

Adopted November 2, 2017

Revised October 25, 2018

CONSTITUTION AND BY-LAWS OF SOUTH NEW BERLIN FREE LIBRARY

ARTICLE I- NAME

Section 1. The name of this Association shall be South New Berlin Free Library, existing by virtue of the provisions of the Absolute Charter (number 6071) granted by the Regents of the University of the State of New York on June 23, 1951, and exercising the powers and authority and assuming the responsibilities delegated to it under said Charter.

ARTICLE II- OBJECT

Section 1. The South New Berlin Free Library is organized exclusively for educational purposes under section 501©3 of the Internal Revenue Code or corresponding section of any future feral tax code.

The object of the Association shall be to promote and encourage the development and maintenance of library service for free public use. The service area shall be the Unadilla Valley School District, the Town of Morris and the Town of Butternuts. Per Charter #6071

ARTICLE III- DISSOLUTION OF ASSOCIATION

Section 1. Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the remaining of section 501©3 of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

ARTICLE IV- MEMBERSHIP

Section 1. The benefits and privileges of this library shall be open to all residents of the above areas named in Article II.

ARTICLE V- TRUSTEES

Section 1. There shall be a (7) person Board of Trustees whose duty shall be to appoint and oversee a Library Manager and to have oversight of the affairs of the library. They shall hold responsibility of and determine all fiduciary matters subject to the rules and regulations of Library Division of the New York State Department of Education. Purchases shall be approved by a quorum of the Board, excepting those identified by the Board to be purchased by the Library Manager. When there are open seats in January on the Board, residents shall follow the Trustee Election Policy to express their interest. The Board will vote on the candidates for any Open vacancies on the 2nd Tuesday of January at the Special Election. Newly elected Trustees will take their place on the Board at the Annual meeting the 3rd Tuesday of January.

Trustee Initials: ME CCB. JR / KWH

Date: 10/25/18

- Section 2. The Board of Trustees shall consist of seven (7) members comprising the Association. Term length shall be 5 years. There shall be no Term limits.
- Section 3. Unexpected vacancies shall be filled by appointment of the Board for the remainder of an unexpired term.
- Section 4. Any Trustee may resign by written notice (Written or Email) to any Officer of the Board. A Trustee may be removed for cause after following the Trustee Removal Policy per NYS Education Law 226 Section 8.

ARTICLE VI- OFFICERS

- Section 1. The Officers of the Association shall be a President, a Vice President, a Secretary and an Assistant Treasurer.
- Section 2. They shall be members of the Board of Trustees and they shall be elected by the Trustees for a term of two (2) years.
- Section 3. There shall be no Term limits.
- Section 4. A member may be appointed to fill an Officer vacancy until that term expires. Filling a vacancy does not constitute a full term.

- DUTIES:
- a) The President shall preside at all meetings of the Association, authorize calls for special meetings, appoint all committees, sign all documents authorized by the Board, serve as ex-officio members on all committees, and perform all other duties regularly associated with the office.
 - b) The Vice-President shall assume and perform the duties of the president in the event of the absence, disability or resignation of the president.
 - c) The Secretary shall keep a true and accurate record of all meetings of the Board; shall issue notices locally and to the media of all regular, special, and annual meeting, and shall perform other regular duties of the office.
 - d) The Assistant-Treasurer shall act as liaison between the treasurer hired by the Board and the Board members. They shall be a member of the Auditing committee.

ARTICLE VII- COMMITTEES

- Section 1. An Auditing Committee shall be appointed at the October meeting to review the Treasurer's books prior to the Annual meeting in January. All members are encouraged to participate.
- Section 2. All Committee actions are subject to approval by a Quorum of the Board.

Trustee Initials: EC FB JL

Date: 10/25/18

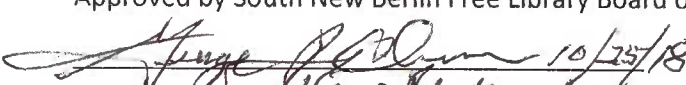
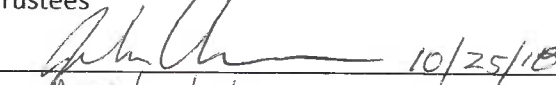
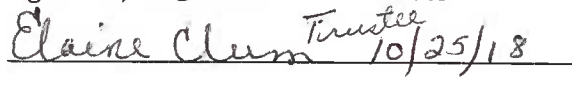
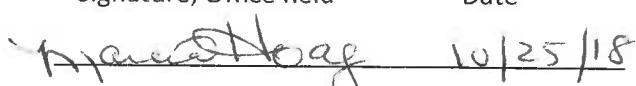
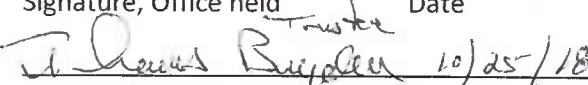
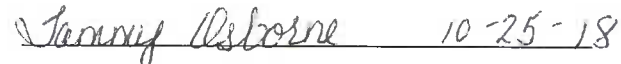
ARTICLE VIII- MEETINGS

- Section 1. All meetings shall comply with the N.Y. State Open Meetings (Sunshine) Law, which was enacted October 1, 1979.
- Section 2. A Special Election Meeting will be held the 2nd Tuesday of January to elect Trustees to fill any vacancies and/or expired terms, if any.
- Section 3. The Annual Meeting shall be held on the 3rd Tuesday of January. It shall be open to the public, and a notice of the meeting shall appear in the local newspaper one week prior to the meeting.
 - a. The agenda shall consist of annual reports from the treasurer, the auditing committee and the director; the election of new officers, if necessary, and any other business this is deemed appropriate.
- Section 4. Regular meetings shall be held quarterly on the 3rd Tuesday (when possible) of January, April, July and October.
- Section 5. Special meetings may be called by the President or by three members of the Board. Telephone votes are not permitted.
- Section 6. A quorum for the transaction of business at any meeting shall consist of a majority of the Board which is four (4) members.

ARTICLE IV- AMENDMENT

- Section 1. Amendment to the By-laws may be proposed in writing, filed with the Secretary by any three Board members. The Secretary shall give written notice to all members of the proposed amendment together with a one week notice of the meeting at which said proposed amendment shall be acted upon. A Quorum vote of the members shall be required for adoption. Voting to be by written ballot.

Approved by South New Berlin Free Library Board of Trustees

 Signature, Office held <i>Trustee</i> Date <i>10/25/18</i>	 Signature, Office held <i>Assistant Treasurer</i> Date <i>10/25/18</i>
 Signature, Office held <i>Trustee</i> Date <i>10/25/18</i>	 Signature, Office held <i>Trustee</i> Date <i>10/25/18</i>
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