

## Dover Plains Library Bylaws

### NAME AND LOCATION OF THE LIBRARY:

The corporate name of the library shall be the Dover Plains Library, located in the Town of Dover, Dutchess County, New York. The Dover Plains Library is an association library. All registered cardholders are members of the association.

### PURPOSE OF THE LIBRARY:

The purpose of the library shall be to provide library service to the community of the Town of Dover.

### BOARD OF TRUSTEES:

The business and affairs of the Dover Plains Library shall be managed and conducted by a Board of Trustees that shall be nine in number each to serve a term of three years. A minimum of 7 members shall be residents of the Town of Dover. A maximum of 2 members may be residents of the Dover Union Free School District, yet not residents of the Town of Dover.

The term of members of the Board of Trustees shall end on December 31 of their third year following election unless the Trustee shall have resigned or otherwise terminated membership on the Board.

Any Trustee may be removed by the Library Board upon acceptable proof for neglect of duty, continued absence from meetings, failure to perform accepted assignments or malfeasance in office.

Any Trustee who shall fail to attend three consecutive regular meetings of the Board without an excuse accepted as satisfactory by the Trustees shall be deemed to have resigned as a Trustee.

For any vacancy unrelated to the expiration of a trustee's term, the Board shall ask the director to make public via the library's website, social media and bulletin boards that there is an open seat on the Board and that applications will be accepted for 2 weeks.

The Board will review all applications in advance of the subsequent regular Board meeting and elect a new trustee by a majority vote at that meeting.

The new trustee shall serve out the remainder of the vacated term and then be eligible for nomination for a full term.

At the September meeting, the President shall appoint a nominating committee and ask the director to make public that applications for position on the Board will be accepted until the end of September.

The Nominating Committee will confirm with each of the three trustees whose terms are expiring that year whether or not they would like to be nominated to serve again; the Nominating Committee will also review submitted applications and schedule interviews during October as needed. The committee will present their final nominations at the Board's November meeting.

At the regular Board meeting in December, those Board members not up for re-election will vote by written, secret ballot to determine which of the nominees will fill the three open positions. If there are more candidates than open positions, the positions go to the candidates with the highest votes. New trustees shall take office on January 1.

## OFFICERS:

At the regular January meeting, The Board will reorganize and elect officers. The chair of the Nominating Committee shall chair this meeting.

Officers shall serve two-year terms. Tenure of the President shall be limited to three consecutive terms of two years each.

Officers elected shall be as listed below and with the stated duties, adapted from those given in the *Handbook for Library Trustees of New York State* (2023):

1. President: The President ensures the Board acts consistently with board policies and presides at all meetings of the Board. The Board President must keep the meetings focused on the business at hand as determined by the agenda, maintain decorum, bring discussions to a close, refer an issue to a committee, or table issues until enough information is available to the Board for a well-considered decision.

In the context of the library's bylaws, the Board President also authorizes the call for any special meetings, appoints committee members, serves as an ex-officio member on all committees, executes documents requiring Board authorization, and generally performs all duties associated with that office.

The President also serves as the primary liaison between the Board and the Library Director. In that capacity, the President should be in regular contact with the Library Director between meetings, work with the Library Director to ensure the entire Board is well informed of current issues facing the library and collaborate with the Library Director to create board meeting agendas.

The Board President is responsible for ensuring that all trustees comply with continuing education requirements outlined in section 260-d of New York Education Law.

2. Vice President: The Vice President works with the President to ensure that meetings and other board initiatives go smoothly. The Vice President chairs ad hoc committees and assumes the duties of the President in their absence.
3. Secretary: The Secretary is responsible for ensuring that an accurate and timely record of all meetings of the Board is created and that notice of all meetings is carried out as per Open Meetings Law.
4. Treasurer: The Treasurer oversees receipt and disbursement of library funds, monitors the Library's internal financial controls, ensures that all Board members receive transparent, understandable financial reports, and makes themselves available to answer questions trustees may have about the Library's finances.

In addition, the Treasurer agrees to have a credit card in their name on the Library's credit card account. This requires providing personal information to the Library's bank.

As a volunteer, the Treasurer is expected to carry out these duties to the best of their abilities, as any reasonable citizen would expect, and to seek guidance and advice from professionals such as MHLS staff, the Library's bookkeeper, or the Library's Certified Public Accountant.

## MEETINGS:

Regular meetings of the Board of Trustees shall be held at the Library at 7:00 pm on the first Wednesday of each of ten months of the year, except for the months of January, February, and March when the meetings will be held at 6:00 pm. Board meetings in July and August shall be scheduled at the Board's discretion.

In the event of a meeting being cancelled for any unscheduled reason, such as hazardous weather, power outages, et al., the meeting will be held the second Wednesday of the month at 7:00 pm. A public notice shall be posted on the Library's website and social media. Other meetings may be called and held as provided by law.

Special meetings may be called for by the President or at the request of at least one-third of the Trustees for the transaction of business as stated in the call for the special meeting.

A quorum for the transaction of business at any meeting shall be 5 trustees. Each trustee shall have one vote and must exercise it personally at a meeting to have this vote counted.

Trustees may not represent the board to commercial, public, corporate entities, community organizations, governmental bodies, or the media without prior approval from the Board.

The order of business for regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown as far as circumstances will permit:

- Roll call of members

- Public Comment

- Discussion with Board-Invited Visitors

- Adoption of previous minutes

- Treasurer's report

- Director's report

- Old business

- New business

- Public comment

- Executive session

- Adjournment

- Upcoming events

The Director shall attend all meetings, may participate in the discussion and offer professional advice, but does not vote upon any question.

#### **COMMITTEES:**

The Board shall maintain three standing committees (Finance, Facilities and Governance), and, at its discretion, may create committees as needed until discharge by the Board.

#### **LIBRARY DIRECTOR:**

In accordance with NYSED Law, the Board shall appoint a degreed and state-certified public librarian to serve as the executive and administrative director of the Library on behalf of the Board and under its review and direction.

#### **AMENDMENTS:**

Amendments to these bylaws may be proposed at any regular meeting. They may be voted on at the second meeting and if approved, take effect on the third meeting.

The Governance Committee shall annually review these bylaws for suitability, accuracy, and consistency.

#### **DISSOLUTION PROVISION:**

In the event of dissolution, all of the remaining assets and property of the Association shall after necessary expenses thereof be distributed to such organizations as shall qualify under section 501 © (3) of the Internal Revenue Code of 1954, as amended; or to the federal government, or to a state or local government, for a public purpose.

#### **NON-INVULMENT 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 that organization), and no member, trustee, officer of the organization or any private individual shall be entitled to share in the distribution of any of the assets on dissolution of 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 or statements), any political campaign on behalf of any candidate for public service.

#### **RESTRICTIVE PURPOSES AND ACTIVITIES PROVISION:**

Notwithstanding any other provision of these articles, the organization is organized exclusively for one or more of the following purposes: religion, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, as specified in section 501 © (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 © (3) of the Internal Revenue Code of 1954.

Adopted July 6, 2011

Amended March 1, 2017

Revised & approved March 2, 2022

Revised & approved January 3, 2024