

## **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, 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, 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, said term to commence on the first day of January next following the election.

2. Only qualified voters of the district shall be eligible for election to this Board of Trustees.

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. No Board member by virtue of his/her office, shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.

4. Each Trustee shall have one vote irrespective of office held. A Trustee must be present at a meeting to have his/her vote counted.

5. The Board has the responsibility to:

- Hire and/or appoint a qualified Director who shall be the executive and administrative officer of the Library.
- Secure adequate funding for the library's service program and approve budgets provided by the Director.
- Adopt policies and rules regarding library use.
- Evaluate and adopt the Library's Plan of Service.
- Promote the library in the local community, county and state.

6. Trustees must avoid at all times a "**Conflict of Interest**" in all matters in their relationship to the library. Trustees or their families may not enter into a business relationship with the library even if they would provide a service below cost. In every decision, trustees should be sensitive to the appearance of impropriety.

7. The Board of Trustees shall authorize an annual fiscal review by an accredited and independent accounting firm. Every ten years, the Board shall authorize a comprehensive audit in compliance with Government Accounting Standards Board (GASB).

### **ARTICLE IV: ELECTION OF TRUSTEES**

1. There shall be an annual election conducted by the board at the time set by the board at which vacancies on the Board of Trustees shall be filled and at which any proposed budget which the Board shall determine to submit to the voters pursuant to Section 4 of Ch. 409, Laws of 1988 (here attached) 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 petition shall be directed to the clerk/secretary of the district, shall 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) shall state the residence of each signer and shall state name and residence of the candidate.

3. Each petition shall be filed in the office of the secretary of the district (at the library) between the hours of 9 A.M. and 5 P.M. no later than the thirtieth day preceding the meeting or election at which the candidates nominated are to be elected.

4. Should a vacancy occur during the term of office, 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.

5. If a trustee shall fail to attend three consecutive meetings, he or she will be deemed to have resigned, unless excused by a majority vote of the Board of Trustees. The President will inform the absent board member in writing if he/she is no longer a member of the Board. If the deemed resignation is deferred by Board Action, the President shall so inform the absent Board Member in writing.

#### **ARTICLE V: FISCAL YEAR**

The fiscal year of the library shall be the calendar year from January to December and the annual budget shall be presented to the public for review and discussion at the Annual Meeting in July. Upon final adoption of the budget by the Board, the budget shall be voted on by the public at the annual election.

#### **ARTICLE VI: BOARD OF TRUSTEES -- OFFICERS**

1. The Board of Trustees at its first meeting each year shall elect or appoint a president and vice president who shall be a member of the board and a clerk/secretary and treasurer and such other officers as they deem necessary. A Nominating Committee should be appointed by the Board two months prior to the organizational meeting in January, to present a slate of qualified interested candidates for officers of the Board (Public Library Law, Section 226). Procedures of the committee will be based on Roberts Rules of Order, chapter 45. If the board so determines, the offices of clerk/secretary and treasurer may be held by individuals who are not members of the Board of Trustees and in that event, if the board so determines, receive compensation as fixed by resolution of the board.

2. Nominating Committee for officers;

2. 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
- Execute all documents authorized by the Board
- Serve as ex-officio voting member of all committees
- Generally perform all duties associated with that office
- Act as signatory for all official documents.

The **Vice-President** shall:

- Assume and perform the duties and the functions of the President in the event of the absence or disability of the President or of a vacancy in that office.

- Act as a 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
- Perform such duties as are generally associated with that office.
- Act as signatory

The **Treasurer** shall:

- Act as the disbursing officer of the Board.
- Oversee all financial transactions of the Corporation
- Present a written financial report at each Board meeting
- Present financial report at annual meeting in July.
- Serve on the Administrative Committee
- Consult with accountants as needed
- Ensure all financial matters are managed in an appropriate manner, in accordance with established accounting standards.
- Maintain a true financial record of all library assets.
- Perform such duties that generally devolve upon the office and are stated in the bylaws or delegated by the Board
- Act as Chair of Budget Development Committee
- Act as a signatory in all official financial documents

#### **ARTICLE VII: MEETINGS**

1. Meetings of the Board shall be held each month, except the month of August, date and time to be set by the Board, although generally the third Tuesday of the month. Board members shall receive notification and Board packet a few days prior to each meeting.

2. Special meetings shall be held at the call of the president or any three (3) trustees. Only designated business may be transacted at such meetings.

3. Every meeting of the Board of Trustees shall be open to the general public.

4. Public notice of the time and place of such scheduled meeting, at least two weeks prior thereto shall be given to the public. At least one week before such meeting, notice shall be given to the news media.

5. A majority of the board shall constitute a quorum.

6. Robert's Rules of Order shall govern the proceedings.

#### **ARTICLE VIII: COMMITTEES**

1. There will be two (2) standing committees, Administrative Committee and Services Committee, and one special committee, The Budget Development Committee, which shall have the sole function of developing a draft budget for presentation to the Board. All committees shall

consist of at least three members of the Board. The president of the board shall appoint all committee members. The role and function of the two standing committees shall be as follows:

***Administrative Committee*** shall include the following functions:

1. **Finance;**
  - Review and supervise on a continuing basis all financial transactions and reports.
  - Monitor and ensure adherence to regulatory compliance.
  - Monitor investments and adherence to established investment policies
  - Review, periodically, all financial policies and procedures .
2. **Personnel;**
  - Review, in confidence with the Director, all personnel policies, procedures, issues, and compensation
3. **Facilities;**
  - Maintain Buildings and grounds in good condition; Review recommendations from Director for capital equipment and furnishings; Develop plans and be responsible for alterations of and additions to the buildings and grounds
4. **Risk management;**
  - Review and update of Library insurance policies for facility damage or loss and personal liability.
  - Review inventory management procedures and loss prevention strategies
  - Monitor physical facilities for safety and efficient functioning and security
5. **Technology Planning;**
  - Review and monitor and upgrade all technology systems for both administrative and service purposes.

***Services Committee*** shall include the following responsibilities:

1. Public Relations and Advocacy;
2. Liaison with Friends
3. Library Policies- Preparation and Revision
4. Evaluation of existing services and determination of need for changes/ additions
5. Development of long range plan of Service

***Budget Development Committee***

1. The Budget Development Committee shall have the exclusive function of developing, in consultation with the Director, the draft budget for presentation to the full board.
2. Ad Hoc Committees for specific purposes may be appointed by the President as needed.

## **ARTICLE IX: LIBRARY DIRECTOR**

1. The board shall appoint a qualified library director who shall be the executive and administrative officer of the library.
2. It shall be the duty of the director
  - to attend meetings of the board, including budget meetings or public meetings where action may be taken affecting the interests of the library. The director

shall have the right to speak on all matters under discussion at board meetings but shall not have the right to vote thereon.

- to be responsible for Operation of the library in compliance with the annual budget and under the procedures and standards promulgated by the Board of Trustees and sound management practices. The director shall have charge of the following areas:

- The employment and the direction of the staff
- The efficiency of the library’s service to the public
- Recommendations and reports to the Board for policies and procedures to improve efficiency and quality of service.
- Care of building and equipment
- Perform all other services set forth under job description as established by the Board.

3. Develop a preliminary budget in consultation with the staff for presentation to the Budget Development Committee.

**ARTICLE X: AMENDMENTS**

These by-laws may 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 in the notice of the meeting at which it is to be considered.

	<b>Name/Signature:</b>	<b>Date:</b>
Adopted by Trustees:		July 10, 1989
Revised:		August 3, 1993
Revised:		July 18, 2006
Revised:		July 21, 2009