The standing Board Development and Policy Committee shall advise on areas of trustee development including Board of Trustees orientation and self-assessment and shall perform the necessary functions with respect to Board policies. Further, the Committee shall coordinate periodic review

# BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES

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of these Bylaws and, if appropriate, present recommendations for change at any regular meeting throughout the year. The Committee will also review and recommend changes, additions, and/or amendments to library policies.

***Building Committee:*** The standing Building Committee shall monitor all Library capital construction, renovation, and repair projects and shall provide regular reports and recommendations to the Board on such projects. The Facilities Manager will be a member of this committee.

***Finance Committee:*** The standing Finance Committee shall regularly review the fiscal operations of the library. This committee shall review the annual budget prepared by the director for consideration by the Board and shall be charged with making recommendations to the Board to assure the fiscal health of the Library. The Treasurer may attend the committee meetings as well.

***Personnel/Nominating Committee:*** The standing committee shall review personnel policies governing the terms of employment, salary schedule and employee benefits of library employees. They shall evaluate the Director annually. In addition, this committee shall present a slate of officers for election by the Board at the reorganization meeting in July. They shall also be responsible for proposing candidates for consideration by the Board to fill unexpired terms.

***Planning Committee:*** The standing Planning Committee shall conduct short and long range planning functions for the Board. This committee shall periodically review the minimum standards of Library Service in New York State and shall prepare a written five-year plan for the Library subject to approval of the Board of Trustees. Members shall review the plan annually each October. This committee is responsible for the annual Helen Savoit Awards Event.

***Ad Hoc Committees:*** The President may appoint Ad Hoc Committees as needed. Non-Board members may be invited to join Ad Hoc Committees.

***Liaison to Friends of the Library:*** The President shall appoint a liaison annually who is expected to attend Friends meetings and report to the board.

## ARTICLE VI - MEETINGS

***A. Regular Meetings:*** Regular meetings shall be held monthly at a time and date established by the Board.

***B. Special Meetings:*** Special meetings may be called at the direction of the President or on the request of at least three Trustees. The notice of such meetings shall state the purpose or purposes thereof and indicate at whose request the meeting is being called. Trustees shall receive notification: written, telephone, or email, within 72 hours of the special meeting. No business other than that specified in said notice shall be transacted except upon the consent of the Board of Trustees.

# **BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES**

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C. In the case of a meeting called to remedy a public safety issue, an emergency meeting can be called without written notification.

D. All Board and Committee meetings shall be held on Library premises. All meetings shall be publicized and held in accordance with the stipulations of the New York State Open Meetings Law and at a place able to accommodate members of the public.

E. Notice of regular meetings, with attendant documents, shall be sent to all Trustees at least five but no more than ten days prior to the meeting.

F. A simple majority of the existing Board shall constitute a quorum for conducting all business.

G. In the absence of any other specific regulation or law, Robert's Rules of Order, Revised, shall apply to the conduct of the meetings.

H. The order of business for regular meetings shall include, but not be limited to, the following items:

Pledge of Allegiance  
Calling of the Meeting to Order  
Roll Call of Members  
Public Participation – limited to 5 minutes per speaker  
Speakers or Guests  
Minutes of Previous Meeting  
Treasurer's Report  
President's Report  
Director's Report  
Committee Reports  
Old Business  
New Business  
Good and Welfare  
Announcement of Date for Next Board Meeting  
Adjournment

## **ARTICLE VII - BUDGET AND FISCAL YEAR**

The fiscal year shall be from July 1 to June 30.

## **ARTICLE VIII - RECORDS AND FINANCIAL ACCOUNTING**

A. All official records shall be maintained at the Howland Public Library in accordance with New York State law. Access to such records will be in accordance with prevailing law or in accordance with the policies adopted by the Board.

# **BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES**

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B. Copies of Board materials, policies, minutes, and other relevant documentation shall be available for public view at the Howland Public Library during normal business hours and retained as an electronic archive for public and Trustee use.

C. Use of electronic mail (e-mail) by Board members shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communication. E-mail and e-mail attachments received or prepared for use in Board business or containing information relating to Board business may be requested as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

The Board shall not use e-mail as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings. Board members shall avoid reference to confidential information about employees, library users, or other matters in e-mail or written communications because of the risk of improper disclosure. Board members shall comply with the same standards as library employees with regard to confidential information.

D. Authority to change Budget items from approved amounts shall rest with the Director for amounts up to \$1,500.00. These changes are subsequently to be reported to the Board of Trustees. Amounts over \$1,500.00 may only be changed with prior Board approval.

## **ARTICLE IX - DIRECTOR**

The Board shall appoint a Director who shall be the executive officer of the policies of the Board and shall have charge of the administration of the library under the direction and review of the Board. The Director shall be responsible for: care of the buildings and equipment; employment and direction of the staff; efficiency of the library's service to the public; and operation of the library under the financial conditions contained in the annual budget.

The Director shall render and submit to the Board reports and recommendations of such policies and procedures which, in the opinion of the Director, will improve efficiency and quality of library service. The Director shall attend all Board meetings except the portion of the meeting at which the Director's appointment or salary is to be discussed or decided.

The Director shall report the appointment, promotion, resignation or dismissal of all employees.

## **ARTICLE X - AMENDMENTS**

Amendments to these Bylaws may be proposed at any regular meeting and shall be voted upon at the next regular meeting. Written notice of the proposed amendment or amendments shall be sent to all absent members at least ten days prior to the voting

# **BYLAWS for HOWLAND PUBLIC LIBRARY BOARD OF TRUSTEES**

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session. A simple majority of the Board shall be sufficient for adoption of an amendment.

Any rule or resolution of the Board, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the members of the Board shall be present and two-thirds of those present shall so approve.

Adopted by the Board of Trustees - December 3, 2002  
Amended by the Board of Trustees - June 3, 2008  
Amended by the Board of Trustees - November 9, 2010  
Amended by the Board of Trustees - March 5, 2013  
Amended by the Board of Trustees – June 13, 2017