BY-LAWS OF THE TRUSTEES OF THE EASTHAM PUBLIC LIBRARY

ARTICLE I. Name and authorization

The name of this organization is the Board of Trustees of the Eastham Public Library, existing by virtue of the provisions of Chapter 78, Sections 10-13, and 21 of the Massachusetts General Laws (MGL), and Sections 3-8-9 and 3-8-10 of the Eastham Home Rule Charter.

ARTICLE II. Membership

1. The Board will be composed of five members, two of whom will be elected in each of two successive years and one in the third year, at the Annual Town Elections, as provided for in MGL, Chapter 78, Section 10. Trustees serve without compensation for a term of three years.

2. Any member may resign by written notice filed with the Town Clerk, as provided for in MGL, Chapter 41, Section 109. Upon receipt of the notice, the Town Clerk will notify the remaining members of the Board.

3. A vacancy on the Board will be filled by joint majority vote of the Board of Library Trustees and the Board of Selectmen in accordance with the MGL, Chapter 41, Section 11.

4. Any member who fails to attend four consecutive regularly scheduled board meetings will receive a letter from the Chairperson reminding the member that regular attendance is a responsibility of all trustees and that those unable to attend regularly should consider resigning from the Board. Copies of these letters will be included in the Board's minutes. In the event of illness or other extenuating circumstances, exceptions to this provision may be made by formal vote of the Board.

ARTICLE III. Responsibilities

1. The Board will have those responsibilities as provided by MGL, Chapter 78, Section 11 and Sections 3-8-9 and 3-8-10 of the Eastham Home Rule Charter as regards the custody and management of the Library and of all property owned by the Town pertaining to the Library. The Board will be responsible for all monies appropriated by the Town for the Library and all money or property received by the Town by gift or bequest for the Library.

2. The Board will appoint a qualified Library Director who will be the executive and administrative officer of the library on behalf of the Board and under its review and direction. Responsibilities delegated by the Board to the Library Director will include implementation of policies approved by the Board, selection and supervision of personnel, selection of books and other material, maintenance of library collections, expenditure of funds within the approved budget, direction of library operations and provision of services to the public. The Library Director will attend all Board meetings, but without voting privileges.
I propose the following BYLAW verbiage for Article IV of the By-Laws Of The Trustees Of The Eastham Public Library

ARTICLE IV. OFFICERS

1. The Officers of the Board will be a Chairperson, a Vice Chairperson and a Secretary.

2. The Chairperson will conduct all meetings, appoint all committees, serve as the official representative of the Board and fulfill all legal functions on behalf of the Board.

3. The Vice Chairperson, in the absence of the Chair, shall perform the duties of the Chair.

4. The Secretary will keep a true copy of all meetings of the Board and be responsible for correspondence as directed by the Board.

5. Officers will be elected from the Board at the regular meeting of the Board, which immediately follows the Annual Town elections. The term of the office will be one year. In the event of a vacancy in any of the officer’s positions during the year, that vacancy will be filled by a vote of the Board.

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3. The Board will establish written policies governing library activities and service, including a policy for the selection of library materials and the use of library materials and facilities which is in accord with the current standards of the American Library Association and as provided for by the MGL, Chapter 78, Section 33.

4. The Town Administrator with prior approval and consent of the Board will execute a written employment contract with the Library Director outlining the basic conditions of employment as provided for by the MGL, Chapter 78, Section 34.

ARTICLE IV. Officers

1. The officers of the Board will be a Chairperson, and a Secretary.

2. The Chairperson will conduct all meetings, appoint all committees, serve as the official representative of the Board, fulfill all legal functions on behalf of the Board, appointing a temporary chair if he/she is unable to attend.

3. The Secretary will keep a true record of all meetings of the Board and be responsible for correspondence as directed by the Board.

4. Officers will be elected from the Board at the regular meeting of the Board, which immediately follows the Annual Town elections. The term of the office will be one year. In the event of a vacancy in any of the officers’ positions during the year, that vacancy will be filled by a vote of the Board.

ARTICLE V. Meetings

1. Regular meetings will be held at the Library on a monthly basis at a regularly scheduled time agreed upon the Board and the Library Director. Regular attendance is expected. A Trustee is expected to give advance notice to the Chairperson whenever he or she cannot attend a meeting.

2. Special meetings may be called by the Chairperson, the Library Director, or at the request of a majority of the members.

3. A quorum will be three members.

4. All meetings of the Board will be subject to the State’s Open Meeting Law as contained in the MGL, Chapter 39, Section 23A-23C. In particular, all meetings are open to the public unless held in an executive session under terms of the law. A notice of all meetings will be filed with the Town Clerk at least 48 hours in advance of the meeting date and time, and a copy of the notice will be posted in Town Hall. All records of minutes of meetings will be available for public inspection.

5. There will be a prepared agenda which will include: Call to order; approval of minutes of previous meetings; financial reports; report of the Library Director; reports of other library staff; reports of committees; action items; and other business.

6. The Library Director is an ex officio member of the Board of Trustees and will attend meetings, but without voting privileges.
7. An affirmative majority vote of the members of the Board will be necessary to approve any action or expenditures of money.

ARTICLE VI. Committees

1. Committees will be appointed, by the Chairman for any business the Board deems necessary.
2. Committees will consist of two Board members and/or the Library Director, in ex officio capacity.
3. Committees will report to the Board at each meeting.
4. Committees will have only advisory capacity unless granted power to act by specific action of the Board.
5. Committees will be considered discharged upon presentation of a final report unless specifically designated as Standing Committees by the Board.

ARTICLE VIII. Collective Authority of the Board

The Board will make all decisions as a collective body. No individual member may make decisions or, with the exception of the Chairperson, act or speak for the Board unless specifically authorized to do so by a vote of the membership of the Board.

ARTICLE VIII Parliamentary Rules

Except as provided for by these By-Laws, the current edition of Robert's Rules of Order will govern.

ARTICLE IX Amendments and Review

The By-Laws may be amended by the majority vote of the members of the Board provided notice of all amendments will be presented to all members no later than the time of the regular meeting prior to the meeting at which such amendments will be voted upon. The by-laws will be reviewed every 5 years.

ARTICLE X. Financial Statements

A financial statement of all expenditures of money and credit will be presented at each meeting.

ARTICLE XI. Suspension of Rules

Any rule or resolution of the Board may be suspended temporarily by majority vote in connection with the business at hand.