

# **PHELPS COMMUNITY MEMORIAL LIBRARY**

**8 Banta St. Suite 200, Phelps, New York 14532**

## **Phelps Community Memorial Library CONSTITUTION and BY-LAWS**

### **Mission Statement**

The Phelps Community Memorial Library strives to provide the residents of the Town of Phelps with the highest quality materials and programming for all ages. We endeavor to be a welcoming, family-oriented source of general and community information and provide services and opportunities that enhance lifelong learning throughout the entire community.

The Phelps Community Memorial Library exists to provide service to the residents of the Town of Phelps in an open and non-judgmental environment with free access to library materials in a variety of formats.

### **Preamble of the 1963 Constitution:**

“Whereas, We, the citizens of the Town of Phelps, being desirous of promoting a spirit of useful inquiry, of extending our information upon subjects of general utility, of cultivating the social, intellectual and moral interests of our fellow citizens, do associate ourselves, in accordance with the Act of Legislature, Chapter 246 of the laws of 1868, for the purpose of collecting a library, of maintaining a Reading Room, of organizing a system of instruction by lectures, of establishing a Cabinet and Department of local historical interest, and do hereby adopt the following Constitution;”

### **Preamble:**

The Board of Trustees (hereinafter designated as the “Board”) of the Phelps Community Memorial Library, an Association library created under a charter granted under Section 253 of the New York State Education Law by the Board of Regents of the State of New York, dated November 16, 1973, shall be governed by the laws of New York State, the regulations of the Commissioner of Education and by the following by-laws.

### **Bylaws**

Article I – NAME

This Association library will be the Phelps Community Memorial Library.



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## **Article II – MEMBERSHIP**

Any person of voting age who resides in the boundaries of the Town of Phelps is a member of the Association.

## **Article III – FISCAL YEAR**

The fiscal year of the library will be January 1 through December 31.

## **Article IV – BOARD OF TRUSTEES**

1. The library will be governed by a Board of Trustees consisting of nine members, elected for terms of three years each. Terms are limited to three consecutive full terms of three years each. Anyone having served a total of nine consecutive years will be ineligible for reelection to the Board for a period of at least one year. Persons who are already Trustees at the time of this revision may finish out the terms of office for which they were elected.
2. The vote for Trustees will be done by written secret ballot by members of the association.
3. Newly elected members will take office following the close of the annual meeting.
4. Any vacancy will be filled by special election by the remaining members of the Board for the remainder of the term of that particular position.
5. Each Trustee will have one vote, irrespective of office held.
6. A Trustee must be present at a meeting to have his/her vote counted.
7. Absence from three consecutive meetings will constitute automatic dismissal from the Board unless the Board defers this dismissal by majority vote.
8. All actions of the Board will be of the Board as a unit. No Board member will act on behalf of the Board, on any matter, without prior approval of the Board. No Board member by virtue of his/her office will exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.

## **Article V – OFFICERS**

1. The officers of the Board will be the President, Vice-President, Secretary and Treasurer, elected by the Board at the annual meeting. These officers will serve for a period of one year. Tenure of the President of the Board will be limited to two consecutive full terms of one year each. This person will be ineligible for reelection to the office of President for a period of at least one year.
2. The President will preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.



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3. The Vice President, in the event of the absence or disability of the President, or of a vacancy in that office, will assume and perform the duties and functions of the President.
4. The Secretary will keep a true and accurate record of all meetings of the Board, will issue notice of all regular and special meetings, and will perform such other duties as are generally associated with that office.
5. The Treasurer will be the disbursing officer of the Board, sign all checks, and will perform such duties as generally devolve upon the office.

## **Article VI – DIRECTOR**

1. The Board will appoint a qualified Director who will be the executive officer of the policies of the Board and will have charge of the administration of the library under the direction and review of the Board. The Director will be hired by written contract, a copy of which will be kept on file
2. The Director will be responsible for the care of the building and equipment; for the employment and direction of the staff; for the efficiency of the library's service to the public; and for the selection and purchase of books and materials and the operation of the library under the financial conditions contained in the annual budget.
3. The Director will render and submit to the Board reports and policy recommendations that, in the opinion of the Director, will improve efficiency and quality of library service.
4. The Director or his/her representative will attend all Board meetings, including budget meetings except the portion of the meeting at which the Director's appointment or salary is to be discussed or decided.

## **Article VII – COMMITTEES**

1. A nominating committee will be appointed by the President two months prior to the Annual Meeting to designate a slate of officers to vote on at the Annual Meeting. Additional nominations may be made from the floor. The vote for officers will be by secret written ballot if two or more Trustees have been nominated for one office.
2. The following will be standing committees: Policy, Public Relations, Personnel, Building and Grounds, Fund-raising, Budget and Finance, and Technology. These committees will have all the usual powers associated with such committees.
3. Committees for specific purposes may be appointed by the President. Such committees will serve until the completion of the work for which they were appointed.



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4. All committees will keep meeting minutes and make a progress report at each Board meeting.
5. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.
6. The President will be, ex officio, a member of all committees.

## **Article VIII – MEETINGS**

1. Board Meetings will be held monthly. The date and hour will be set by the Board. Each member will be notified by the Secretary at least five days before the meeting.
2. A special meeting of the Board may be called at any time by the President or upon the request of three members for a specific purpose. No other business may be transacted at such special meeting.
3. The Annual Meeting will be held in January of each year. Business transacted will include the annual reports, acceptance of the new budget, and election of new trustees and officers.
4. A simple majority of the existing Board will constitute a quorum for the conducting of all business. If a quorum is not present at a regular meeting, the attending members may set a date for another meeting to be held within one week, and the presiding officer shall notify the absent members of this specially called meeting.
5. Meeting procedure will be in accord with Robert's Rules of Order, Revised.
6. The order of business for regular meetings will include, but not be limited to, the following items which shall be covered in the sequence shown unless circumstances make an altered order more efficient:
  - a. Roll call
  - b. Approval of minutes of previous meeting
  - c. Financial report and approval of expenditures
  - d. Director's report
  - e. Report of standing committees
  - f. Report of special committees
  - g. Correspondence and communications
  - h. Unfinished business
  - i. New business
  - j. Adjournment

## **Article IX – AMENDMENTS**

1. Amendments to these By-Laws may be proposed at any regular meeting and will be voted upon at the next regular meeting. The final version of the proposed amendment or amendments to be voted on will be sent by the Secretary to all



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Board members at least ten days prior to the voting session. Two thirds of the entire Board will be required for the adoption of the proposed amendment or amendments.

2. Any rule or resolution of the Board, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand if approved by a two thirds vote of the entire Board.

Original Constitution & Bylaws: 1963

Amended: 4/5/1971 & 8/17/2009

