

CITY OF LINDEN PUBLIC LIBRARY

BOARD OF TRUSTEES

BYLAWS

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Amended: May 18, 1966
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ARTICLE I: ORGANIZATION, OFFICERS, DUTIES

Section 1. NAME AND LOCATION

The Board of Trustees is a corporate body under the name of "The Trustees of the Free Public Library of the City of Linden" by virtue of law (NJ Revised Statutes 40:54-11). The Board is constituted, authorized under, and governed by the Statutes of the State of New Jersey. These bylaws are in every detail subject to the State Statutes and are intended only to supplement said laws and not to contravene them.

Section 2. REORGANIZATION

The election of officers for the Board shall be held at the Annual Meeting in January. Election will be by a majority of those Board Trustees present.

Section 3. PURPOSE

The purpose of the Board of Trustees is to supervise the administration of the City of Linden Public Library and its provisions of free public library service to all residents of Linden, each in accordance with the New Jersey State law and regulation and local ordinances. Board shall hold in trust and manage all property of the Library. The Board will approve all contracts, the rental of rooms, the construction of buildings for the Library use, approve the purchase books, pamphlets, documents, papers and other reading matter. The Board will also approve the hire of all Library staff as recommended by the Library Director, and fix their compensation, make proper rules and regulations for the government of the Library, and generally do all that is necessary and proper for the establishment and maintenance of the free public Library in the municipality. (NJ.S.A. 40:54.12)

Section 4. MEMBERSHIP

Section 4.1 Size, Terms

The Board shall consist of seven to nine members, one of whom shall be the Mayor of the City of Linden, the other shall be the Superintendent of Linden Public Schools. The remaining members shall be appointed by the Mayor with the consent of the governing body of the City. All of these citizens shall be residents of the municipality. The Mayor and Superintendent of Schools serving as members of the Board may respectively appoint an alternate to act in place of each. The alternate may attend all meetings of the Board and vote on all questions before the Board, in the absence of the person for which they are acting as the alternate. These alternates can be replaced at any time, at the discretion of the Mayor or the Superintendent, respectively, or in the event a new mayor or superintendent is elected or hired. The term for service on the Board of Trustees for the appointed members is five (5) years. The Board cannot approve or appoint any new Trustees.

Section 4.2 Officers

The officers shall be a President, Vice President, Secretary and Treasurer. They will serve for one (1) year and until their successors are elected. All officers should be a Trustee for a minimum of one (1) year before being appointed to a Board officer position, but this provision

may be waived by a majority vote of the members present and voting prior to the beginning of the nomination process.

Section 4.3 Resignation

Any Trustee, by notice in writing to the Mayor and a copy to the Board President, may resign at any time.

Section 4.4 Removal

Any Trustee who is absent from three (3) consecutive regular board meetings without prior notice to the Board President shall be assumed to have vacated their seat. A motion for removal from office will be placed on the agenda for the next regular meeting. A two-thirds (2/3) vote of the Board shall be required for such removal.

Section 4.5 Communication and Authority

Generally, only the President of the Board shall speak on behalf of the Board and shall do so consistent with the Board's actions and the consensus of its deliberations. As the Library Director is the only employee of the Board, no library employees, other than the Library Director should be communicating directly with the Board on any Library related matters. All staff communication should be sent to the Library Director, who will, in turn, communicate with the Board. No Library employees should be communicating with the Board regarding Library matters either through email, mail or in person, with the exception of specific provisions of the Library's Policy Manual. At Board meetings, with the exception of a union shop steward, may only address matters of public concern and is prohibited from discussing personnel or matters of Library policies or procedures.

Section 5. BOARD VACANCIES:

Upon the expiration of the term of office of any Trustee, the Mayor with the consent of the governing body of the City of Linden shall appoint a citizen for a term of five years. Vacancies occurring during a term shall be filled for the unexpired term only, in the same manner as the original appointments are made.

Section 6. PRESIDENT

The President shall preside at all meetings of the Board, appoint all committees and chairpersons, authorize calls for special or emergency meetings of the Board of Trustees, execute all documents authorized by the Board, serve as an ex-officio member of all committees, and generally perform all duties associated with that office. The President shall notify the appointing authority of any vacancies on the Board. Pursuant to Section 4.5 of the Bylaws, the President shall speak for the Board. The President has authority to sign checks.

In the event of the absence of the President from a meeting or of a vacancy in that office, the Vice-President shall assume and perform the duties and functions of the President.

Section 7. VICE PRESIDENT

In the absence of the President, the Vice-President shall act in her/his stead. In the absence of both the President and Vice-President, a trustee designated by the Board shall exercise the President's functions. The Vice-President has authority to sign checks.

Section 8. TREASURER

The Treasurer shall oversee the keeping of the accounts of the Library. The Treasurer shall examine all bills and co-sign checks for their payment upon approval of the Board. If the Treasurer is unavailable to examine bills and co-sign checks, the Board President or Vice-President may substitute. The Treasurer shall oversee the preparation of a monthly and annual report of all monies received and disbursed by the Library. Other than money budgeted and spend during the normal cost of doing business, any new expenditures must be approved by the Board. The Treasurer, in conjunction with the Library Director shall present to the Board for vote at its monthly meeting a bills to be paid roster which shall be ratified by the Board.

All checks shall be signed by the President and the Treasurer. In the absence of either of these officers, the Vice-President may sign checks. The bi-weekly payroll report must be approved by the Treasurer before any payroll check is issued. In the absence of the Treasurer, the President or Vice-President may check and approve the bi-weekly payroll.

In no circumstances should any of the Library employees approve the bills or sign checks.

Section 11. SECRETARY

The Secretary shall see that a true and accurate account of all proceedings of Board meetings is kept. The Secretary shall see that the minutes and other records of the Board are filed in a safe and secure manner in the Library.

Section 12. No individual officer or member of the Board has authority to issue orders for or in the name of the Board unless especially empowered to do so by a majority of the Board so voting at a regular or duly called special meeting of the Board where a quorum of the full Board.

Section 13. The Board of Trustees and its officers shall also be governed by all other regulations specified in Library Laws of New Jersey and by all other applicable State legislation.

ARTICLE II: COMMITTEES

Section 1. Standing Committees

There shall be five (5) standing committees: Building & Grounds; Finance; Personnel; Policy, Negotiations. Additional committees can be formed as needed on ad hock basis as determined by the President or by a majority of the full Board.

Membership in these committees shall be established at the annual organizational meeting each year, and by appointment of the President. Updates to committee assignments may be made as needed throughout the year.

Committee members are expected to serve until the next annual meeting unless assignments are revised by the Board.

Committees will meet in the third week of each month, and notify the Library Director of the date and time. A committee meeting may proceed with at least Committee Chair and one (1) Trustee and the Library Director being present; otherwise three (3) Trustees present shall constitute a Board meeting.

All committees shall be advisory to the Board. They shall have the responsibility of keeping themselves and the Board informed on all matters pertaining to their functions and shall make reports and recommendations to the Board, as necessary.

Section 2. Building & Grounds

The Building & Grounds Committee shall have general charge and advise on the maintenance and upkeep of the Library's building and grounds.

Section 3. Finance:

The Finance Committee shall meet with the Library Director to oversee preparation of the annual operating budget for the approval of the Board. The Treasurer shall be one of the members of this committee. The Finance Committee is responsible for the review of the Library's bills list.

Section 4. Personnel

The Personnel Committee shall annually review the provisions of the personnel policy manual and make recommendations for revisions as necessary. The Personnel Committee, along with the President, may be consulted on, or apprised of personnel issues. The Personnel Committee shall receive the annual evaluations of the Library Director from all members of the Board and based on those evaluations, prepare an overall annual evaluation, to be issued to the Library Director no later than December 1st. All new hire recommendations should be presented to the personnel committee at committees' meetings for review before being presented to the full board for approval. Absolutely no employee can be hired by the Library Director without Board approval.

Section 5. Policy

The Policy Committee will review with the Director any and all outreach, promotional, programmatic and policy changes that are being considered by the Library and determine whether the Board should be briefed before action is taken. All policy recommendations should be presented to the policy committee at committee's meetings for review before being presented to the full board for approval.

Section 7. Ad Hoc Committees: Ad Hoc committees may be appointed at any time by the President or authorized and appointed by a majority of the full Board. They shall be advisory only unless otherwise authorized.

ARTICLE III: MEETINGS

Section 1. Meetings

All meetings of the Library Board of Trustees shall will be held in compliance with the Open Public Meetings Act, and notice of that will be read in advance of any meeting.

Section 2. Annual Organizational Meeting

The annual organizational meeting will be held in January of each year. At this time, the Board will select the meeting dates and times for its regular Board meetings for the next twelve months. It will designate the official newspapers for the Library, designate the banks for the Library, and announce the award of professional services contracts.

Section 3. Regular Meetings

These meetings will be held monthly on the fourth Thursday of each month. In accordance with the Open Public Meetings Act, a schedule of the meetings will be made public immediately following the Annual Meeting. All regular meetings shall be placed annually in the Library's official newspaper and posted on the Board's website.

Section 4. Special Meetings

Special or emergency meetings may be called by the President or at the written request of two (2) Trustees and the notices for such meetings shall state the object or objects for which they are called. Said meetings shall be published in the Library's official newspaper and posted on the Board's website.

Section 5. Quorum

A quorum at all meetings shall consist of a majority of the Board. An affirmative vote of a majority of those present shall be necessary to pass any official action. Abstentions shall count as a vote and as acquiescence to the majority vote.

Section 6. Agendas and Notices

Meeting agendas and notices shall indicate the time, date, and place of the meeting as well as all matters intended for consideration at the meeting. The board should receive the Library Directors' portion of the agenda items no less than five (5) days before the scheduled meeting, giving the Board enough time to revise, and update the Board's agenda. The Board meeting should also be advertised no less than 48 hours before the scheduled Board meeting.

Committee meetings shall not be advertised and shall not be open to the public.

Unless otherwise determined by the President for any meeting, the order of business at regular meetings of the Board shall be: call to order; compliance with the Open Public Meetings Act; roll call of members; agenda review; approval of the minutes from previous or special meetings; Treasurer's report (if any) and action on bills; President's report (if any); Library Director's report; any other reports; old business; new business; public comments; executive session as permitted by law; action on executive session items; Board comments; and adjournment. The

order of business may be changed to facilitate new or emergency business, except public comment cannot begin after executive session.

Public comment shall be limited to four (4) minutes per person. Once a person has spoken, said person shall not be permitted to again address the Board, unless a majority of the Board approves same. The speaker shall address the President and their speech should not be derogatory, political and only related to public concern. Public portion is not a question and answer period. It grants the ability of the public to express its opinion to the Board. The President, at the end of public comment, may, at the President's sole discretion, address, or have a Trustee or the Library Director make comments to the public session.

ARTICLE IV: LIBRARY DIRECTOR

The Library Director and Assistant Director shall be appointed by the Board of Trustees. The Library Director shall be responsible to the Board. The Assistant Director reports to the Library Director, and in the absence of the Director, to the Board. The Library Director is the chief executive officer of the Library and shall have executive leadership, to develop and execute, with the help of Library employees and the Linden residents a 3-5 years strategic plan, subject to oversight by the Board and its established policies. The Director shall have the authority to enter into and/or renew contractual obligations for the performance of tasks that have been approved by the Board and included in the approved budget. The Library Director shall attend all Board meetings but shall not vote and may be excused from closed sessions. The Library Director will conduct a performance review on each employee annually on or before December 1st of each year and update the Board accordingly.

The Library Director is responsible for all employee files and must make sure that all employee files are updated with all current employee information and must be stored both online and in a secure onsite location.

The Library Director is designated as the custodian of records as required by New Jersey Statute.

The Library Director will facilitate appropriate communication channels to the Board by staff members desiring to communicate with the Board. Generally, such communication shall be in writing and shared with the board president before the board meeting for approval. Although the Director shall communicate with the entire Board, the President shall be titular head for daily communications with the Library.

ARTICLE IV: AMENDMENTS

Section 1. These Bylaws may be amended at any meeting of the Board by a majority vote of the entire Board, provided that specific notice of the proposed amendments shall have been given in writing to all members at least ten (10) days prior to the meeting.

Section 2. These Bylaws may be amended at the suggestion of the Policy Committee or any member of the Board.