

**BY-LAWS FOR
THE BOARD OF TRUSTEES OF THE
PENN YAN PUBLIC LIBRARY**

Revision Adopted 10/16/2008, 5/18/2017, 9/18/2022, 1/18/2024

The Penn Yan Public Library and the Trustees thereof shall operate and act pursuant to and possess the powers set forth in the Education Law of the State of New York with regard to public libraries.

TRUSTEES

- The Board of Trustees shall be comprised of nine members, each of whom shall serve for a term of five years. Trustees shall be elected by vote of the eligible voters of the school district in accordance with law.
- Election of trustees will be held at the annual meeting (the Trustee vote). Board members shall be elected without reference to a specific term. When more than one term is to be filled, the candidates receiving the largest number of votes shall be elected. Newly elected trustees will take office on July 1.
- Any vacancy in the office of trustee will be filled by appointment by the Board of Trustees for the balance of the unexpired term of the trustee being replaced, in accordance with the original Charter of the Penn Yan Public Library.
- Members of the Board of Trustees have a duty of loyalty and a duty of care to the library. Thus trustees are expected to attend all meetings of the Board including committee meetings, after election or appointment to the Board. Absences will be noted in the minutes of the meeting as *excused* or *unexcused*.
 - *Excused*: Trustees may be excused for short vacations, personal reasons or illness. Notice is expected in advance of the meeting to all members and to the director.
 - *Unexcused*: No notice given in advance of the meeting of the trustee's inability to attend the meeting.

If an excessive number of unexcused or excused absences are noted within a fiscal year, the President of the Board of Trustees may request improved attendance from a member or the member's resignation.

- Trustee responsibilities including New York State mandated trainings are detailed in the Trustee Job Description (See Appendix A).
- The benefits of Section 18 of the Public Officers Law of the State of New York relating to the defense and indemnification of officers (Trustees) and employees of public entities are conferred on all persons who are employees of the Penn Yan Public Library within the meaning of such law, and the Penn Yan Public Library shall be liable for the costs incurred under the provisions of such Section 18.

OFFICERS

- A President, a Financial Officer, and a Secretary shall be elected at the July meeting, by the majority of the Board to serve a one-year term.
- The President shall preside at meetings of the Board, call special meetings, appoint committees and chairpersons as needed, and perform other duties associated with the office. If the President is unable to preside at a meeting, the Financial Officer or the Secretary shall preside at the meeting.
- The Financial Officer shall be familiar with the financial transactions of the Library.
- The Secretary shall record the business conducted at Board meetings. The Secretary shall conduct correspondence for the Board and perform other duties associated with the office.

COMMITTEES

- Membership of standing committees will be chosen by the President each year in July to serve a one-year term. Standing committees shall meet on an as-needed basis but at least twice a year. Each committee will choose a chairperson who will run meetings and report on committee discussions to the full Board. Any proposals by committees that require full board action should be sent to all Board members in writing in advance of the next meeting.

Finance Committee

- Prepares and presents a proposed budget to the full Board
- Understands and oversees the financial structure of the library
- Proposes financial policies
- Oversees any fundraising activities
- Performs other tasks as deemed necessary

Personnel Committee

- Reviews the personnel policy
- Evaluates the performance of the Director
- Is familiar with staff job descriptions and proposes salary ranges
- Is familiar with the Civil Service system
- Performs other tasks as deemed necessary
- Is familiar with Health Insurance options

Policy Review Committee

- Regularly reviews Board policies
- Reviews Board By-laws when needed
- Performs other tasks when deemed necessary

Building and Grounds Committee

- Prioritizes building and grounds projects and repairs
- Performs other tasks as deemed necessary
- Evaluates building maintenance schedule

Nominating Committee

- Presents a slate of officers in July for the upcoming year
- Keeps a list and makes contact with potential new board members
- Performs other tasks as deemed necessary

MEETINGS

- Meetings are held monthly on the third Thursday of every month.
- The order of business at meetings includes:
 - a. Public Comment (*See Public Comment Policy Appendix B*)
 - b. Note of those present
 - c. Adopt the Agenda
 - d. Minutes of the previous meeting
 - e. Treasurer's report
 - f. Action on bills
 - g. Director's report
 - h. Committee reports
 - i. Old business
 - j. New business
 - k. Adjournment
- Notice of all meetings shall be posted in public locations and published as required by the Open Meetings Law. The paper of record will be used as required by the Public Officers Law Art. 7, paragraph 104.
- A quorum shall be 5 Board members.
- Meetings will be conducted in accordance with Roberts Rules of Order.
- An affirmative vote of the majority of members present at the time shall be necessary to approve any action of the Board. The President may vote upon and discuss any proposal before the Board.

LIBRARY DIRECTOR AND STAFF:

The Board shall appoint a qualified Library Director who shall be the executive and administrative officer of the library, on behalf of the Board, and under its review and direction. The Director shall recommend to the Board the appointment and specify the duties of other employees. The Director shall be held responsible for: the proper direction and supervision of the staff, the care and maintenance of library property, adequate and proper selection of materials in keeping with the stated policy of the Board, the efficiency of library service to the public, and for its financial operation within the limitations of the budgeted appropriation.

ACCOUNT CLERK

An independent paid Account Clerk shall be appointed by the Board in accordance with the Standards established by the New York State Comptroller's Office for School District Public Libraries. The Account Clerk is responsible for monthly reporting to the Board on fiscal matters related to Library operations.

AUDIT

Each year, the Board employs an independent, licensed auditing firm to examine the finances of the Library and report the findings directly to the Board. The cost for the audit is charged to the Library.

AMENDING BYLAWS

The by-laws may be amended by the majority vote of all members of the Board. Written notice of the proposed amendment will be sent to all members at least one month prior to the meeting at which such action is proposed to be taken.

Appendix A

Penn Yan Public Library Job Description

Job Title: Member, Board of Trustees

Revised October 2008, September 2022

Duties:

- Attends Board and committee meetings and comes prepared to conduct the business of the Board or committee as stated on the agenda.
- Employs a qualified library director and evaluates him/her annually.
- Approves bylaws for the Board.
- Assists in preparing the annual budget with finance committee and approval of the full Board.
- Assists in securing new and/or adequate funding for the library as needed to carry out the library's programs and services.
- Establishes policies to govern the operation and programs of the library and assigns their execution to the director and library staff in compliance with federal, state and local law.
- Assists in establishing personnel policy with personnel committee and approval of the full Board.
- Establishes conditions of employment and provides for the staff's welfare with personnel committee and approval of the full Board.
- Provides for building and space needs, and maintains the library property.
- Establishes, supports and participates in public relations programs for the library.
- Attends and participates in regional, state and national trustee meetings and workshops for a fuller understanding of trustee responsibilities.
- Determines short- and long-term goals and objectives of the library and reexamines them regularly.
- Must be able to communicate with library staff and library board members through email.
- Attends 2 hours of New York State mandated Trustee education annually (between 7-1 and 6-30 beginning 1-2023) and submits evidence of participation to the Library Board President and Library Director (see form and FAQ below).
- Attends New York State mandated Sexual Harassment Prevention training annually (between 7-1 and 6-30) (See form below)
- Other duties as required.

In addition, officers of the Board have specific jobs that coincide with their appointed office.

President:

- Presides at Board meetings and conducts them according to a standing procedure and an agenda.
- Sets meeting agenda in cooperation with the library director.
- Calls special meetings as needed.
- Appoints committees as needed.

Treasurer:

- Leads in preparation of the annual budget.
- Rotates, along with other Board members, as check signer on call of the library director.
- Signs off on financial reports for NYS and Federal reporting requirements.
- Runs meetings in absence of the president and secretary.

Secretary:

- Provides accurate record keeping for the Board and keeps records on file at the library.
- Conducts correspondence for the Board, as appropriate.
- Runs meetings in the absence of the president.

Penn Yan Public Library

SELF-ASSURANCE of Trustee Education Activity Completion Form

Each Library Trustee, elected or appointed, of a board of trustees is required to complete a minimum of two hours of trustee education annually. (Education Law 260-d as added by *Chapter 468 of the Laws of 2021*)

Please use this self-assurance form if a certificate of completion is not available from the approved education activity provider. Please submit this form to the library board president for review and signature. Trustees should retain a copy of the signed form.

I attended the following trustee education activity:

Trustee Name: _____

Approved Provider: _____

Title of Activity: _____

Topic/Content: _____

Format (e.g. workshop, webinar, online course): _____

Date of Activity: _____

Contact Hours: _____

Trustee Signature/Date

Board President Signature/Date

Please submit dual signed form to the Library Director

Trustee Education Requirements: Division of Library Development: NYS Library

Frequently Asked Questions

Q: Why are continuing education requirements for public library trustees important?

A: Public library trustees in New York State oversee an estimated \$1.6 billion of the public's money—a responsibility that must be undertaken by informed, thoughtful, prudent, and trustworthy library boards. Requiring trustee education will foster an understanding of complex governance processes so that this responsibility is met.

Furthermore, to provide effective oversight, board members must appreciate their mandated duties and responsibilities. An effective way of providing this appreciation is to offer the training necessary to be good financial stewards.

The Handbook for Library Trustees of New York State states that “trustees must learn and grow during their entire tenure on the board, developing an ever-deepening awareness of the affairs of their own library and an appreciation and understanding of other libraries and library organizations. The public library is a multifaceted organization functioning in a complex world.”

Q: What are the trustee education requirements?

A: Beginning January 1, 2023, each member, elected or appointed, of a board of trustees shall be required to complete a minimum of two hours of trustee education annually. (Education Law 260-d added by Chapter 468 of the Laws of 2021).

Per Education Law, trustee education topics may include financial oversight, accountability, fiduciary responsibilities and the general powers and duties of a library trustee. Libraries should consult with their public library system about acceptable trustee education topics, formats and activities.

Q: Who is affected by the new trustee education law?

A: All boards of trustees of chartered (incorporated) and registered (licensed) public libraries, association libraries and Indian Libraries.

Q: Who approves the trustee education activities (topics and formats) and providers?

A: At the state level, trustee education providers and activities (topics and formats) are approved by the New York State Library acting on behalf of the Commissioner of Education.

In addition to pre-approving public library systems as trustee education providers, the State Library has delegated authority to public library systems to approve additional trustee education providers and activities (topics and formats) for their member libraries.

Q: Which trustee education providers are pre-approved at the State level?

A: The State Library has pre-approved the following trustee education providers:

- New York State Library/Division of Library Development

- Public Library Systems

- WebJunction

- New York Library Association (including the Library Trustees Section and other Sections/Roundtables)

- Reference and Research Library Resources Councils

- Empire State Library Network (formerly New York 3Rs Association)

- PULISDO (Public Library System Directors Organization)

- ALA including United for Libraries and other Divisions

Other providers may be approved by the public library systems. Libraries should contact the public library system to request approval of a provider.

Q: What types of trustee education formats are acceptable?

A: Trustee education may be delivered online or in person. Trustee education formats may include lectures, workshops, webinars, or online courses. Trustee education formats may also include educational programs

held at in-person or virtual regional, state or national library association conferences. Libraries may contact the public library system if they have a question as to whether a trustee education format is acceptable.

Q: How do trustees demonstrate compliance with the education requirements?

A: Each trustee files evidence of completion of the education requirements with the library board president.

Evidence of completion may include:

 Certificates of completion issued by the approved provider

 A signed self-assurance of completion. The self-assurance must identify the approved provider and include a description of the content and format of each activity (see sample form).

Q: How is trustee education compliance tracked by the Library?

A: The Library Board of Trustees should establish a written policy and procedures related to trustee education and compliance.

Public Library Systems are available to Library Boards to assist with the development of library policies that comply with the trustee education law.

The library should track trustee education compliance. This sample form, provided by the State Library, can assist library boards in maintaining a record of trustee education activities.

Q: How is trustee education compliance tracked by the State Library?

A: Compliance is tracked through questions on the Annual Report for Public and Association Libraries.

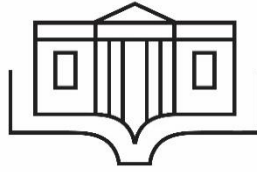
Q: What happens if a trustee fails to meet the trustee education requirements?

A: The State Library recommends that a Library Board address this topic in its Board-approved trustee education policy and procedures. In addition, the Library Board may wish to amend the library's by-laws to specifically address trustee education requirements and compliance. For assistance and for sample policies and bylaws, please contact your Public Library System.

Q: Can the costs for complying with the trustee education requirements be charged to the library?

A: Yes. Modest and reasonable costs incurred by a trustee in complying with the trustee education requirements may be charged to the library if there is board approved policy. All such costs must be approved by the board of trustees. The State Library recommends that the library's trustee education policy and procedures provide information on this topic. The Trustee Handbook recommends that 1% of the library's budget should be dedicated to continuing education.

Last Updated: June 27, 2022



PENN YAN PUBLIC LIBRARY
AMAZE YOURSELF.

Sexual Harassment Prevention Training _____

I viewed the NY State Department of Labor's Sexual Harassment Prevention Training videos and the PYPL Executive Director discussed any questions or clarifications I had with me.

<https://www.youtube.com/watch?v=a97FsTjtIg>

<https://www.youtube.com/watch?v=1za7gs9S2H0>

Date viewed: _____

Employee signature: _____

Printed name: _____

PYPL Executive Director

Signature: _____

Date: _____

Appendix B

Penn Yan Public Library Public Comment Policy

The Penn Yan Public Library Board of Trustees incorporates an opportunity for Public Comment during its regular board meetings in accordance with New York State's Open Meetings Law. Residents of the Library's service area may use this time during meetings to verbally address the board. The Library Board reserves the right to determine the manner in how public comments are received to maintain a fair, respectful, and well-managed meeting. The following Rules and Procedures apply to the Library's Public Comment section of the meeting Agenda:

Rules and Procedures for Public Comment

- Participants must sign in and identify their community of residence.
- Participants must be a resident of the Penn Yan Public Library chartered service area which has congruent boundary lines with of the Penn Yan Central School District.
- Residents will be recognized in order of sign-in.
- Residents will be allotted a maximum of 3-minutes to speak.
- A resident can only speak once, and only use their own signed-in for 3-minutes to speak.
- Residents must limit their comments to library-related matters.
- A designated library trustee will preside over the meeting.
- A designated trustee will introduce each resident and keep track of the time.
- The Library Board may limit the total amount of time allowed for Public Comment.
- The Library Board may only listen to residents during Public Comment.
- The Library Board may not address an issue, or answer questions during Public Comment.
- The Library Board may not vote upon any issue raised during Public Comment unless specified on the agenda.