



By-Laws of the Haverstraw King's Daughters Public Library

Article I - Annual Library District Vote and Trustee Election

Section 1. The annual election of Trustees and presentation of budget resolutions, and any other proposals authorized by law, shall be held each year at the Annual Library District Vote and Trustee Election on a date between April 1st and July 1st, which date is selected by the Board of Trustees of the Library.

Section 2. Notice. Notice of the Annual Library District Vote and Trustee Election and notice of the availability of a copy of the detailed written statement of the monies required for the ensuing Library fiscal year shall be published four (4) times within the seven (7) weeks next preceding the Annual Library District Vote and Trustee Election. The first publication of said notice shall be at least forty-five (45) days before the Vote in two (2) newspapers, if there are two (2) newspapers, or in one (1) newspaper, if there is one (1) newspaper, having general circulation within the Library district.

Section 3. Voting.

- a. Eligibility. To be eligible to vote in the Annual Library District Vote and Trustee Election, one must be a citizen of the United States, a resident of the district for thirty (30) days prior to the Vote and eighteen (18) years of age or older as of the date of the Vote. Individuals may register to vote at the Library on designated dates and times or through the Rockland County Board of Elections.
- b. Registration Timeframe. An individual must be registered at least twenty-five (25) days in advance of the Annual Library District Vote and Trustee Election in order to be eligible to vote.

Section 4. Petitions.

- a. Petitions nominating candidates for the office of member of the Board of Trustees must be filed in the office of the Clerk to the Board as indicated in the notice of the Annual Library District Vote and Trustee Election, between the hours of 9:00 a.m. and 5:00 p.m., not later than thirty (30) days before the Vote at which candidates so nominated are to be elected.
- b. Each petition shall be signed by that number of signatures required by Section 2018(a) of the Education Law of the State of New York or other applicable statute;
- c. Such petitions shall conform with the requirements of Section 2018, and any other applicable provision, of the Education Law of the State of New York.

Section 5. Budget Information Meeting.

- a. The Board of Trustees shall hold a Budget Information Meeting within the thirty (30) days immediately preceding the Annual Library District Vote and Trustee Election at a date, time and place established by the Board of Trustees.
- b. The Board of Trustees shall give notice to the public of such Budget Information Meeting as part of the notice required in Section 2 of Article I hereinabove.

Section 6. Budget Availability. A detailed written statement of the budget of the Library for the ensuing fiscal year shall be made available at the Library facilities during such hours as may be designated by the Board of Trustees on every day other than a Saturday, Sunday or holiday during the seven (7) days immediately preceding the Annual Library District Vote and Trustee Election.

Article II - Board of Trustees

Section 1. Number of Trustees. The number of Trustees, as established by the voters of that portion of the Haverstraw Stony Point Central School District/North Rockland Central School District of Rockland County, New York, which is in the Town of Haverstraw, at the special vote on April 19, 1978, shall be seven (7).

Section 2. Term.

- a. The term of Trustees shall be for five (5) years.
- b. The term of Trustees shall commence on the first of July next following the Annual Library District Vote and Trustee Election at which the Trustee was elected except the term of the first Trustees elected shall commence on April 19, 1978 and terminate on the appropriate anniversary measured from July 1, 1978.

Section 3. Qualifications. To be qualified to be a Trustee of the Haverstraw King's Daughters Public Library one must be a citizen of the United States, a resident of the district for thirty (30) days prior to the Annual Library District Vote and Trustee Election and eighteen (18) years of age or older as of the date of the Vote.

Section 4. Functions. The Board of Trustees shall manage the affairs of the Library and shall formulate the policies by which the Library shall be managed.

Section 5. Vacancies.

- a. Vacancies on the Board of Trustees shall be filled by either:
 - i. Scheduling and conducting a Special Library District Election within thirty (30) days after the occurrence of the vacancy; or
 - ii. By appointing a qualified individual to fill the vacancy within thirty (30) days after the vacancy occurs, to serve on an interim basis until a successor Trustee is qualified and elected at the next Annual Library District Vote and Trustee Election.
- b. If the vacancy is to be filled by appointment by the Board of Trustees, then prior written notice shall be given to the Board of Trustees of the date, time and place of the meeting of the Board of Trustees at which said vacancy is to be filled. Said notice shall inform the Trustees that the filling of such vacancy will be on the agenda of said meeting. The notice required herein shall conform with the requirements of Article III, Section 5A of these By-Laws.

Section 6. Attendance. Any Trustee who is absent from three (3) consecutive Board

meetings and/or four (4) meetings of the total number of meetings held by the Board in any given year, shall be deemed to have resigned as a Trustee if such absences are determined by the majority vote of the Trustees then in office to have been without reasonable cause.

Section 7. Resignation. Any Trustee may resign at any time by submitting his or her resignation in writing to the President or Secretary of the Board. Such resignation shall be effective upon receipt unless another date is specified therein.

Section 8. Oath of Office. Trustees are required to file the Oath of Office specified in the State Constitution within thirty (30) days of commencing the term of office. The Oath can be administered by either the Rockland County Clerk or the President of the Board, provided he or she has taken an Oath of Office. In addition, any judge of the Court of Appeals, the Attorney General or any officer authorized to take the acknowledgement of the execution of a deed of real property in the state such as a Notary Public, can administer an Oath of Office.

Section 9. Board Actions. All actions of the Board shall be of the Board as a unit. No Trustee shall act on behalf of the Board, on any matter, without prior approval of the Board. No Trustee by virtue of his or her office shall exercise any administrative responsibility with respect to the Library nor, as an individual, command the services of any Library employee.

Article III - Meetings of the Board of Trustees

Section 1. Annual Organizational Meeting. The Annual Organizational Meeting shall be held at either the first regular meeting of the Board of Trustees in July or at a special meeting of the Board of Trustees called for that purpose in July, whichever occurs first.

Section 2. Regular Meeting. The regular meeting of the Board of Trustees shall be held in the second week of each month. The specific day within said second week shall be designated by a resolution of the Board of Trustees at the Annual Organization Meeting.

Section 3. Special Meeting.

- a. Special meetings of the Board of Trustees may be held at a call of the President of the Board of Trustees or by the written request of any two (2) members of the Board of Trustees duly presented to the President. In the absence of the President, said written request shall be presented to the Vice-President or the next senior officer of the Board. The written request shall set forth the purpose for which the Trustees requesting the special meeting desire the special meeting to be called. The special meeting thereby called shall be solely for the purposes stated in the written request.
- b. In the event that a written request for a special meeting shall be duly presented to the proper officer of the Board of Trustees, then such officer must convene said special meeting within ten (10) days of the receipt of said request.

Section 4. Executive Session.

- a. Upon a majority vote of the total membership of the Board of Trustees taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board of Trustees may conduct an executive session for those purposes set forth in Article VII of the Public Officer's Law of the State of New York (Open Meetings Law).
- b. No action by formal vote shall be taken in such executive session.

Section 5. Notice of Meetings

- a. Notice to the Board of Trustees. Written notice to the Board of Trustees shall be given to the Trustees not less than forty-eight (48) hours before the date of a meeting of the Board of Trustees, together with a copy of the proposed agenda for said meeting.
- b. Notice to the Public.
 - i. Where a meeting of the Board of Trustees is scheduled at least one (1) week prior to the date of the meeting, then public notice of the time and place of the meeting shall be given to the public, news media, and the Library's website at least seventy-two (72) hours before the date of such meeting.
 - ii. For every other meeting of the Board of Trustees which is called less than one (1) week before the date of the meeting, public notice of the time and place shall be given, to the extent practicable, to the public, news media, and the Library's website at a reasonable time prior thereto.

Section 6. Quorum.

- a. Any four (4) Trustees shall constitute a quorum at any meeting of the Board of Trustees.
- b. Any one or more Trustees may attend meetings by telephone or video conference so long as such Trustee(s) are able to hear the proceedings and be heard by other attendees. Any Trustee attending meetings by telephone or video conference may fully participate in any decisions made and votes taken at such meetings, however a quorum must be present on-site for any votes or decisions to proceed.

Article IV - Officers

Section 1. The Board of Trustees shall elect a President, Vice-President, Financial Officer and Secretary.

Section 2. Nominations. Nominations shall be made at the meeting at which the election shall be held. Said nominations shall be made by a Trustee. Said nominations need not be seconded.

Section 3. Election. Officers shall be elected at the Annual Organizational Meeting.

Section 4. Term. An officer's term commences upon the election for that office and terminates at the election of the successor at the next Annual Organizational Meeting.

Section 5. Duties of Officers.

- a. The duties and powers of officers shall be as implied by their respective titles and as specified by these By-Laws.
- b. The President shall preside at all meetings of the Board of Trustees. The President shall appoint the chairman pro tem of all committees and shall be a member ex-officio of all committees.
- c. In the absence of the President, the Vice-President shall assume the responsibilities of the President.
- d. In the absence of the President and Vice-President, the Financial Officer shall preside

at all meetings of the Board of Trustees. The Financial Officer shall be responsible for the oversight of all financial business of the Library.

- e. In the absence of the President, the Vice-President and the Financial Officer, the Secretary shall preside at all meetings of the Board of Trustees. The Secretary may be responsible for correspondence and perform such other duties as may be required by the Board or the President.

Section 6. Vacancies

- a. Any vacancy in an office shall be filled by appointment by the Board of Trustees and said appointee shall serve for the remainder of the term which is vacant.
- b. An office shall be deemed vacated when the officer either dies, resigns, is removed from office, becomes unqualified pursuant to Article II Section 3, or is removed as a Trustee.
- c. The expiration of a term shall not constitute a vacancy within the meaning of this section.

Article V - Committees

Section 1. Executive Committee. The Executive Committee shall perform the duties and responsibilities of the Board when circumstances require urgent action which cannot wait for the next scheduled meeting of the Board or for a special meeting to be called. The Executive Committee can also exercise other powers and duties as may be authorized by the Board. Any time the Executive Committee exercises the authority of the Board it shall be obligated to notify all Trustees of such action. All Trustees shall receive notice of meetings of the Executive Committee. The Executive Committee shall be comprised of the President, Vice President, Financial Officer, and Secretary. The President shall be the chair of the Executive Committee.

Section 2. Special Committees. The President may appoint special committees in furtherance of the purpose of this Library.

Section 3. Functions. The functions of the committees shall be those normally assigned to such committees.

Section 4. Ex-officio Members. The President and the Library Director shall be members ex-officio of all committees.

Section 5. Committee Chairperson. Each committee chairperson shall be elected at the Annual Organizational Meeting.

Article VI – Appointments

Section 1. Library Director.

- a. Appointment. The Board shall appoint a Library Director, who shall be the executive and administrative officer of the library, acting on behalf of the Board and under its review and direction. The Board shall evaluate and fix the compensation of the Library Director annually.
- b. Responsibilities. In accordance with the official Civil Service title specification for the

position, the Library Director shall be responsible: for the proper specification of duties of, the direction of, and the supervision of Staff; for the care and maintenance of Library property; for adequate and proper selection of Library materials in keeping with stated policies established by the Board; for the effectiveness of Library service to the public; for operation within the Library budget; and for such other matters consistent herewith as may be identified by the Board from time to time.

- c. Board Meetings. The Library Director shall attend all meetings of the Board of Trustees and respond to questions from Trustees. The Library Director shall give a report to the Board at all regular meetings. The Library Director may participate in the discussions at meetings of the Board and Committees and offer professional advice, but shall not have a vote.

Section 2. Clerk to the Board.

- a. Appointment. The Board shall appoint a Clerk to the Board at the Annual Organizational Meeting, who will act on behalf of the Board and under its review and direction. The Clerk to the Board shall not be a current Trustee of the Library. The Clerk to the Board shall serve at the pleasure of the Board for a one year term. The Clerk to the Board may succeed himself or herself in office.
- b. Responsibilities. The Clerk to the Board shall record the minutes of all meetings of the Board of Trustees and shall provide copies thereof to the Trustees before the next subsequent regular meeting of the Board of Trustees; gather and distribute the Board packet of materials prior to scheduled meetings; organize the Annual Library District Vote and Trustee Election; and provide notice of meetings and resolutions to the public and news media.
- c. Meetings. The Clerk to the Board shall attend all meetings of the Board of Trustees and respond to questions from Trustees.

Section 3. Treasurer.

- a. Appointment. The Board shall appoint a Treasurer at the Annual Organizational Meeting, who shall be the financial officer of the library, acting on behalf of the Board and under its review and direction. The Treasurer shall not be a current Trustee of the Library. The Treasurer shall serve at the pleasure of the Board for a one year term. The Treasurer may succeed himself or herself in office.
- b. Responsibilities. The Treasurer shall receive all funds for and on behalf of the Haverstraw King's Daughters Public Library; shall deposit said funds to the account of the Haverstraw King's Daughters Public Library; and shall disburse funds as authorized by the Board of Trustees. He or she shall be responsible for collecting the debts owed to the Library; paying the obligations of the Library; administering the budget of the Library in coordination with the Library Director; filing the Library's tax returns in conjunction with the Library's selected auditing firm; and maintaining books and records in which are recorded the financial transactions and affairs of the Library.
- c. Meetings. The Treasurer may be required to attend meetings of the Board of Trustees and/or the Executive Committee and respond to questions from Trustees. The Treasurer shall submit monthly financial reports and as directed by the Board of Trustees.

Article VII - Fiscal Year

Section 1. The fiscal year of the Library shall be July 1st through the following June 30th.

Article VIII - Parliamentary Authority

Section 1. *Robert's Rules of Order*, Revised, shall govern all the proceedings of the Board of Trustees not otherwise governed by these By-Laws or by applicable statute.

Article IX - Indemnification

Section 1. The Library shall indemnify, to the fullest extent permissible under Public Officers Law Section 18, any person, and the heirs and personal representatives of such person, against any and all judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees, actually and necessarily incurred by or imposed upon such person, or in connection with, or resulting from any claim, action, suit or proceeding, whether civil or criminal, in which such person is a party or is threatened to be made a party by reason of such person being or having been a Trustee, officer, employee or agent of the Library, or of another library, joint agent of the Library, or of another library, joint venture, trust or other organization in which such person serves as a director, officer, employee or agent at the request of the Library, or by reason of such person being or having been an administrator or a member of any Board or committee of the Library or of any such other organization, including, but not limited to, any administrator, Board or committee related to any employee benefit plan.

To the fullest extent permissible under law, the Library may advance expenses incurred in defending a civil or criminal action, suit or proceeding to any such Trustee, officer, employee or agent upon receipt of any undertaking by or on behalf of the Trustee, officer, employee or agent to repay such amount, if it shall ultimately be determined that such person is not entitled to indemnification by the Library. The foregoing right of indemnification and advancement of expenses shall in no way be exclusive of any other rights of indemnification to which any such person may be entitled, under any bylaw, agreement, vote of Trustees or otherwise, and shall inure to the benefit of the heirs and personal representatives of such person. Any repeal or amendment of this Section 1 of Article IX shall be prospective only and shall not adversely affect any right of protection of a person with respect to any act or omission occurring prior to the time of such repeal or modification.

Section 2. The Library may purchase and maintain insurance on behalf of any person who is or was a Trustee, officer, employee or agent of the Library, or is or was serving at the request of the Library as a Trustee, officer, employee or agent of another Library, partnership, joint venture, trust or other enterprise against any liability asserted against such person and incurred by such person in any such capacity, or arising out of the person's status as such, whether or not the Library would have the power to indemnify such person against such liability under Public Officers Law Section 18.

Article X - Amendments

Section 1. These By-Laws may be amended at any regular meeting of the Board of Trustees or at a special meeting of the Board of Trustees called for that purpose providing that written notice of such proposed amendment shall be given to each Trustee not less than seven (7) days prior to the date at which the Board of Trustees meeting to act upon such amendment is to be held and providing that such notice must contain the text of the proposed amendment.

Article XI - Severability

Section 1. The subsequent determination of invalidity of any part of these By-Laws shall not invalidate any other part of the By-Laws. Those portions of the By-Laws determined to be invalid shall be deemed to be severed, and the remaining By-Laws shall remain in full force and effect.

Adopted 1978

Revised 11/13/2001

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