

Keyport Free Public Library Board of Trustees By-Laws

*Approved April 11, 2019
Revised June 15, 2023
Revised January 3, 2024*

Table of Contents

	Page No.
ARTICLE I. Body Corporate	2
ARTICLE II. Purpose	2
ARTICLE III. Board Membership	2
ARTICLE IV. Board Responsibilities	2
ARTICLE V. Officers	3
ARTICLE VI. Meetings	4
ARTICLE VII. Library Director and Staff	5
ARTICLE VIII. Committees	6
ARTICLE IX. Parliamentary Authority	7
ARTICLE X. Amendments to By-Laws	7
POLICY C-101 Chain of Command for Public Complaints and Inquiries	8

ARTICLE I. Body Corporate

The Board of Trustees is a duly incorporated body under the name of “The Trustees of the Keyport Free Public Library”. The Board of Trustees was incorporated on **TBD** 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 provide public library services to all residents of Keyport, NJ 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 Seven (7) members appointed by Mayor for a term of five 5 years.
 - 1. Appointments are considered made by volunteers filling out a Volunteer Application/Citizen Leadership Form. The Mayor will appoint a volunteer.
 - 2. There may be up to seven (7) appointed members and terms 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.
 - 1. Superintendent of Schools is not required to reside in Keyport.
- 1.4 A vacancy on the Board shall be filled by appointment of the Mayor for the balance of the unexpired term.

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

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

- 1.1 Hold in trust and manage all properties of the Library.
- 1.2 Determine the purposes of the Library.
- 1.3 Secure adequate funds to carry on the Library programs.
- 1.4 Hire 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.
- 1.9 Together with the Library Director prepare, present and justify an annual budget.

- 1.10 Attend all Board Meetings, except as prevented by valid reason. After three (3) consecutive unexcused absences, a Trustee may be removed from the Board by the Mayor.
- 1.11 Evaluate the Library Director's performance annually, in accordance with established policy.

Section 2. Resignations by members of the Board shall be submitted in writing to the appointing official and an informational copy of the letter forwarded to the President of the Board.

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. Elections take place at the January reorganization meeting.

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.

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.
- 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.
- 4.6 Confer with the Director regarding the agenda for each Board meeting.
- 4.7 Generally, perform all the duties associated with that office.
- 4.8 Authorize calls for special meetings.
- 4.9 Co-sign all vouchers and checks.

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.
- 5.3 The Vice President will serve as an alternate signatory on vouchers and checks in the absence of either the President or the Treasurer.

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.
- 6.4 Generally, perform all the duties associated with that office.
- 6.5 In the absence of the Secretary at a meeting of the Board, someone shall be designated as the Secretary pro temp for the signing of resolutions, board minutes and other documents executed at the meeting.

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 (Note: see also N.J.A.C. 15:21-12.4 (d) and (e)).
- 7.5 Assure that payment of all bills be made after approval by the Board.
- 7.6 Assure that proper accounting records of all receipts and disbursements be maintained.
 - 7.6.1 The books shall be audited at the close of each year by an auditor approved at the annual reorganization meeting (Note: see also N.J.A.C. 15:21-12.7(d).
- 7.7 Assure that a monthly financial statement be submitted to the Board.
- 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 such other 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.

Section 9. The Mayor and/or the Superintendent of Schools or their alternates to the Board shall not be eligible to hold any of the four (4) officer positions of the Board.

ARTICLE VI. 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 (Note: at least two) of the Library.

Section 2. An Annual Reorganizational Meeting, shall be held at 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 Borough Clerk, and sending the notice to the official newspapers.

Section 4. A quorum for all meetings shall consist of 4 members for a 7 member Board or 5 members for an 8 or 9 members Board present in person or virtually if requested by trustee. Board members must be able to be seen and heard, giving 24-hour notice to the Director or the Board President that they will attend virtually. *See Resolution 2023-09-14-02.*

4.1 If a quorum is not present, the meeting will be cancelled and rescheduled. The Director may take emergency action to pay the necessary bills.

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. A roll call vote shall be required for any action involving the expenditure of funds.

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 to 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 Pledge of Allegiance to the Flag of the United States
- 6.1.4 Agenda Review
- 6.1.5 Approval of minutes of the previous regular meeting and any intervening special meeting
- 6.1.6 Library Director's Report
- 6.1.7 Financial Report
- 6.1.8 Action on bills
- 6.1.9 Committee Reports
- 6.1.10 Unfinished business

- 6.1.11 New Business
- 6.1.12 Public portion
- 6.1.13 Closed session for personnel or contract items
- 6.1.14 Action on closed session items
- 6.1.15 Board comments
- 6.1.16 Adjournment

ARTCILE 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 in closed session at which the Director's salary or appointment is to be discussed/decided or has an excused absence approved by the Board.
- 1.2 The Director shall recommend to the Board the appointment and specify the duties of other employees.
- 1.3 The Director shall be responsibilities shall include but not be limited:
 - 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. The Director shall use those annual performance appraisals to formulate a package of recommended salary adjustments.
- 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. 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:

1. Finance
2. Building & Grounds
3. Personnel & Policy

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 IX. 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 X. 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.

Policy C-101 Chain of Command for Public 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.

Public complaints and inquiries

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

Approved at regular meetings of the Library Board of Trustees on 6/15/23