

Wallkill Public Library By-Laws

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 of incorporation (the "Charter") was granted on December 19, 1997, pursuant to the April 17, 1996 special district legislation adopted by the New York State legislature (and as amended in 2012 by legislation in relation to the number of trustees). The 1996 and 2012 laws are collectively referred to as the "Special District Laws."

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 Wallkill Public Library shall be governed by a board of not less than seven nor more than eleven Trustees, who shall serve staggered terms as provided in the Charter and the Special District Laws.
- b) The term of office for each Trustee shall be five years and commence on the first day of December following their election.
- c) The current board shall consist of nine duly elected members, unless and until reduced or increased by vote of a majority of the whole board in accordance with the Special District Laws.
- d) If a vacancy occurs on the board of trustees, the president may appoint, with board approval, an individual to serve for the balance of the unexpired term of the trustee whose retirement created such vacancy.
- e) Only persons living in the Town of Shawangunk and Wallkill Central School District shall be eligible for election to the board of trustees.
- f) Current employees of the Wallkill Public Library are not eligible for election to the board of trustees, nor are they eligible for appointment to the board in the event of a vacancy. Eligibility resumes upon the end of employment, provided the former employee meets

the criteria stated within these by-laws. Additionally, current board members are not eligible to be employees of the library.

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 third Tuesday after the first Monday in September, between the hours of 12 p.m. and 9 p.m. A legal notice of the election shall be placed in the designated newspaper(s) not less than thirteen days and not more than twenty days prior to the election. In addition, the board of trustees will post notices of the election in five public places within the library district at least thirteen days prior to the election. Such notices will specify the time and place of the election, the issues to be decided, and the hours the polls will be open.
- 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 qualified voters in the district by name and physical address. Petitions must be filed at the library with the president of the board of trustees by 5 p.m. on the thirteenth day preceding the election. 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, citizens of the United States, and residents of the Town of Shawangunk, residing within the Wallkill Central School District.

Article V

TRUSTEE DUTIES AND RESPONSIBILITIES

The board of trustees:

- a) Shall have all the powers and duties as given to trustees of educational institutions by the Education Law of the State of New York, and subject to the Special District Laws and the Charter.
- b) Has general supervision of the library and its property.
- c) Defines its purposes, goals, and objectives of service.
- d) Appropriates funds to provide for the library's maintenance and endowment.
- e) Appoints a competent librarian and fixes salaries and wages.
- f) Adopts policies and rules regarding library hours and use.
- g) 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.
- h) 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.

- i) Annually meets formally with the Friends of the Library to coordinate the plans of service and to review written arrangements governing their relationship. A representative of the Friends will be invited, preferably in March, to review plans of service and goals.
- j) 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.
- k) Supports administrative prerogatives of the director.
- l) Maintains a physical plant that meets the needs of the library and community.
- m) Approves all contracts and gives the director the authority to sign said contracts.

INDIVIDUAL TRUSTEE

- a) A new trustee shall meet with the Executive Committee or the director for orientation and receipt of policies. Each trustee shall take the oath of office as specified in the New York State Constitution at the county or town clerk's office within the following time periods: Trustees elected at annual elections shall take their oath within 30 days of the trustee's commencement of his or her term of office (i.e., between December 1 and December 30th of that year); any trustee appointed to fill a vacancy on the board shall take their oath within 30 days after notice of their appointment. A copy of said oath shall be filed with the board of trustees. Failure to do so shall vacate the position.
- b) A trustee shall notify a member of the Executive Committee prior to a meeting if unable to attend a scheduled meeting.
- c) All trustees must comply with continuing education requirements outlined in Section 260-d of the New York State Education Law. All trustees must comply with the Sexual Harassment Prevention training requirements in the New York State Human Rights Law.
- d) The board may remove a trustee for misconduct, incapacity, neglect of duty, or refusal to carry into effect the library's educational purpose as provided in Education Law section 226, subdivision 8. Criteria for determining grounds for removal may be specified in the library's Trustee Code of Conduct.

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, treasurer, 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 five years (or to the completion of their five-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 Robert's Rules of Order.
- b) Call for special meetings as needed, as specified in Article IXb.
- c) As ex-officio member, attend all committee meetings with no vote except to break a tie.
- d) Appoint all committees, standing and special, and liaisons to other groups.
- e) Generate an agenda and distribute to members prior to meetings.
- f) Perform all duties associated with the office in law or in policies adopted by the board.

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.

SECRETARY (recording)

- a) Record and keep true and accurate minutes of all board meetings.
- 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 notices of all regular and special board and committee meetings in appropriate publications, which may include the Library's website and email newsletter in lieu of, or in addition to, any independent newspaper. Place legal notices of annual trustee and budget elections in such publications and locations as specified in Article IV of these by-laws.
- 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 manner permitted under the New York State Municipal Finance Law and as recommended in advisories by the New York State Comptroller as applicable to public libraries. 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.

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

Article VIII

DIRECTOR'S RESPONSIBILITIES

The director shall:

- a) Execute the policies of the board as administrator of the library under the direction and review of the board.
- b) Care for the building 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.
- e) Provide an annual report to New York State.

Article IX

MEETINGS

- a) The regular monthly meeting of the district shall be held on the first Monday of the month at the hour to be set by the board. In the event that the meeting date falls on a holiday, the monthly meeting will be rescheduled to a date agreed upon by the board of trustees. All meetings shall be open to the public, except for executive sessions, in conformity with the New York State Open Meetings Law as in effect from time to time. All such meetings shall be conducted according to *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) 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 the Open Meetings Law, public participation will take place. Its 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
 - Director's report
 - Treasurer's report
 - Committee reports – standing, special
 - 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 the subject of discussion.
- b) All voting must be in person with no voting by proxy. Members of the Board of Trustees may attend open meetings via videoconference under certain circumstances, as approved by the Board in accordance with the Library's policies and the New York State Open Meetings Law, but attendance via videoconference does not constitute presence for purposes of determining a quorum. Each trustee has one vote irrespective of the office(s) 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

- a) Consists of library board members and may include other qualified residents with expertise relevant to specific projects.
- b) 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.
- d) Appoint an independent auditor as required by law.

FINANCE

With the treasurer's assistance, it is responsible for all financial matters of the library district, such as audits, investments, budget, fundraising, 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, terminations, 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:
 - Facility 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. Upon the completion of assignments and a final report, the committee shall be discharged at the discretion of the president.

Article XII

INDEMNIFICATION

The Wallkill Public Library shall, to the fullest extent to which it is empowered to do so by the New York Education Law or any other applicable laws, indemnify any person who was or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he or she is or was a trustee or officer of the Library, or serving as its Director, against expenses (including attorneys fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding. The Library may advance his or her related expenses and secure appropriate indemnification insurance, to the full extent permitted by law.

Article XIII

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, except that any vote to increase or decrease the total number of trustees in accordance with the Special District Laws shall only require the vote of a majority of the whole board.