

BYLAWS OF THE BOARD OF TRUSTEES
OF
THE TOMPKINS COUNTY PUBLIC LIBRARY
ITHACA, NY

Approved March 22, 2016

ARTICLE I - NAME AND AUTHORIZATION

The name of this organization is the Board of Trustees of the Tompkins County Public Library, located in the City of Ithaca, County of Tompkins, State of New York. The Board of Trustees exists and functions by virtue of the provisions of New York State Education Law, Section 255, the Tompkins County Charter Article 28, which is appended to these Bylaws, and assumes the responsibilities delegated to it by the Tompkins County Legislature, New York.

ARTICLE II - PURPOSE

The purpose of the Board of Trustees of the Tompkins County Public Library (TCPL) is to manage the Library on behalf of the people in Tompkins County. It is the obligation of the Board of Trustees to prepare a budget that requests adequate funds from the Tompkins County Legislature for good Library service, to apply for state and federal funds when available, to establish private fundraising priorities and support philanthropic initiatives, to supervise management of the Library, to promote the best possible use of all Library resources, to improve existing services, and to formulate policy.

ARTICLE III - BOARD OF TRUSTEES

Section 1 - Members

The Board of Trustees is composed of no fewer than five (5) nor more than fifteen (15) members, all to be residents of Tompkins County at the time of their appointment and during their tenure. Candidates for the Board of Trustees are presented to the Board for approval by the TCPL Board Development and Nominating Committee and are formally appointed by the Tompkins County Legislature.

Section 2 - Term of Office

The term of office of Trustees shall be three (3) years. No Trustees may serve more than two full consecutive terms. A Trustee may be reappointed after serving two consecutive terms following a lapse of at least one year. Should a Trustee be unable to serve a complete three-year term, the Board may elect an individual to serve the remainder of the unexpired term. The completion of an unexpired term shall not be counted toward the two-term limit.

Section 3 - Disqualifications and Vacancies

a) Resignation from the Board will be automatic in the event a Trustee ceases to be a resident of Tompkins County.

b) The Board may declare a position vacant when a Trustee fails to attend three consecutive regular meetings of the Board, excused or unexcused. An exception may be made if a leave of absence for good cause is secured.

c) The Clerk of the Tompkins County Legislature shall be notified whenever a vacancy occurs. Notification to the Clerk of the Tompkins County Legislature may include the name of a person qualified to fill the position for their consideration. (See Article IV, Section 1c.)

Section 4 - Leaves of Absence

The Board may grant a Trustee a leave of absence from regular Board meetings for a period of from three to five consecutive regular meetings. No Trustee shall be granted a leave of absence more than once during a three-year term of office.

Section 5 - Responsibilities of the Board of Trustees

The Trustees shall:

a) Establish policies for the operation of the Library that are designed to promote efficient and effective procedures.

b) Appoint a Director of the Library whenever that position shall become vacant.

c) Advise the administration in the preparation of the annual budget, approve the budget, recommend its adoption by the Tompkins County Legislature, and make every effort to secure adequate funds to finance Library operation.

d) Regularly review the needs of the physical plant and building needs to see that they meet the requirements of the Library program.

e) Study and support legislation that will bring about the greatest good to the greatest number of libraries in New York State and the nation.

f) Cooperate with other public officials and boards and maintain vital public relations.

g) Keep abreast of standards and library trends by attending, whenever possible, regional, state, and national Trustees meetings and workshops.

h) Recommend individuals to the Tompkins County Legislature for membership on the Board of Trustees.

i) Establish policies for purchasing and expenditures for the Library, including the establishment and maintenance of bank accounts.

j) Establish and maintain accounting procedures in the manner prescribed by the New York State Department of Audit and Control for the financial activities of the Library.

k) Establish employment policies and procedures for Library personnel in accordance with the New York State Civil Service Law.

l) Report to and liaise with the Tompkins County Legislature on Library matters, including the physical plant and building needs.

m) Perform duties as outlined in the *TCPL Trustees Handbook*.

Section 6 - Officers

Officers of the Tompkins County Public Library's Board of Trustees shall be: a President, a Vice President, a Secretary, and a Treasurer. Officers shall be elected for a one-year term at the November Board meeting for the succeeding calendar year. Vacancies in any office shall be filled by a majority vote of the current Board membership at the next regular meeting of the Board after the vacancy occurs.

The duties of the officers shall include, but not be limited to, the following:

a) The President shall preside at meetings and perform such other duties as custom and regulation may require. In the absence or disability of the Treasurer, the President shall sign vouchers for disbursements from the Library fund.

b) The Vice President shall assume the duties of the President in the event of the absence or disability of the President. The Vice President shall also be responsible for oversight of the Library's committee system.

c) The Secretary shall endorse an accurate record of all proceedings of Board meetings, shall supervise correspondence of the Board, and shall ensure that proper meeting rules and practices are followed.

d) The Treasurer shall be responsible for all accounting of Library receipts and expenditures. The Treasurer shall sign all vouchers for disbursement from the Library's funds within the framework of the approved budget and with the approval of a majority of the Board present at a regularly scheduled meeting. The Treasurer shall serve as the Chair of the Finance Committee for the Board.

ARTICLE IV – COMMITTEES

Section 1 – Standing Committees

The Board of Trustees for the Tompkins County Public Library will usually act as a committee of the whole. Certain functions, however, will be aided by the following standing committees:

- a) The **Executive Committee** shall include the Board’s President, Vice President, Secretary, and Treasurer. The Executive Committee may be expanded to include committee chairs when needed. The Library Director may be asked to serve as an *ex officio* member of the Executive Committee and act as its recorder. The Executive Committee shall, whenever necessary between regularly scheduled meetings of the full Board, make decisions on behalf of the Board. Those decisions must be reported, in writing, at the next meeting of the Board and are subject to ratification by a majority of the current Board membership at a regularly scheduled meeting. The Executive Committee shall be responsible for coordinating the performance evaluation of the Director.
- b) The **Finance and Personnel Committee** shall develop and modify the Library budget, present and defend this budget to the Tompkins County Legislature, oversee the Library’s fiscal affairs and fiscal policy, represent the Library management in contract negotiations regarding staff compensation and benefits, hours of operation, staffing levels and appropriate labor grades and reclassification of jobs, manage the search process for the Director, and manage the decision-making process regarding staff compensation and evaluations.
- c) The **Board Development and Nominating Committee** shall:
 - 1) Assess the composition of the Board in terms of community representation and review the trustee membership for needed updates.
 - 2) Recruit, interview, recommend and advise the full Board regarding selection of new trustees.
 - 3) Prepare slates of candidates for Board membership as vacancies occur.
 - 4) Review and recommend processes for the cultivation, training, and involvement of Trustees.
 - 5) Prepare a slate of officers for a Board vote each November.
- d) The **Library Art Committee** shall review all proposed gifts and purchases of art and shall recommend their permanent acquisition to the Board and shall also recommend deaccession of permanent art to the Board.
- e) The **Library Services and Policy Committee** shall provide oversight and review of all Library activities and services, shall review proposed new Library policies or changes to existing policies, and shall recommend action to the Board.

The bylaws shall be reviewed annually by the Library Services and Policy Committee.

f) The **Community Relations and Outreach Committee** shall identify communities in need of increased connection with TCPL and facilitate meetings and collaborations with these communities. Further, it shall provide advice and feedback on community relations and develop strategies for advocacy for the Tompkins County Public Library as well as promote information-sharing with the public, with lawmakers, and with the media.

Section 2 -- *Ad Hoc* Committees

From time to time, *ad hoc* committees may be formed for the special study of matters that are not covered in other committee assignments. Such committees shall be appointed by the President, with the approval of a majority of the current Board membership, to serve until the final report for their work has been presented.

ARTICLE V – MEETINGS

Section 1 - Meetings

a) The Board of Trustees for the Tompkins County Public Library shall meet once a month, at a time and place to be determined by the Board with notice to the public as required by Public Officer's Law, §104.

b) Special meetings for the Board of Trustees may be called by the President, or upon the request of any three (3) Trustees, provided that notice in writing is given to every Trustee at least three (3) calendar days before the proposed meeting. This notice shall state the time and place of the special meeting and the purpose for which it is being held.

c) A quorum for the transaction of business shall consist of a majority of the current Board membership.

d) An affirmative vote of a majority of those present is required to approve any motion before the Board at any meeting.

e) The current edition of *Robert's Rules of Order*, plus common sense, shall govern the parliamentary procedures of all meetings.

ARTICLE VI - LIBRARY DIRECTOR AND STAFF

The Board of Trustees for the Tompkins County Public Library is charged with the responsibility of appointing a qualified Library Director who shall be the administrative officer of the Library under the Board's review and direction. The Library Director shall recommend to

the Board the appointment of other staff, shall specify the duties of such staff, and shall be responsible for the direction and supervision of such staff. The Library Director is also responsible for the care and maintenance of Library property, for the selection and care of materials in keeping with Board policies, for the fiscal operation of the Library within the stated limitations of the budget, for the efficiency of Library services to the public served by the Library, and for the development of a first draft of an annual budget for the consideration of the Finance and Personnel Committee before presentation to the full Board. The Director is responsible for the implementation of the policies established by the Board.

The Library Director, or the Director's designee, is expected to attend all regular and special Board meetings, unless otherwise specifically stated by the President of the Board.

ARTICLE VII – AMENDMENTS

Proposed amendments to the bylaws shall be presented to the Board at a regularly scheduled meeting for consideration by the Board at its next regular meeting. A two-thirds vote of the current Board membership is required for passage.

August 27, 1985
Amended November 24, 1998
Amended May 22, 2007
Amended October 26, 2010
Amended November 25, 2014
Approved August 3, 2015
Approved, March 22, 2016

Appendix 1

New York State Law and Regulations of the Commissioner of Education pertaining to Libraries, Library Systems, Trustees and Librarians

New York Education Law § 255: Establishment of a public library.

1. By a majority vote at any election, or at a meeting of the electors duly held, any county, city, village, town, school district or other body authorized to levy and collect taxes; or by vote of its board of supervisors or other governing elective body any county, or by vote of its common council or by action of a board of estimate and apportionment or other proper authority any city, or by vote of its board of trustees any village, or by vote of its town board any town, or any combination of such voting bodies, may individually or jointly authorize the establishment of a public library with or without branches, and may appropriate money raised by tax or otherwise to equip and maintain such library or libraries or to provide a building or rooms for its or their use. Any such municipality or district may acquire real or personal property for library purposes by gift, grant, devise, bequest or condemnation and may take, buy, sell, hold and transfer either real or personal property for public library purposes. Whenever twenty-five taxpayers shall so petition, the question of providing library facilities shall be voted on at the next election or meeting at which taxes may be voted, provided

that due public notice of the proposed action shall have been given. Whenever the electors of a school district at a district meeting duly held shall have authorized the establishment of a public library under the provisions of this section, at such meeting or at any subsequent meeting duly held, they may determine by a majority of the voters present and voting on the proposition to levy a tax to be collected in installments for the purchase or condemnation of a site and the erection thereon of a library building or the erection of a library building on land acquired otherwise than by purchase or condemnation, or for the purchase of land and a suitable building thereon and make necessary alterations and additions and equip such building for use as a library.

2. Upon the request of a majority of the members of the boards of trustees of two or more libraries chartered by the regents, if it shall appear to the satisfaction of the commissioner that the establishment of a cooperative library system will result in improved and expanded library service to the area and that the area is suitable for the establishment of such a cooperative library system, the commissioner may call a joint meeting of the trustees of such libraries for the purpose of determining whether a cooperative library system shall be established and electing a board of trustees of such cooperative library system. If it shall appear to the commissioner that the area proposed for the cooperative library system is not sufficient to warrant the establishment of such system; that such area is not otherwise suitable or that for sufficient other reason such cooperative library system as proposed should not be established he shall disapprove such request.
 - a. Notice of such meeting shall be given by the commissioner to each trustee by mail to his last known address at least five days prior to such meeting. At such meeting the board of trustees of each library participating shall have five votes.
 - b. Such meeting shall be called to order by the person designated by the commissioner and shall thereupon organize by the election of a chairman. At such meeting a resolution in substantially the following form shall be presented for the action of the meeting: "Resolved that a cooperative library system be established consisting of the following libraries chartered by the regents (name libraries) for the purpose of expanding and improving library service in the area served by the above named libraries. "
 - c. If the resolution described above is adopted, then the meeting shall proceed to elect a board of trustees of such library system to consist of not less than five nor more than twenty-five members as determined by the meeting.
 - d. Within one month after taking office, the trustees-elect shall apply to the regents for a charter as a cooperative library system.
 - e. The board of trustees shall manage and control such cooperative library system and shall have all the powers of trustees of other

educational institutions in the university as defined in this chapter. Such board shall elect a president, secretary and treasurer. Before entering upon his duties, such treasurer shall execute and file with the trustees an official undertaking in such sum and with such sureties as the board shall direct and approve. The treasurer need not be a member of such board. The funds of the cooperative library system shall be deposited in a bank or banks designated by the board of trustees and shall be expended only under the direction of such trustees upon properly authenticated vouchers.

f. The term of office of trustees shall be five years except that the members of the first board of trustees shall determine by lot the year in which the term of office of each trustee shall expire so that as nearly as possible the terms of one-fifth of the members of such board will expire annually. Thereafter, the successors of such trustees shall be elected annually by a meeting of the trustees of the participating libraries in the cooperative library system. No trustee shall hold office consecutively for more than two full terms. Such meeting shall be called by the secretary of the cooperative library system who shall give notice to all the trustees of participating libraries in the manner provided in subparagraph a of this subdivision for giving notice of the meeting to authorize the establishment of such cooperative library system.

g. A contract may be entered into between the board of trustees of a cooperative library system and the department under which the state library will provide services, facilities and staff to the cooperative library system upon terms agreed upon by and between the parties to such contract.

h. Nothing herein contained shall be deemed to deprive any participating library of its property.

i. The board of trustees of any library chartered by the regents which is not participating in a cooperative library system may adopt a resolution requesting that such library become a participating library in a cooperative library system. Duplicate copies of such resolution certified by the clerk of such board of trustees shall be filed with the board of trustees of the cooperative library system. If such board approve such resolution such approval shall be endorsed thereon and a copy thereof shall be filed with the commissioner. Upon such resolution being approved by the commissioner such additional library shall become a participating library in such system and shall have the same rights, duties and privileges as other libraries participating therein.

j. The participating libraries in such library system shall be those libraries, members of the boards of trustees of which join in petitioning the commissioner to call the meeting for the establishment of the cooperative library system pursuant to this section, and who are named in the resolution voted upon by such meeting and in the charter of the library system.

k. The board of trustees of each public library system shall meet no fewer than six times a year.

3. Trustees of a reference and research library resources system shall have those powers set forth in section two hundred twenty-six of this article with respect to trustees of corporations chartered by the regents, and in addition shall have the following powers and duties:

a. The board of trustees of a reference and research library resources system shall include at least one representative of each constituent public library system, at least one representative of the member academic library with the largest collection, and at least two nonlibrarians from the research community served by the system.

b. The term of office of trustees shall be five years except that the members of the first board of trustees shall determine by lot the year in which the term of office of each trustee shall expire so that as nearly as possible the terms of one-fifth of the members of such board will expire annually. Thereafter, the successors of such trustees shall be elected annually by a meeting of the designated representatives of the member institutions participating in the reference and research library resources system. No trustee shall hold office consecutively for more than two full terms. Such annual meeting shall be called by the secretary of the reference and research library resources system who shall give notice to all the participating libraries by mail at least five days prior to such meeting.

c. The board of trustees shall meet no fewer than six times a year.

4. By a majority vote of the tribal government of an Indian reservation, or upon the request of the tribal government of an Indian reservation, an Indian library may be established, with or without branches, and may make application to the state or other source for money to equip and maintain such library or libraries or to provide a building or rooms for its uses. Notwithstanding the provisions of section seven of the Indian law, the board of trustees of such library, on behalf of the tribal government, may acquire real or personal property for use by an Indian library by gift, grant, devise, bequest and may take, buy, sell, hold and transfer either real or personal property for the purposes of such library. No more than one Indian library may be established on a reservation and such library shall serve all inhabitants of that reservation. No such library shall be established on any reservation that has fewer than three hundred permanent residents and one thousand acres of land.

5. The boards of trustees of any two, or more, public libraries, Indian libraries, reference and research library resources systems, cooperative library systems, or association libraries, as defined in this article, may pool surplus funds to be used for the purchase of

certificates of deposit in any bank or trust company, provided that such certificate of deposit be secured by a pledge of obligations of the United States of America, or any obligation fully guaranteed or insured as to interest and principal by the United States of America acting through an agency, subdivision, department or division thereof, or obligations of the state of New York. Each participating public library, Indian library, reference and research library resources system, cooperative library system or association library shall be entitled to its pro-rata share of interest earned on such certificates in proportion to its contribution to the purchase price of such certificates.

<http://www.nysl.nysed.gov/libdev/excerpts/edn255.htm>

Appendix 2

Tompkins County Charter: Article 28: County Library

Section C-28.00 County Library; Board of Trustees; appointments; term.

The Tompkins County Public Library is a distinct and separate corporation chartered by the Board of Regents pursuant to the Education Law of the State of New York. The management and operation of the Library is vested in a Board of Trustees, consisting of not less than five and not more than 15 members appointed by the Tompkins County Legislature for staggered three-year terms. The Board shall hold regular meetings, at least quarterly.

The Board of Trustees shall have the authority to draft bylaws for approval by the Tompkins County Legislature, elect officers from its membership, and establish committees. Updated copies of bylaws shall be kept on file in the office of the Clerk of the Tompkins County Legislature.

Section C28.01 Board of Trustees; powers and duties

Except as otherwise provided in this Charter, the Board of Trustees shall have all the powers and perform all the duties now or hereafter conferred or imposed by the Education Law upon a Library Board of Trustees. The County, by budgetary appropriations, furnishes funds for the equipment, maintenance, and operation of the Library. To promote sound fiscal management and review of Library operations and to establish proper accountability by the Library of funds received from the County, the following provisions shall serve as guidelines:

- (a) The Library shall request a budget appropriation in such manner and at such times as required by the County;
- (b) The Library may purchase directly from suppliers equipment, supplies, and furniture within the amounts appropriated therefor, shall establish and maintain accounting procedures in the manner prescribed by the New York State Department of Audit and Control and shall disburse all funds;
- (c) The Library Director shall be appointed by and shall be accountable to the Trustees
- (d) The Trustees shall keep the County fully informed concerning Library matters, including monthly financial reports, minutes of Trustees meetings, Director's reports, and such other information as the County may request;
- (e) The County owns the land and the building thereon housing the Library. The County is responsible for the preservation and maintenance of the building and the grounds;
- (f) All Library personnel are employees of the Library. The hiring of such employees, their supervision and the terms and conditions, including the duration of their employment and the establishment of positions and grade scales, is within the control of the Trustees, subject to the applicable provisions of the Civil Service Law and other applicable law.

Section C-28.02 Financial Administration

The Board of Trustees may establish a bank account or accounts in the name of the County Library, and deposit therein moneys received or collected by the County Library, including moneys appropriated by the Tompkins County Legislature, and moneys received from fees, fines, rentals, and all other sources. The Board of Trustees of the County Library may, subject to the requirements of Education Law of New York State, authorize the Treasurer to pay all proper bills and accounts of the County Library, including salaries and wages from funds in its custody. The Treasurer shall execute a bond or official undertaking to the Board of Trustees of the County Library in such sum and with such sureties as the Board of Trustees shall require. Insurance for the Library, including officers and directors coverage, shall be covered under the County's blanket insurance program. Library finances shall be subject to audit by the County Department of Finance.

<http://ecode360.com/26995417>