

BANCROFT PUBLIC LIBRARY

BY-LAWS

The name of the organization shall be Bancroft Public Library. The fiscal year of the Library shall be January 1 to December 31.

Preamble: The Bancroft Public Library, an education corporation created under a provisional charter granted under Section 253 of the New York State Education Law by the Board of Regents of the State of New York and dated October 27, 2015, shall be governed by the laws of New York State, the regulations of the Commissioner of Education and by the following By-Laws:

Purpose: The purpose of the Bancroft Public Library is to assemble, preserve, and provide printed, electronic and other materials that will meet the day-to-day educational, informational, cultural, and recreational interests and needs of the community, in compliance with local, State, and Federal laws.

Article I – Board of Trustees

The Board of Trustees of Bancroft Public Library (hereinafter designated as the "Board") shall consist of five to nine voting members with the current number being five, appointed for staggered terms of five years, each term beginning immediately upon adjournment of the annual meeting in January. Newly elected members must take the oath of office before the first meeting following the annual meeting, when they shall take office. Vacancies on the Board shall be filled with an appointment by the Town Board upon a recommendation of the Library Board, and the newly-appointed member shall serve for the remainder of that vacant term. There shall be no limit to the number of terms a member can serve. Eligibility for office shall be limited to adults residing or owning property within the Town of Salem.

The Board may remove a trustee for misconduct, incapacity or neglect of duty. If a trustee shall fail to attend three consecutive meetings without an excuse accepted as satisfactory by the Board, the trustee shall be deemed to have resigned and the vacancy shall be filled with an appointment by the Town Board upon a recommendation of the Library Board. The President shall inform the absent board member that he/she is no longer on the Board. If dismissal is deferred by Board action, the President shall inform the Board member in writing of the conditions for reappointment to the Board.

Newly appointed trustees shall be provided with appropriate orientation by the Board President and the Library Director and shall be given a copy of these By-Laws, Employee Handbook along with a copy of the *Handbook for Library Trustees in New York State*, which outlines the basic information about trustee responsibilities.

The Board shall appoint an independent Treasurer who is not a member of the Board. The Treasurer is the accounting, banking, payroll, and disbursing officer for the Bancroft Public Library, under the direction of the Board, and is authorized to maintain all Library fund books and records and to access and perform all banking transactions on the Library's behalf, including the management of investments.

The Treasurer shall work closely with the Library Director while performing day-to-day functions for the Library, and with the Finance Officer while performing monthly and yearly functions. The Treasurer shall provide monthly financial statements, bank statements, an abstract of unaudited vouchers, and the vouchers with back up documentation to the Board for review and signature at each regular meeting.

Article II - Officers

The officers of the Board shall be the President, Vice-President, Secretary, Treasurer and Finance Officer, elected at the annual meeting in January by a majority vote of the Board and serving for one year or until their successors have been duly elected. Each trustee shall have one vote. A trustee must be present at the meeting to have his/her vote counted. A majority of the whole Board, including vacancies, is required for a motion to pass. If a quorum is not present, the attending members may set another date for action on the motion. All actions shall be of the Board as a unit. No Board member shall act on behalf of the Board on any matter without prior authorization of the entire Board. No Board member, by virtue of their office may exercise any administrative responsibility with respect to the Library. The duties of each position are as follows:

- President: The President shall preside at meetings of the Board, authorize calls for special meetings, appoint committees, execute all documents authorized by the Board, serve as an ex-officio member of all committees, and generally perform the duties of a presiding officer.
- Vice-President: The Vice-President shall perform the duties of the President if the President is absent or disabled and shall succeed to the office of President upon the resignation or death of the President. If both the President and Vice-President are absent from a meeting, any trustee may call the meeting to order, and the trustees present (if a quorum) shall elect a chair pro tem.
- Secretary: The Secretary shall keep a true and accurate record of all meetings of the Board, and shall perform such other duties as are generally associated with that office. The Secretary shall insure online and physical posting of notice of meetings within seven days of meeting date. The Secretary shall insure online and physical posting of meeting minutes within fourteen days of meeting. A hard copy of the minutes shall be kept in the Library and on the website, available for public study. All other records of Board business shall be under the control of the Secretary. The Secretary shall be the respondent for any FOIL request, which request shall be addressed in accordance with the New York State Freedom of Information Law. Public access to Board records shall be by appointment and supervised by the Secretary.
- Finance Officer: The Finance Officer shall attend to the fiscal affairs of the Library by acting as a liaison between the Board and the Treasurer. The Finance Officer will see to it that accurate records of all money received and disbursed are kept and will assist the Treasurer in providing a financial report to the Board monthly and at such other times as the Board shall require. The Finance Officer shall also see to it that the finance section of the Annual Report to the New York State Education Department is provided in a timely manner.

Article III - Committees

The Board may consider and act on any matter before it with or without recommendations from a committee. The President may appoint committees as needed of one or more trustees, to serve one-year terms. The President may appoint one or more public members when approved by the trustees. Each committee chairperson shall be responsible for periodic meetings of the committee and shall have an opportunity to report at each regular meeting of the Board. Notice of Committee meetings shall be posted both online and at the Library at least seven (7) days prior to the meeting. Committee meetings shall be open to the public, in accordance with the Open Meetings (or Sunshine) Law of New York State. The President shall be a member, ex-officio, of all committees. All committee actions are subject to approval by a majority of the Board.

Article IV - Meetings

Meetings shall be held on a monthly basis, at dates and times to be established by the Board at the beginning of the Library fiscal year (January 1 through December 31) and shall be open to the public, in accordance with the Open Meetings (or Sunshine) Law of New York State. During meetings, the Board may enter into Executive Session in accordance with Public Officers Law Section 105. Notice of such meetings shall be posted both online and at the Library at least seven (7) days prior to the meeting. Special meetings shall be held at the call of the President or any three trustees. Notice of special meetings shall be posted both online and at the Library at least seventy-two (72) hours prior to the meeting. A majority of the Board shall constitute a quorum. No business may be transacted at such special meetings except as the stated business. The order of business shall be as follows:

- A. Roll call
- B. Adoption of agenda.
- C. Review of minutes of previous meeting
- D. Period for public expression
- E. Audit of abstract of vouchers and approval of expenditures
- F. Correspondence and communications
- G. Report of the Library Director
- H. Report of committees
- I. Nominations and elections, if any
- J. Old business
- K. New business
- L. Period for public expression
- M. Date of future meetings
- N. Adjournment

Vacancies among the officers shall be filled by nomination, election, and majority vote at a regular meeting.

Article V - Library Director

The Board shall appoint a qualified Library Director who shall be the executive officer of the policies promulgated by 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 the care of the building and equipment; for the employment and direction of the staff; for the efficiency of the Library's service to the public; and for the operation of the Library under the financial conditions contained in the annual budget.

The Director shall be held responsible for the proper performance of duties as spelled out in the job description provided by the Board.

It shall be the duty of the Director to attend all 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.

Article VI - Amendments

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 in the notice of the meeting at which it is to be considered. Any rule or resolution of the Board may be suspended temporarily in connection with business at hand but such suspension is only valid at that meeting at which 2/3 of the Board is present and 2/3 of those present approve of the temporary suspension.

Adopted: July 11, 2017

Revised: February 6, 2018, July 7, 2020 and September 1, 2020

Reaffirmed: May 10, 2022