

POLICIES OF THE MECHANICVILLE DISTRICT PUBLIC LIBRARY
BY-LAWS

PREAMBLE: The Board of Trustees of the Mechanicville District Public Library, a school district public library, hereafter designated as "The Board", a corporation created by a charter granted by the University of the State of New York, February 28, 1974, hereby enacts the following By-Laws:

PURPOSE: The purpose of the Mechanicville District 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.

ARTICLE I - MEMBERSHIP

The Board shall consist of five members. Vacancies on the board are filled according to these procedures: A new trustee shall be elected annually, by a majority vote of the electors of the school district, to serve for five years. In the event that a vacancy shall occur during a Board member's term of office, the remaining members of the Board, by majority vote, shall appoint another to this vacancy until the next regular election.

The term of office of trustees shall be five years to begin July 1 of the year of his or her election.

If a trustee shall fail to attend five consecutive meetings without an excuse accepted as satisfactory by the Board, the trustee shall be deemed to have resigned, and the vacancy shall be filled.

Newly elected/appointed trustees shall be provided with appropriate orientation by the board president and the library director and shall be given a copy of the Mechanicville District Public Library By-Laws and a review of the *HANDBOOK FOR LIBRARY TRUSTEES IN NEW YORK STATE* which outlines the basic information about trustee responsibilities.

ARTICLE II - OFFICERS

1. The officers of the board shall be a President, Vice-President, Secretary, and Treasurer. Each officer shall be elected for a one-year term.
2. Officers shall be elected at the last regular meeting of the library year, by a majority vote of the Board.
3. Duties of the officers:
 - (a) The President shall preside at meetings of the Board, appoint committees, authorize calls for special meetings, and generally perform the duties of a presiding officer. It is recommended that the President or other Board officers attend the SALS annual meeting.
 - (b) The Vice-President shall perform the duties of the President, in case of the absence or disability of the President, and shall succeed to the office of President upon the resignation or death of the President. In case both the President and the Vice-President are absent, from a meeting, any member may call the meeting to

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order, and the members present (there being a quorum) shall elect a Chairman pro tem.

- (c) The Secretary shall have charge of the records of the Board and shall keep the minutes of its meetings. A copy of the minutes shall be kept in the Library and shall be available for public study.
- (d) The Treasurer shall oversee the fiscal affairs of the library. The Treasurer shall meet with the Library Manager periodically.

ARTICLE III - COMMITTEES

Special committees may be appointed by the President from time to time with the approval of the Board. The actions of all committees shall be subject to the approval of the Board, and no committee shall authorize any expenditure without authority of the Board.

ARTICLE IV - MEETINGS

- (a) Meetings shall be held on a monthly basis, at dates and times to be established by the Board at the beginnings of the library year and shall be open to the public except when individual personnel issues are being discussed.
- (b) Special meetings shall be held at the call of the President or any three trustees.
- (c) A majority of the Board shall constitute a quorum. In the event that a quorum is not present, to avoid an extensive delay in approval of financial and other urgent matters a vote will be done by telephone or email.
- (d) The order of business shall be as follows:
 - i. Roll call
 - ii. Approval of minutes of previous meeting
 - iii. Correspondence and communications
 - iv. Report of the library director
 - v. Financial report and approval of expenditures
 - vi. Report of committees
 - vii. Nominations and elections, if any
 - viii. Unfinished business
 - ix. New business
 - x. Adjournment.
- (e) Vacancies among the officers shall be filled at an election at a regular meeting, and a majority vote of the Trustees shall be necessary to an election.

ARTICLE V - LIBRARY DIRECTOR and LIBRARY MANAGER

- (a) The Board shall appoint a qualified library director who shall be the executive and administrative officer of the library and who shall be appointed as specified in New York State Education Commissioner's Regulation #90.8.

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- (b) The Director shall be held responsible for the proper performance of duties as spelled out in the job description provided by the Board.
- (c) 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.
- (d) Once the library board has approved job descriptions and positions to be filled, the library director must recruit and select qualified people to fill vacancies as specified the New York State Civil Service Law, the Municipal Civil Service Rules for the City of Mechanicville and the Library's Personnel Policies.
- (e) The Library Manager shall pay out funds by check signed by the President of the Board and/or the Director. The Library Manager shall keep accurate records of all moneys received and disbursed and shall make a report thereof to the Board monthly and at other times as the Board shall require. The Library Manager shall submit the finance section of the annual report to the New York State Education Department as required.

ARTICLE VI - In accordance with Section 1116(a) paragraph 4, of the New York State Sales and Use Tax Law, the Board shall comply with the following provisions:

- (a) **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 New York Education Commissioner's Regulation #220.
- (b) **NON-INUREMENT PROVISIONS:** 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).
- (c) **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.

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- (f) **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: religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international 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 (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 the Federal income tax under section 501 (c) (3) or corresponding provisions of any subsequent Federal tax laws.

ARTICLE VII -DIRECTORS, OFFICERS, AND EMPLOYEES

The Mechanicville District Public Library, having its principal office at 190 North Main Street, Mechanicville, New York 12118, in the County of Saratoga, 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 reason of acting as a Trustee, Officer, Director, or Staff or otherwise of the library.

ARTICLE VIII-AMENDMENTS

These By-Laws 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 as been given in the notice of the meeting at which it is to be considered.

ARTICLE IX- GIFTS AND DONATIONS

Gifts and donations to the Library will be acknowledged publicly in two ways. The first is the addition of the donor's name, together with a description of what has been donated (if appropriate) and the date of the donation in a Donor Book. The Donor Book will be publicly displayed. If the donor wishes acknowledgement of the donation by way of a plaque, such a plaque may be placed on the plaque wall, and only on the plaque wall.

ARTICLE X – INSURANCE COVERAGE

The Mechanicville District Public Library shall provide Liability Insurance for the Board of Trustees.

Adopted: November 8, 1991

Revised and Accepted: July 10, 2001

Revised and Accepted: March 21, 2003

Revised and Accepted: November 17, 2012