

Newstead Public Library

33 Main Street
Akron, NY 14001

CONSTITUTION

Article1: Name

Section I: The name of the organization shall be the Newstead Public library

Article II: General Objectives

Section 1. The objectives of the Library shall be:

To assemble, organize and make available expertly selected books and other materials which will aid individuals in the pursuit of information, in self-education, and in the creative use of leisure time.

To evaluate and anticipate the changing needs of the community and maintain a collection to meet those needs.

To provide open, equal and free access to information in accordance with the American Library Association's "Library Bill of Rights."

To promote lifelong learning by encouraging all children and adults in their enjoyment of reading and discovery.

To offer friendly and courteous assistance in the use of the library's resources.

To render free service to all persons in the Town of Newstead, with reciprocal service extended to all duly registered residents of Erie County and those residents served by the Akron School district and Erie County Schools, those owning property in Erie County and those working in Erie County.

To conduct our operations in accordance with the principles set forth in the Library Bill of rights and our contractual obligations to the Buffalo & Erie County Public Library System.

Article III: Member Qualifications

- Section 1. Pursuant to the requirements of New York State laws regarding libraries, the Board of Trustees of the Newstead Public Library, Akron, New York, shall consist of five (5) members appointed by the town Board of the Town of Newstead.
- Section 2. One trustee shall be appointed annually to serve for five (5) years.
- Section 3. The majority of trustees shall be residents of the Town of Newstead. At least one (1) trustee may be a resident of the area served by the Akron Central School District.
- Section 4. The library trustee must be in a position to devote some time to his/her work for the library.
- Section 5. If any trustee shall fail to attend three (3) consecutive meetings without excuse accepted as satisfactory by the trustees, he/she shall be deemed to have resigned and the vacancy shall be filled.
- Section 6. All trustees, officers, committee members and Key Employees shall abide by the Conflict of Interest Policy adopted by the Board and as amended from time to time. The Board shall oversee the adoption of, implementation of, and compliance with this Conflict of Interest Policy; provided that only those trustees who qualify as Independent Trustees, as defined below, shall be eligible to deliberate and vote on matters relating to the Policy.

A. "Independent Trustee" means a Trustee who:

(i) is not, and has not been within the last three years, an employee of the Newstead Public Library or an Affiliate of the Newstead Public Library, and does not have a Relative who is, or has been within the last three years, a Key Employee of the Newstead Public Library or an Affiliate of the Newstead Public Library;

(ii) has not received, and does not have a Relative who has received, in any of the last three fiscal years, more than \$10,000.00 in direct compensation from the Newstead Public Library or an Affiliate of the Newstead Public Library (other than reimbursement for expenses reasonably incurred as a Trustee or reasonable compensation for service as a Trustee);

(iii) is not a current employee of or does not have a Substantial Financial Interest in, and does not have a Relative who is a current officer of or has a Substantial Financial Interest in, any entity that has made Payments to,

or received payments from, the Newstead Public Library or an Affiliate of the Newstead Public Library for property or services in an amount which, in any of the last three fiscal years, exceeds the lesser of \$25,000.00 or 2% of such entity's consolidated gross revenues;

(iv) is not and does not have a Relative who is a current owner (whether wholly or partially), director, officer or employee of the Newstead Public Library's outside auditor or who has worked on the Newstead Public Library's audit at any time during the past three years.

B. For purposes of this paragraph:

(i) "Payment" does not include charitable contributions, dues or fees paid to the Newstead Public Library for services which the Newstead Public Library performs as part of its nonprofit purposes, provided that such services are available to individual members of the public on the same terms;

(ii) "Affiliate" of the Newstead Public Library means any entity controlled by or in control of the Newstead Public Library;

(iii) "Key Employee" means any person who is in a position to exercise substantial influence over the affairs of the Newstead Public Library, as referenced in 26 U.S.C. § 4958(f)(1)(A) and further specified in 26 C.F. R. § 53.4958-3(c), (d) and (e), or succeeding provisions to the extent such provisions are applicable;

(iv) "Relative" means his or her (i) spouse, ancestors, brothers and sisters (whether whole or half-blood), children (whether natural or adopted), grandchildren, great-grandchildren, and spouses or domestic partners of brothers, sisters, children, grandchildren, and great-grandchildren; or (ii) domestic partner as defined in Section 2994-a of the Public Health Law; and

(v) "Substantial Financial Interest" includes all forms of direct or indirect financial interests, which in the discretion of the Board constitutes a substantial interest, given due consideration to the material facts and circumstances of the interest as disclosed by the Trustee.

Article IV: Executive Director

Section 1. The head librarian shall be the executive director of the policies adopted by the Board. Among his/her duties and responsibilities shall be the direction and supervision of all staff members in the performance of their duties, the submission to this Board of monthly reports and recommendations to the Board of such policies and procedures as in the opinion of said head librarian will promote the efficiency of the library in its service to the people of the community.

Article V: Officers

Section 1. The officers of the Board shall be a President, Recording Secretary, and a Treasurer.

Section 2: Officers shall be nominated and elected as provided for in the Bylaws. A simple majority of votes cast is necessary for election.

Article VI: Meetings

Section 1: Regular meetings shall be held monthly from September until June at the library.

Section 2: Special meeting may be held at any time at the call of the President or Secretary or any two(2) members of the Board, provided that written notice thereof be given to all trustees at least twenty-four(24) hours in advance of the special meeting.

Article VII: Quorum

Section1: A quorum at any meeting shall consist of a majority of the members of the Board, provided that any Trustee who is present at a meeting but not present at the time of a vote in accordance with the procedures set forth in the Newstead Public Library's Conflict of Interest Policy due to a Conflict of Interest or Related Party Transaction shall be considered present at the time of the vote for purposes of a quorum.

Article VIII: Amendments

Section 1: The constitution may be amended at any meeting of the Board by a majority vote, provided that copies of the amendment be sent to the members of the Board two(2) weeks previous to the meeting.

BYLAWS

Article 1: Officers

- Section 1. Officers shall be nominated and elected by voice vote at the regular June meeting in each calendar year to serve of one (1) year, and shall remain in office until their successors are elected.
- Section 2. The duties of all officers shall be such as by custom and law and the rules of the Board usually devolve upon such officers in accordance with their names.
- Section 3. The President and the Treasurer shall have the power to sign checks.
- Section 4. In the event of a vacancy in office, a special election shall be held at the next regular meeting of the Board to fill the vacant office.

Article II: Honorary Memberships

- Section 1. Individuals who have rendered distinguished service to the library may be elected honorary members of the Board by a two-thirds vote of the members present at any general meeting.

Article III: Meetings

- Section 1. Regular meetings shall be held second Wednesday of each month from September until June until at 7:00 p.m., in the library, or such other time and place as the board may determine.
- Section 2. Written notice shall be sent to all trustees at least seven (7) days in advance of the regular meetings.

Article IV: Order of Business

- Section1: The order of business at all regular meetings of the Board shall be as follows:
- Call to order and attendance
 - Disposition of minutes of previous meeting
 - Public Comment
 - Report of Director
 - Financial reports

Building Reports
Unfinished Business
New and Miscellaneous business
Adjournment

Section 2. Roberts Rules of Order shall govern in the parliamentary procedure of the Board.

Article V: Amendments

Section 1. Amendments to these rules may be proposed at any regular meeting but may become effective only after a favorable vote. Any of the foregoing rules may be temporarily suspended by majority vote of all trustees and the vote on such suspensions shall be taken by yeas and nays and entered in the official record.

Article VI: Payment of Bills

Section 1: To better control the finances of the Newstead Public Library and to ensure the prompt payment of periodic expenses, the Board of Trustees may preauthorize the payment of the following:

1. Utilities
2. Library Materials
3. Repairs and Maintenance
4. Insurance

5. Other expenses which may be incurred that, in the judgment of the treasurer, will cause the Library to be liable for payments and penalties.

Section2: Requests for payment of expenses not covered above will be presented at the next scheduled meeting of the Board of Trustees.

June 1975

Revised – June 1987

Revised – August 1994

Revised – April 1995

Revised- November 1995

Revised- May 1998

Revised – May 2014

Revised – October 2016

Revised – March 2019

Reviewed – March 2020

Reviewed- March 2022