

**Town of Lake Pleasant Public Library
2864 State Route 8
Speculator, New York 12164**

BY LAWS

May 3, 2016

The Board of Trustees (herein designated as the “Board”) of the Lake Pleasant Public Library, a corporation created under a charter granted under Section 253 of the New York State Education Law by the Board of Regents of the State of New York, dated September 10, 2007, shall be governed by the laws of New York State, the regulations of the Commissioner of Education and by the following bylaws.

PURPOSE: The Purpose of the Town of Lake Pleasant Public Library is to assemble, preserve, and provide printed 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. The Town of Lake Pleasant Library is organized exclusively for educational purposes under section 501(c) (3) of the Internal Revenue Service Code, or corresponding with any future federal tax code.

ARTICLE I – MEMBERSHIP

The Board of Trustees of the Library (hereafter referred to as the Board or the Trustees) shall consist of up to nine members *who are appointed by the Town of Lake Pleasant Town Board on the recommendation of the Library Board of Trustees.* ~~The Board of Trustees may make appointments up to nine members but does not have to fill all vacancies.~~ There must be a minimum of five Trustees. ~~Names of trustees appointed by the Board of Trustees shall be sent to the Town Board for approval.~~ Vacancies will be filled by appointment *of the Town Board on the recommendation of the Library Board.* ~~by the Board of Trustees~~ if they wish to do so. The term of office for the Trustees will be five (5) years. Appointments will run from January 1 after appointment to December 31 of the term ending year. Copies of all materials necessary to carry out trustee responsibilities shall be given to the new Trustee.

ARTICLE II – OFFICERS

The officers of the Board shall be President, Vice President and Secretary. Each officer shall be elected for a one year term. An officer replacing another officer for less than six months may serve until such term ends.

Officers shall be elected at the regular December meeting by a majority vote of the full Board. New officers will take office January 1. If the election cannot, for any reason be completed in December, the incumbent officers may serve until the election is held. Vacancies among the officers shall be filled at an election at a regular meeting and a majority vote of the full Board shall be necessary to elect.

The President shall preside at meetings of the Board, appoint committees, authorize calls for special meetings, set meeting agendas, and generally perform the duties of a presiding officer.

The Vice President will serve as an assistant to the President and preside over any meeting the President does not attend or at any meeting the President finds a need to be recused from presiding. ~~During the first appointment cycle, the most senior member will be the person first chosen to serve a five-year term.~~

The Secretary shall have charge of the records of the Board and shall keep minutes of the meetings. A copy of the minutes shall be kept in the library building and shall be available for public study *on the Library website within two weeks of approval*. ~~The President or his/her designee shall handle board communications to other individuals or organizations.~~

~~The Treasurer~~ *The Treasurer's Office of Hamilton County New York is the designated Treasurer of the Library and* shall keep all financial records and see that all bills are proper and are paid. This will be done through the Town of Lake Pleasant. *The Finance Officer* shall report each month to the Board of Trustees on the status of the accounts. ~~The Treasurer may be a member of the Board of Trustees but does not have to be a member. A Financial Officer may be appointed by the President of the Board to report such status to the Board at each meeting.~~

ARTICLE III – COMMITTEES

The Board may consider and act on any matter before it with or without recommendations from a committee.

The President shall appoint all ad hoc committees and all standing committees and appoint chairs for these committees.

The President shall be ex-officio member of all committees and committee chairs should notify the President of time and place of meetings. The President shall vote only in case of a tie vote. Standing committees:

Finance Committee shall have general supervision of the policies and plans for fiscal resources of the Town of Lake Pleasant Public Library. It will prepare an annual budget for the Board's approval and for submission to the Town Board. It shall advise the Board on possible grants and evaluate and advise on endowments, gifts, and other financial matters advantageous to the future of the library. The committee will be the liaison with the Town Board on budget matters. The Chair will work with the Town Board's designated official in processing all vouchers for the Library. The Town will provide all information to such Chair for any financial reports needed.

Building and Grounds Committee shall oversee the maintenance and upkeep of the library building and grounds. It shall make recommendations for repairs and alterations, replacement or addition of equipment, ~~insurance coverage changes~~ and other matters related to the building. It shall recommend necessary expenditures to the Finance Committee for annual budget purposes.

Collection Committee shall be chaired by the Library Director ~~and used, at his/her discretion,~~ and make recommendations on additions and changes to the book and non-book collections in the Library. The Director shall report monthly to the Board of Trustees concerning all additions and deletions to the Library collection *in accordance with the Collection Policy*.

~~Publicity and Community Involvement Committee~~ shall keep the community informed of the status of the Library and of events sponsored by the Library. It shall coordinate community support for increasing collection and for providing volunteer help for various programs. The Committee will be the liaison with the Friends of the Library.

~~—Planning and Personnel Committee shall be the entire Board and shall carry out all future planning needs and shall be responsible for recommendations for hiring and for evaluating the Library Director, both paid and volunteer staff.~~ *The* Committee will be liaison with Town Board on personnel matters. Subcommittees of this group will be created as necessary.

Nominating Committee of three members will be appointed by *at* the October meeting and will submit a list of names for officers of the Board at the November meeting to be voted on at the December meeting. Membership on the committee shall not prohibit nomination for office.

ARTICLE IV – MEETINGS

Regular meetings of the Board will be held monthly at dates and times to be established by the Board. All meetings will be open to the public *and follow Robert's Rules of Order.* ~~except where individual personnel issues or legal actions are being discussed. No vote may be taken officially in an executive session. All decisions made in executive session must be voted on in a public meeting.~~ *Deleted these sentences because they are covered under Robert's rules.*

Special meetings may be called by ~~each~~ of the President or by any three Board members.

A majority of the board shall constitute a quorum. Decisions may be made by a majority of those present if a quorum exists. If a quorum is not present, the Board may discuss issues but may not make decisions. Minutes must be kept of any meeting even if no quorum is present.

Meeting notification, *agenda, and all documents subject to discussion (previous minutes, Director's report, financial report, etc.)* shall be posted in the library building and *on the library's website at least 24 hours prior to the scheduled meeting.* ~~at other locations as required by law. Trustees shall receive an agenda and all supporting documents for discussion notice of all meetings at least three days prior to the meeting, except in an emergency as deemed by the President~~

~~—The president shall provide an agenda for each meeting Meeting will follow Robert's Rules of Order unless a majority of those present vote to vacate the rules for a particular item on the agenda.~~

Article V – Library Director/ Manager

The Board of Trustees shall recommend an individual from a list of qualified candidates for the position of Library Director/*Manager* to the Town Board. *With oversight by the Library Board of Trustees, the Library Director and Aides will follow policies as set forth in the Town of Lake Pleasant Employee Handbook.* ~~The Library Director is the employee of the Board of Trustees of the Lake Pleasant Library. The Library Director will be paid by the Town of Lake Pleasant from the budget submitted by the Trustees.~~

~~—The Director shall be responsible for the day today operation of the library in conformance with the responsibilities set forth in the Policy and Procedure Manual.~~

~~—The Director shall attend all meetings of the Board of Trustees, unless asked by the President not to attend. The Director shall submit a written report at each monthly meeting to reflect the activities of the Library. All of this is in the employee handbook.~~

~~—All Library staff The Director shall report and answer only to the Board of Trustees. The Board shall exercise this role as a body and only the Board President shall direct employees on a daily basis.~~

Library Staff ~~should~~ *are required* take civil service exams as required by State law.

ARTICLE VI - Protections

In accordance with Section 116(a), paragraph 4, of the New York State Sales and Use Tax Law, the Board shall comply with the following provisions.

DISSOLUTION PROVISION – In the event of dissolution, all of the remaining assets and property of the organization shall after necessary expenses thereof be distributed to such organizations as shall qualify under section 501(c)(3) of the Internal Revenue Code, or corresponding provisions of any subsequent Federal tax laws; or to the federal government, or to a state or local government, for a public purpose; or to another organization to be used in such manner as in the judgment of a Justice of the Supreme Court of the State of New York will best

accomplish the general purposes for which this organization was formed. Distribution of assets will conform to the New York State Education Commissioners Regulation 220.

NON – INUREMENT PROVISION: No part of the net earnings of the organization shall inure to the benefit of any member, trustee, director, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization).

RESTRICTIVE LEGISLATION PROVISION; No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Internal Revenue Code section 501(h); or participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

RESTRICTIVE PURPOSES AND ACTIVITIES PROVISION: Notwithstanding any other provision of these articles, the organization is organized exclusively for educational and literary purposes as specified in section 501(c)(3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under section 501(c) (3) or corresponding provisions of any subsequent Federal tax laws.

SAVINGS CLAUSE: Any policy, rule or By Law of this library that is in conflict with State or Local laws or rules set by the State of New York is null and void. When such policy is identified, the Board of Trustees will make the necessary changes to comply with the law.

ARTICLE VII – DIRECTORS, OFFICERS AND EMPLOYEES

The Town Board of Lake Pleasant having its principal office at Route 8, Lake Pleasant New York 12108 in the County of Hamilton, New York, from and after the date hereof shall hold harmless any and all Trustees, Officers, Directors and Staff from any and all liability, claims, demands, or expenses by reasons of acting as Trustee, Officer, Director and Staff or otherwise by reasons of any and all actions performed or omissions to act by reason of being a Trustee, Officer, Director and Staff or other wise of the System. (NY State Education Law 720(a).

ARTICLE VIII - AMENDMENTS

These By-Laws may be repealed, amended, or added to by a majority vote of the entire 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 meeting or at a Special meeting called at least two weeks before the regular meeting where the vote will be held. Notice of the intent to vote at the regular meeting shall be made known in the call to meeting.

THESE BY-LAWS WERE ORIGINALLY ADOPTED IN SEPTEMBER, 2001

Revisions: December 2001, December, 2004, December, 2007, October 2008, November 2010, December 2014. May 2016

President of Board of Trustees

May 3, 2016
Date