

WALLKILL PUBLIC LIBRARY BY-LAWS
Wallkill, NY 12589

MISSION STATEMENT

The mission of the Wallkill Public Library is to provide our community with access to the highest quality materials, services, and programs as a source of information, education, entertainment, and cultural enrichment. The library enables people to expand their knowledge, encourages personal growth and enhances the quality of life in our community.

ARTICLE I

The name of this special library district shall be the Wallkill Public Library, Wallkill, N.Y. The absolute charter was granted on April 17, 1996 by special district legislation in the N.Y. State Senate.

ARTICLE II

The operational year of the Wallkill Public Library shall be December 1 through November 30. The financial year shall be January 1 through December 31 in order to coincide with required New York State reports, etc.

ARTICLE III

TRUSTEES

- a. The board shall consist of nine duly elected members, effective by year-end 2015.
- b. The term of office shall be for a term of five years and commences on the first day of December following the election.
- c. If a vacancy occurs on the board of trustees, the president may appoint, with board approval, an individual to serve until the next annual election at which time the remainder of the term shall be filled by a candidate duly elected at such election. Should there be multiple vacancies, the longest term will be filled by the person receiving the most votes and so on in descending order to maintain the initial balance stipulated in the absolute charter. Candidates do not run for specific terms.
- d. Only persons living in the Wallkill school district shall be eligible for election to the board of trustees. No member shall serve for more than two consecutive five-year terms except for those who were first elected prior to January 1, 2010 when this section was adopted.

ARTICLE IV

ELECTIONS

- a. There shall be an annual election of trustees. At the election, vacancies on the board shall be filled and any budget changes which the board determines shall be submitted to the voters. The election shall take place on the last Tuesday in September between the hours of 12:00 PM and 8:00 PM, a 2008 departure from the absolute charter by agreement between the Town Clerk and the Treasurer of the Wallkill Public Library Board of Trustees who were in office at that time. A legal notice of the election shall be placed in the designated newspaper(s) prior to the election. The voting process in the absolute charter alludes to the town having this responsibility but in 2009, the library, acting as an agent of the town, chose to assume this responsibility.
- b. Candidates for the board of trustees shall be nominated by petition. Each petition shall state the name and residence of the candidate and must be signed by a minimum of fifty (50) qualified voters in the district by name and physical address. The candidacy must be announced by notice in the library with a resume and statement of concerns and interests.
- c. Voters must be 18 years old, a citizen of the United States of America, a resident of the Town of Shawangunk and residing in the Wallkill School District.

ARTICLE V

DUTIES AND RESPONSIBILITIES

BOARD OF TRUSTEES

- a. Has general supervision of the library and its property.
- b. Defines its purposes, goals, and objectives of service.
- c. Appropriates funds to provide for its maintenance and endowment.
- d. Appoints a competent librarian and fixes salaries and wages.
- e. Adopts policies and rules regarding library hours and use.
- f. Annually files with the clerk of the Town of Shawangunk at the time and for the purpose specified in Section 105 of the town law, an estimate of the proposed budget including costs of library services to be raised by levy for the library district in the year beginning with the succeeding first day of January. All subsequent actions will follow provisions in the absolute charter dated 4/17/1996, State of New York.
- g. Accepts on behalf of the district any absolute gifts, devices, or bequests of real or personal property, and such conditional gifts, devices or bequests as it shall, by resolution, accept.

- h. Annually meets formally with the Friends of the Library to coordinate the plans of service and to review written policies governing their relationship.
- i. All actions of the board shall be by the board as a unit by resolution. 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 a library employee.
- j. Supports administrative prerogatives of the director.
- k. Maintains a physical plant that meets the needs of the library and the community.
- l. Approves all contracts and gives the director the authority to sign said contracts.

INDIVIDUAL TRUSTEE

- a. A new trustee meets with the Executive Committee for orientation and receipt of policies and the *Handbook for Library Trustees of N.Y. State*. Immediately after the first meeting attended by a new trustee, said trustee shall take the oath of office as specified in the N.Y.S. Constitution at the county clerk's office. A copy of said oath shall be filed with the board of trustees. Failure to do so shall vacate the position.
- b. Notifies a member of the Executive Committee prior to a meeting if unable to attend scheduled meetings.
- c. Maintains awareness of all relevant legislation, publications intended for trustee instruction from the Ramapo Catskill Library System (RCLS) and the New York Library Association (NYLA) and attends scheduled workshops and conferences in order to remain current.
- d. A trustee must act in good faith and exercise the degree of diligence, care, and skill that an ordinary prudent individual would use under similar circumstances in a like position. To conform with this standard, trustees should:
 - Regularly attend and participate in board meetings and committee meetings where applicable;
 - Read, review, and inquire about materials that involve the library, especially board minutes, annual reports, other reports, plans, policies and any literature that involves the library;
 - Have a fiduciary responsibility for the assets, finances, and investments of the library and exercise due diligence, care and caution as if handling one's own personal finances; and
 - Use one's own judgment in analyzing matters that have an impact on the library.
- e. A trustee owes allegiance to the library and must act in good faith with the best interest of the library in mind. The trustee must at all times, further the library's goals and not his/her personal business interest. A trustee should avoid even the appearance of impropriety when conducting the

library's business. Acts of self-dealing constitute a breach of fiduciary responsibility that could result in personal liability and removal from the board.

- f. A trustee has a responsibility to insure that the library's resources are dedicated to the fulfillment of its mission. The trustee also has a duty to ensure that the library complies with all applicable laws and does not engage in any unauthorized activities.
- g. A trustee should fully examine and discuss all issues before the board. However, once a vote has been taken every trustee has an ethical obligation to publicly support the position adopted by the board. A trustee who disagrees so strongly that he/she must speak out publicly against it, must make it clear that he/she is speaking as an individual and not as a representative of the board or library. Should this interfere with their ability to effectively fulfill their responsibility as a trustee, the trustee should seriously consider resigning from the board.

ARTICLE VI

OFFICERS

- a. The board of trustees, at its first meeting in December of each year, shall elect or appoint a president, vice-president, secretary (clerk), treasurer (accountant), and fill such other functions as they deem necessary. The position of secretary, may if deemed necessary, be divided into a recording secretary and a corresponding secretary. The board shall act to fill any empty positions for the coming year.
- b. Officers may serve a term of 5 years (or to the completion of their 5 year elected term as a trustee), from the annual meeting at which they were elected to said office.
- c. The board of trustees may appoint a secretary or treasurer who may not be a member of the board of trustees only if there is no board member available to fill the position.

ARTICLE VII

OFFICERS AND APPOINTEES - DUTIES AND RESPONSIBILITIES

PRESIDENT

- a. Preside at all meetings of the board of trustees in compliance with Roberts' *Rules of Order*.
- b. Call for special meetings as needed, as specified in Article X. b.
- c. As ex-officio member, attend all committee meetings with no vote except to break a tie.

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- d. Appoint all committees, standing and special, and liaisons to other groups.
- e. Generate an agenda and distribute to members prior to meetings.
- f. If a trustee is in violation of the by-laws, the president must notify that trustee of said violation in writing.

VICE PRESIDENT

- a. Perform all of the duties and exercise the power of the president during the absence or inability of the president to act.
- b. Assist the president in managing all the affairs of the library district.
- c. Chair at least one standing committee.

SECRETARY (recording)

- a. Record and keep true and accurate minutes of all board meetings. Written records must minimally conform to *Roberts' Rules of Order*.
- b. File and store all meeting minutes as required by the board.
- c. Distribute meeting minutes to the board for review and approval.
- d. Perform such duties as are generally associated with this office.

SECRETARY (corresponding)

- a. Correspond with various entities as directed by the board.
- b. Store and maintain copies of all correspondence.
- c. Place legal notice of all regular and special board meetings in appropriate publications.
- d. Perform such related duties as are generally associated with the office.

TREASURER

- a. The treasurer of the board who shall be bonded in such amount as may be required by the board shall be the custodian of all funds of the library district. These funds paid over to and in the custody of the treasurer include gifts and trust funds, and shall be invested in the same manner that town funds are invested. Proceeds of obligations received from the town may be invested in accordance with Section 165.00 of the local finance law. The presiding Supervisor of the Town of Shawangunk shall pay over to the library district all moneys which belong to or are raised for the library district. No money, except routine expenditures as specified below, shall be disbursed by the treasurer until audited by the Finance Committee. All claims shall be accompanied by itemized vouchers signed by the claimant. The above provisions of this section shall not be applicable to the payment of claims of salaries and other fixed expenditures. The treasurer shall keep records in such manner as the board of trustees and good fiduciary practice deems appropriate.

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- b. Have the care and custody of and be responsible for funds and securities of the district and deposit the same in such bank or banks as the board of trustees may designate.
- c. Sign, make, and endorse in the name of the district, all financial instruments for the payment of monies and bills.
- d. Render a complete monthly financial accounting report to the board.
- e. Assist in all grant preparations by providing the needed documentation.
- f. Submit quarterly, a list of investments to be reviewed by the Finance Committee for approval of sale or reinvestment of such funds.
- g. See to the preparation of the annual budget. It must be presented and approved by the board at the August meeting to meet the publication schedule of the town board.
- h. See that necessary financial accounting reports are submitted to the proper authorities.
- i. Handle all payroll records and see that employees' wages are paid in a timely manner.
- j. Instruct and oversee any assistant treasurer who may be appointed.
- k. Provide an annual report to N.Y. State in cooperation with the library director.
- l. Present the operating and financial reports for the previous year at the regular meeting in January.

ARTICLE VIII

DIRECTOR'S RESPONSIBILITIES

- a. Execute the policies of the board as administrator of the library under the direction and review of the board.
- b. Care for the buildings and equipment, employ and direct the staff, and operate the library under the financial conditions contained in the annual budget.
- c. Render and submit to the board, reports and recommendations for change of such policies and procedures, which in the opinion of the director, will improve efficiency and quality of the library service.

- d. The director shall attend all board meetings except the portion of the meetings where the director's appointment or salary is to be discussed. The director may attend executive sessions when appropriate at the invitation of the board and may offer professional advice, but may not vote on any questions before the board.

ARTICLE IX

MEETINGS

a. The regular monthly meeting of the district shall be held on the first Monday of the month at 7:00 p.m. All meetings shall be open to the public, except for some executive sessions, under conditions as outlined by *Article 7 of the Public Officers Law of New York State* (the Open Meeting Law as specified under the current edition of the *Handbook for Library Trustees of New York State*. All such meetings shall be conducted according to the current revised edition of Robert's Rules of Order.

b. Special meetings may be called by the president after consulting with the Executive Committee. Special meetings may also be called at the request of three board members. The agenda will, at a minimum, be verbally given. No business may be transacted at such special meetings except the stated business.

c. At the October meeting, the Nominating Committee will be appointed to propose officers for the coming year.

d. At the November meeting, the previously appointed Nominating Committee will present the names of the officers for December 1st through November 30th of the following year. Additional nominations may be made from the floor.

e. At the November meeting, election of officers for the New Year will take place.

f. The order of business for a meeting of the board of trustees of the Wallkill Public Library shall be:

, Roll Call

, Public participation

(Pursuant to *Article 7 of the Public Officers Law of New York State*, also known as the Open Meetings Law), public participation will take place, It's place in the order of business shall be prior to the actual meeting for a total period of 15 minutes. No individual speaker shall hold the floor for more than three minutes. The topics to be addressed by the public must pertain to library business. The board of trustees may not necessarily address the issues brought up by the public at that particular meeting.

, Reading of the minutes of the previous meeting

, Treasurer's report

, Librarian's report

, Committee reports - standing, special

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- , Old business
- , New business
- , Adjourn meeting

ARTICLE X

VOTING - QUORUM

- a. A majority of the board of trustees shall constitute a quorum for the transaction of official business for either a regular meeting, executive session, or special meeting. In the absence of a quorum, the recording secretary will note members present and subject of discussion. (Page 19 of the *Handbook for Library Trustees of New York State* states that approved actions must reflect a “majority of the whole.” Tie votes defeat a motion.)
- b. All voting must be in person with no voting by proxy except under conditions where presence is either impossible or unreasonable to expect. Each trustee has one vote irrespective of the office held.

ARTICLE XI

COMMITTEES

The president of the board may, with approval of the board, appoint the following standing and temporary committees. A committee will have only advisory power unless granted specific power to act.

STANDING COMMITTEES

- Consist of library board members and may include other qualified residents with expertise relevant to specific projects.
- Report back to the board each month.

EXECUTIVE

- comprised of trustee officers. The functions are to:
 - a. Annually review and appoint legal counsel as needed.
 - b. Annually review and appoint any non-board functions such as secretary/recorder or treasurer, if needed.
 - c. Adopt an official newspaper.

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- d. Appoint an independent auditor as required by law.

FINANCE

With the treasurer's assistance, it is responsible for all financial matters of the district, such as audits, investments, budget, fund-raising, and financial planning.

PERSONNEL

- a. Cooperate with the Finance Committee on matters of salary scales and employee benefits.
- b. Handle all matters pertaining to employee relations, including but not limited to, hiring, monitoring terms of employment, terminating, handling complaints and recognition of above average performance in consultation with the director.

BUILDINGS and GROUNDS

-in cooperation with the director.

- a. Maintain building and exterior grounds to assure:
 - a facility that is safe for occupancy by staff and the community;
 - the interior and exterior of the building is kept neat and attractive;
 - staff and patrons are provided with an adequate and comfortable atmosphere.
- b. Execute contracts with various providers of service to the building and grounds.

OTHER COMMITTEES

From time to time, the president may appoint such other temporary committees as might be needed in addition to the annual Nominating Committee. Upon the completion of assignments and a final report, the committee shall be discharged at the discretion of the president.

ARTICLE XII AMENDMENTS

- a. A written notice of proposed changes in the by-laws must be presented in writing at a regular meeting. This notice must contain the language of the proposed amendment(s) and must be sent to any absent board member at least 10 days prior to this meeting. This may be done by email.
- b. Amendments may be approved by an affirmative vote of two-thirds of the board at a regular meeting and are deemed adopted by a similar vote at the following regular meeting.