

**The Commack Public Library**  
**Township of Huntington**  
**BY LAWS**  
**Revised and adopted December 2015**

**Preamble**

The Board of Trustees of The Commack Public Library, hereinafter referred to as the Board, a corporation created by a charter granted under section 255 of the New York State Education Law by the Regents of The University of The State of New York, (November 21, 1969, charter #399, absolute charter #10,985), hereby enact the following bylaws:

**Bylaws**

**Article I**

**Section 1**

The Library shall be governed by a board of trustees, hereinafter referred to as the “Board”, consisting of five members duly elected by public ballot by the residents of The Commack Library District.

Each Trustee elected shall serve for a term of five years. Trustees must be qualified voters of The Commack Public Library District, and shall take and subscribe an oath of office, which shall be filed as provided by law.

**Section 2**

Each trustee shall have one vote, irrespective of the office held.

**Section 3**

A trustee must be present at a meeting (either by physical presence at the meeting or via video conferencing within the meaning and requirements of the Public Officers Law) to have his/her vote counted.

**Section 4**

Resignation by a member of the Board of Trustees shall be in writing and delivered to the Director of The Library, who shall refer it to the Board for action at the next regular meeting whereupon such resignation shall be deemed irrevocable and final. If the office of any Trustee becomes vacant prior to the expiration of the term, the Board may leave the vacancy open until the next annual election of Trustees or fill the vacancy by appointment as prescribed by law. If the Board opts to fill the vacancy by appointment, such appointment will remain in effect until the next annual election of Trustees.

Section 5

The authority of the Board is vested in the Board as a whole as a municipal corporate entity.

Section 6

Each Trustee may be authorized to sign checks for all Library Bank Accounts, except the Director's Discretionary Fund.

**Article II – Officers**

Section 1

The officers of the Board shall be as follows:

President, Vice President, Finance Officer.

The Director, if so appointed by the Board, shall serve as Secretary to the Board.

Section 2

The President, Vice President and Finance Officer shall be elected at the reorganization board meeting held each July.

The Board shall appoint the Treasurer, Recording Secretary, Attorney and Auditor on an annual basis at the reorganization board meeting as well.

Section 3

The term of office shall be one year; nevertheless, an incumbent shall serve until his/her successor has qualified.

**Article III – Duties of Officers**

Section 1

The President shall preside at all meetings of the Board, authorize the calling of any special meetings, appoint all committees, execute all documents authorized and approved by the Board, serve as ex-officio member of all committees and generally perform all duties associated with that office.

Section 2

The Vice President, in the event of the absence or the disability of the President, or a vacancy in the Office of the President, shall assume and perform the duties of the functions of the President.

Section 3

The Finance Officer shall see to it that The Library maintains adequate and appropriate financial records, and the Treasurer is appropriately performing his/her duties. The Finance Officer shall also make recommendations to the Board of Trustees regarding the receipt and disbursement of funds, Library investments, and the opening and closing of Bank Accounts.

#### Section 4

The Treasurer shall be the disbursing officer of The Library, and shall sign all checks for all Library bank accounts, except the Director's Discretionary Fund. The Treasurer shall take an oath of office, which shall be filed as provided by law and shall review books of accounts showing receipts and disbursements, and shall make a report as to the status of the funds of the Library at each regular Board meeting, or shall authorize the Director to make such report, as well as such other reports as may be required from time-to-time by the Board. The Treasurer shall have those duties as set forth in his/her contract with the Library.

#### Section 5

The Secretary shall have charge of the records of the Library and keep minutes of all meetings. Minutes shall be maintained as a PDF document and shall be the permanent historical record of the Board.

The Secretary shall also be responsible for the issuance of notices of all regular and special meetings.

#### Section 6

The Treasurer shall be bonded in an amount as may be required by resolution of the Board.

#### Section 7

All books and records of the Secretary and Treasurer are the official property of the Commack Public Library.

#### Section 8

All members of the Board of Trustees and the Director shall be covered by Public Officers' Liability Insurance maintained and paid for by the library.

### **Article IV – The Director**

#### Section 1

The Board shall appoint the Director, who shall be the Chief Executive Officer of The Library, performing such duties as are usually required by a Library Director and such other duties as the Board may direct, including being in charge of the day-to-day administration of the Library, administering and enforcing the policies adopted by the Board, maintain the buildings and equipment of The Library, recommending the hiring of, and administering the work of The Library Staff. The Director shall render and submit to the Board monthly reports regarding the operations of The Library.

#### Section 2

The Director shall attend all meetings of the Board and may take part in the deliberations but shall have not vote. The Director may be asked to leave an executive session of the Board devoted to the Director's employment performance evaluation. The Director shall submit to the trustees an annual report, at the commencement of budget discussions, as to the condition and progress of the Library together with recommendations and suggestions that he/she may deem proper.

### Section 3

The Director shall have responsibility for preparing the annual budget for the ensuing year. The Director shall submit the budget to the Board for approval no later than the February board meeting.

### Section 4

The Director shall make recommendation to the Board for the expenditure of funds for the operation of the Library under the financial conditions set forth in the annual budget.

### Section 5

The Board shall establish a Director's Discretionary Fund. The Director shall have the authority to issue checks up to a sum annually established by the Board at its reorganizational meeting, for any single purchases, where the immediate payment for such purchase is deemed necessary for the proper and efficient operation of The Library. The Director's Report should show such expenditures to the Board for its review at its next regular meeting.

### Section 6

The Director shall recommend for the Board's approval hiring of employees to fill new positions at The Library. The Director may fill vacancies in existing positions subject to subsequent Board approval.

### Section 7

The Director shall have first responsibility for settling all personnel problems in an equitable manner. Where disputes cannot be resolved informally by the Director, then such disputes shall be resolved pursuant to the provisions of the existing agreement with the Union/Collective Bargaining Agent, if any, or pursuant to applicable law.

### Section 8

The Director will be responsible for keeping the Board up to date on the progress of the various departments, and public services.

### Section 9

The Director shall keep the Board informed as to the public's interest in the Library. He/she shall prepare a calendar of events delineating such public and government functions

he/she feels will relate to the Library's effectiveness in the community and make recommendations to the Board for action.

#### Section 10

Effective January 1, 1985, the Director's expenses for local conferences and the related professional expenses may not exceed a sum annually established by the Board at its reorganizational meeting.

### **Article V – Meetings**

#### Section 1

The regular monthly meeting of the Board shall be a public meeting to be held at the Library building on the 3<sup>rd</sup> Tuesday of each month at 7:30 p.m. (adopted at March 19, 2015 meeting of the Commack Public Library Trustees).

#### Section 2

A special meeting of the Board may be called by any Trustee by giving not less than 24 hours notice to each Trustee. This notice provision may be waived by a document executed by all members of the Board of Trustees.

#### Section 3

Special meetings may also be called by the Director with the approval of the President, on at least 24 hours notice to all Trustees.

#### Section 4

Notice of any and all meetings shall be served on each trustee by the Director no more than 5 nor less than 3 days prior to the date of the meeting except as in section 2 or 3 above.

#### Section 5

Notice of any and all meetings shall state the business to be transacted.

#### Section 6

In order to conduct a business meeting a quorum must be present. A quorum shall consist of 3 trustees.

#### Section 7

All policy decisions including any amendments to these Bylaws, shall be presented for a first reading and shall not be acted upon until the next regular meeting. This requirement for two readings can be waived by the unanimous vote of all 5 trustees. The Library

Bylaws shall be considered for amendment by the Board at least every five years. Input from the public shall be sought during the public participation portion of the regular meeting at which the policy decision or Bylaw amendment is presented for a first reading.

#### Section 8

The annual reorganization of the Board shall be the first order of business at the regular July meeting, followed by any other business as may be properly considered at a regular meeting.

#### Section 9

The agenda for regular and special meetings shall be prepared by the Director, and will, at a minimum, include the following:

- Call to order by the President
- Pledge of Allegiance to our Flag
- Acceptance of the previous minutes
- Treasurer's Report
- Approval of schedule of bills
- Director's report
- Unfinished business
- New business
- Public participation
- Adjournment

All public meetings of the Board of Trustees shall be governed by the provisions of the Article VII of the Public Officer's Law of New York State (Open Meetings Law).

#### Section 10

Where a circumstance is not covered by these Bylaws, "Roberts Rules of Order" shall apply to govern matters of parliamentary procedure.

### **Article VI – Committees**

#### Section 1

The entire Board shall serve in lieu of a standing committee.

#### Section 2

The President may appoint special committees at any time from among the members of the Board. The Board may appoint special ad-hoc committees from the residents and/or staff of the Library District.

#### Section 3

All committee appointments expire with the call to order of the July organization meeting or at any time deemed practical by the Board.

## **Article VII – Fiscal**

### **Section 1**

The fiscal year shall be from July 1 to June 30.

### **Section 2**

A motion to borrow money requires the affirmative vote of at least three-fifths of the total membership of the Board.

## **Article VIII – Trustees**

### **Section 1**

Any Library Trustee who fails to attend 3 consecutive regular meetings shall be declared to have vacated his/her seat, pursuant to section 2109 of the New York State Education Law, unless a majority of the remaining Library Trustees consider the absences excusable, based upon the explanation received from the absent Trustee at the next regular Board meeting following the third consecutive absence.

### **Section 2**

The duties of the board of trustees are as follows:

- A. Assure the general efficiency and progress of the library.
- B. Maintain good relations with local government and secure the interest of the library in local government planning.
- C. Weigh the library's financial needs by various national library standards and present these needs realistically to the public.
- D. Appoint, provide periodic performance evaluations and support a competent and qualified Director.
- E. Understand the functions of a qualified library staff but allow the Director appropriate discretion in administrative matters.
- F. Consider, formulate and enact policy, especially those initiated and presented by the Director, in light of adequate evidence.
- G. Enlarge public and official understanding of the Library, its purposes, problems and progress so that public relations may be fruitful.
- H. Perform all further duties as provided to Trustees pursuant to law.

## **Article IX – Forms and Procedures**

### **Section 1**

Effective January 1, 1992, all contracts for public work involving an expenditure of more than \$35,000.00 and all purchase contracts involving an expenditure of more than \$20,000.00 shall be awarded only after competitive bidding to the lowest responsible bidder pursuant to the provisions of section 100 et. seq. of the General Municipal Law.

**Article X – Attendance at Conferences**

**Section 1**

Staff who wish to attend professional conferences must make advanced written application for such attendance to the Library Director. Such written application must include the estimated expenses for such attendance, including the estimated expense for transportation and lodging, the subject of the conference and the sessions to be attended and an explanation of how attendance at this conference will professionally benefit the individual staff member and the library as a whole. If the Director approves the staff member's request for attendance at such conference, the Director shall submit the staff member's request for approval at the next regularly scheduled Board meeting. The cost of the conference, including registration fees reasonable transportation costs to and from the conference, the cost of a single room for the duration of the conference and per diem allowance for meals shall be established in advance based upon the IRS' published guidelines for such allowances. Approval by both the Director and the Board is required prior to attendance at the conference.

**Section 2**

Professional conferences and the particular sessions therein to be attended by Trustees must be approved in advance by the Board upon the Director's recommendation. The cost of the conference, including registration fees, reasonable transportation costs to and from the conference, the cost of a single room for the duration of the conference and a per diem allowance for meals shall be established in advance for each conference for which Trustee attendance is authorized by the Board based upon IRS' published guidelines for such allowances.

**Section 3**

All expenses for professional conferences must be established on a conference-by-conference basis in advance and in accordance with New York State Law.

Travel and lodging arrangements will be made by The Library.

The maximum single room rate for an individual staff member and/or trustee shall not exceed the mean average of the single room rate of the hotels provided by the conference website, information packet and/or other lodging materials provided regarding conference lodging. If there are no accommodations available at that rate, the Board may increase the maximum single room rate by an additional \$20.00.

Should an individual staff member and/or trustee choose to occupy a room that exceeds the maximum amount as outlined above, said staff and/or trustee shall be personally



responsible for payment off the total difference between the actual room rate occupied and single room rate established as indicated above.

However, in any instance, board approval must be obtained prior to attending the conference.

#### Section 4

At the time of the Board's approval of attendance at a professional conference by either staff or a Trustee, the Board shall determine, upon the recommendation of the Library Director, whether to require that the attendees submit a written report detailing the sessions attended and providing a summary of the topics covered at the session and how this information can be used to improve the Library.

#### Section 5

Request for reimbursement of conferences shall be accompanied by appropriate written receipts and/or vouchers. No reimbursement shall be remitted by the Library absent full compliance with the requirements of this Article.

### **Article XI – Indemnification**

#### Section 1

As of December of 1987, the Board confers the benefits of Section 18 of the Public Officers Law upon all trustees and employees.

Specifically:

It is RESOLVED that the benefits and protections of Section 18 of the Public Officers Law are hereby conferred upon the trustees and employees of the Commack Public Library District ("the District") as the term "Trustee" and the "Employee" is defined in said section; and it is further

RESOLVED, that the District accepts responsibility for any costs which may be incurred in conferring the benefits of said Chapter; and it is further

RESOLVED, that the benefits accorded to the employees of the District pursuant to this Resolution shall supplement, and be available in addition to, defense or indemnification protection conferred by Education Law Section 3811 and other applicable provision of law.

#### Section 2

As of December 1987, the Board adopts the indemnification statement of the American Library Trustee Association.

