

## **BY-LAWS OF THE NANUET PUBLIC LIBRARY**

### **ARTICLE 1 – NAME**

This organization shall be called “The Board of Trustees of the Nanuet Public Library” (the “Board”) existing by virtue of the permanent Charter dated June 27, 1904, as amended on June 26, 1959 (the “Charter”), and granted by the Board of Regents of the State University of New York and by virtue of the provisions of the Education Laws of the State of New York and exercising the powers and authority and assuming the responsibilities delegated to it under the said statutes.

### **ARTICLE 2 - OBJECTIVES**

The objective of the Nanuet Public Library (the “Library”) is to implement the educational process of the young and adult population of its community through the services and resources made available by a professional library staff.

The Library shall maintain and provide reading, informational, and cultural materials without manifest signs or evidence of institutional endorsement or prejudice, according to the tenets of the most recent versions of the *American Library Association Bill of Rights*, the *Freedom to Read Statement* and the *Freedom to View Statement* governing public library operations.

### **ARTICLE 3 – BOARD MEMBERSHIP**

Trusteeship shall be open to all qualified residents of the Nanuet Union Free School District who are duly elected pursuant to the educational laws of the State of New York and the terms as stated in the Charter. The Board shall consist of five (5) members who shall be appointed and serve in accordance with the laws of the State of New York. The expiration of the term of office of each of the five (5) members of the first Board was, according to statute, determined serially such that the term of office of one member or 1/5 of all the members of the Board shall expire annually. The annual election of one Trustee hereafter shall reflect the original sequence established for the expiration date of each Trustee’s term of office.

Board members shall not be salaried. Any and all compensation for the performance of office functions carried out by non-members of the Board shall be determined by the Board.

If any member of the Board shall be absent from three (3) consecutive regular meetings of the Board without just cause or reasonable excuse, then said member may be removed from office by not less than a majority vote passed on a Resolution to remove such person from office as a Board member, and to declare the office of such Board member vacant. A member of the Board, who is the subject of a proposed Resolution of the Board for removal from office for failure to attend three (3) consecutive meetings without just cause or reasonable excuse, shall be entitled to written notice thereof, which notice shall be delivered at the last known address of such Board member by first class mail and by certified mail return receipt requested, not less than seven (7) days prior to the date of the meeting at which such Resolution will be considered. The Board member who is the subject of such proposed Resolution shall be entitled to present arguments in opposition to the Resolution seeking removal, prior to consideration of the Resolution by the Board.

### **ARTICLE 4 – VACANCIES**

Board vacancies caused by death, resignation, or incapacity shall be filled temporarily by an eligible individual appointed by the Board who shall serve until the next School District/Library Trustee annual election. At that time, an individual must be elected to fill the portion then remaining of the former Board member’s vacated five (5) year term.

The person filling any such vacancy must be eligible to be appointed and serve as described in Article 3 of these By-Laws.

### **ARTICLE 5 – OFFICERS, APPOINTMENTS, ORGANIZATION, AND RESPONSIBILITIES**

There shall be a President and a Vice President, each elected annually from among the Trustees at the first monthly meeting of the fiscal year. The Treasurer to the Board shall be appointed by the Board. The Board may choose to appoint a Secretary.

The President and Vice President shall not serve for more than two (2) consecutive terms in their respective positions. No Trustee who has served as President may be reelected as President until one (1) year has elapsed from the last date on which that individual served in such capacity.

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 an *ex-officio* voting member of all committees and generally perform all duties associated with that office.

The Vice President- in the event of the absence or disability of the President, or of a vacancy in that office, or when the Board shall so direct, shall assume or perform the duties and functions of the President.

The Treasurer - shall have the powers and duties of treasurers of educational institutions as set forth in the Education Law of the State of New York. More particularly, the Treasurer shall receive all funds belonging to the Library, deposit said funds in the depository bank or banks designated by the Board, keep an accurate account of every receipt and expenditure, and pay out funds in accordance with the directions of the Board. The Treasurer also shall cause to have prepared a monthly report to the Board of all receipts and disbursements. If the Board so directs, the Treasurer shall be bonded in such an amount as may be required by the Board. The Treasurer shall present to the Board monthly reports and such other reports as may be required from time to time.

The Secretary – is responsible for review of an accurate and timely record of all meetings of the Board, shall issue notices of meetings at least five (5) days in advance of all regular meetings, shall issue notices of special meetings, record the Board’s transactions, conduct Board correspondence, and shall perform such other duties as are generally associated with that office, or shall delegate such responsibilities to the Clerk to the Board. In such cases, the Secretary shall work with the Clerk to the Board on such items as is necessary. In the absence of a Clerk to the Board, the Secretary shall assume all duties of that position.

The Clerk to the Board - shall keep a true and accurate record of all meetings of the Board and shall submit such minutes to the Secretary for review before submission to the Board, and shall perform such other duties as are generally associated with that office. Certain duties of the Secretary may be delegated to the Clerk to the Board, including, but not limited to the issuing of notices, the recording of minutes, and/or the furnishing to the Board of minutes from previous meetings as well as the agenda for the next meeting to be sent at least five (5) calendar days prior to the meeting. The Clerk to the Board shall oversee the annual Trustee and budget vote if the Library’s vote is independent of the School District’s vote.

The Library Director – The Board shall appoint a Director who shall be the chief executive officer of the Library 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 buildings 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 render and submit to the Board reports and recommendations of such policies and procedures which, in the opinion of the Director, will improve the efficiency and quality of Library service. The Director shall be responsible for the Library’s public relations and for communications with schools, civic, and local organizations, and the news media. The Director shall attend all meetings of the Board, except the portion of the meeting at which the Director’s appointment or salary is to be discussed or decided, and may take part in the deliberations, but shall have no vote. The Director shall: (a) submit to the Board a monthly report on the progress and conditions of the Library, accompanying the same with recommendations and suggestions; (b) submit to the State of New York an annual report with respect to the progress and conditions of the Library, and (c) prepare for publication an annual newsletter concerning the progress and conditions of the Library. The Library Director also shall have such other and further duties as may be directed by the Board, including, but not limited to serving as a member of a Committee or Subcommittee.

Accountant - The Board shall appoint a qualified Accountant to attend to the finances of the Library, to assist the Library Director in the financial operation of the Library, and to assist the Treasurer in his, her, or their duties. The Accountant shall submit monthly reports to the Board regarding Library finances and, at the annual meeting of the Board, shall provide a detailed statement showing all receipts and disbursements during the preceding year.

Legal Counsel - A legal counsel for the provision of legal advice and conduct of litigation shall be retained, as the Board may deem necessary.

## **ARTICLE 6 – MEETINGS**

Board meetings shall be held regularly once each month, provided that a quorum can be raised. The time and place of each monthly meeting shall be agreed upon at the preceding meeting. During meetings, “Robert’s Rules of Order” will be used to dictate parliamentary procedures. The President or acting President will act as parliamentarian. All meetings of the Board shall be open to the public in conformity with the Open Meetings Law of the State of New York.

The annual public meeting, which meeting shall be held and conducted by the Nanuet Union Free School District, shall be for the purpose of the presentation and public voting on the annual budget and the adoption of an annual report, shall be held annually, at a time and place designated by the Board in compliance with the New York State Education Law.

Special meetings shall be called by the President of the Board upon his or her own initiative, or at the request of any three (3) members of the Board, and shall state the subject proposed for consideration at such special meeting. Written notice of each such special meeting shall be given at least five (5) days and no more than ten (10) days prior to the date of such special meeting.

Subject to the provisions of Article 7 of the New York Public Officers Law (commonly referred to as the Open Meetings Law), any one or more members of the Board, or any Committee or Sub-Committee thereof, may participate in a regular or special meeting of such Board, Committee, or Sub-Committee, either in person or by means of videoconferencing, if: (a) all locations of such meeting are open to the public; (b) all locations of such meeting have been identified as such in the public notice of the meeting; and (c) all persons participating in the meeting are able to see and hear each other at the same time. Participation by such means shall constitute presence in person at the meeting.

#### **ARTICLE 7 – QUORUM**

The quorum of a meeting of the Board for the legal transaction of business shall be the presence of three (3) of the five (5) Board members duly notified about the purpose, time, and place of the meeting.

#### **ARTICLE 8 – ORDER OF BUSINESS**

Meeting order shall be as follows:

1. Call to Order
2. Pledge of Allegiance to the Flag of the United States of America
3. Roll Call
4. Approval/Changes to Agenda
5. Approval of Minutes of Preceding Meeting
6. Public Forum
7. Nominations and Elections of Officers, if any
8. Report of the Chair
9. Committee/Sub-Committee Reports
10. Warrants and Pre-Approvals
11. Financial Reports
12. Report of the Library Director
13. Old Business
14. New Business
15. Public Forum
16. Adjournment

The order of business at any meeting may be altered to accommodate special reports (*i.e.* from engineers, V.I.P.s, *etc.*) so that a meeting can be conducted within a reasonable amount of time.

#### **ARTICLE 9 – COMMITTEES AND SUB-COMMITTEES**

Committees and Sub-Committees shall be appointed by the President of the Board and will consist of not more than two (2) Board members and, except for the Executive Committee, may include the Library Director or the Director's staff designee. Committees and Sub-Committees will meet when necessary and give a report to the Board at the next regular Board meeting, if possible. Committees and Sub-Committees can be added or deleted as deemed necessary by the Board. Meetings of any Committee or Sub-Committee on which two (2) or more Board members serve shall be announced publicly where required by the Open Meetings Law of the State of New York. Notwithstanding anything stated or contained herein, the Executive Committee shall consist only of the President of the Board, the Vice President of the Board, and the Library Director. Committees and Sub-Committees will have such functions and responsibilities as are determined by the Board. In addition to any Committees created by the Board from time to time, there shall be the following Committees:

- Executive Committee
- Budget and Finance Committee
- Audit Committee
- Long Term Planning Committee
- Policy Committee
- Contract and Negotiations Committee
- Safety, Security, and Building Oversight Committee

**ARTICLE 10 – FRIENDS OF THE LIBRARY**

A “Friends of the Library” group may be formed to support the Library’s programs, stimulate interest by the community in the Library, and help focus public attention on the services and needs of the Library. The “Friends of the Library” group, if any, shall function autonomously and independently of the Board.

**ARTICLE 11 – AMENDMENT OF THE BY-LAWS**

Amendments to these By-Laws may be proposed at any regular meeting and shall be voted upon at the next regular meeting. Written notice of the proposed amendment or amendments shall be sent to all absent members at least ten (10) days prior to the voting session. A simple majority of the entire Board (including vacancies) shall be sufficient for adoption of an amendment. Any rule or resolution of the Board, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, in order to be valid, may be taken only at a meeting at which two-thirds of the members of the Board shall be present and two-thirds of those present shall so approve.

**ARTICLE 12 – CONSTITUTIONALITY**

If any part or parts of the By-Laws shall be held to be unconstitutional, then such constitutionality shall not affect the validity of the remaining parts of the By-Laws. The Board hereby declares that it would have passed the remaining parts of the By-Laws if it had known that such other part or parts thereof would be declared unconstitutional.

- Originally Approved 01/05/1960
- Date of Amendment 01/22/1973
- Date of Revision 12/17/1973
- Date of Approval 02/23/1974
- Date of Revision 02/27/1989
- Date of Revision 05/22/2007
- Date of Revision 04/22/2014
- Date of Revision 06/24/2014
- Date of Revision 09/24/2018
- Date of Revision 08/30/2021
- Date of Revision 11/22/2021

  
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Amy Andrews, President/Board Member

  
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Brian Anderson, Vice-President/Board Member

  
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Mette Rossi, Secretary/Board Member

  
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Teri Cantor, Board Member

  
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Lauren McDonagh, Board Member