

## **JOHN C. HART MEMORIAL LIBRARY**

### **BYLAWS**

#### **ARTICLE I: NAME**

**Section 1.** This organization is the "John C. Hart Memorial Library", chartered on January 1, 1921, existing by virtue of the provisions of the laws of the State of New York and the Town of Yorktown, and exercising the powers and authority and assuming the responsibilities delegated to it under the law.

#### **ARTICLE II: STATEMENT OF PURPOSE**

**Section 1.** The John C. Hart Memorial Library (the "Hart Library") provides free public library service to all the residents of the Town of Yorktown, New York, as well as to residents of Westchester County communities with which the Hart Library engages in cooperative services. Books, other media and library services are provided for the interest, information and enlightenment of all the people of the communities served. To the extent possible, materials and information will present a wide range of viewpoints on current and historical issues. Neither materials nor information will be proscribed or removed because of partisan or doctrinal disapproval.

**Section 2.** No person shall be denied the right to use the library because of origins, age, sex, background, views or religion. However, all persons using the Hart Library will be subject to the statement of policy, the library code of conduct and such other policies as the trustees shall determine. Anyone willfully violating such policies may be excluded from the services of the library.

#### **ARTICLE III: NUMBER OF TRUSTEES AND TERM OF OFFICE**

**Section 1.** The board of trustees shall consist of five members to govern the Hart Library. The trustees shall be appointed by the Yorktown Town Board, in accord with the laws of the State of New York and the Hart Library charter. The term of office shall be five years. One term of office shall expire in each of five successive years. No trustee shall serve more than two consecutive five-year terms. A trustee who shall have served in an interim appointment for three or more years shall be deemed to have served a five-year term as trustee.

**Section 2.** The trustees shall recommend to the Town Board the name of each candidate for consideration as trustees.

**Section 3.** Any trustee who finds it necessary to resign shall submit a written resignation to the board of trustees. The board of trustees shall then appoint a successor for the remainder of the unexpired term.

**Section 4.** Trustees shall be required to take an oath of office from the Town Clerk and to comply with the Code of Ethics adopted by the Town Board.

#### **ARTICLE IV: OFFICERS**

**Section 1.** The officers shall be a president, a vice-president, a treasurer and a secretary, elected from among the trustees by a majority vote at the September meeting of the board.

**Section 2.** Officers shall serve a term of one year from the meeting at which they are elected and will serve until they are re-elected or their successors are duly elected.

**Section 3.** A Trustee may be removed from the Library Board of Trustees by a simple majority vote of the Board of Trustees for cause, including but not limited to: gross misconduct, failure to fulfill their duties, breach of confidentiality, conflict of interest, if they are found to have engaged in conduct that is materially adverse to the best interests of the organization, such as actions not in alignment with the Board adopted Freedom to Read Statement or Library Bill of Rights of the American Library Association or other actions deemed detrimental to the organization, following a written notice and opportunity to be heard at a duly convened meeting". The board may fill the vacant office by a majority vote of the trustees.

**Section 4.** The president shall be the presiding officer at all meetings of the trustees and shall see that the resolutions of the board are carried into effect.

**Section 5.** The vice-president shall perform the duties of the president in the event of the president's absence, resignation or inability to perform these duties.

**Section 6.** The treasurer shall be responsible for all duties required by the Hart Library's Statement of Policy. The treasurer shall render monthly reports showing the cash balances on hand and in the bank(s). All books and records shall be open to inspection by any trustee. In the absence of the treasurer, the board shall designate selected duties of this position to be performed by other members of the board.

**Section 7.** The secretary shall record and transcribe reports of the trustees' meetings and all official acts of the trustees, issue notice of all regular and special meetings and perform such other duties generally associated with such office.

## **ARTICLE V: COMMITTEES**

**Section 1.** The president may appoint committees as needed and appoint a committee chairperson with the consent of those selected. However, the president will establish the following standing committees at the organizational meeting in January; Bylaws and Policy; Public Relations.

**Section 2.** Appointees to standing committees shall serve for a term of one year and may be re-appointed by the president without regard to the number of years any one trustee has served on a particular committee. One member of each committee shall serve as chairperson. The duties and responsibilities of the standing committees shall be specified in the statement of policy that the trustees adopt.

## **ARTICLE VI: MEETINGS**

**Section 1.** Time and Place: The trustees shall meet on a designated day each month in the Hart Library or any other convenient public place as decided by the board of trustees at the organizational meeting in January. All regular meetings of the trustees are open to the public. Notice of the place and time of meetings will be posted in the library and issued to local news media at least one week prior to the meeting.

**Section 2.** The president or two of the trustees may call special meetings for the transaction of business as stated in the call for the meeting.

**Section 3.** Conduct of Meetings: The board will conduct meetings according to Roberts' Rules of Order.

**Section 4.** The order of business for regular meetings shall include, but is not limited to:

- a. Public comment (limit 3 minutes per person per meeting).
- b. Disposition of minutes from previous regular meeting(s).
- c. Treasurer's report.
- d. Library Director's report.
- e. Review of statistics and payments.
- f. Approval of vouchers.
- g. Announcements.
- h. Committee reports.
- i. Old business.
- j. New business.

**Section 5.** Quorum: A majority of the full board (three trustees) shall constitute a quorum at any regular or special meeting.

#### **ARTICLE VII: ACTIONS OF THE BOARD**

**Section 1.** Except as provided in Sections 2 and 3 below, an affirmative vote of the majority of the members of the board present at the time shall be necessary to approve any action before the board. The president may vote upon and may move or second a proposal before the board.

**Section 2.** Amendments to these bylaws must be upon a four-fifths vote at a meeting subsequent to the meeting in which such amendments were first proposed.

**Section 3.** The board may temporarily suspend any of its policies or resolutions, whether contained **in these bylaws or otherwise, but only upon the affirmative vote of four-fifths of the board.**

**Section 4.** Consistent with the ETHICS STATEMENT FOR PUBLIC LIBRARY TRUSTEES, adopted by the boards of the Public Library Association and the American Library Trustee Association, trustees shall avoid situations in which personal interests might be served or financial benefits gained. Any trustee who would be personally affected by the outcome of a vote shall recuse himself from participating in that vote. Any appearance of a conflict of interest shall require that any trustee affected by that appearance recuse himself from participating in any action that the board takes.

#### **ARTICLE VIII: TRUSTEE RESPONSIBILITIES**

**Section 1.** The trustees shall determine and adopt written policies and rules to govern the operation and programs of the library. The trustees shall review annually the bylaws and the statement of policy.

**Section 2.** Oversight and Management of Adopted Town Budget. In accordance with New York State Education Law Section 259.2, the Board of Trustees shall exercise diligent oversight and management of the adopted Town of Yorktown Budget for the Hart Library. This includes:

**Budget Review and Approval.** The Board shall review and approve the annual budget, ensuring it aligns with the library's strategic goals and community needs.

**Financial Oversight:** Trustees shall monitor the library's financial health, ensuring compliance with all applicable laws and regulations.

**Transparency and Accountability.** The Board shall maintain transparency in financial matters, providing regular reports to the public and relevant authorities.

**Fiscal Responsibility.** Trustees are committed to prudent financial management, including cost-effective resource allocation and expenditure control.

**Section 3.** The trustees shall employ a library director who shall be the executive and administrative officer of the library on behalf of the board and under its review and direction.

**Section 4.** The trustees shall attend all regular and special meetings and shall, when possible, attend regional and workshop meetings for trustees. If a trustee misses three consecutive meetings, without explanation, that trustee shall be deemed to have resigned. The trustees shall attend a minimum of eight meetings a year.

#### **ARTICLE IX: LIBRARY DIRECTOR**

**Section 1.** The director shall be responsible for:

- a. Selecting employees and for their direction and supervision.
- b. The care and maintenance of library property.
- c. Selecting and maintaining media consistent with the stated policy of the board.
- d. Efficiency of library service to the public.
- e. The library's financial operation within the limitations of the budgeted appropriation.

#### **ARTICLE X: STATEMENT OF POLICY**

**Section 1.** The trustees shall provide a written statement of policy for the library, which shall be available to the public. The library director shall administer the policy fairly and equitably to all persons.

**Section 2.** The library director shall bring violations of the policy that are of a continued and sustained nature to the attention of the trustees, so that they may consider revocation of library services.

## **ARTICLE XI: BUDGET**

**Section 1.** The Director shall prepare the annual library budget for review, amendment, and adoption by the Library Board of Trustees.

## **ARTICLE XII: INDEMNITY**

In the event that the Town of Yorktown fails to indemnify and hold the trustees harmless against all liabilities, costs and expenses, including reasonable attorneys' fees, arising out of or relating to any claim or proceeding against the library or any trustee acting in his capacity as a trustee of the library, then the board may authorize the library to purchase and maintain Officers' and Directors' liability insurance on behalf of any person serving as an officer and/or trustee of the board, insuring such person against any liability asserted against him and incurred by him in his capacity as an officer and/or trustee of the library to the extent now or hereafter authorized by law.

Amended and adopted by the Library Board of Trustees on January 17, 2024

Amended by the Library Board of Trustees on January 15, 2025

Amended by the Library Board of Trustees on February 26, 2025

Amended by the Library Board of Trustees on June 18, 2025

Amended by the Library Board of Trustees on September 17, 2025

Amended by the Library Board of Trustees on May 20, 2026