



LONG BRANCH FREE PUBLIC LIBRARY
BOARD OF TRUSTEES

By-Laws

Amended 9/15/2014, 5/03/1993

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ARTICLE I. Body Corporate

The Board of Trustees is a duly incorporated body under the name of “The Trustees of the Long Branch Free Public Library”. The Board of Trustees was incorporated on December 6th, 1916 and exists by virtue of the provisions of Chapter 54 of the Laws of the State of New Jersey (Title 40), and exercises the powers and authority and assumes the responsibilities delegated to it under said Statute.

ARTICLE II. Purpose

The purpose of the Board of Trustees is to direct and oversee public library services to all residents of Long Branch in accordance with New Jersey State Laws; regulations of the State Library; and local ordinances.

ARTICLE III. Board Membership **N.J.S.A. 40:54-9.**

Section 1. The Board of Trustees shall consist of:

- 1.1 Five members appointed by Mayor or other chief executive officer for a term of five (5) years, and must be staggered in a five-year sequence.
- 1.2 The Mayor or the Mayor’s representative,
- 1.3 The Superintendent of Schools or the Superintendent’s representative.

Section 2. Any trustee desiring to resign from the Library Board of Trustees shall submit their resignation to the Secretary. The Secretary will then notify the Mayor or Chief Executive Officer of the pending vacancy. An appointment filling a vacancy shall be for the unexpired term.

ARTICLE IV. Board Responsibilities **N.J.S.A. 40:54-12.**

Section 1. The Trustees of the Long Branch Free Public Library shall:

- 1.1 Hold in trust and manage all properties of the Library.
- 1.2 Determine the mission, values and objectives of the Library.
- 1.3 Secure adequate funds to carry on the Library programs.
- 1.4 Employ a qualified Library Director and other necessary personnel and fix their compensation.
- 1.5 Know the programs and needs of the Library with relation to the community; keep abreast of Library standards and trends.
- 1.6 Establish policies to govern the use, operations and programs of the Library.
- 1.7 Establish policies dealing with book and material selection.
- 1.8 Establish, support and participate in a library public relations program.

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- 1.9 Together with the Library Director prepare, present and justify an annual budget.
- 1.10 Attend all Board Meetings.
- 1.11 Evaluate the Library Director's performance annually, in accordance with established policies and goals.

ARTICLE V. Officers

Section 1. The officers shall be a President, a Vice-President, a Secretary, and a Treasurer, elected from among the appointed Trustees.

Section 2. Officers shall serve for a term of one (1) year from the annual meeting at which they are elected and until their successors are duly elected and qualify.

A person shall not be eligible to serve as President more than two (2) consecutive terms.

Section 3. A vacancy in office shall be filled by election of a successor for the unexpired term of the vacant office except in the Office of President, which shall be filled by the Vice-President. A new Vice-President shall be elected at the first regular meeting after the vacancy occurs.

Section 4. The President shall:

- 4.1 Preside at all meetings of the Board.
- 4.2 Appoint all committees, except the Nominating Committee.
- 4.3 Execute all documents or contracts authorized by the Board.
- 4.4 Enforce all By-laws and regulations.
- 4.5 Serve as an ex-officio member of all committees, except the Nominating Committee.
- 4.6 Confer with the Director regarding the agenda for each Board meeting.
- 4.7 Generally perform all the duties associated with that office.

Section 5. The Vice-President shall:

- 5.1 In the absence or inability of the President exercise all the functions of the President.
- 5.2 Have such powers and discharge such duties as may be assigned, from time to time, by the Board.

Section 6. The Secretary shall:

- 6.1 Assure that a true and accurate record of all proceedings of Board meetings be taken.

- 6.2 Arrange for the safe-keeping of minutes and other records of the Board, which shall be kept in the Library.
- 6.3 Assure issuance of notice for all regular and special meetings. Notices of all regular meetings shall be mailed or distributed to trustees at least five days in advance of the previous meeting, the agenda to be discussed at the proposed meeting, Treasurer Report (if available), and any reports and resolutions considered essential for consideration of the agenda.
- 6.4 Notify the appointing authority of any vacancies on the board.
- 6.5 Generally perform all the duties associated with that office.

Section 7. The Treasurer shall:

- 7.1 Be the disbursing officer of the Board.
- 7.2 Be bonded in such amount as required by State Statute 40:54-13.
- 7.3 Receive from the disbursing officer of the municipality the money raised for library purposes as provided in N.J.S.A. 40:54-8.
- 7.4 Together with the Library Director have charge of its funds, which are to be deposited in a bank/banks or fund approved by the Board of Trustees, and be familiar with the accounts of the Board
- 7.5 Assure that payment of all bills be made after approval by the Board.
 - 7.5.1 All checks shall be signed by two (2) officers of the Board, duly approved.
- 7.6 Assure that proper accounting records of all receipts and disbursements be maintained.
- 7.7 Assure that a monthly financial statement be submitted to the Board.
 - 7.7.1 The books shall be audited at the close of each year by an auditor approved at the annual reorganization meeting
- 7.7 Perform such duties as generally associated with that office.
- 7.8 In the absence or inability of the Treasurer, the above shall be performed by another member of the Board as the Board may designate.

Section 8. No individual officer or member of the Board 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.

ARTICLE VI. Committees

Section 1. The President shall appoint such committees of one or more members each for such specific purposes as the business of the Board may require from time to time. If it shall appear that the purpose of and need for any such committee may be long continued, the Board by appropriate action may confer the status of Standing Committee, whereupon it shall be the duty of the President to appoint such committee each year at the annual

meeting; otherwise, a committee shall be considered to be discharged upon completion of the purpose for which it was appointed.

Section 2. Standing Committees shall be:

- 2.1 Finance/Budget – It shall be the duty of this committee to work with the director to prepare a budget for the coming year. A representative of this committee will attend the Budget hearings with the Director at the request of the City Finance Director usually in December. This committee will also serve as part of the negotiation team as required.
- 2.2 Policy/By-Laws – It shall be the duty of this committee to propose all policies for the Library and present them to the Board of Trustees for approval. All policies will be reviewed periodically for update if required. This committee will review the approved by-laws once a year to insure their currency and prepare amendments for approval deemed necessary.
- 2.3 Buildings and Grounds- This committee shall have the duty to insure that the Library building and grounds are maintained properly and that they are insured for liability and contents.
- 2.4 Personnel/Health and Safety – It shall be the duty of this committee to review current personnel policies/guidelines for the Library staff. This committee is responsible for the Director’s evaluation form and for the evaluation form used for the yearly staff evaluations. This committee may also prepare a checklist for the Trustees to evaluate their performance as a library board.
- 2.5 Nominating
 - 2.5.1 The Nominating Committee shall consist of the Secretary, the Treasurer and another member of the Board not presently serving as an officer, who shall serve as committee chair.
 - 2.5.2 At the December meeting this Committee shall present to the Board, for first reading, a slate of nominees for office. Additional nominations may be made from the floor.
 - 2.5.3 At the January reorganization meeting the slate, together with any nomination from the floor, shall be presented for a vote.

Section 3. No committees shall have other than advisory powers unless, by suitable action of the Board, it is granted specific powers to act.

ARTICLE VII. Library Director and Staff

Section 1. 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.

- 1.1 The Director shall attend all Board meetings except those at which the Director’s salary or appointment is to be discussed or decided.
- 1.2 The Director shall recommend to the Board the appointment and specify the duties of other employees.

- 1.3 The Director shall be responsible for:
 - 1.3.1 The care and maintenance of Library property.
 - 1.3.2 Adequate and proper selection of materials in keeping with the stated policy of the Board.
 - 1.3.3 The efficiency of the Library's service to the public.
 - 1.3.4 Its financial operation within the limitations of the budgeted appropriations.
- 1.4 The Director shall have interim authority to appoint without prior approval all employees provided that such appointment shall be approved by the Board at its next regular meeting.
 - 1.4.1 All personnel actions must conform to the rules and regulations as set forth in the Personnel Policy Manual.
- 1.5 The Director shall conduct an annual performance appraisal of all employees prior to April 1st of each year based on the prior calendar year.
- 1.6 The Board or Trustees shall review the Director's recommendations and act upon them.
- 1.7 The Director shall certify to the correctness of the bills according to procedures established by the Board of Trustees.

ARTICLE VIII Meetings

Section 1. Pursuant to the Open Public Meetings Act, the date, time and location of the regular Monthly Board meeting, which shall be fixed at its organizational meeting, will be posted in the library, filed with the Township Clerk, and sent to the official newspapers.

- 1.1 The meetings so scheduled for July, August or both, in any year may be omitted by appropriate action taken by the Board at its regular meeting in June of such year.

Section 2. An Annual Reorganizational Meeting, shall be held at a date and time prior to or preceding the regular January meeting, at which time new and re-appointed board members will take the oath of office. The Board shall meet for the purpose of election of officers; approval of official financial institutions, newspapers, auditors, and Annual Report; appointments of committees and any other organizational matters that may come before the Board.

Section 3. Special meetings may be called by the President or by any other officer of the Board acting on behalf of the President or, on five (5) days notice by any three members of the Board. Notices for such meetings shall state the time, place and specific purpose/business in the call. Forty-eight hours' notice thereof shall also be given by; posting the notice in the library, filing the notice with the Township Clerk, and sending the notice to the official newspapers.

Section 4. A quorum for all meetings shall consist of four (4) members of the Board present in person.

4.1 If a quorum is not present, the meeting will be cancelled and rescheduled.

Section 5. A majority of the votes of all the members of the Board present at any meeting shall be necessary for the adoption or passage of any resolution or motion.

5.1 Actions taken shall be determined by a voice vote unless a roll call vote is requested by a Board member.

5.2 The President may require members to put motions into writing.

5.3 The President may offer motions and may vote on all proposals.

5.4 All motions shall be stated in their proper form and restated before a vote is taken.

Section 6. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as the circumstances of the meeting will permit:

6.1 Agenda

6.1.1 Roll Call

6.1.2 Compliance with Open Public Meetings Act

6.1.3 Minutes of the previous regular meeting

6.1.4 Financial Report

6.1.5 Director's Report

6.1.6 Committee Reports

6.1.7 Unfinished business

6.1.8 New Business

6.1.9 Public portion

6.1.10 Executive Session

6.1.11 Board comments

6.1.12 Adjournment

Section 7. Absence of a trustee from four (4) consecutive regular meetings shall empower the President to inquire into the causes and reasons for such continued absence. A letter will be forwarded notifying the appointing authority when four absences are not justified, apprising him of the situation. The Board of Trustees may write a letter asking the absent Trustee to resign if the Trustee does not attend future meetings.

ARTICLE IX. Policies

Section 1. The Board of Trustees shall establish policies to guide the administration in the operation of the library.

Section 2. After two readings and discussions during two consecutively scheduled regular/special board meeting, new policies or policy revision shall be considered votable.

Section 3. In order for a new policy or policy revision to be adopted by the Board of Trustees, it must receive an affirmative vote of the majority of the Trustees present at the meeting.

Section 4. The Director can recommend needed policies for board action and shall carry out policies of the library as adopted by the Board of Trustees.

ARTICLE X. Gifts, Donation and Bequests

Section 1. The Board of Trustees shall vote to accept or reject any substantial gift of money, securities, or real property made to the library.

Section 2. All checks should be made payable to the Long Branch Free Public Library

ARTICLE XII. General

Section 1. The Board of Trustees shall have custody of and be responsible for all of the funds and property of the Library. The procedures shall be as follows:

- a. A list of bills to be approved for payment will be provided to the Treasurer, by the Director at least five days prior to the monthly meeting.
- b. All vouchers must have an attached corresponding bill or bills with proper line items identified. Copies of all vouchers will be available in the Director's office five days prior to the regular monthly meeting for any trustee wishing to review them.
- c. All vouchers must be receive board approval for payment
- d. All library related bank transactions must have the signature of two officers or one officer and the director. Each of these individuals must have his/her signed signature care on file at the bank or banks.
- e. All officers and the Director are empowered by the board to make transactions (deposits, withdrawals, drafts) necessary for conducting of library business. The Board of Trustees shall use and expend for library purposes all library generated funds and shall account for such receipts and expenditures in the same manner as is required for funds appropriated by the governing body of the municipality in accordance with N.J.A.A. 40:54-17-1.

Section 2. The Board of Trustees may develop and adopt a checklist by which they can evaluate their performance as a library board. This evaluation may be handed out at the November meeting and returned at the December meeting to the President for compilation.

Section 3. The Board of Trustees shall prepare and approve the annual report in accordance with the N.J.S.A 40:54-15. The Board of Trustees, at its discretion, may delegate its preparation to the Director but in any event, the final preparation is the responsibility of the Board of Trustees. The report should include a statement setting forth in detail all public revenue received by the library, all State Aid received by the library, all expenditures made by the library and the balance of funds available. The annual report shall also include an analysis of the state and condition of the library and shall be sent to the municipal governing body and to the New Jersey State Library. The report period will be from January 1st through December 31st of each year. The annual report will be presented to the Board

by the February meeting and presented to the governing body (the mayor, city councilors, and the business administrator) by March 1st.

Section 4. No active solicitation of monies, merchandise or services shall be made or implied by anyone without express consent of the Board of Trustees.

ARTICLE XII. Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order* shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with these By-Laws and any special rules of order the organization may adopt.

ARTICLE XIII. Chain of Command for Public/Employee Complaints and Inquiries

The following procedures will apply to the handling of public complaints and inquiries:

- A. Neither the Library Board of Trustees as a whole, nor any individual Board member, will entertain or consider communications or complaints from library employees, library patrons/users, residents or other citizens. Such communications will be referred to the Library Director.
- B. Complaints and inquiries should be submitted to the Library Director, in writing, and preferably on the *Patron Complaint* form (C101A) available at the library.
- C. The Library Director will make every effort to resolve the problem with the persons immediately involved.
- D. When satisfaction has not been achieved at this level, the Library Board of Trustees will accept written complaints or inquiries.
- E. Those who request a Library Board of Trustees hearing shall present written complaints or grievances to the Board Secretary in sufficient detail. After reviewing the evidence submitted by the Library Director the Library Board of Trustees will, if it deems advisable, grant a hearing to the parties interested.
- F. Library employees shall follow the procedures outlined in the Personnel Policy Manual when filling complaints or grievances.
- G. The Library Board of Trustees may defer decisions regarding complaints and inquiries presented initially at public Board meetings.

The Library Director must be consulted on all matters that involve library personnel and the community.

ARTICLE XIV. Amendments to By-laws

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 to all members at least ten (10) days prior to the meeting at which such action is proposed to be taken.

Approved at regular meetings of the Library Board of Trustees on (5/03/1993

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