

**Library Board of Trustees  
BYLAWS**

**ARTICLE I: PREAMBLE**

**Mission statement: The Gates Public Library will be a friendly, creative learning center where the staff engage with the public to develop a variety of collections, resources, and programs that encourage education, literacy, personal enjoyment, and professional growth.**

**The Library was established by a provisional charter granted by action of the Board of Regents on February 26, 1960. The provisional charter was made absolute by Regents action on May 24, 1968; which absolute charter was amended by Regents action on July 26, 1991 and recorded as No.20963. Amendment to Absolute Charter No.20963 was granted by Regents action on September 14, 2010 and recorded as No.25160.**

**ARTICLE II: GOVERNANCE AND MANAGEMENT**

*“Trustee/board members owe allegiance to the institution and must act in good faith with the best interest of the institution in mind. The conduct of a trustee/board member must, at all times, further the institution’s goals...”*  
Statement on the Governance Role of a Trustee or Board Member, New York State Board of Regents.

1. The affairs of the Gates Public Library shall be conducted by a Library Board of Trustees, pursuant to the requirements of the New York State Education Law, Section 260 (1). Library Board of Trustees shall be appointed by the Town Board consisting of not less than five nor more than eleven, with the current number being nine members.
  - a. A trustee shall serve for a term of five (5) years; not more than two (2) consecutive full terms plus any fraction resulting from an appointment to an unexpired term.
  - b. A full (5-year) term expires on December 31 on a staggered basis per original appointment by the Gates Town Board.
  - c. 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.
3. Pursuant to the terms of Provisional Charter No.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]).
4. The Library Board of Trustees, with a majority vote, may remove a Trustee for misconduct, incapacity, or neglect of duty as provided in New York State Education Law Section 226(8).
5. The Library Board of Trustees shall appoint a qualified Executive Director who shall be in sole charge of administration of the library and directly responsible to the Library 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 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. The Director shall designate a Recording Secretary for Board minutes and packet preparation.

### ARTICLE III: OFFICERS

1. The Officers of the Board shall be President, Vice-President, and Corresponding Secretary. The Treasurer of the Library Board of Trustees is the Town of Gates Finance Director.
2. Duties and responsibilities of Officers:
  - a. *President* - presides over and is responsible for all meetings of the Library Board of Trustees, appoints Board Members to Standing Committees, execute all documents authorized by the board, serve as ex-officio voting member of all committees with the exception of the Nominating Committee, and generally perform all duties associated with that office.
  - b. *Vice President* – presides over and is responsible for meetings of the Library Board of Trustees in the President’s absence or a vacancy in that office, shall assume and perform the duties and functions of President.
  - c. *Corresponding Secretary* – acts as Secretary of all Board meetings, shall keep a true and accurate record of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office. The Director will continue to designate the Recording Secretary for Board minutes and packet prep (ARTICLE II Section 5.)
3. Officers shall be elected at the December organizational meeting by a majority vote of the Library Board of Trustees, and shall remain in office until their successors are elected and qualified.
  - a. At an appropriate time, no later than the November meeting, the Nominating Committee shall poll the board members to determine each individual member’s willingness to serve or to continue to serve in a specific office.
  - b. At the December meeting the board shall vote on the slate presented by the Nominating Committee. 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.
  - c. Each officer will serve for a one (1) year term, beginning in January and ending in December coinciding with the calendar year.
4. 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.

### ARTICLE IV: MEETINGS

1. Regular meetings of the Board shall be held each month, generally on the third Wednesday of each month. The December meeting shall be designated as the organizational meeting. Meetings shall be at a time and place designated by the Board. The Board may by resolution, intermit the meetings in the months of July and August.
2. Special meetings may be called at any time by the President or any two (2) members of the Board 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. 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.

4. Pursuant to Education Law, Section 226(5) any Trustee who shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the Board of Trustees, shall be deemed to have resigned and the vacancy shall be filled by the Library Board of Trustees.

## ARTICLE V: COMMITTEES

1. The board will have six Standing Committees: Executive Committee, Facilities/Operations Committee, Finance Committee, Nominating Committee, Personnel Committee and Policy Committee. Committee Chairs will be approved by the board at their January meeting.
  - a. **Executive Committee** is comprised of the Library Board President, Vice –President in their absence and the Library Director. The Executive Committee will set each month’s meeting agenda.
  - b. **Facilities/Operations Committee** (Strategic Goal Area # 1 & 3) This committee will have a monthly library walk through to determine any issues to be reported to the Board. This committee will propose any future construction projects.
  - c. **Finance Committee** (Strategic Goal Area #2) will review and propose the Gates Public Library budget to the Library Board. The committee may assist in the presentation of the recommended budget to the full library board and to the Town Council. Additional meetings may be held as needed to deal with fiscal issues throughout the year. Financial responsibilities of this committee include the oversight of library fund accounts including, but not limited to the Operating fund, Capital fund, and Endowment fund.
  - d. **Nominating Committee** will coordinate Trustee Education and Recruitment of Trustees. This committee will develop the slate of officers for the upcoming fiscal year and report this slate to the Board as outlined in ARTICLE III, Section 3. They will also maintain a list of eligible nominees to fill vacant Board seats.
  - e. **Personnel Committee** will review, oversee, and make recommendations concerning a variety of personnel practices which will include an employee handbook. This committee will also conduct an annual review of the Director on behalf of the Board and report in writing to the Board in Executive session.
  - f. **Policy Committee** will work with the Library administration to review, rewrite and set new Library Policies.
  - g. **Strategic Planning Committee** is an ad-hoc committee needed every three years. This committee will review the principal operations of the library to ensure such operations are in line with the library’s vision, mission, and long-range plan. This committee will provide feedback to the Director who will be responsible for making recommendations to the Library Board that the Director believes will improve the library’s service to the community.
2. Ad-hoc committees may be formed for a limited period of time to address a specific need and may be appointed, when necessary, by the President with the approval of the board.

Upon the request of a committee, and with prior notice to the board, the president may appoint a non-board member for consultation on the committee. The exception shall be the Executive Committee, which shall consist only of the members listed in Section 1a.

3. No action of any committee shall be binding until approved by the Board unless full authority has been previously given by the Board. No committee shall have authority for any expenditure of money without the authority of the Board.

## ARTICLE VI: ORDER OF BUSINESS

1. The order of business shall include, but limited to, the following:
  - a. Consent to agenda
  - b. Disposition of minutes of the preceding meeting
  - c. Report of officers and committees
  - d. Report of the Library Director
  - e. Unfinished (Old) business
  - f. New business
  - g. Adjournment.
  
2. Robert's Rules of Order shall govern in the Parliamentary procedure of the Board.

#### **ARTICLE VII: TRUSTEE CONDUCT**

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 trustees 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 to be distributed outside the Library Board.
  
7. In January of each year, each Trustee will update/sign Conflict of Interest Forms.

#### **ARTICLE VIII: 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**

Revisions 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, 7/20/22, 1/18/2023