

Town of Indian Lake Library By-Laws

Purpose: The purpose of The Town of Indian Lake Library is to assemble, preserve and provide printed and other materials that will meet the day-to-day educational, informational, cultural and recreational interests and needs of the community in compliance with local, State, and Federal laws.

Preamble: The Board of Trustees of the Town of Indian Lake Public Library, a public municipal library, here after designated as "The Board," a corporation created by a charter granted by the University of the State of New York, December 17, 1976, hereby enacts the following By-Laws:

Article I - Membership

The Board shall consist of five members (see §266 paragraph I, of *New York State Education Law*). Vacancies on the Board are filled according to these procedures:

The Library Board submits names to the Town Board which appoints the Library Board member to fill out the rest of the term. (See §266, paragraph 4, of the *New York State Education Law*.)

The term of office of trustees shall be five years to begin immediately upon appointment by the Indian Lake Town Board.

If a trustee shall fail to attend three consecutive meetings without an excuse accepted as satisfactory by the Board, the trustee shall be deemed to have resigned and the vacancy shall be filled.

Newly elected-appointed trustees shall be provided with appropriate orientation by the Board President and the Library Director and shall be given a copy of the *Town of Indian Lake Public Library By-Laws* and a review of the *Handbook for Library Trustees in New York State* which outlines the basic information about trustee responsibilities.

Article II - Officers

1. The officers of the Board shall be President, Vice-President, and Secretary, and Financial Officer. Each officer shall be elected for a one-year term.
2. Officers shall be elected at the last regular meeting of the library year by

a majority vote of the Board.

3. Duties of Officers:

The President shall preside at meetings of the Board, appoint committees, authorize calls for special meetings and generally perform the duties of a presiding officer. The President and other Board members shall attend the SALS annual meeting.

The Vice-President shall perform the duties of the President in case of the absence or disability of the President, and shall succeed to the office of the President upon the resignation or death of the President. In case both the President and the Vice-President are absent from a meeting, any member may call the meeting to order and the members present (there being a quorum) shall elect a Chairman pro term.

The Secretary shall have charge of the records of the Board and shall keep the minutes of the meeting. A copy of the minutes shall be kept in the Library and shall be available for public study upon request. Minutes will also be available for review and download on the Library website.

The Financial Officer shall oversee the Library Director who shall keep accurate records of all moneys received and disbursed and shall make a report thereof to the Board monthly and at other times as the Board shall require. Prior to the monthly Trustee meeting, the Library Director will complete an abstract of the monthly bills for the Trustees to review and approve for payment. The Financial Officer will sign the monthly record of the library bills to be filed with the monthly minutes. After approval, the Library Director shall submit bills to the Town of Indian Lake Senior Account Clerk for remittance.

After review, approval and acceptance by the Board of Trustees, the Library Director will be authorized to submit the finance section of the annual report to the NYS Education Department as required.

Article III - Committees

The Board may consider and act on any matter before it with or without recommendations from a committee. The President shall appoint a nominating committee, and other committees at his or her discretion. The

President shall be a member, ex-officio, of all committees except the nomination committee.

The President shall appoint a nominating committee at the November meeting. The committee will submit a proposed slate of officers for the Board at the next regular Boardmeeting. Membership on the committee shall not prohibit nomination for officer.

Article IV - Meetings

Meetings shall be held on a monthly basis, at dates and times to be established by the Board at the beginning of the library year and shall be open to the public except when individual personnel issues are being discussed. (see NYS Education Law Part 206 paragraph 5)

Special meetings shall be held at the call of the President or any 3 trustees. A majority of the Board shall constitute a quorum.

The order of business shall be as follows:

1. Roll call
2. Public Comments
3. Review of minutes of previous meeting
4. Financial report and approval of expenditure
5. Report of the Library Director
6. Report of standing committees
7. Report of special committees
8. Nominations and elections, if any
9. Correspondence and communications
10. Unfinished business
11. New business
12. Executive session (if necessary)
13. Adjournment

Vacancies among the officers shall be filled at an election at a regular meeting, and a majority vote of the Trustees shall be necessary to an election.

Article V - Library Director

The Director shall be held responsible for the proper performance of duties as spelled out in the job description provided by the Board.

Article VI

In accordance with Section 1116(a) paragraph 4 of the NYS Sales and Use Tax Law, the Board shall comply with the following provisions:

Dissolution Provision: In the event of dissolution, all of the remaining assets and property of the organization shall after necessary expenses thereof be distributed to such organizations as shall qualify under Section 501(c) (3) of the Internal Revenue Code, or corresponding provisions of any subsequent Federal tax laws; or to the federal government, or to a state or local government for a public purpose; or to another organization to be used in such manner as in the judgement of a Justice of the Supreme Court of the State of New York will best accomplish the general purposes for which this organization was formed. Distribution of assets will conform to NYS Education Commissioner's Regulation Part 220.

Non-Inurement Provision: No part of the net-earning of the organization shall inure to the benefit of any member, trustee, director, officer of the organization or any private individual (except that a reasonable compensation may be paid for services rendered to or for the organization).

Restrictive Legislation Provision: No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by IRS Code section 501 (h), or participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

Restrictive Purposes and Activities Provision: Notwithstanding any other provision of these articles, the organization is organized exclusively for one or more of the following purposes; religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment) or for the prevention of cruelty to children or animals, as specified in section

501(c)(3) of the IRS Code of 1954 and shall not carry on any activities not permitted to be carried on by an organization exempt from the Federal income tax under section 501(c) (3) or corresponding provisions of any subsequent Federal tax laws.

Article VII - Directors, Officers and Employees

The Town of Indian Lake Public Library, having its principal office at Pelan Road, Indian Lake, NY 12842, in the County of Hamilton, NY from and after the date hereof, shall hold harmless any and all Trustees, Officers, Directors and Staff from any and all liability, claims, demands or expenses by reason of acting as a Trustee, Officer, Director and Staff or otherwise by reason of any and all actions performed or omissions to act by reason of being a Trustee, Officer, Director and staff or other wise of the System (See NYS Education Law Part 720(a) paragraph 11.)

Beginning January 1, 2023, each member, elected or appointed, of a board of trustees shall be required to complete a minimum of two hours of trustee education annually. (See NYS Education Law 260-d added by Chapter 468 of the Laws of 2021.)

Per Education Law, trustee education topics may include financial oversight, accountability, fiduciary responsibilities and the general powers and duties of a library trustee. Libraries should consult with their public library system about acceptable trustee education topics, formats, and activities. The Library Director will maintain a record of trainings completed by Trustees.

Article VIII - Amendments

These By-Laws may be repealed, amended or added to by a majority vote of the whole Boards at a regular meeting. Such action may be taken, however, only after the substance of the proposed repeal, amendment or addition has been presented in writing at a prior regular or special meeting and notice thereof has been given in the notice of the meeting at which it is to be considered.

Adopted by the Library Trustees June 21, 2017

Revised and Adopted by Library Trustees June 15, 2023