



# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

---

## TABLE OF CONTENTS:

ARTICLE I -	Name and Place
ARTICLE II -	Object
ARTICLE III -	Meetings
ARTICLE IV -	Board of Trustees
ARTICLE V -	Officers
ARTICLE VI -	Vacancies
ARTICLE VII -	Committees
ARTICLE VIII -	In accordance with Section 1116(a), paragraph 4, of the New York State Sales and Use Tax Law, the Board shall comply with the following provisions:
ARTICLE IX -	Fiscal Year
ARTICLE X -	Librarian – Director
ARTICLE XI -	Financial Secretary
ARTICLE XII -	Amendments
ARTICLE XIII -	Procedure

# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

## **ARTICLE I - Name and Place**

The corporate name of this public library shall be the Fort Plain Free Library. The primary location shall be 19 Willett Street, Fort Plain, New York.

## **ARTICLE II - Object**

The object of the library shall be to promote and to encourage the development and maintenance of a library for free public use.

## **ARTICLE III - Meetings**

1. The Annual Meeting of the library shall be held at the library in the month of January for the purpose of electing trustees, receiving and considering yearly reports of the Board of Trustees, its officers and committees, and for any other business which may arise.
2. A trustee or any person over eighteen years of age and a resident of the Fort Plain Central School District may vote at the Annual Meeting.
3. The Board of Trustees shall have no fewer than four regular meetings a year on a quarterly basis.
4. Times of regular meetings shall be set and announced at the Annual Meeting. In the event of the change of the date or time of any regularly scheduled meeting, notice of such change shall either be announced at a prior regular meeting of the board or such notice shall be given to the trustees by regular mail, email or personal delivery at least five days before the rescheduled meeting. The schedule of regular meetings shall be posted in the library.
5. Special meetings may be called by the President or the Executive Committee. The purpose of the meeting shall be stated in the call. Notice of special meetings shall be given to the trustees by regular mail, email, telephone call or personally at least 24 hours in advance of the special meeting. A notice of the special meeting shall be posted in the library.
6. A majority of the members of the Board of Trustees shall be a quorum at any meeting. In the event that any positions on the Board of Trustees are vacant, a quorum shall be a majority of the positions on the Board of Trustees actually filled.
7. The director shall forward an agenda to all trustees at least five days before all meetings.

# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

## **ARTICLE IV - Board of Trustees**

1. The library shall be governed by a Board of Trustees. There shall be nine trustees, two of whom shall be nominated and elected at the Annual Meeting, each to serve a term of five years.
2. Eligibility for office shall be limited to adults residing or owning property within the geographical limits of the library district.
3. Absence from three consecutive regular meetings shall constitute automatic dismissal from the Board unless the Board defers this dismissal by majority vote. The President shall inform the absent Board Member in writing that he/she is no longer on the Board. If dismissal is deferred by Board action, the President shall inform the absent Board Member in writing the conditions of this deferral.
4. The Trustees shall have the general management of the library and its property among their responsibilities. They shall provide ways and means for its maintenance and endowment, and establish policies for its convenient and free use by the public.

## **ARTICLE V - Officers**

1. The officers of the Board of Trustees shall be a President, Vice President, Secretary, and Treasurer, whose duties shall be usually associated with the office held.
2. The officers shall be nominated by the nominating committee for a term of one year. Additional names may be placed in nomination from the floor at the annual meeting. Those persons receiving the highest number of votes for each office at the regular meeting following the annual meeting shall be elected for a term of one year. Those elected shall assume office at the close of the meeting at which they are elected.

## **ARTICLE VI - Vacancies**

Any vacancy among the officers or trustees occurring between Annual Meetings shall be filled by nomination(s) and election for the un-expired term at a regular meeting of the Board.

# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

## ARTICLE VII - Committees

1. A Finance Committee composed of the Treasurer and two other trustees shall be appointed by the President at the first regular meeting each year. Its duties shall be to make recommendations regarding the library's finances, to prepare a budget in consultation with the library director for the next fiscal year, and to submit the proposed budget to the Board for adoption at its last regular meeting each year. The Library Director shall be a non-voting member of this committee.
2. A Nominating Committee of at least two trustees shall be appointed by the president two months prior to the Annual Meeting, and shall report at the next regular meeting.
3. Committees for specific purposes may be appointed by the President. Such committees shall serve until the completion of the work for which they were appointed.
4. All committees shall make a progress report to the Board at each of its meetings.
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 shall be, ex officio, a member of all committees.
7. The officers of the Board of Trustees shall constitute the Executive Committee which shall have power of the Board between meetings of the Board, except that of modifying any action taken by the Board, and shall incur no debt or liability except for ordinary expenses.
8. All other actions by committees shall be subject to approval or ratification by a majority of the Board of Trustees.

# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

**ARTICLE VIII - In accordance with Section 1116(a), paragraph 4, of the New York State Sales and Use Tax Law, the Board shall comply with the following provisions:**

1. **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 or to a state or local government; for a public purpose; or to another organization to be used in such a manner and in the judgment 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 New York State Education Commissioner's Regulation Section 220.
2. **Non-Inurement Provision:** No part of the net earnings of the organization shall inure to the benefit of any member, Trustee, director of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization).
3. **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 Internal Revenue 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.
4. **Restrictive Purposes and Activities Provision:** Notwithstanding any other provision of these articles, the organization is organized exclusively for on or more of the following purposes: religious, charitable, scientific, test 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 Internal Revenue 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.

# THE BY-LAWS OF THE FORT PLAIN FREE LIBRARY

## **ARTICLE IX - Fiscal Year**

The fiscal year of the library shall run from January 1 to December 31 of any given year.

## **ARTICLE X - Librarian – Director**

1. The Board of Trustees shall appoint a qualified library director who shall be the executive and administrative officer of the library.
2. The Director shall be held responsible for the proper performance of duties as spelled out in the job description provided by the Board.
3. It shall be the duty of the Director to attend all meetings of the Board of Trustees, including budget meetings, or public meetings where action may be taken affecting the interests of the library. The Director shall have the right to speak on all matters under discussion at Board meetings, but shall not have the right to vote thereon.

## **ARTICLE XI - Financial Secretary**

1. The Board of Trustees shall appoint a Financial Secretary who shall be responsible for the writing of checks for all approved claims and the entering of all checks, deposits and financial information into the accounting software.
2. The Financial Secretary does not have to be a member of the Board.

## **ARTICLE XII - Amendments**

1. Amendments to these By-Laws may be proposed in writing at any regular meeting or in the call of any special meeting of the Board of Trustees.
2. Proposed amendment shall become effective when approved by a majority of the Board of Trustees at a subsequent meeting.

## **ARTICLE XIII - Procedure**

All procedures not specified in these By-Laws shall be in accord with Robert's Rules of Order, Revised.

Approved by the Fort Plain Free Library Board of Trustees.

Dated: September 24, 2014