

BETHLEHEM PUBLIC LIBRARY

BYLAWS

Article 1 – Name

1.1 NAME – The "Bethlehem Public Library" ("Library") is the name of the organization, which was established in 1913, and provides library service within the Town of Bethlehem, NH. The current library building has been in use since 2013.

1.2 POWERS AND DUTIES – The Library possesses the power and authority and assumes the duties and responsibilities provided under the laws of the State of New Hampshire.

Article 2 – Mission Statement

2.1 MISSION - To assemble, preserve, and administer, in organized collections, books and related educational, recreational and technological material in order to promote and stimulate knowledge, wisdom, culture and pure enjoyment for all citizens to the best of our abilities and resources.

Article 3 – Board of Trustees

3.1 TRUSTEES – The business and affairs of the Library shall be managed by a Board of Trustees (the "Board"), consisting of nine members. If at any point in the future, the Board changes the number of members, the number shall remain as an odd number in accordance with N.H. RSA Section 202-A:6. Those wishing to be on the Board must run for office and be elected by a general vote at the annual Town Meeting in March. Nominees must be residents of the Town of Bethlehem.

3.2 CONDUCT - Trustees are to conduct themselves in accordance to the New Hampshire Public Library Code of Ethics. General Board member responsibilities include:

- Acknowledge and comply with the laws applicable to public libraries and public library trustees, Library bylaws and policies
- Become educated on current library trends, including best library practices and options for knowledge acquisition
- Represent the library in a positive manner in both public and private forums
- Attend library and/or trustee seminars in an effort to acquire information to improve the Library
- Participate in continuous self-assessment, including willingness and commitment to serve the Library to the fullest capacity

3.3 COMPENSATION - All Trustees shall serve without pay, but they may be reimbursed for any and all reasonable expenses incurred in the interest of the Library, including membership dues in library organizations, conference attendance and necessary publications, when so authorized by the Board, per RSA 202-A:11, 14, 17.

3.4 TERM – The term of office of a Library Trustee shall be for three years and shall end on the day of the annual Town election. The members of the Board shall have staggered terms, so that there is a level of consistency within the Board. In the event of a vacancy in the office of Trustee prior to the expiration of the term of the Trustee, the remaining Board members shall provide a recommendation of an individual to fill the vacant Board seat to the Town Selectmen. The Selectmen will then appoint an individual to serve until the following election, in accordance with RSA 202-A:10 and RSA 669:75.

3.5 MEETING PARTICIPATION – Participation at meetings may be in person, or via electronic means (telephone or video conference), if arranged in advance.

3.5.1 ABSENCES – A Trustee who is absent for more than three meetings in a calendar year may be asked to resign from the Board unless a written explanation is offered to and accepted by the Board.

3.6 OFFICERS - The Board shall elect annually at the April meeting (after the town election and appointment onto the Board), from their own number, a chairperson, a vice chairperson, a treasurer, and a secretary. The Board may employ a non-trustee as bookkeeper and as recorder.

3.6.1 CHAIRPERSON – The Chairperson shall preside at all meetings of the Board, appoint all committees, execute all documents authorized by the Board, and authorize calls for any special meetings and other duties generally associated with the position.

3.6.2 VICE CHAIRPERSON – The Vice Chairperson, in the absence or inability of the Chairperson, or of a vacancy in that office, shall assume and perform the duties and functions of the Chairperson.

3.6.3 TREASURER – The Treasurer shall keep the funds of the Library in a banking institution in the name of the Library and shall render at each regular business meeting a report setting forth the receipts, disbursements, and the balance of the funds so held. A bookkeeper may be used to track accounts, for expenditure reconciliation, and for audit purposes.

3.6.4 SECRETARY – The Secretary shall keep a record of the proceedings of the Board and shall give all notice of meetings and other notices required. The Secretary may delegate notice duties to the Director of the Library. A recorder/note taker may be employed at the Board's discretion for any meeting.

Article 4 – Conflicts of Interest

4.1 DISCLOSURE - Any potential conflict of interest on the part of any member of the Board shall be disclosed in writing to the Board and made a matter of record through an annual procedure and also when interest involves a specific issue before the Board. The minutes of the meeting shall reflect that a disclosure was made, any abstention from voting, and the actual vote itself.

4.2 RECUSAL - As elected officials, the Trustees are governed by N.H. RSA 669:7. Trustees may recuse themselves from any vote in which there is a conflict, perceived or actual. In those cases, the Trustee shall also refrain from any discussion or participation on the issue in question. Questions regarding conflicts of interest shall be presented to and decided by the Chairperson of the Board.

4.3 EMPLOYMENT - Trustees shall not be employees of the Bethlehem Public Library during their tenure.

4.4 LIBRARY DIRECTOR - The Library Director may not be a Library Trustee.

Article 5 – Financial Powers of the Board

5.1. BUDGET - The Board shall approve a yearly budget and shall cause annual financial statements to be prepared in accordance with generally accepted accounting procedures. Such financial statements shall be reviewed and reported on by the Treasurer appointed by the Board.

5.2 FISCAL YEAR - The financial year of the Library shall begin on January 1st and shall end on December 31st.

5.3 TREASURER DUTIES - The Treasurer shall keep such records as may be necessary to prepare the Library's financial statements and shall supervise the operation of such bank accounts as shall from time to time be considered necessary. The Treasurer shall present a report of the financial position of the Library at each regular Trustee meeting.

Article 6 - Trustees as Volunteers

6.1 TRUSTEES AS VOLUNTEERS - Bethlehem Public Library recognizes the value and need of volunteers to assist in the promotion of the Library and some of the projects that are not within the general scope of employees' job descriptions. The Library Director and staff have specific operational policies and guidelines to maintain a consistent and professional relationship with Library volunteers.

The Board, essentially elected volunteers, have certain responsibilities, including the appointment of a librarian to oversee the day-to-day operation of the Library. According to NH RSA 202-A:17, Library employees can only be removed by Library Trustees through the Director.

Therefore, to avoid a direct conflict of interest, any member of the sitting Board of Trustees may not act as a volunteer in the Library unless:

- the volunteer duties are clearly defined in a volunteer agreement, or
- the volunteer job is in no way related to the duty of a Trustee.

The Board is sensitive to the confusion and risk inherent in a Library Employee supervising a volunteer Trustee (who has been entrusted with employment and remuneration responsibilities for all Library employees).

Article 7 – Library Director

7.1 DIRECTOR – The Board, as required by law, shall appoint as Director of the Library (the "Director") a person duly qualified to act as such. The Director shall be appointed for a term of years pursuant to N.H. RSA 202-A:15. Trustees are not eligible for appointment to the position of Director.

7.2 DUTIES – The Director shall be the executive officer of the Library and perform their duties as per their job description.

Article 8 – Meetings

8.1 REGULAR BUSINESS MEETINGS – Regular business meetings of the Board may be held each month from May through March, the date, place, and hour to be fixed by the Board.

8.2 ANNUAL MEETING – The annual election of officers shall be at the annual meeting of the Board, held in April after the annual Town Meeting (elections).

8.3 QUORUM – A quorum for the transaction of business at any meeting shall consist of a majority of the Board.

8.4 DIRECTOR – The Director is expected to attend all Board meetings and may participate in the discussion and offer professional advice, but may not vote upon any question. The Director may seek to be excused from attendance by the Board in advance of the meeting at which the Director does not anticipate being able to attend.

8.5 MAJORITY VOTE – A quorum being present, an affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action of the Board.

Article 9 – Committees

9.1 STANDING COMMITTEES - The Chairperson shall appoint all Standing Committees. A minimum of two members shall serve on each committee.

- Human Resources;
- Buildings and Grounds;
- Finance;
- Policies and Bylaws;
- Technology

9.2 OTHER COMMITTEES - The Chairperson shall appoint committees for such specific purpose as the business of the Board requires. The committee shall be discharged upon completion of the purpose for which it was appointed and after its final report is made to the Board.

9.3 REPORTING - All committees shall make progress reports to the Board at each meeting.

9.4 POWER - Committees shall only have advisory powers, unless otherwise directed by the Board.

Article 10 – General

10.1 PUBLIC NOTICE – Notice of the regular meetings of the Board shall be publicly announced in two locations at least two days prior thereto. Meetings must be open to the public, per RSA 91-A.

10.2 MINUTES – A draft of the minutes must be written within five days after a meeting and submitted to the Board. The latest approved minutes will be available at the Library as well as on the Library website. The Library shall also maintain a copy of past minutes for inspection by the public at the Library.

Article 11 – Library Property

11.1 LIBRARY PROPERTY - All library materials held by the Library, whether print materials, audio or visual disks, videos, periodicals or other types of materials available for the public to borrow, are deemed to belong to the Library regardless of the person or institution who purchased or donated the materials. In accordance to N.H. RSA 202-A:24, “any person who shall willfully or maliciously deface, damage, or destroy any property belonging to or in the care of the library, shall be guilty of a misdemeanor and forfeit the use of the library. The cost of damages (up to three times the cost) may be recovered in an action in the superior court.”

11.2 AVAILABILITY - All library material shall be available to all members of the public who are entitled to borrow materials whether in person or by interlibrary loan (except for reasonable restrictions on reference materials, rare or expensive materials or computer materials).

11.3 CHECK-OUT OF MATERIALS - All library materials shall be properly checked out prior to leaving the building.

Article 12 – Amendments

12.1 These bylaws may be amended at any meeting of the Board at which a quorum is present by the affirmative vote of a majority of all members of the Board, provided that written notice of the proposed amendment or amendments shall have been sent, via postal or e-mail, to the usual address of each member of the Board and posted in two appropriate public places at least 10 days prior to the meeting at which such action is proposed.

Revised September, 2004

Revised June, 2018

BYLAWS ADOPTION/APPROVAL

The preceding bylaws have been reviewed and approved by the Trustees on June 11, 2018. The bylaws may be amended at any time, after giving appropriate notice and with approving signatures. The bylaws will be reviewed on an annual basis.

Doug Harman, Chairperson

Sally Syren, Vice-Chairperson

Leonard Grubbs, Treasurer

Sara Plumley, Secretary