

# Ontario Public Library

## Policy 5010

### BYLAWS OF THE ONTARIO PUBLIC LIBRARY

#### Article I: Name

The name of the corporation shall be the *Ontario Public Library* (hereafter, called the Library).

#### Article II: Purpose of the Library

The purpose of the Library is to serve the residents of the Town of Ontario as defined in the Absolute Charter approved by the New York State Education Department (NYSED) Board of Regents and adopted by the Library Board of Trustees on June 29, 1973.

#### Article III: Board of Trustees

1. The business and affairs of the Library shall be governed by a Board of Trustees (hereafter, called the Board) consisting of five (5) members operating with full authority of Education Law, §226 Powers of Trustees of Institutions.
2. All Trustees volunteer their time in service to the Library and community. The Board shall receive no compensation for their services as Trustees or for any other services to the Library but may be reimbursed for the expenses reasonably incurred by them in the performance of their duties as approved by the Board of Trustees.
3. To be eligible for nomination to the Board, an individual must reside within the Town of Ontario, must be at least 18 years of age, and meet the requirements of any other applicable law.
4. New trustees are recommended by the Board and appointed by the Town Board
5. The Trustee term of office shall be five (5) years. Trustees can be appointed to a maximum of two (2) full consecutive terms.
6. The term shall run January through December, or when filling an unexpired term from the date of Town Board appointment until December of the year of the fixed term.
  - a. Each Trustee may hold office until his successor is appointed.
  - b. To fill a new full term, the Library Board submits for appointment by the Town Board the name of the recommended Trustee applicant
  - c. To fill an unexpired term, the Library Board submits for appointment by the Town Board the name of the recommended Trustee applicant.
7. The office of Trustee shall become vacant on the death, resignation, refusal to act, or removal.

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- a. Any Trustee of the Library may resign at any time by giving written notice to the President, or to the Secretary. Such resignation shall take effect at the time specified therein or, if no time be specified, then on delivery.
8. Excused absences, as established by the Library Board, shall be defined as absences related to illness, extenuating issues, or job-related circumstances. Board members must notify the Board President or the Library Director with the reason for their absence to request an absence be considered excused.
  - a. If any Trustee fails to attend three consecutive meetings without notification, whereby such notification shall be considered an acceptable excuse, that Trustee shall be deemed to have resigned. The Board has the authority to reinstate said Trustee upon acceptance of justification for such absences.
9. A majority of the designated whole number of the Board shall constitute a quorum.
  - a. Except for votes held at any official meeting with a quorum, the majority of those Trustees present will constitute a vote of acceptance.
10. Trustees have the authority to appoint and have Library pay legal counsel.
11. The Library Director and Treasurer are *ex-officio* members of the Board. *Ex-officio* members shall not have the right to vote.

### Article IV: Trustees Duties and Their Responsibilities

1. Each newly appointed Trustee shall swear an Oath/Affirmation of Office for Public Officer before the Town Clerk or her representative. The Oath/Affirmation shall be filed with the Town Clerk before the individual may vote as a Library Trustee.
2. In compliance with Library Policy 1040: Conflict of Interest (COI), each Trustee shall disclose to the Board for review and decision any personal interest and/or potential conflict of interest which may arise during service as a Trustee.
  - All new Trustees shall file a signed Statement of Association/Potential Conflict of Interest with the Treasurer. Updates by all Trustees as requested, or required should be filed with the Treasurer.
3. Library Trustees shall adhere to the Code of Ethics of the American Library Association adopted by the Ontario Public Library, Policy 1050.
4. Trustees shall attend orientation and facilitated training within their first year of service and at regularly scheduled times during their tenure to meet requirements of minimum standards for NYS libraries of two (2) hours annually of continuing development and

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education for all trustees. (Education Law § 260-d, added by Chapter 468 of the Laws of 2021)

5. Every member of the Board has a fiduciary responsibility to the community.
  - a. All Trustees should review the monthly financial reports and expenditures including payroll and warrants.
  - b. Trustees shall secure adequate funds to carry out the Library's program.
  - c. The Library budget shall be drafted by the Director and staff in collaboration with trustees designated by the President.
6. Trustees shall report regularly to all stakeholders including the general public.
7. Trustees shall plan for both immediate and long-range Library operations.

### Article V. Officers

1. The officers of the Board shall be a President, a Vice-President, a Secretary and Treasurer (*ex officio*).
2. Officers shall be elected at the last regular meeting of the Library year by approval of a majority of Trustees present and constituting a quorum.
3. The President of the Board:
  - a. Prepares the agenda for the board meeting with the Library Director;
  - b. Presides at the board meeting and maintains order;
  - c. Expedites closure by summarizing key points in the discussion to clarify what has been said;
  - d. Calls for motions when appropriate;
  - e. Appoints appropriate committees when required;
  - f. Calls for votes on all matters brought before the board
4. The Vice-President of the Board presides in the absence of the President, and assumes Presidential duties as needed.
5. The Secretary of the Board is legally responsible for maintaining a record of the proceedings of board meetings:
  - a. Maintains a record of the proceeding of all Board meetings which serve as a history of the Library's activities and board decisions;
  - b. Prepares Minutes of the previous meeting in a timely manner (with a designated recording clerk, if assigned) for public and trustee perusal. Signs and files the minutes after the Board has approved them.

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6. The Treasurer is a paid staff position appointed by the Board.
  - a. The Treasurer answers directly to the Board of Trustees.
  - b. The Treasurer is responsible for depositing and disbursing Library funds, maintaining appropriate accounting records, and providing a monthly financial report including bank reconciliations and supporting documentation to the Board.
  - c. The Treasurer does not have Board voting privileges.

### Article VI. Board Meetings

1. Regular meetings shall be held at least bi-monthly, at dates and times to be determined by the Board at the last regular meeting of the year and shall be open to the public as required by the New York State Open Meetings Law.
2. Special meetings shall be held at the call of the President or any three Trustees.
3. A majority of the designated number of the Board shall constitute a quorum and is required in order to transact business.
4. The order of business shall be as follows:
  - a. Adoption of the agenda
  - b. Approval of prior meeting minutes
  - c. Public comment
  - d. Trustee Comments
  - e. Report of the Town Liaison, if any
  - f. Report of the Library Director
  - g. Report of the Treasurer: Financial Reports
    - i. Report of Budget
    - ii. Report of Bank Reconciliation
    - iii. Approval of Warrants (Expenditures)
  - h. Report of standing committees, if any
  - i. Report of special committees, if any
  - j. Nominations and elections, if any
  - k. Consideration of unfinished business
  - l. Consideration of new business
  - m. Appointments, Resignations, if any
  - n. Dates of future board meeting(s)
  - o. Other Business
    - i. Executive session, if needed
  - p. Adjournment
5. Vacancies among the officers shall be filled by trustee vote and shall require approval of a majority of Trustees present and constituting a quorum.

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6. Procedures for conducting business meeting shall be as outlined in *Robert's Rules of Order*.

### Article VII -- Committees

1. *Ad hoc* committees may be appointed by the President with the approval of the Board. Non-Board members may be appointed to such committees to bring special capabilities for the resolution of problems confronting the Committee.
2. All committee recommendations shall require approval of a majority of Trustees present and constituting a quorum at a regular or special Board meeting.

### Article VIII -- Library Director

1. The Board shall appoint a qualified Library director who shall be the executive and administrative officer of the Library.
2. The Director shall be held responsible for the proper performance of duties:
  - a. Prepares all phases of the Library's annual budget proposal;
  - b. Responsible to the board for all expenditures;
    - i. Calls for an independent external audit of Library finances at least every three (3) years.
  - c. Attends all board meetings and prepares written reports;
  - d. Responsible for recommending policy to the board and carrying out policy;
  - e. Participates in staff selection: writes job advertisement; reviews applications with appropriate staff; in the case of librarian 'hires' confers with trustees; interviews; and notifies applicants regarding status of their applications;
  - f. Responsible to the board for overall supervision of staff;
  - g. Recommends adequate funding for staff development;
  - h. Convenes general staff meetings with an agenda distributed prior to the meeting;
  - i. Interprets Library policy for patrons, staff, and local governing board;
  - j. Selects materials for the collection at the adult level and delegates selection of juvenile and young adult materials to Youth Services Librarian;
  - k. Responsible to the board for the appearance and integrity of the collections of the Ontario Public Library;
  - l. Responsible for noting trends and developments which may affect Library operations, i.e. new technologies, economic and demographic changes in the community, and opportunities for outreach programs;
  - m. Develops promotional materials to inform the community of the Library's materials, resources, and services;
  - n. Works with staff to develop standardized procedures;

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- o. Works with the Library board and town board to ensure a facility that is adequate to the needs of the community.
3. The Director shall remain independent of the accounting and does not have access to cash. The Director shall not have responsibility to record receipts, disbursements or journal entries in the financial system.
4. 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 thereon.

### Article IX -- Amendments

These Bylaws 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.