



BYLAWS



PREFACE

Trusteeship, by definition, is the agency of a person (or persons) designated to act as governor or protector over property belonging to another. Since a public library belongs to its entire community, library boards have been created by law to act as citizen control, or governing body of the library. Library Trustees accordingly are public officials and servants of the public, and the powers delegated to library boards are a public trust.

Virginia Young, *The Library Trustee*,
5th ed, p. 10

Trustees are legally and ultimately responsible for the library and its operation. Trustees work with the library director to promote the library's mission set library policy, and spend public funds efficiently and effectively to meet the changing needs of the community.

MISSION STATEMENT

The Town of Esopus Library, through a team of friendly, knowledgeable, and well-trained Staff, Volunteers, Friends, and Trustees, is dedicated to providing people of all ages with innovative lifelong learning and leisure opportunities through information, education, technology, and entertainment.

Adopted by the Board of Trustees: October 25, 2006
Revised by the Board of Trustees: November 20, 2013

VISION STATEMENT

The Town of Esopus Library strives to reflect and enrich community life in the Town of Esopus. The Library works in partnership with its patrons, community groups, and the Mid-Hudson Library System to stay in the forefront of local needs and trends. Library programs and facilities are designed to complement the unique characteristics of the Town of Esopus.

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ARTICLE I: NAME AUTHORITY AND GOVERNMENT

The name of this organization shall be the Town of Esopus Library, hereinafter referred to as the Library. The Library derives its authority from a provisional charter issued by the State of New York on September 8, 1992, under section 255 of New York State Education Law. On March 9, 2010, the Board of Regents of The University of the State of New York voted that the provisional charter of the Town of Esopus Port Ewen Library, is amended to specify the term of office of the trustees to three years and to change the corporate name to "Town of Esopus Library."

The Library is governed by Section 226 of the New York State Education Law, by all other applicable NYS laws-including those of Civil Service, the Rules of the Board of Regents, the regulations of the Commissioner of Education-these Bylaws and any other rules pertaining to "Special District Libraries."

ARTICLE II: BOARD OF TRUSTEES

A. NUMBER

The Board of Trustees (hereinafter called the Board) shall consist of nine members.

B. QUALIFICATIONS

Candidates for trustee shall be registered voters in the Town of Esopus, who have been nominated by petition, and elected by the voters in the Library District in accordance with Chapter 43, Section 1 of the State of New York Library Act of 1994. Any candidate who is elected as a write-in is expected to run by petition in subsequent terms. A simple plurality of votes determines the election of trustees running at large.

C. RESPONSIBILITIES

The Board shall:

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 services, programs, and collections. and approve budgets provided by the Director.

Exercise fiduciary responsibility for the use of public and private funds.

Adopt policies and rules regarding library use and management.

Periodically update, evaluate and adopt the Library's Plan of Service.

Promote the library in the local community, county and state.

Conduct business of the library in an open and ethical manner, in compliance with all applicable laws and regulations, and with respect for the institution, the staff and the public.

D. ELECTIONS

Annual elections and budget voting will be publicly held the first Tuesday of June. The election must be publicized in the newspaper of record not less than thirteen (13) days and not more than twenty (20) days prior to the date of the election. In addition, copies of



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such notices must be posted conspicuously in five public places in the town at least thirteen (13) days prior to the date of the election. In the event that the election cannot be held on the afore mentioned date, the alternate date shall be publicized following the same guidelines as the regular date.

The Director or Assistant Director shall act as Clerk of the Election.

The Clerk of the Election must be a registered voter in the district.

E. ORIENTATION

The regular June meeting will be the reorganizational meeting, during which the newly elected Trustees shall take the oath of office as specified in the New York State Constitution. The Town Clerk or Notary Public will be present to perform this task. The new Trustees will be given the necessary forms, i.e. Conflict of Interest and Ethics, to be reviewed and returned signed to the library at a later date.

Within two weeks, the new Trustee meets with a member of the board and an administrative staff member for an orientation to the Library and its staff, and receives an overview of the Foundation and Friends. At that time, the new Trustee will receive Board of Trustee Reference Manual and the Handbook for Library Trustees. The required signed forms will be collected at this time.

F. TERM OF SERVICE for TRUSTEE

All elected trustees shall serve a full term of three years, unless filling a vacant position. Terms will commence on the 15th day of June. Trustees can hold an elected Board position for two full consecutive terms (six years). Trustees must run for a trustee position on the Board every three years. Additional terms may be served, but one year must pass between the 2 terms previously served and running for an additional term.

G. VACANCIES

If a vacancy occurs during a regular term, the Board of Trustees may appoint an individual to serve by a majority vote. This appointee shall serve the remainder of that year's term.

H. OFFICERS

The Board shall elect one of their members as President, one as Vice-President and one as Treasurer/Finance Officer.

The Secretary to the Board is hired by the Library Director, according to Civil Service rules.

Board members, after one year of Board service, shall be considered qualified to hold an officer position of the Board. This year may be waived if a new Board member has previously served on a Library Board.

The Executive Committee of the Board of Trustees shall consist of the President, Vice-President and Treasurer/Finance Officer. Other board members and the Library Director may be requested to attend Executive Committee meetings.

Officers may hold office for one year and are eligible to be re-elected for one additional consecutive year.



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At the expiration of her/his term of office, each officer shall deliver to his/her successor any records or books as belong to her/his office.

I. REMOVAL/SUSPENSIONS OF BOARD MEMBERS

To remove or suspend a trustee from office, there must be an examination and due proof of the truth of written complaint by any trustee, staff, the public or the Director of the misconduct, incapacity or neglect of duty of the involved trustee. At least ten days' notice of the proposed action shall be given to the accused and each trustee. A special meeting will be posted and held that is subject to the Open Meeting rules and public comment. There must be a majority vote of the entire board of Trustees at this special meeting before removal/suspension can take place.

J. CONTINUITY PLANNING

The Trustee Training Committee will see that new Board members receive their copies of all updated manuals within 2 weeks of the election as defined in the Orientation Section.

New trustees are required to attend the Trustee Training Essentials workshop provided by the Mid-Hudson Library System, when next offered. Attendance will be monitored by the Trustee Training Committee.

As members (specifically chairs) of the Board leave, they will turn over any pertinent paperwork to the Board Secretary to forward to the newest Board member assuming the vacated spot.

The Board President will encourage all members to attend available training regarding Trusteeship. Board members will receive notices of upcoming training by the Trustee Training Committee. The Director will also advise the Trustee Training Committee of training as they arise.

Committee Chairs will submit written summaries of activities to be included in the monthly Board meeting as required per these Bylaws, in order to ensure continuity.

All of these actions are to ensure the smooth operation and transition of an annually changing Board and that Board members are aware of any and all related issues of the Library.

K. CONTINUING EDUCATION

Ongoing training of all trustees will be the responsibility of the Trustee Training Committee. The Director will review the yearly budget to secure available funds for trustee training. Trustees will also attend additional training made available by MHLS and participate in training as mandated by these bylaws, the State Comptroller's Office, or the board.



ARTICLE III: DUTIES OF OFFICERS/Board Secretary

A. President

The President shall preside at all meetings, utilizing Robert's Rules of Order, in accordance with the Bylaws of the Library. At the board meeting of the month prior to the election, the president will give a brief report on all aspects of the library's condition and the past year major activities.

B. VICE-PRESIDENT

The Vice-President shall perform the duties of the President in his/her absence, and shall be the official host of the organization. In the event of the death or resignation of the President, the Vice-President shall perform the duties of the President, until the end of term. In addition, the Vice-President is responsible for creating the Nominating Committee in order to present a slate of qualified, interested candidates to serve as officers.

C. SECRETARY (hired by the Library Director following Civil Service rules)

The Secretary shall keep a correct record of all meetings of the Board of Trustees and all meetings of the Library, and shall read the minutes of each meeting at the proper time and place. The Secretary shall have custody of all records and official documents belonging to the Library. The Secretary shall receive and record the results of the regular election of officers, shall issue notices of all meetings of the Board of Trustees and of the Library, and shall handle the general correspondence of the Library Board.

D. TREASURER/ Finance Officer

The Treasurer/Finance Officer is the Chair of the Finance Committee and oversees the function of the Finance Committee. The finance officer is the cosigner for the operating fund checking account. The president, treasurer/finance officer and library director are all authorized to sign checks for operational expenses.

E. AUTHORIZATION/SIGNATURES

The President's and Treasurer's signatures are required for all capital transactions; daily operation expenses can be signed by authorized signers.

ARTICLE IV: MEETINGS

A. REGULAR MEETINGS

Regular meetings shall be held at dates and times to be established by the Board at the Annual meeting. New York State Education Law requires a minimum of four (4) meetings per year and shall be open to the public. The order of business for regular board meetings may include, but is not limited to the following suggestions:

Order of business:

Open Roll call/attendance

Approval of minutes of previous meeting

Public Comment (3-30 minutes)

Special or guest speaker

Financial report and approval of expenditures

Report of the Library Director

Report of standing committees



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Report of special committees
Nominations and elections, if any
Correspondence and communications
Unfinished business
New business
Adjournment

B. NOTICE OF BOARD MEETINGS

Shall be at least seven (7) days prior to the date of any regular meeting of the Board of Trustees where the Secretary shall serve each Trustee notice of such meeting as well as publicly posting the meeting. All meetings will be held in accordance with Open Meetings law.

Education Law Section 260-a: A public body cannot carry out its powers or duties except by majority of membership taken at a meeting held upon reasonable notice to all members. Telephone calls which result in a decision without a meeting violates the Open Meetings Law.

Minutes of open meetings must be prepared and available within one week of the next meeting. The clear intent of Section 260-a, of the Education Law is to require accountability in documenting the minutes of the meeting. All Boards must prepare and disclose their minutes in a manner consistent with open meetings and public disclosure laws.

C. ANNUAL REORGANIZATION MEETING

There shall be an Annual Reorganization Meeting which will be held during the regular Board meeting after the election.

D. SPECIAL BOARD MEETINGS

In accordance with open meeting law, Special Board meetings shall be held at the request of the President or at the written request of the majority of Trustees with advance notice of at least three (3) days prior to the meeting.

E. MAJORITY

A majority of the designated number of the Board shall constitute a quorum. Each trustee shall have one vote which shall only be cast in person at the meeting. The act of the majority at a meeting at which a quorum is present shall be the act of the entire Board.

F. ABSENCE AT BOARD MEETINGS

Any Trustee who has three consecutive unexcused absences shall be assumed to have resigned. The Board President should be notified in advance if attendance is not possible.

ARTICLE V: COMMITTEES

The following shall be standing committees: Research and Development, Governance and Personnel, Finance, Building & Grounds, Sustainability and Trustee Training. The purpose and responsibilities of each committee shall be determined by the By-Laws and Long Range Plan of



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Service. Each Committee meets one time monthly, or as necessary given the committee's project load.

A. COMMITTEE APPOINTMENT AND MEETINGS

The Board President shall appoint all trustee to the committees. Each trustee will serve on at least two committees. The President of the Board shall appoint each committee's chair. Non-Board members may be appointed temporarily to a committee by the committee chair and/or Board President to bring special capabilities for the resolution of problems confronting the committee. The Committee Chair will provide a written committee report at the Board meeting or may make arrangements for the recording of the Committee minutes. The minutes will be included in the board meeting packet. A verbal summary will be given at the meeting.

B. COMMITTEE ASSIGNMENTS/ACTIONS

Special committees and task forces, which may include members from outside the board, are sometimes used. Subcommittees of standing committees may also be named. Committees for the Town of Esopus Library are as follows:

1. RESEARCH AND DEVELOPMENT

- Write grants
- Organizing fund raising events
- Solicit donations from the community
- Present resolutions as appropriate to the board
- Review and update policies

2. GOVERNANCE AND PERSONNEL

- Implement an annual evaluation and review process for the library and board
- Coordinate an annual evaluation for the library director
- Review and revise policies, personnel manual and by-laws on a 3-year cycle; specific areas more frequently if needed
- Support Library director with personnel issues
- Present resolutions as appropriate to the board

3. FINANCE

- Review all income and expenditures of current operating budget
- Review next year's budget for recommendation to the board
- Assist Library Director in making large financial decisions
- Present resolutions as appropriate to the board
- Review and update policies

4. BUILDINGS AND GROUNDS COMMITTEE

- Document significant aspects of building construction decisions
- Understand all significant/minor maintenance issues
- Develop/forecast future expansion plans
- Assist in lining up contractors



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Present resolutions as appropriate to the board
Review and update policies

5. SUSTAINABILITY COMMITTEE

Identify specific ways to improve systems and processes for increased sustainability for the library and the community
Work with the library director and staff to implement changes
Work toward obtaining Sustainable Libraries certification through the New York Library Association by focusing on the areas of environment, physical plant, finance and community

6. TRUSTEE TRAINING COMMITTEE

Ensure the training of new trustees and provide updated manuals
Develop a plan for the transition of Board/committee chairpersons with the Director and Board members
Provide information on upcoming training
Arrange for and/or provide trustee training
Track attendance at training
Update trustee toolkit as changes occur or new topics arise
Provide specific information on present policies
Provide training or train on topics per board member requests

7. SPECIAL COMMITTEE

A Special Committee may be formed when a large project is proposed.
The Special Committee may include a member(s) of the community who has expertise related to the proposed project.

8. EXECUTIVE COMMITTEE

Consists of the President, Vice President and Treasurer/Finance Officer

9. OFFICERS NOMINATING COMMITTEE

Appointed by the vice-president
Presents a report containing a slate of qualified, interested candidates to the Board
Presents the slate at the regular Board meeting after the election
After the Nominating Committee's report and before voting for officers the chair will call for further nominations from the floor
When nominations from the floor are closed, the chair will make a formal motion to close nominations and vote for candidates
Closing nominations and voting for candidates requires a majority vote of the Board
The officers' nomination committee is automatically disbanded after its report is formally presented to the Board



C. REPORTING

The Chairs of all committees shall submit written summaries to the Board Secretary to be incorporated in the monthly Board meeting packet.

ARTICLE VI: CONFLICT of INTEREST

A. CONFLICT DEFINED

A conflict or duality of interest may exist when a Trustee or his/her organization may exclusively and/or disproportionately benefit directly, or indirectly, or by creating a negative impact on activities or decisions of the Board, the library staff or the library.

A conflict of interest disclosure statement will be completed yearly by each trustee.

B. DISCLOSURE REQUIRED

If a duality exists, said Trustee shall recuse him/herself from any Board action regarding said matter.

ARTICLE VII: CODE OF CONDUCT/ETHICS

- Trustees make a personal commitment to contribute their time and energy and to faithfully carry out his/her duties and responsibilities effectively and with truth, honor and integrity.
- Trustees shall respect the opinions of their colleagues when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy and confidentiality in their use of library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees should keep the public informed about library business but not disclose any matters that are of a confidential nature.
- Trustees must uphold the principles of intellectual freedom be aware of and in compliance with the Freedom of Information laws.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of a conflict of interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- Trustees will recognize the Director's role as chief executive officer of the library and his or her responsibility to supervise library staff.
- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.



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- Trustees will not engage in any conduct in the library that includes but is not limited to: public disturbance, harassment, or offensive or abusive language toward library staff or patrons.

ARTICLE VIII: LIBRARY DIRECTOR

A. EXECUTIVE AND ADMINISTRATIVE OFFICER

The Chief Executive and Administrative officer shall be the Library Director.

B. RESPONSIBILITIES

The Library Director shall be responsible for the overall management of the library.

C. BOARD MEETINGS

It shall be the duty of the Library 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.

D. EXECUTIVE SESSION

The Library Director may only be excluded from an executive session which deals directly with the performance or compensation of that Director.

E. PERFORMANCE EVALUATIONS

Regular performance reviews shall be conducted on an annual basis by the Board.

ARTICLE IX: AMMENDMENTS

A. BY-LAWS

These By-Laws may be amended or repealed and new by-laws adopted at any regular or special meeting of the Board, by the affirmative vote of two-thirds (2/3) of the entire Board if written notice is given to each trustee of the specifically proposed change in the By-Laws at least ten (10) days before the meetings.

B. NEW YORK STATE EDUCATION LAW

If at any time these Bylaws do not conform to the Education Law of the State of New York, these Bylaws shall be amended to conform to the Education Law or other statute.

ARTICLE X: PROCEDURAL RULES

A. RULES

The rules contained in the current edition of Roberts Rules of Order Revised shall be utilized for meetings of the Board in all cases.



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Adopted by the Board on: May 26, 2004

Revised by the Board on: July 29, 2009

Adopted by the Board on: March 31, 2010

Revised by the Board on: February 25, 2015

Revised by the Board on: June 26, 2019