

# **BY-LAWS**

## *SEAFORD PUBLIC LIBRARY*

### **MISSION STATEMENT**

It is the goal of the Seaford Public Library to provide factual information and opportunities for cultural enrichment to the residents of the Seaford School District. The Library reaches out to all ages in the community, serving the youngest to the oldest.

As the information center in Seaford, the Library's mission is to provide the most current compendium of facts available. Members of our reference staff are expert in finding answers to difficult questions, using not only local resources, but also national and worldwide data banks. The library incorporates new technologies in a continuous effort to improve service.

The Library staff continually strives to maintain a literary collection that satisfies the needs and tastes of our residents.

As the cultural center in Seaford, the Library presents a varied selection of programs. Our children's programs stress the importance of literacy yet provide cultural entertainment as well. Adult programming is informational, instructive and entertaining.

### **I. ESTABLISHMENT**

The powers, responsibilities and affairs of the Seaford Board of Library Trustees are enabled by virtue of the Provisional Charter, August 22, 1956, and the Absolute Charter, granted on March 26, 1965, by the New York State Board of Regents, and are derived from the Education Law and related laws of the State of New York, and the rules and regulations of the Board of Regents of the University of the State of New York and its agencies. This board, by law, is a continuous corporate entity and the legality of its commitments is not conditioned by the official life of its members.

### **II. BOARD OF TRUSTEES**

- (a) The Library shall be governed by a Board of Trustees. The Board shall consist of five (5) members, elected for terms of five (5) years each.
- (b) Subject to the provisions of applicable law, the Board of Trustees shall have charge and management of the public library, and shall have all of the powers necessary and proper to carry out the purposes and functions for which the Library was chartered and for which the trustees were elected.

- (c) Eligibility for office shall be limited to adults i.e., individuals over the age of eighteen (18) years, residing within the geographical boundaries of the Seaford Union Free School District.
- (d) If any Board Trustee shall fail to attend three consecutive meetings, that Trustee shall be declared to have resigned pursuant to §226(4) of New York State Education Law at the next regular meeting following the third consecutive absence unless a majority of all trustees considers the absences excused.
- (e) The Board may remove a Trustee for misconduct, incapacity, neglect of duty, or refusal to carry into effect the Library's educational purpose as provided in Education Law 226; subdivision 8.
- (f) Each Trustee shall have one vote, irrespective of office held.
- (g) A Trustee must be present at a meeting to have his/her vote counted or meet the provisions of New York State's Open Meetings Law.
- (h) A majority of the whole Board (including vacancies) is required for any motion to pass.
- (i) All actions of the Board shall be of the Board as a unit. No Board member shall act on behalf of the Board, on any matter, without prior approval of the Board. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.
- (j) All trustees must comply with continuing education requirements outlined in Section 260-d of New York State Education Law.
- (k) All trustees must comply with the Sexual Harassment Prevention training requirements in New York State Human Rights Law.
- (l) All trustees must complete a Conflict of Interest Annual Disclosure Form.
- (m) No trustee shall receive any compensation for performing the duties of such trustee.

### **III. OFFICERS**

The Officers of the Board shall consist of (5) Five members: President, Vice President, Secretary, Financial Secretary, and an Assistant Financial Secretary. Such officers are elected annually by the Board at an annual reorganization meeting and serve for a period of one year.

#### **IV. ELECTION OF TRUSTEES**

One Trustee will be elected annually by the qualified voters of Seaford Union Free School District for a term of five (5) years. In so far as permitted by law, the annual election of trustees of the Board of Trustees of the Seaford Public Library shall be held at the same day, time and place or places as the annual election of the Seaford Union Free School District, unless the Library Board of Trustees elects to conduct a Special District meeting and Trustee Election on a date between April 2<sup>nd</sup> and June 30<sup>th</sup> of any given year in accordance with the provisions of Education Law section 260.

Candidates for the office of Trustee of the Board will be nominated by petition. Candidacy shall be limited to adults i.e., individuals over the age of eighteen (18) years residing within the geographical boundaries of the Seaford Union Free School District.

#### **V. TERMS OF OFFICE**

- (a) The term of office of one trustee elected for a full-term, shall expire annually on the 30<sup>th</sup> day of June in each year. In so far as permitted by law, the term of office of the trustee expiring on June 30<sup>th</sup> of any year shall be filled at the next succeeding school election.
- (b) Newly elected trustees shall be sworn in and officers of the Board shall be elected annually at the first meeting of the fiscal year.
- (c) Each of the Officers of the Board shall be elected for a term of one year.
- (d) No officer will hold more than one office.

#### **VI. VACANCIES ON BOARD**

- (a) The office of any trustee shall become vacant on his or her death, resignation, refusal to act, removal from office, expiration of his or her term, or when he or she ceases to be a resident of the Library district.
- (b) Vacancies in the Board of Library Trustees, due to cause other than expiration of term, shall be filled as promptly as possible by the Board of Library Trustees until the next regularly scheduled election.
- (c) In the event that a position as Officer of the Board becomes vacant, the members of the Board shall elect one of its trustees for the unexpired term in the manner described in Article VI(b). At the next annual District election, the annually elected Trustee position and the vacant Trustee position will be filled as follows: the individual with the highest

vote count will be elected to the full term Trustee position of five (5) years and the next highest vote count will be elected to fill the remaining term of the vacant Trustee position.

## **VII. DUTIES OF OFFICERS**

- (a) The President of the Board shall preside at all meetings, and perform the normal duties of a presiding officer. The President shall certify all bills approved by the Board by signing warrants with two other trustees, appoint committees, authorize calls for special meetings as hereinafter provided and shall be a member ex officio of all committees.
- (b) The President shall, with the prior consent of the Board, employ an independent, licensed accountant to audit the books of the Library and report the findings to the trustees.
- (c) In the absence of the President, the Vice-President shall assume the duties of the President.
- (d) The Financial Secretary shall review the accounts of the Library Funds and the Building Account as prepared by the Treasurer.
- (e) The Secretary shall be responsible for signing all official minutes and other records of the Board that are deemed necessary.

## **VIII. COMMITTEES**

- (a) At the direction of the Board of Trustees, Committees may be appointed by resolution as the Board sees fit.
- (b) The President of the Board shall be, ex officio, a member of all committees. Committees must have at least one (1) Trustee or more, and may include also the Library Director, any staff members or citizen member whose skill or experience may benefit the Library.
- (c) No committee will have other than advisory powers unless, by approval of the Board, it is granted specific power to act.

## **IX. MEETINGS**

- (a) The regular monthly meeting of the Board shall be determined by the Board at least one month in advance, with the exception that there shall be no regular meeting in the month of August.
- (b) All meetings of the Board will conform to the regulations of the State of New York Education Law, and the Open Meetings Law.
- (c) Notice as prescribed by statute of scheduled regular meetings and special meetings of the Board of Trustees, and any business to be transacted at such meetings shall be given.

- (d) Meeting notices will be posted in a conspicuous, public location and on the Library's website. When a meeting is scheduled less than a week in advance, the Library will provide at least 72 hours' notice in advance. When a meeting is scheduled less than a week in advance, the Library will provide notice to the extent practicable at a reasonable time.
- (e) Special meetings may be called by the President, or by written request of three (3) Trustees. The notice of such a meeting shall state the purpose for which it is called and such notices shall be distributed to the Trustees. Notice of the time and place of such special meeting shall be in writing and shall be sent not less than five nor more than ten days before the meeting to the usual address or email of every trustee. These requirements may be waived by a majority of the Board.
- (f) A quorum for the transaction of business shall consist of three (3) members of the Board, and all Board formal decisions shall be approved by a majority of the entire Board.
- (g) In the event of disagreement by the trustees as to the Board proceedings in open public meetings, Robert's Rules of Order shall govern the conduct of such meetings.

## **X. LIBRARY DIRECTOR**

The Library Director, appointed by the Board of Trustees, shall be the executive and administrative head of the Library with oversight by the Board. The Director shall be responsible for the administration of the Library and its personnel, and shall perform such duties as are normally required of library directors. The Director will also oversee the administration of the rental portions of the library premises. Unless excused by the Trustees, the Director attends all meetings of the Board, shall submit to the Board a Director's report monthly and periodic reports as to the progress of various projects, and review Library operations as relate to policies, and shall recommend any relevant changes.

## **XI. ASSISTANT DIRECTOR**

The Assistant Director shall, in the absence of the Director, assume all duties of the Library Director.

The duties of the Assistant Director include but are not limited to:

- Assist with the development and enforcement of library policies and procedures
- Conduct studies and analyses of Library operations and recommend changes
- Prepare various state, local and other statistical and narrative reports
- Contribute to strategic plan and short/long term goals
- Assist the Director with Board support services and meeting preparation
- Review work performed by professional librarians and other personnel, as required
- Assist the Director in communicating the value of the Library and information services

- Supervise the selection of Library materials
- Attend workshops, continuing education programs and other professional training opportunities
- Confer with the Director on matters pertaining to new construction, alteration, repairs, additions and improvements and may direct the carrying out of such work
- Serve as liaison for library services to community groups and/or other libraries
- Represent the Library at community and group meetings; and,
- Participate in staff recruitment, selection, training and evaluation

## **XII. TREASURER**

- (a) The Treasurer shall keep account of the Library funds. The Treasurer shall, on approval of the Board, sign checks and vouchers for all disbursements on the Library Operations Fund Account as well as on the Building Account. The Treasurer shall be covered by commercial fidelity bonding in the amount of not less than \$100,000.
- (b) The Treasurer shall keep accurate itemized records of all receipts and payments, classified as required for the annual financial report, and shall make monthly reports to the Board.

## **XIII. THE FISCAL YEAR OF THE SEAFORD PUBLIC LIBRARY IS JULY 1<sup>ST</sup> TO JUNE 30<sup>TH</sup>**

## **XIV. PUBLIC OFFICERS LAW POLICY**

The Board hereby resolves to confer the defense and indemnification benefits of Public Officers Law Section 18 upon its employees and agrees to be held liable for the costs incurred under that provision of law. Employees within the meaning of Section 18 include members of the Board of Trustees, Directors, officers, employees, volunteers expressly authorized to participate in a publicly sponsored volunteer program, as well as former employees, their estates or judicially appointed personal representative. The duty to defend or indemnify and save harmless is limited to situations where the “alleged act or omission from which such judgement or claim arose occurred or allegedly occurred while the employee was acting within the scope of his public employment or duties”. Employees must (1) deliver to the President of the Board of Trustees a written request to provide for his/her defense together with the original or copy of any summons, complaint, process notice, demand or pleading within ten days after he/she is served with such document and (2) provide full cooperation in the defense of such action or proceeding and defense of any action or proceeding against the public entity based upon the same act or omission. The duty to provide for a defense shall not arise where such civil action or proceeding is brought by or at the behest of the Board of Trustees.

These benefits accorded employees hereunder are in addition to the Board’s obligations under other applicable provisions of law.

#### **XIV. TRUSTEE CODE OF CONDUCT**

**(Adapted from the Ethics Statement Prepared by United for Libraries)**

Seaford Public Library Trustees are accountable for the resources of the Library as well as to that the Library provides the best possible service to its community.

Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out their duties and responsibilities effectively and with absolute truth, honor, and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules, and regulations that apply to them and to their Library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure, or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold Library patrons' rights to privacy in the use of Library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the Library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees must respect the confidential nature of Library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged Library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict in interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the Library or from those who do business with the Library.
- Trustees shall not interfere with the management responsibilities of the Director or the supervision of Library staff.
- Trustees shall support the efforts of librarians in resisting censorship of Library materials by groups or individuals.

#### **XV. AMENDMENTS**

Amendments to these By-Laws may be made by vote of the majority of the entire Board at any regular meeting provided that the changes shall have been submitted at the preceding and that a copy of the proposed changes is part of the meeting notice.

**Amended May 12, 2025**

