

By-laws
of the
Port Chester - Rye Brook Public Library

Established by an act of the
New York State Legislature, April 14, 1877
1877 Laws of New York, chapter 137

Adopted February 2, 2004
at a regular meeting of
the board of trustees of the
Port Chester Public Library

revised: May 23, 2006;
July 10, 2006;
September 23, 2008

BY-LAWS
of the
Port Chester - Rye Brook Public Library
serving residents of Port Chester and
Rye Brook since 1877

Article I
Name

This public library, a non-profit corporation originally established by an act of the New York State Legislature, 1877 Laws of New York Chapter 137, shall be known for all purposes as the "Port Chester - Rye Brook Public Library."

Article II
Mission

The mission and purposes of this library shall be:

Section 1.

To provide members of the Library and residents of the village of Port Chester, the village of Rye Brook and Westchester County bearing a Westchester Library System identification card, services, materials, and information, wherever possible, in all fields of knowledge without regard to the religious, racial, social, economic, educational or political affiliation or status, subject to the rules and regulations of the Library.

Section 2.

To select and make available to a variety of age groups and learning levels, as many printed and audio visual materials as financial appropriations and circumstances allow. Selection of materials, programs and services offered shall not be influenced by political or social controversy, but rather shall be guided by the public interest and a search for excellence in quality, content, expression and format.

Section 3.

To broaden the learning and interests of the community served; to cooperate with community organizations on projects for the common good; to use its best efforts to reach those persons in our community in need of library services and not currently enrolled as a member of the library.

Section 4.

To assist library users obtaining the materials and information they seek, drawing upon all the resources of the Library, the Westchester Library System, the New York State Library system and every other available source as circumstances may require.

Section 5.

To fulfill this mission and accomplish these purposes the Library shall periodically evaluate its effectiveness and not less than once a year survey library patrons to assess whether the Library is fulfilling the needs of its member cardholders.

Article III
Management and Governance
of the Corporation

Section 1.

The affairs of this library corporation shall be managed and administered by a board of trustees as set forth in Section 3 of the Act¹ establishing this Library. Members of the Library board of trustees shall serve without benefits or compensation, except out-of-pocket expenses incurred by any board member in the course of his or her duties may be reimbursed.

Section 2. Number and Representation.

There shall be not less than 7 nor more than 11 trustees. Each trustee shall be either a resident of the village of Port Chester or the village of Rye Brook and trustee representation shall be based on residency reflecting, as best as can be approximated, the funding ratio provided by the villages; i.e., approximately 65% of the board shall be residents of the village of Port Chester and 35% of the board shall be residents of the village of Rye Brook, or in such other proportion as best reflects the prevailing proportion of annual funding allocated by the municipalities at the

¹ 1877 Laws of New York 137, amended 1894 Laws of New York 323, 1924 Laws of New York 335, 1961 Laws of New York 598, 599, 2008 Laws of New York 424.

time a vacancy is filled. No elected official of any school district or municipality shall be eligible to serve as a trustee of the Library, except the mayor of each village shall serve as a non-voting, ex-officio member of the board in addition to the voting members. Of the total number of trustees, the Port Chester village board shall appoint two trustees and the Rye Brook village board shall appoint one trustee to the board. A quorum shall be computed based on the total number of trustees eligible to vote.

Section 3. Duties and Qualifications of Trustees.

The duties and responsibilities of the Trustees shall be those designated in the Library Charter. The Trustees shall foster the mission of the Library and be charged with the care and management of the corporation and its assets. The Trustees shall formulate, together and in cooperation with the Library Director, rules, regulations and policies governing services and programs as well as standards and policies governing the rights and privileges of cardholders. The Trustees shall ensure that the Library complies with the requirements and standards of the New York State Department of Education, including hours of operations for the service area.

Section 4. Executive Committee.

There shall be an Executive Committee as herein after set forth. The Executive Committee shall have the authority to act on any matter between regular meetings of the entire board. Any action taken by the Executive Committee in the absence of the entire board shall be reported to the entire board at the next regularly scheduled meeting.

Section 5. Vacancies.

The board of trustees may fill a vacancy on the board, or in any office, consistent with the qualifications for trustees, by majority vote. Unless otherwise provided by law, a vacancy on the board shall be filled by majority vote of the remaining board members.

Section 6. Terms of Service.

Trustees shall serve a term of five years. No Trustee may serve more than two consecutive terms.

Article IV
Officers, Elections and Duties

Section 1. Officers.

The officers of the board of trustees of the Port Chester- Rye Brook Public Library shall be a President, Vice-President, Secretary and Treasurer. Officers shall be elected at the annual meeting by majority vote of the entire board of trustees.

Section 2. Terms of Office.

Officers shall serve a one year term; any officer may stand for re-election. Each Officer shall serve until his or her successor has been elected.

Section 3. Duties.

A. President. The President shall preside at all meetings of the board at which he/ she is present. He/ she shall be an ex-officio member of each committee, except the Nominating Committee, and shall perform all duties generally incident to the office of president.

B. Vice-President. The Vice-President shall perform the duties of the President in the absence or inability of the President to serve. In the event that the office of the President becomes vacant, he/ she shall assume the office for the unexpired term and perform all duties incident to the office of president.

C. Secretary. The Secretary, or such person as the President may designate, shall keep an accurate record of each meeting of the board of trustees, noting all actions taken. In addition, the Secretary shall conduct such correspondence on behalf of the corporation as the Board may direct; send out all notices of meetings and perform such other duties, incident to the office of Secretary as the Board of Trustees may, from time to time, prescribe.

D. Treasurer. The Treasurer shall receive all funds and securities due or belonging to the corporation and shall invest and administer same as the board of trustees may, from time to time, direct in accordance with Section 10 of the General Municipal Law. In addition, the Treasurer shall keep an accurate account of all finances; preserve all financial receipts and accounts; make such disbursements as the board may direct; and give a report summarizing the status of finances at each meeting of the board. The Treasurer shall forward one copy of each financial report to the IMC [Inter-Municipal Committee]². The Treasurer, assistant treasurer, if any, President, and/ or Vice-President may each, or in combination with any other, be authorized to sign checks by majority vote at the annual meeting. The Treasurer shall make all financial books and records

² A standing committee comprised of representatives of the library and both villages was established pursuant to an inter-municipal agreement executed among the same parties outlining library services and funding.

available for inspection by the board, or its agent, upon request. The Treasurer shall ensure that the financial records of the Library are audited each year and shall present a copy a certified audit preformed in accordance with generally accepted accounting principles to the board at the annual meeting each year together with his/ her annual report.

Article V Meetings

Section 1. Regular Meetings.

The board of trustees shall meet regularly at a time set by agreement of the board at the annual meeting. All meetings will be noticed and conducted in accordance with the NYS Open Meetings Law. Meetings during the months of July and August may be held at the discretion of the President, but in no event shall the Library meet less than six times a year. In the event of conflict or other necessity, meetings may be re-scheduled at the discretion of the President in concert with the Executive Committee.

Section 2. Annual Meeting.

The board shall hold an annual meeting in June of each year for the purpose of receiving annual reports from each standing committee, electing officers, as well as conducting any other business that may arise and the board in its discretion may entertain.

Section 3. Special Meetings.

A special meeting may be called at any time at the request of any officer or any three board members. Notice of a Special meeting must be given as provided herein and no business other than that noticed may be conducted at a special meeting.

Section 4. Quorum.

A majority of the voting members of the board shall constitute a quorum for the transaction of business, provided at least one officer is present. A lesser number may adjourn a regular or special meeting.

Section 5. Notices.

The Secretary shall provide notice of every regular meeting of the board, stating the time and place, at least five (5), and not more than ten (10), days prior to such regular meeting. Notice of a regular meeting may, in the discretion of the Secretary, be delivered by telephone or sent by U.S. Mail or electronic mail, to the address, or addresses, provided by each board member. Notice of a special meeting must be in writing and state the time and place of such meeting as

well as the items to be considered or nature of business to be transacted at such a meeting. Notice of a special meeting may be given by facsimile, "e-mail," U.S. Postal Service or otherwise, in writing, not less than 24 hours prior to the time and date of such special meeting. No business other than that set forth in the notice of a special meeting may be conducted at such a meeting. Public notice of all meetings shall be provided the media in accordance with the requirements of the NYS Open Meetings Law.

Section 6. Absenteeism.

Any trustee failing to attend three (3) consecutive meetings, without an excuse acceptable to the Executive Committee, may be deemed to have resigned. A decision to declare a board seat vacant due to absenteeism shall be made by $\frac{2}{3}$ vote of the entire board following not less than 10 days notice to the member whose continued tenure is at risk stating the time and place a vote will be taken.

Article VI Committees

Section 1.

All committees shall be appointed by the President, except the Nominating Committee, which shall be elected by the full board at the annual meeting.

Section 2. Standing Committees.

The board shall establish and maintain the following standing committees: (i) Finance; (ii) Building and Grounds; (iii) Nominating; (iv) Executive; and (v) Personnel. The board may, in its discretion, establish such other, additional committees as circumstances may, from time to time, require.

Section 3. Duties.

A. Finance Committee. The Finance Committee, together with the Library Director, shall prepare the annual budget and multi-year capital plan, for consideration and approval by the board. In addition, the Finance Committee shall also work with the Treasurer to ensure that bills are paid and any funds due the Library are collected timely. The Finance Committee shall monitor all the insurance needs of the Library and ensure coverage is adequate and current. The Finance Committee shall review all charges and fees levied by the Library and recommend to the entire board any change to the charges and fees.

B. Building and Grounds. The Building and Grounds Committee in conjunction with the Library Director shall be responsible for the maintenance, security and repair of the library building(s) and generally oversee the care of all Library property. In consultation with the

Library Director, the Building and Grounds Committee shall ensure adequate custodial and cleaning services are maintained.

C. Nominating Committee. The Nominating Committee shall consist of any three current board members. The Nominating Committee shall be elected at the annual meeting to serve for the ensuing year. In consultation and cooperation with the President, the committee shall endeavor to identify persons qualified and motivated to serve and make recommendation to the full board.

D. Executive Committee. The Executive Committee shall consist of the officers. The Executive Committee shall have the power to transact any emergency business within the lawful authority of the boards and shall report any business transacted or decisions made in the absence of the full board to the full board at the next regularly scheduled meeting, or as soon as possible if circumstances warrant. Upon the vote of two-thirds ($\frac{2}{3}$) of the board, any other member of the board may be designated as a member of the Executive Committee in addition to those specified herein.

E. Personnel. The Personnel Committee shall assist the Library Director, as necessary and as the need may arise, with personnel administration and related employment issues.

Section 4. Special Committees.

A. The board President may establish such other, additional special committees as circumstances may require. A special committee shall be assigned a specific task or mission and its duration shall not exceed one year.

Article VII

Library Administration

Section 1. Administration.

The Library shall be managed and administered by a Director, duly qualified as required by the New York State Department of Education. The Director may appoint an Administrative Assistant, and such other various and additional professional and non-professional personnel as the budget may allow, to serve the public and fulfill the mission of the Library.

Section 2. Director.

The Director shall be directly responsible to the board of trustees and shall give a report at each regular meeting and an annual report at the annual meeting. The Director shall carry out the policies prescribed by the board and shall administer the book collection, equipment and other media, endeavoring at all times to meet the comply with standards of the American Library Association and the New York State Department of Education.

Section 3. Assistant Director.

The Director may appoint an Assistant Director who shall preform such tasks and duties as the Director may prescribe. The Assistant Director shall serve at the pleasure of the Director.

Article VIII
Registration of Borrowers

Section 1. Adult Registration.

Any individual age 18 or older may register as a “member” of the Library and receive a membership card upon presenting evidence of residency within the service area in one documentary form.

All adult members must agree to abide by the rules and regulations of the library, pay all fines promptly and give notice of any change of address.

Section 2. Child Registration.

Any individual under age 18 may register as a “junior member” of the Library and receive a membership card upon proof of residency within the service area or enrollment in a school within the service area. A parent or guardian must assume responsibility for any material borrowed by a junior member.

Section 3. Suspension/ Revocation.

Each Member must agree to abide by the rules and regulations of the Library, including paying all fines promptly and notifying the Library of any change of address within 10 days. Privileges as a Member may be suspended by the Director for failure to comply with Library Rules sand Regulations. The Library Director may revoke and terminate the privileges of any Member for failure to comply with Library Rules and Regulations. A decision to terminate library privileges of a Member shall only be made after notice to the person whose membership is at risk providing such person the opportunity to be heard.

Section 3. Appeal.

A decision by the Library Director to deny any person membership or borrowing privileges may be appealed to the entire board for a hearing, on notice, and final decision.

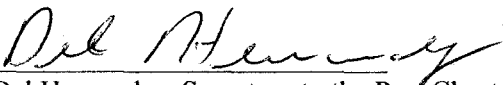
Article IX
Amendment

These bylaws may be amended at any regular meeting of the board of trustees by a two-thirds ($\frac{2}{3}$) vote of the members present, provided notice of an intent to consider an amendment and a summary of the proposed amendment was given to all board members not less than 30 days prior.

Article X
Parliamentary Authority

The most recent edition of Robert's Rules of Order, shall be the parliamentary authority in all questions of procedure, provided such rules are not inconsistent with these bylaws, the Charter or any rules and regulations adopted by the board.

Adopted by vote of the Board of
Trustees, September 23, 2008.


Del Hernandez, Secretary to the Port Chester -
Rye Brook Public Library Board of Trustees