

BY-LAWS of EAST GREENBUSH COMMUNITY LIBRARY

Chapter 409, Laws 1988 of the State of New York established in the County of Rensselaer a public library district which shall include all the town of East Greenbush.

ARTICLE I: NAME

The name of the library shall be known as the East Greenbush Community Library (Ch. 409, NYS Laws 1988) to distinguish it from the former East Greenbush Community Library (Association Library).

ARTICLE II: PURPOSE

The purpose for which East Greenbush Community Library (Ch. 409, NYS Laws 1988) was granted an absolute charter by the Regents of the State of New York on October 21, 1988, was to provide public library services to the residents of the town of East Greenbush.

ARTICLE III: BOARD OF TRUSTEES

1. The library shall be administered by a Board of seven (7) trustees elected by the voters of the East Greenbush library district to serve for a five-year term.
2. Only qualified voter of the district shall be eligible for election to this Board.
3. All actions of the Board shall be of the Board as a unit. No Board member shall act on behalf of the Board, on any matter, without prior approval of the Board.
4. No Board member by virtue of their office, shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.
5. Each Trustee shall have one vote respective of office held. A Trustee must be present at a meeting to have their vote counted. "Present" may include attendance through videoconferencing, provided that the videoconferencing site(s) is available to the public and that the videoconferencing location is noted in the public meeting announcement. Alternate voting methods will be permissible only when in alignment with the NYS Open Meetings Law.
6. The Board shall:
 - Hire and/or appoint a qualified Director who shall be the executive and administrative officer of the Library
 - Regularly evaluate the Director's performance and library's conformance with Board-approved policies
 - Secure adequate funding for the library's service program
 - Evaluate and approve proposed annual budgets provided by the Director for presentation to the voters
 - Adopt and monitor library policies and rules regarding library governance and use
 - Adopt and monitor the library's Strategic Plan
 - Promote the library in the local community, county and state
 - Authorize an annual fiscal review by an accredited and independent accounting firm
 - As appropriate, authorize a comprehensive audit in compliance with Government Accounting Standards Board (GASB)
 - Ensure compliance with minimum standards for library services as set by the NYS Education Department and related library governing bodies.

ARTICLE IV: ELECTION, REMOVAL AND SPECIAL APPOINTMENT OF TRUSTEES

1. There shall be one annual election, as needed, conducted by the Board. At this election, candidates for vacant trustee positions along with a proposed budget shall be submitted to the voters.

2. Candidates for the office of member of the Board of Trustees shall be nominated by petition. A separate petition shall be required to nominate each candidate for a vacancy on the Board. Each nominating petition shall:
 - Be directed to the clerk/secretary of the district
 - Be signed by at least 25 qualified voters of the district or 2% of the voters who voted in the previous annual election of members of the Board of Trustees, whichever is greater (such number to be determined by the number of persons recorded on the poll list as having voted at such election)
 - State the residence of each signer and
 - State the name and residence of the candidate.
3. Each nominating petition shall be filed in the office of the clerk/secretary of the district between the hours of 9 A.M. and 5 P.M., no later than the thirtieth day preceding the election at which the candidates nominated are to be elected.
4. Trustees elected at the annual election as provided for herein shall serve a five-year term, said term to commence on the first day of January next following the election.
5. Should a vacancy occur prior to a trustee's term completion, the Board may designate, by majority vote, a replacement to serve **until the next scheduled election**, at which time the remainder of the vacant term shall be filled through the Trustee election process as outlined above.
6. A trustee who fails to attend three consecutive Board meetings may be deemed to have resigned, unless excused by a majority vote of the Board. The President will inform the absent Board member in writing if they are no longer a member of the Board. If the deemed resignation is deferred by Board action, the President shall inform the absent Board Member in writing.
7. A trustee may be removed from office through due process for: gross misconduct; incapacity; or refusal to carry out their trustee responsibilities. Such removal requires a majority vote of the entire Board and must be conducted in accordance with NYS Education Law Section 226.

ARTICLE V: FISCAL

1. The fiscal year of the library shall be the calendar year.
2. Upon adoption of a proposed budget by the Board, if the annual proposed budget increases or decreases the appropriation of the last approved budget, the budget shall be voted on by the public at the annual election, pursuant to Ch. 409, NYS Laws of 1988.

ARTICLE VII: BOARD OF TRUSTEE OFFICERS

1. At its first meeting each year, the Board shall elect or appoint a president and vice president who shall be members of the Board, a clerk/secretary, treasurer and any other officers as they deem necessary.
2. If the Board so determines, the offices of clerk/secretary and treasurer may be held by individuals who are not members of the Board. In that event, if the Board so determines, those officers may receive compensation as fixed by resolution of the Board.
3. The duties of such officers shall be as follows:
 - The **President** shall:
 - Preside at all meetings of the Board
 - Authorize calls for any special meetings
 - Appoint all committees
 - Upon midterm vacancy of Board trustee or Board leadership position, appoint Board-approved replacement, as established through majority vote of the Board
 - Execute all documents authorized by the Board
 - Serve as ex-officio voting member of all committees
 - Perform duties as are generally associated with that office

- Act as signatory for all official documents.

The **Vice-President** shall:

- Assume and perform the duties and functions of the President in the event of absence, disability, or mid-term vacancy of office of the President
- Perform duties as are generally associated with that office
- Act as signatory for all official documents, in the absence of the President.

The (Clerk/) **Secretary** shall:

- Keep a true and accurate record of all meetings of the Board
- Issue notice of all regular and special meetings of the Board
- Perform duties as are generally associated with that office
- Act as signatory for official documents, if they are a Board member.

The **Treasurer** shall:

- Act as the disbursing officer of the Board, obtaining prior Board approval before disbursing funds
- Oversee financial transactions of the Library
- Act as custodian of all funds of the library district, including gifts and trust funds paid over to the trustees
- Present a written financial report at each Board meeting
- Present the financial report at the Annual meeting in July
- Perform such duties that are generally associated with that office, and/or as delegated by the Board
- Act as Chair of Budget Development Committee
- Act as a signatory on all official financial documents, if they are a Board member

ARTICLE VIII: MEETINGS

1. Meetings of the Board shall be held each month, except the month of August.
2. Date and time of Board meetings shall be set by the Board, with meetings generally held the third Tuesday of the month.
3. Board members shall receive notification and Board packets a few days prior to meetings.
4. Special meetings may be called by the president or any three (3) trustees. Only designated business may be transacted at such meetings.
5. Every meeting of the Board shall be open to the general public.
6. Public notice of the time and place of scheduled meetings shall be given to the public at least two weeks prior thereto. Notice of scheduled meetings shall be given to the news media at least one week before such meetings.
7. A majority of the Board shall constitute a quorum.
8. Robert's Rules of Order shall govern the proceedings.
9. The order of business for regular meetings shall include, but not be limited to, the following items:
 - Call to Order/Review of Agenda
 - Public Comment
 - Approval of Prior Meeting Minutes
 - Treasurer's Reports
 - Committee Reports
 - Director's Report
 - Liaison Reports
 - Personnel Matters
 - Old Business
 - New Business

ARTICLE IX: COMMITTEES

1. There will be two (2) standing committees, i.e. the Administrative Committee and Services Committee and two special committees, i.e., the Nominating Committee and Budget Development Committee.
2. The president of the Board shall appoint all committee members.
3. All committees shall consist of at least three members of the Board.
4. Members of the standing committees will be appointed at the first meeting of each calendar year.
5. The **Administrative Committee** shall serve in an advisory capacity in matters to include, but not be limited to, Finance, Personnel, Facilities Management, Risk Management, and Technology Planning.
6. The **Services Committee** shall serve in an advisory capacity in matters to include, but not be limited to, Public Relations, Advocacy, Community Liaisons, Library Policy, Evaluation of Services, and Strategic Planning.
7. The **Nominating Committee** shall be appointed by the President two months prior to the organizational meeting held in January. This committee shall present a slate of qualified candidates for officers of the Board at the January organizational meeting. Nomination proceedings shall be governed by Roberts Rules of Order.
8. The **Budget Development Committee** shall be appointed by the President five months prior to the budget vote in September. This committee shall collaboratively develop a draft budget with the library director for presentation to the full Board.
9. Ad Hoc committees for specific purposes may be appointed by the President as needed.
10. Committees shall make a progress report on active matters to the full Board.

ARTICLE X: LIBRARY DIRECTOR

1. The Board shall appoint a qualified library director who shall be the executive and administrative officer of the library.
2. The Director:
 - Attends meetings of the Board, including budget and public meetings
 - Speaks on all matters under discussion at Board meetings but shall not have the right to vote thereon
 - Oversees the operation of the library and ensures operation is in compliance with the annual budget, library policies, and Strategic Plan as approved by the Board
 - Demonstrates sound management practices
3. The Director shall have charge of:
 - Employment and direction of library staff
 - All library services to the public
 - Recommendations and reports to the Board on policies to improve efficiency and quality of service to the library community
 - Oversight of library property, building and equipment
 - All duties set forth under their job description as established by the Board
4. The director shall develop a preliminary budget for presentation to the Budget Development Committee.

ARTICLE XI: AMENDMENTS

1. These by-laws may be repealed, amended, or added to by a majority vote of the whole Board at a regular meeting. Such action may be taken, however, only after the substance of the proposed repeal, amendment, or addition has been presented in writing at a prior regular or special meeting, and notice thereof has been given of the meeting at which it is to be voted upon.

2. These by-laws shall be reviewed every 5 years and/or in accordance with rules and regulations as set forth under the NYS Board of Regents and NYS Education laws and regulations governing public libraries and standards assigned therein.

Adopted: July 10, 1989

Amended: August 3, 1993

Amended: July 18, 2006

Amended July 21, 2009

Amended (Current Version): January 19, 2021

Amended 1/19/2021