

THE MOUNT OLIVE PUBLIC LIBRARY

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BOARD OF TRUSTEES

BY-LAWS

THE MOUNT OLIVE PUBLIC LIBRARY

THE BOARD OF TRUSTEES BY-LAWS

Created, revised, and approved: November 15, 2016

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Created, revised, and approved: November 8, 2016

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Article I: General

Revised 11/15/2016

- A. The Board of Trustees of the Free Public Library of Mount Olive, Inc., hereinafter referred to as the Board, exists by virtue of the provisions of the relevant provisions of the New Jersey Statutes Annotated [N.J.S.A. 40:54] and is a duly incorporated body under the name of “The Trustees of the Free Public Library of Mount Olive, Inc.” The Board of Trustees was incorporated on May 18, 1986. The Board of Trustees exercises its powers and authority and assumes the responsibilities delegated to it under said statute.
- B. The purpose of The Board of Trustees with the full cooperation of the Library Director and the Library staff is to ensure public Library services to all residents of the Mount Olive Township in accordance with New Jersey State Laws, regulations of the State Library, and local ordinances.
- C. The Library Board of Trustees is the governing and policy-making body of the Library. The Library Board of Trustees is responsible for the use of the Library building and property, for personnel policies, and for the preparation and control of the budget.
- D. This section expands on the duties, responsibilities, and authorities granted to the Board of Trustees Officers and Committees by the Bylaws of the corporation.

Article II: Parliamentary Authority

Revised 11/15/2016

The rules contained in the current edition of *Robert’s Rules of Order* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these by-laws, special rules the Board may adopt, or with any statutes of the State of New Jersey.

Article III: Meetings

Revised 11/15/2016

The Annual Reorganization Meeting:

- A. The Library Board of Trustee meeting schedule is set by resolution at the January Reorganization Meeting. The Annual Reorganization Meeting shall be held at a date and time prior to the regular January meeting.
- B. At the Annual Reorganization Meeting the Board shall meet for the purpose of election of officers, approval of official financial institutions, newspapers, auditors, and Annual Report, appointment of committees, and any other organizational matters that may come before the Board.
- C. The Library Director or his/her designee shall send the meeting schedule to the Township Clerk, post it on the Library Website, have it printed in the township calendar, and have it sent to the newspapers (*Daily Record* and *Mt. Olive Chronicle*). Meetings are conducted in compliance with the New Jersey *Open Public Meetings Act* and are open to the public.

The Monthly Meetings:

- A. The regular meetings of the Library Board of Trustees shall be held on the second Tuesday of each month unless otherwise ordered by the trustees.
- B. The monthly agenda, the minutes of the previous monthly meeting and/or Special/Emergency meetings held during the previous month, any pertinent reports from committees and the Library Director, and any preliminary accounting documents shall be sent via email by the Director of the Library or his/her designee at least twenty-four hours in advance of the regularly scheduled monthly meeting to all Library Board of Trustee Members.
- C. Time will be set aside on each regular meeting agenda for public comment. Comments will be limited to five minutes per person and ten minutes per organization, unless the Library Board of Trustees grants an exception.
- D. A quorum shall consist of four members of the Board present in person. If a quorum is not present, the meeting will be cancelled and rescheduled.
- E. A majority of the votes of all members of the Board present at any meeting shall be necessary for the adoption or passage of any resolution or motion.
- F. Any actions taken at a monthly meeting shall require a roll call vote.
- G. The President may offer motions and may vote on all proposals.
- H. All motions shall be stated in their proper form and restated before a vote is taken.
- I. The order of business for regular monthly meetings shall include, but not limited to, the following items that shall be covered in the sequence shown so far as the circumstances of the meeting will permit:

AGENDA FOR MEETINGS

- A. Roll Call
- B. Compliance with Open Public Meetings Act
- C. Agenda Review
- D. Approval of Minutes for the previous regular meeting and any intervening special/emergency meetings
- E. President's Report
- F. Action on Bills
- G. Financial Reports
- H. Library Director's Report
- I. Committee Reports
- J. Unfinished Business
- K. New Business
- L. Public Comments
- M. Board Comments
- N. Confidential/Closed Session, based on need
- O. Confirm next meeting date
- P. Adjournment

Special Meetings:

- A. The President, or by any other officer of the Board acting on behalf of the President, or on five days notice by any three members of the Board *Special Meetings* may be called.
- B. Notices for such meetings shall state the time, place, and specific purpose/business in the call.
- C. If any such special meeting shall involve the actual transaction of official business, forty-eight (48) hours notice thereof shall also be given by the following: posting the notice in the Library, filing the notice with the Township Clerk, and sending the notice to the official newspapers.

Emergency Meetings:

- A. An emergency meeting is a special meeting called because of circumstances that require immediate consideration by the public body. Posted or published notice is not required.
- B. An emergency meeting is one where circumstances will not permit the public body to wait the required forty-eight (48) hours to give notice of a special meeting.
- C. These circumstances may include but are not limited to dealing with the aftermath of a natural disaster such as a tornado, flood, or blizzard or an issue that may result in substantial harm to the public interest. Such meetings should conform to the provisions of N.J.S.A. 10:4-6 et seq.

Article IV: Board Membership:

Revised 11/15/2016

A. The Mount Olive Free Public Library Board of Trustees shall consist of:

- ❖ Five members appointed by the Mayor and approved by the Town Council for a term of five years. The five-year term of these appointed and approved members shall be staggered.
- ❖ The Mayor or the Mayor's representative. The Mayor's representative shall be appointed by the Mayor and approved by the Town Council for a term of five years.
- ❖ The Superintendent of Schools or the Superintendent's representative. The Superintendent's representative shall be appointed by the Superintendent of Schools and approved by the Town Council for a term of five years.

B. The Trustees of the Free Public Library of Mount Olive, Inc., shall:

- ❖ Hold in trust and manage all properties of the Library.
- ❖ Establish with the Library Director a process for creating a shared purpose and vision for the Library that is responsive to the needs of Mount Olive residents.
- ❖ Advocate for the Library at every opportunity.
- ❖ Maintain adequate funds to carry on the Library programs.
- ❖ Employ a qualified Library Director and other necessary personnel.
- ❖ Establish the terms of employment between the Board and Library personnel.
- ❖ Know the programs and needs of the Library with relation to the community and work with the Library Director to prioritize resources to best meet those needs.
- ❖ Establish policies to govern the use, operation, and programs of the Library.
- ❖ Establish policies dealing with book and material selection.
- ❖ Assist the Library Director in establishing and supporting positive public relations within the community.
- ❖ Together with the Library Director prepare, present, and justify an annual budget.
- ❖ Attend all Board meetings, barring an emergency.
- ❖ Evaluate the Library Director's performance annually, in accordance with established policy.

C. Officers for the Board of Trustees of the Free Public Library of Mount Olive, Inc.:

1. The officers for the Board of Trustees of the Free Public Library of Mount Olive, Inc. shall consist of a President, a Vice-President, a Secretary, and a Treasurer.
2. No individual officer or member of the Board of Trustees has authority to issue orders for or in the name of the Board unless specifically empowered to do so by the Board at a duly called meeting.
3. Any Library Board of Trustee, by notice in writing to the Mayor and a copy to the Board President, may resign at any time.
4. The officers of the Board shall serve without salary or other compensation. The officers may be reimbursed for reasonable expenses incurred in performing their duties as officers.
5. Any Library Board of Trustee may be removed from office with good cause pursuant to N.J.S.A. 40A:9-12, 1 et seq.

D. Continuing Education:

Library Board of Trustee Members can better ensure the effectiveness of the Mount Olive Public Library when they are substantially informed about current Library issues. Each member shall maintain reasonably current knowledge about the ongoing and emerging issues confronting modern libraries. Training may be provided at Board meetings, at an off-site location, or via virtual instruction.

E. Officers Term Limits:

- ❖ Officers shall serve for a term of one year from the Annual Meeting at which they are elected to the following Annual Meeting and/or until their successors are duly elected and qualify.
- ❖ A Board of Trustee Member shall not be eligible to serve more than three consecutive terms in the same office. If Board members believe that it is in the Library's best interest, the Board may, by two-thirds vote of the entire membership, allow an officer to remain in office for longer than otherwise allowed herein.
- ❖ A vacancy in office shall be filled by election of a successor for the unexpired term of the vacant office, except for the office of President, which shall be filled by the Vice-President until a new Vice President shall be elected. Such election shall take place at the first regular meeting after the vacancy occurs.
- ❖ An officer elected to fill a mid-term vacancy shall be deemed to have served a full term only if elected at or before the June meeting of the Board. A Board member who fills a vacancy in office for a partial term shall not be prohibited from being elected to a full term or terms.
- ❖ Unless no alternative is available, no member shall hold more than one office at a time.

Article V: Duties of the Officers:

Revised 11/15/2016

A. *The President:*

- Presides at all meeting of the board and is a voting member.
- Insures that all Trustees and officers take an oath (or affirmation) of office when required, and that all Trustees and required employees submit Financial Disclosure forms on the schedule requested by the Municipal Clerk.
- May call special or emergency meetings of the Board.
- Appoints Trustees to all regular and ad hoc committees with the exception of the Nominating Committee.
- Serves as an ex officio non-voting member of all committees except the Nominating Committee.
- Acts as primary liaison between the Library Director and the Board.
- Requires signature on all reports that are required by law.
- Signs and dates all documents, monthly minutes, resolutions, etc.
- Reports monthly to the Board.
- Executes all documents and/or contracts authorized by the Board.
- Enforces all By-laws and regulations.
- Confers with the Library Director or his/her designee regarding the agenda for each Board meeting.
- Maintains the position of spokesperson for the Library.
- Consults with the Library Director or his/her designee along with the town's police and Department of Public Works departments on emergency closings of the Library.

- Coordinates oversight of relationships between the Library and the Township, the Friends, and local and state organization.
- Ensures that the Library's public statements are accurate, consistent, and in the best interests of the Library as a whole, works with the Library Director and is specifically authorized to speak on behalf of the Library.
- Maintains authority to designate others to speak on behalf of the Library on an as needed basis.

B. *The Vice President:*

- The Vice President, in the absence of the President or his or her inability or refusal to act, assumes all of the duties and responsibilities of the President.
- Have such powers and discharges such duties as may be assigned, from time to time, by the Board of Trustees.

C. *The Secretary:*

The Secretary shall work with and/or coordinate with the Library Director to ensure that the following are performed on a **monthly basis**:

- Circulate an "Agenda Call" to all Trustees soliciting items for the agenda of the next meeting, at least five days prior to every regular meeting.
- Prepare and circulate a board packet at least twenty-four hours before every meeting, to include but not limited to: copies of the minutes of the prior meeting(s), agenda to be discussed at the scheduled meeting, financial reports and bill list for approval by the Board, Director's Report and periodic circulation statistics, reports prepared by the Board's committees, when appropriate, any reports essential to consideration of the agenda, and additional items of old and new business proposed by any Trustee, along with attachments submitted by any Trustee.
- Keep an accurate record of all Library Board meetings (including the Reorganization Meeting) showing the time and place, the members present, the subjects considered, the actions taken, the vote of attending members, and any information required to be shown in the minutes by law. The minutes should follow specifically the agenda items per number or letter.
- Ensure that a paper copy of the approved minutes along with designated signatures by the President or his/her designee and by the Secretary or his/her designee and dates of signatures along with any attachments (i.e.: emails or resolutions) is filed in the Library and put on the Library's Website.

The Secretary shall work with and/or coordinate with the Library Director to ensure that the following are performed on an **annual basis**:

- Within seven days following the annual reorganization meeting, prepare and post a dated notice of the annual schedule of regular meetings of the Board of Trustees.
- Post and Date notices on the public bulletin boards/Websites at Town Hall and at the Library, and submit for publication in two newspapers of general local circulation, said local newspapers to be established annually by resolution of the Board.
- Obtain the names of newly appointed Trustees from the Mount Olive Township Municipal Clerk, the Mayor, and the Superintendent of Schools, and advise the Library Director of the membership of the Board of Trustees, prior to the annual Reorganization Meeting.

The Secretary shall work with and/or coordinate with the Library Director to ensure that the following are performed on an **as needed basis**:

- Post notices concerning cancellation or rescheduling of regular meetings, notices of special meetings, within seven days of Board approval or revision of meeting dates.
- Call special meetings of the Board of Trustees at the direction of the President, the Library Director, or upon written request of three members. Per the Bylaws of the Library, special meetings are called to discuss specific business stated in the call for the meeting, and (except in an emergency), are called on not less than three calendar day's notice. Post and publish public notice of special meetings as described above.
- Prepare and sign correspondence as directed by the President and Board of Trustees, with a copy to the Board President, and other incidental correspondence on behalf of the Library when needed.
- Sign or counter-sign other documents and/or contracts on behalf of the Board of Trustees, when required.
- Maintain an archive of all contracts, agreements, and copies of official correspondence of the Board of Trustees, and all contracts of more than one-year duration executed by officers or the Library Director.
- Coordinate with the Director to prepare the required annual written resolutions for the Reorganization meeting and such additional written resolutions as may be required to facilitate the orderly actions of the Board of Trustees at its regular meetings.
- Notify the Mount Olive Township Municipal Clerk (The Mayor or Superintendent of Schools, if appropriate) of vacancies that occur during the year, and annually in November, of the names of Trustees whose term of appointment is due to expire at the conclusion of the calendar year.
- Coordinate with the Director of the Library or his/her designee to insure that all such corporate records are maintained in proper order at a secure location within the Library, and that records are maintained in accordance with federal and state records retention requirements, and insure that destruction of records is carried out in accordance with state law and appropriate procedural requirements. When required, in conjunction with the Board, engage legal counsel for guidance in matters of the scope of corporate records, records retention and destruction, and public access to records.

D. The Treasurer:

The Treasurer shall work with and/or coordinate with the Library Director and the Business Manager to ensure that the following are performed on a **monthly basis**:

- Become the disbursing officer of the Board of Trustees.
- Have charge of and be familiar with the Library's funds, which are to be deposited in a bank/banks or fund.
- Review the monthly bill list and sign checks so that the Library can meet its financial obligations.
- Review the month's bill list and obtain approval by the Board of Trustees at its regular monthly meetings.
- Assure that payment of all bills be made after approval by the Board.
- Assure that two officers of the Board, duly approved, sign all checks and vouchers for disbursement of Library funds.
- Monitor the monthly process and negotiate minor adjustments with the Township CFO.

- The following materials should be included in the Treasurer's Report and should be included with the pre-meeting materials that are sent to the Trustees before each Board Meeting:
 - Balance sheet for the Operating Fund and each Restricted Fund;
 - YTO Income and expense-vs.-budget statement for the Operating Fund and each Restricted Fund;
 - Librarian's Discretionary Account and Petty Cash Disbursement Report
 - Bill Lists to be approved and related transfers of funds;
 - Other financial materials intended for discussion and for recorded vote (such as budget materials, resolutions related to matters of finance, and other specified items not included in this list.

The Treasurer shall work with and/or coordinate with the Library Director and the Business Manager to ensure that the following are performed on an **annual basis**:

- Become bonded in such amount as required by State Statute 40:54-13 of the New Jersey Library Laws.
- Recommend and gain approval by the Library Board of Trustees at its annual reorganization January meeting via a resolution the depository banks.
- Recommend and gain approval by the Library Board of Trustees that approved expenditures must be signed by any two of three Trustees designated by resolution at the Board's January reorganization meeting. The Trustees so designated shall include the Treasurer and the President, along with the Business Manager's signature.
- Ensure that financial obligations can be met on time, while retaining a reasonable minimum amount of the Library's funds in liquid form.
- Assure that all restricted donations and grants are expended for the purpose intended by the donor.
- Maintain that an auditor approved at the January Annual Reorganization Meeting shall audit the Library's financial records at the close of each year.

E. The Superintendent's and Mayor's Representatives:

The Superintendent's and Mayor's Representatives shall have periodic communication with the Superintendent and Mayor, respectively, to discuss Library issues, policies, and events.

The Superintendent's and Mayor's Representatives have the right to vote on matters pertaining to the Library as long as the Superintendent and/or the Mayor are not present at the meeting.

Article VI: Relationship between the Board, Library Director, and the Library Staff

Revised 11/15/2016

- A. The Director shall be the Executive and Administrative Officer of the Library on behalf of the Board of Trustees and under these By-Laws and the Board's declared policies and rules shall have general charge of the Library and of all persons employed therein by the Board. The Director shall act as technical advisor to the Board. The Director shall attend all board meetings except those at which the director's salary or appointment are to be discussed and/or decided. The Director shall have no vote. The Director shall recommend the appointment and determine the duties of all employees, shall recommend to the Board for adoption a Position Classification and Pay Plan, and shall administer the plan when adopted. The Director shall be held responsible to the Board for the proper

management of the Library, for the preservation and care of its property and for the discipline and efficiency of its staff and service. The Director shall not permit the use of the Library grounds, building or equipment by any person, group or organization for meetings or exhibits without consent of the Board.

- B. The Board specifically delegates to the Director as its Executive Officer interim authority to appoint all part time or temporary employees and all employees in the non-professional classified service which appointments shall be reported to the Board monthly for its approval.
- C. The Director shall certify to the correctness of all bills before their approval by the Board, except in the case of expenditures directly ordered by the Board or one of its Committees.
- D. In the absence (other than temporary) of the Director, the Trustees shall designate the Business Manager as “Acting Director” who shall, for the interim, have the powers, duties and responsibilities assigned to the Director under these By-Laws.
- E. In the temporary absence of the Director, the “Acting Director” shall attend to the details of the management of the Library, subject to such instructions as the Director may have issued to cover the interim.

Article VII: Board Committees

Revised 11/15/2016

A. General

- Committees of trustees will assist the Board of Trustees in its work.
- Committees shall have only advisory powers unless, by suitable action of the Board, it is granted specific powers to act.
- Committees will study relevant issues, coordinate with the Director and other trustees, and prepare appropriate recommendations for action by the Board.
- Committees have no authority to make final decisions in the name of the Board or to authorize expenditure of Library funds, except as noted herein or as a granted resolution.
- The appointment of committees occurs annually (or as required) by the President except as specifically listed below.
- Committees will consist of up to three trustees, and the President may serve as an additional ex-officio member.
- The Director and/or the Business Manager may serve as a non-voting ex-officio participant in all committees, except as noted.
- The President shall appoint the committee chair.
- Committees will maintain appropriate records of their work and prepare final recommendations without relying on the resources of the Director or the Library Staff.
- When deemed applicable by a committee chair, resource documents that contributed to the committee’s recommendations will be provided to the Secretary for archiving.

B. **Standing Committees**

Standing committees are appointed for one year at the Annual Reorganization Meeting or as soon thereafter as is practical as follows:

1. The ***Budget and Finance Committee*** shall consist of the Treasurer and two other trustees. The committee shall assist the Director in the preparation of the annual operating budget, monitor fund balances, revenues and expenses, propose banking relationships and investment strategy, review the annual audit, and prepare recommendations to the Board on any financial matters not specifically assigned to the Treasurer or the Director.
2. The ***Building and Grounds Committee*** will study and propose improvements and rearrangements to the Library building initiated by the Director or on its own initiative. The Library building is the property of the Township of Mount Olive and this committee will coordinate with the appropriate Township officials as necessary in the preparation of its recommendations. This Committee has the specific authority to authorize expenditures for emergency repairs and modifications to the Library building in order to keep the building open for scheduled service to the public, within the limits of specific statutes by the State of New Jersey. Such action must be approved by the Board at the next convened meeting. At its discretion, the Building and Grounds Committee may designate one or more of its members to confer with the Business Manager and/or the Director of the Library:
 - To meet with prospective contractors to review the job scope and contracting issues, and/or
 - To review the final contract language before the contract is accepted/approved via resolution, and/or
 - To inspect the work and direct additional improvement before final payment.
3. The ***Personnel Committee*** will
 - Review and recommend amendments to the Personnel Manual as required and conduct a complete review every third year.
 - Review and recommend amendments to the Director's Job Description and Evaluation Form.
 - Develop annual goals with the Director and present them to the Trustees for adoption.
 - Liaise with the Director on personnel issues as needed.
4. The ***Nominating Committee*** shall
 - Consist of the Secretary, the Treasurer, and another member of the Board of Trustees not presently serving as an officer and whose term extends beyond the current calendar year. The Board of Trustee Officer shall serve as the committee chair.
 - At the January Annual Reorganization Meeting the Nominating Committee shall present to the Board a slate of nominees for office. Additional nominations may be made from the floor.
 - At the January Annual Reorganization Meeting with the recommendation of the Nominating Committee and any recommendations from the floor, a vote for each designated official officer will occur.

- In the event of more than one candidate on the slate for an office, the vote shall be by secret ballot. In that case, the Nominating Committee shall serve as the Election Committee to collect and count the ballots and to report the results to the Library Director who will announce the new officers.
- 5. The *Administrative Policy Manual and Bylaws Committee* will review and recommend amendments to the documents as necessary.
- 6. The *Strategic Planning Committee* will create, review, and recommend any necessary changes. A full assessment of the plan will occur every five years. The committee shall include members of the Board, community, and staff.
- 7. The *Technology Committee* works with the Library Director and, if needed, staff members to evaluate the technological needs of the Library.
- 8. The *Negotiation Committee* works with the Library Director to determine changes, if any, in the collective bargaining agreement between the Mount Olive Free Library Board of Trustees and the Communication Workers of America Local 1031, AFL-CIO, to present and discuss possible changes in the union contract, and to reach a decision concerning changes in the contract and salary bases. This Committee only meets when a contract between these two parties needs renewal or supplemental revisions.

C. Other Committees

Other temporary committees may be established by the President or by vote of the Board to investigate relevant issues. All the provisions stated above in **Article V: Board Committees; A. General** will apply, except as may be amended in the Boards' specific enabling resolution.

Article VIII: Board of Trustees Means of Communication

Revised 11/15/2016

- A. All Board meetings and all committee meetings shall be held in compliance with the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6.
- B. All Board members shall conduct business in compliance with the requirements set forth in the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1.

Article IX: State and Municipal Reporting Requirements

Revised 11/15/2016

- A. The Library in coordination with the Board will comply with reporting requirements outlined in N.J.S.A. for public libraries.
- B. The Library in coordination with the Board will submit an annual report detailing all income, expenditures, and other required statistics for the State Librarian, based upon the records and statistics of the preceding calendar year, as the State Librarian shall require, in accordance with N.J.S.A. 18A-74 et. seq.

- C. The Library in coordination with the Board will also provide an audit to the Mount Olive Township each year in accordance with N.J.S.A. 40A:5-4, and an annual report to the Chief Financial Officer of the Mount Olive Township which shall include a statement setting forth in detail all public revenues received by the Library, all State aid received by the Library, all expenditures made by the Library and the balance of funds available in accordance with N.J.S.A. 40:54-15.

Article X: Conflict of Interest

Revised 11/15/2016

- A. Library Board of Trustee Members shall not in their private capacity negotiate, bid for, or enter into a contract with the Mount Olive Public Library in which they have a direct or indirect financial interest.
- B. A Library Board of Trustee Member should withdraw from Board discussion, deliberation, and vote on any matter in which the Board of Trustee Member, and immediate family members, or an organization with which the Trustee Member is associated, has a financial interest, or other conflict.
- C. A Library Board of Trustee Member may not receive anything of value that could reasonably be expected to influence his/her vote or other official action of the Board.

Article XI: Amendments to By-Laws

Revised 11/15/2016

The By-laws may be amended, without prior notice, at any meeting of the Board at which the entire Board of Trustees is present; or by a majority vote of all members of the Board provided written notice of the proposed amendment shall have been mailed/mailed to all members at least ten (10) calendar days prior to the meeting at which such action is proposed to be taken.