

**Bethlehem Public Library**

**451 Delaware Avenue**

**Delmar, NY 12054**

**BYLAWS**

**Article I—Name**

This organization is and will be known as Bethlehem Public Library, existing by virtue of the provisions of the Absolute Charter Number 9827 granted by the Regents of the University of the State of New York on November 22, 1968, and exercising the powers and authority and assuming the responsibilities delegated to it under said charter. Original charter 2745 was granted by the Regents of the University of the State of New York on September 10, 1931. The charter was amended by the Board of Regents on December 16, 1994 to increase the maximum authorized number of trustees from five (5) to seven (7), and to recite in the charter that the library's service area is coextensive with the Bethlehem Central School District.

**Article II—Mission statement**

Bethlehem Public Library serves the residents of the Bethlehem Central School District and the surrounding Capital Region of Albany, New York. As a leader in the library community, Bethlehem Public Library provides equal and uncensored access to a wide range of information in a variety of formats to enhance and encourage professional growth, lifelong learning, cultural enrichment and quality of life.

**Article III—Board of trustees**

*Description*

The business and affairs of Bethlehem Public Library will be managed and conducted by a board of trustees consisting of seven (7) members elected by the voters of the Bethlehem Central School District.

### *Qualifications*

A candidate for the board of trustees must be a resident of the Bethlehem Central School District and at least 18 years of age. Upon election to the board of trustees, a trustee must take the oath of office and without delay, complete a conflict of interest form. Conflict of interest forms must be completed annually.

### *Terms of office*

Except for instances of special appointment or election as described in *elections and special appointments* below, terms of office will end on June 30 of the fifth year following election.

### *Attendance*

Any trustee who fails to attend three (3) consecutive regular meetings of the board without a valid excuse will be deemed to have resigned as trustee, and the vacancy will be filled in the manner of *elections and special appointments* as described below.

### *Elections and special appointments*

A vacant seat that results from the expiration of a full term will be filled by the highest vote-getter from the election related to the annual budget. If an election is held to fill a seat for a full five (5)-year term in addition to a seat for an unexpired term of less than five years, the highest vote-getter will fill the full term, the next highest vote-getter will receive the shorter term.

Vacancies which occur for reasons other than expiration of a full term may be filled by board appointment until the June 30 immediately following the next annual election. At that election, the board member elected to fill the vacancy will serve a partial term beginning on July 1 and ending on the last day of the departed trustee's term.

The board will make every effort to fill a vacancy which occurs more than three (3) months before the next election. A candidate may be appointed by majority vote of the board at a regularly scheduled board meeting, or the board may choose to conduct a formal search by soliciting applications from residents of the community.

## **Article IV – Officers**

### *Officers*

The officers of the board of trustees will be president, vice-president, secretary, treasurer, and the director of the library. The treasurer and director serve as nonvoting officers of the board. In any given year, the trustees may create additional officers or co-officers except for the position of president which shall be held by one person.

### *Election of officers*

At the June board meeting the board will decide the number of officers for the coming year, this will always include at least a president and a secretary.

The nominating committee will present a slate of officers to be elected at the July meeting. Additional nominations may be made from the floor. If two (2) or more trustees have been nominated by the nomination committee or from the floor for the office of president the election will be held by open vote. The same process will govern the selection of other officer positions, when needed. Trustees must achieve a majority of votes in order to be elected as an officer.

### *Terms of office*

Officers will serve a term commencing from the date of their election until their successors are elected at the next July meeting.

### *President*

The president will preside at meetings of the board, appoint committees, execute documents authorized by the board, serve as ex-officio member of all committees, represent the board before the public if no other person is designated, and generally perform all duties associated with that office. The president cannot serve on the nominating committee.

### *Vice-president*

The vice-president shall assist the president in the duties noted above. In the event of the absence or disability of the president or a vacancy in that office, the vice-president will assume and perform the duties and functions of the president. Should more than one vice-president be serving in any given year, in the absence of the president, presidential duties will be performed by the vice-president assigned to these responsibilities by the board of trustees.

### *Secretary*

The secretary will see that a true and accurate record is kept of all meetings of the board, issue notice of all regular and special meetings, and perform other duties generally associated with that office.

### *Treasurer*

The treasurer is a board-appointed, nonvoting officer of the board. Duties include signing checks, reviewing monthly financial statements, signing all payroll journals and check warrants after their approval by the board, and performing other duties generally associated with that office.

### *UHLS representative*

The library board of trustees will recommend a representative to the Upper Hudson Library System board of trustees. This representative will report regularly to the board on UHLS activities.

## **Article V—Meetings**

### *Regular meetings*

Regular board meetings will be held monthly, usually on the second Monday. Public notice of these meetings will be posted according to law.

### *Special meetings*

Special meetings may be called by the secretary at the direction of the president, or at the request of at least two (2) trustees, only for the transaction of business as stated in the call for the special meeting.

### *Organizational meeting*

The board meeting in July is the first regular meeting of the fiscal year. In addition to conducting regular business, it is designated for the election of officers, and all other organizational business for the coming year.

### *Quorum*

A quorum for the transaction of business at any meeting will consist of four (4) in-person trustees. In the absence of a quorum, the trustees present will adjourn the meeting to a date determined and written notice will be sent to all trustees. In special circumstances, a phone or email poll of the trustees may be conducted to enact items of business requiring immediate action. Such actions must be confirmed at the next regular meeting. A trustee may participate and cast votes in any meeting virtually; however, a trustee's virtual participation shall not count toward a quorum. Trustees shall make their best efforts to notify the President of their intention to participate virtually in a specific meeting at least 24 hours prior to the meeting, absent exigent circumstances.

### *Executive session*

All regular meetings of the board of trustees are open to the public as specified in New York State Open Meeting Law. Executive session may be held when necessary to discuss litigation, contract negotiation and/or personnel or any other matter allowed by Open Meeting Law. Executive session must be approved in open meeting by a majority vote and the purpose of the session recorded in the minutes of the open meeting.

## *Agenda*

The business for regular meetings will include, but not be limited to, the following items. The president may vary the order of business.

- Call to order
- Public participation
- Approval of previous month's minutes
- Financial report
- Director's report
- UHLS report
- Old business
- New business
- Public participation
- Adjournment

## *Public participation*

As parts of its agenda, the board will provide two periods for citizen comment at the beginning and end of the meeting. The board reserves the right to limit the amount of time each citizen may speak. Citizen comment may be submitted in writing or via electronic means to be read at the meeting. Commenters are expected to adhere to the library's Patron Conduct Policy.

## **Article VI—Committees**

### *Standing committees*

The president will appoint trustees to serve on any of the four (4) standing committees of the library board: nominating, building, finance and personnel. Other standing committees will be appointed as the business of the board may require. Committees will consist of one or more members and will be considered discharged upon completion of the term of office of the president.

### *Nominating committee*

A nominating committee composed of at least two (2) members to be appointed by the president after the library district election to designate a slate of officers to be elected at the July meeting. The president cannot serve on the nominating committee.

### *Building committee*

The building committee will periodically inspect the physical plant of the library and report important matters to the board with recommendations for improvements or correction. Trustees on this committee may be called upon to assist in the development and execution of building projects.

### *Finance committee*

The finance committee will generally oversee the financial affairs of the library. The primary responsibility of this committee will be to work with the treasurer and any other designated staff members on the preparation and execution of the annual library budget.

### *Personnel committee*

The personnel committee will prepare an annual performance evaluation of the director and periodically review with the director the personnel policy, job descriptions and salary structure. Trustees on this committee may assist in the development of materials related to other library positions created by the board of trustees as needed.

All committees will make a progress report to the board as necessary. No committees shall have other than advisory powers unless the board delegates specific power to act on its behalf, pending a subsequent meeting of the board for confirmation.

## **Article VII—Director**

### *Appointment*

The board will appoint a qualified library director who will be the executive and administrative officer of the library, acting on behalf of the board and under its review and direction.

### *Responsibilities*

The director will be responsible for: proper specification of duties, direction and supervision of staff; care and maintenance of library property; adequate and proper selection of library materials in keeping with stated policies established by the board; efficient service to the public; and operation within the budget appropriation.

### *Authority*

The director will have the authority to select, promote or dismiss all employees. Such employment actions are reported at the next regular board meeting and are subject to approval by the board of trustees.

### *Board meetings*

The director or the director's designee will attend all meetings of the board of trustees, may participate in discussion and offer professional advice, but cannot cast a vote.

## **Article VIII—Parliamentary authority**

The rules contained in the current edition of *Robert's Rules of Order* will guide the business of the board in all matters to which they are applicable and in which they are not inconsistent with these bylaws.

## **Article IX—Amendments**

These bylaws may be amended at any regular meeting of the board of trustees by a majority vote, provided the amendment has been submitted in writing and included in the meeting materials

at a previous regular meeting. An amendment to the bylaws shall require a public posting and publication through various means.

Adopted: July 12, 1976

Amended: September 14, 1978

November 12, 1985

January 14, 1986

Reviewed: February 14, 1994

Amended: October 11, 1994

August 14, 1995

Revised: July 16, 2001

April 14, 2003 (trustee vacancy)

June 10, 2004 (at-large elections)

July 11, 2011

September 12, 2022