

By-Laws of the Gates Public Library Board of Trustees

Article I: Officers

1. Pursuant to the requirements of the New York State Education Law, Section 260 (1), The Board of Trustees shall consist of nine members appointed by the Town Board.
 - a. A full term is for five years and terms expire on December 31 on a staggered basis per original appointment by the Gates Town Board.
 - b. Pursuant to the terms of the library's original charter #7611, dated February 26, 1960, vacancies due to cause other than expiration of term shall be filled for the balance of the unexpired term by vote of the Gates Library Board of Trustees. (Section 226 - [4]).
 - c. No Board member shall serve more than two full terms, plus any fraction resulting from an appointment to an unexpired term.
 - d. Only residents of the Town of Gates are eligible to serve on the Gates Public Library Board of Trustees.
2. An oath of office shall be taken by each trustee at the beginning of each new term. A trustee whose term has expired shall hold over and continue to discharge the duties of office until a successor is chosen. (Public Officers Law Section 5). The oath of office shall be signed, notarized and filed with the Town's Clerk office.
 - a. Pursuant to the Handbook for Library Trustees of New York State, Trustees are bound by Duties of Care, Loyalty, and Obedience. A breach of Duty by any Trustee will be noted during a regular meeting and the Trustee's position may be vacated with a majority vote of the Board.
3. The Officers of the Board shall be President, Vice-President, and Secretary, elected from among the Board of Trustees. Terms of office shall be for one (1) year, coinciding with the calendar year. They shall be elected at the December board meeting, and shall remain in office until their successors are elected and qualified. Vacancies in office occurring before the regular expiration of terms shall be filled as follows: vice president succeeds to the presidency; the president shall appoint a new vice president and/or secretary. No Trustee shall hold office for more than two (2) terms consecutively of one (1) year each, except by unanimous action of the board.
 - a. At an appropriate time, no later than the November meeting, the board president shall poll the board members to determine each individual member's willingness to serve or to continue to serve in a specific office. At the December meeting the board shall vote on the slate presented by the president. In the case where more than one person has expressed a desire to serve in a given position, either when polled or by volunteering at the organizational meeting, the vote shall be by secret ballot. In the case where such conflict does not arise, the secretary shall record a unanimous

vote.

4. Duties of office shall be:
 - a. The President shall preside at all meetings of the board, appoint all committees, execute all documents authorized by the board, serve as ex-officio voting member of all committees, and generally perform all duties associated with that office.
 - b. The Vice-President, in the absence of or disability of the president or a vacancy in that office, shall assume and perform the duties and functions of the president. The Vice-President shall also be the Financial Officer performing financial duties as required.
 - c. The Board Secretary shall act as Corresponding Secretary, conducting Board-requested correspondence including notice of all regular and special meetings.
 - d. The Recording Secretary for Board minutes and packet preparation shall be the Director or staff person designated by the Director.

Article II: Meetings

1. Regular meetings of the Board shall be held on the third Wednesday of each calendar month. (Exceptions: whenever a different time is set by the majority action of the Trustees present at the proceeding meeting.) These meetings shall be held at such place and hour as may, from time to time, be prescribed by the Board. The Board may by resolution, intermit the meetings in the months of July and August.
 - a. In the event that a meeting must be canceled, the President will poll the board for the next best available date a quorum can meet and then reschedule the meeting.
 - b. If any Trustee shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the Board of Trustees, the trustee shall be deemed to have resigned and the vacancy filled. (Education Law, Sec. 226).
2. Special meetings may be held on the call of the President or any two Trustees, provided that notice be served personally to all Trustees before such meeting at least twenty-four (24) hours in advance of the special meeting. A special meeting notice shall state the subject proposed for consideration, which subject only, can be acted on at such special meeting.
3. A Quorum at any meeting shall consist of a simple majority of the presently appointed trustees and a majority vote shall be necessary for the transaction of business.
4. The order of business at all regular meetings of the board shall be: consent agenda, visitor comments, disposition of minutes of the previous meetings, personnel report, financial report, unfinished business, director's report, new business and committee reports, and adjournment. The consent agenda may include routine items such as disposition of minutes of the previous

meeting and committee reports.

5. Parliamentary procedure of the Board shall be governed by "Robert's Rules of Order." (Most current edition.)

Article III: Committees

1. There may be four standing committees: Executive Committee; Strategic Planning Committee; Personnel, Budget, and Finance Committee; and Nominating and Board Development Committee. Committee Chairs will be approved by the board at their January meeting.
 - a. The Executive Committee consists of the board officers (President, Vice President, and Secretary) and the Library Director; the Executive Committee will set each month's meeting agenda.
 - b. Special Committees may be appointed by the President from time to time with the approval of the Board.
 - c. No action of any committee shall be binding until approved by the Board unless full authority has been previously given by the Board and no committee shall authorize any expenditure without authority of the Board.

Article IV: Conduct of Trustees

1. All Library Trustees shall support the American Library Association's Library Bill of Rights, the Freedom to Read Statement, and the Freedom to View Statement.
2. All Library Trustees shall support all Federal legislation which affects the decisions of the board and the operation of the library, including the Freedom of Information Act, Americans with Disabilities Act, and the Family Medical Leave Act.
3. All Library Trustees shall support all New York State laws which affect decisions of the board and the operation of the library including Civil Practice Law, which guarantees the confidentiality of library records, and the Open Meetings Law.
4. All Library Trustees are covered by the Town of Gates' Code of Ethics, as trustee are serving the Town in an advisory capacity, as defined in the Code of Ethics. The Library Board may choose to refer any violations of the Town's Code of Ethics to the Town's Board of Ethics.
5. The Board functions as an entity, with no one Board member speaking on behalf of the Board unless so authorized at a public meeting. In the case of a library emergency or media contact, the President, or the Trustee acting as the President, must confer with a majority of the Board before issuing a statement on behalf of the Board.
6. Any discussion of matters exempt from the Open Meetings Law as defined in New York State or Federal law, which are addressed in Executive Sessions, are

confidential in nature and are not be distributed outside the Library Board. They are:

- Matters that will imperil the public safety if disclosed.
- Any matter that may disclose the identity of a law enforcement agent or informer.
- Information relating to current or future investigation of a criminal offense that would imperil effective law enforcement if disclosed.
- Discussions about proposed, pending or current litigation.
- Collective negotiations pursuant to Article 14 of the Civil Service Law.
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
- The preparation, grading or administration of examinations.
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value if thereof.

Article V: Executive Director

1. The Director shall be in sole charge of administration of the library and directly responsible to the Board of Trustees. The Director shall be the executive administrator of the policies adopted by the board. Among the director's duties and responsibilities shall be the recruitment, hiring, training, supervision, and dismissal, with the board's approval, of all staff members; the submission to the board of monthly and annual reports; and recommendations to the board of such policies and procedures which the director believes will improve the library's service to the community.

Article VI: Amendments

1. These By-Laws may be repealed, amended or added to at any regular meeting but may become effective only after a favorable vote at a subsequent meeting.
2. These By-Laws shall be reviewed by a committee appointed by the President in June of every third year.

Approved by the Library Board of Trustees of Gates Public Library February 14, 1973. Revised by the Library Board of Trustees of Gates Public library: 6/20/90, 9/18/91, 3/19/97, 6/18/2014, 3/29/2021

