

BY-LAWS OF THE BOARD OF TRUSTEES OF THE DIGHTON PUBLIC LIBRARY

These By-laws supersede any pre-existing By-Laws of the Board of Trustees of the Dighton Public Library.

Article I. Name and authorization

The name of this organization is the Board of Trustees of the Dighton Public Library, existing by virtue of the provisions of Chapter 78, Sections 10-13, of the Massachusetts General Laws (MGL), and the By-Laws of the Town of Dighton.

Article II. Purpose

The Board of Trustees of the Dighton Public Library is empowered to ensure, to the greatest extent possible, that the policies and the objectives of the Library are met. These objectives include:

- The assumption of a leadership role in the community and serving as a center of information.
- Identifying community needs which the Library can fill.
- The promotion of enlightened citizenship and continuing self-education.
- To provide an open and civil place for residents to exchange ideas and opinions.
- Advocacy of the American Library Association's "Library Bill of Rights" and the "Freedom to Read" statement.
- The provision of free library service to every resident of the community and every resident of the Commonwealth of Massachusetts.

Article III. Membership

1. The Board shall be composed of three members, one of whom shall be elected each year at the Annual Town Meeting Elections, as provided for in MGL, Chapter 78, Section 10.¹
2. Any member may resign by written notice filed with the Town Clerk, as provided for in MGL, Chapter 41, Section 109. Upon receipt of the notice, the Town Clerk will notify the remaining members of the Board.
3. A vacancy on the Board shall be filled by joint majority vote of the Board of Library Trustees and the Board of Selectmen, in accordance with the MGL, Chapter 41, Section 11.

¹ Section 10 allows towns to have "any number" of trustees which is "divisible by three." One third of the membership is elected each year for a three year term.

4. Any member who fails to attend four consecutive regularly scheduled board meetings will receive a letter from the Chairperson reminding the member that regular attendance is a responsibility of all Trustees and that those unable to attend regularly should consider resigning from the Board. Copies of these letters shall be included in the minutes of the Board's meetings. In the event of illness or other extenuating circumstances, exceptions to this provision may be made by formal vote of the Board.
5. The Board shall consist of President, Secretary and member-at-large.

Article IV. Responsibilities

1. The Board shall have those responsibilities as provided by MGL, Chapter 78, Section 11 and the By-Laws of the Town of Dighton as regards the custody and management of the Library and of all property owned by the Town pertaining to the Library. The Board shall be responsible for all monies appropriated by the Town for the Library and all money or property received by the Town by gift or bequest for the Library.
2. The Board, upon notice to the Board of Selectmen, 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. Responsibilities delegated by the Board to the Library Director shall include implementation of policies approved by the Board, selection and supervision of all other Library personnel, selection of books and other materials, maintenance of library collections, expenditure of funds within the approved budget, direction of library operations, and provision of services to the public. The Library Director shall attend all Board meetings.
3. The Board shall establish written policies governing library activities and services, including a policy for the selection of library materials and facilities which is in accord with the current standards of the American Library Association as provided for by the MGL, Chapter 78, Section 33.
4. The Board shall execute a written employment contract with the Library Director outlining the basic conditions of employment as provided for by the MGL, Chapter 78, Section 34.

Article V. Officers

1. The officers of the Board shall be a Chairperson and a Secretary.²

² MGL, Section 78, Section 10, authorizes the town to vote to establish an office of Board Treasurer. The legislation specifies that: "Until the town otherwise directs, the town treasurer shall act as treasurer of the board of trustees."

2. The Chairperson shall conduct all meetings, appoint all committees, serve as the official representative of the Board, and fulfill all legal functions on behalf of the Board.
3. The Chairperson will make arrangements for scheduled meetings in his or her absence.
4. The Secretary shall post all meetings as required by law, keep a true record of all meetings of the Board, and be responsible for correspondence as directed by the Board.
5. Officers shall be elected from the Board at that regular meeting of the Board six months after the Annual Town election. The term of office shall be one year. In the event of a vacancy in any of the officers' positions during the year, that vacancy shall be filled by a vote of the Board.

Article VI. Meetings

1. Regular meetings shall be held at the Library on the second Thursday of each month beginning at 7:00 PM. Regular attendance is expected. A Trustee is expected to give advance notice to the Chairperson or Library Director whenever he/she cannot attend a meeting.
2. Special meetings may be called by the Chairperson, or at the request of a majority of members.
3. A quorum shall be two members.³
4. All meetings of the Board shall be subject to the State's Open Meeting Law as contained in the MGL, Chapter 30A Sections 18 to 25. In particular, all meetings are open to the public unless held in executive session under terms of the law. A notice of all meetings will be filed with the Town Clerk at least 48 hours in advance of the meeting date and time, and copy of the notice will be posted in the Town Hall and at the Library. All records of minutes of meetings will be available for public inspection.
5. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstance will permit: Call to order; approval of minutes of previous meetings; public presentations to or discussions with the board; report of the Library Director; reports of other library staff; reports of committees; action items; old business; new business; public input; adjournment.
6. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board. The Chairperson may vote upon and may move or second a proposal before the Board.

³ The quorum is usually a majority of the board membership.

Article VII. Committees

1. Committees for the study and investigation of special problems or for the performance of specially assigned tasks may be appointed by the Chairperson. Such committees shall function as ad hoc committees and shall consider only that purpose for which they were appointed. They shall disband when their work has been completed. At least one (1) Trustee shall serve on and be the Chairperson of any special committee so appointed.
2. Committees may include: executive; budget & finance; personnel; buildings & equipment; legal; development & planning; policy; publicity and public relations; legislative; special event & programming.

Article VIII. Collective Authority of the Board

All decisions of the Board are made by the Board as a collective body. No individual member may make decisions, or with the exception of the Chairperson, act or speak for the Board unless specifically authorized to do so by a vote of the membership of the Board, or by virtue of the authority given to the Trustee representative chairing any special committee established pursuant to Article VII, Section 1, above.

Article IX. Parliamentary Rules

Except as provided for these By-Laws, the current edition of *Robert's Rules of Order* shall govern.

Article X. Amendments

These By-laws may be amended at any regular meeting of the Board with a quorum present, by a majority vote of the members present, providing that a motion presenting the amendment was duly made and seconded at the previous regular meeting.

Article XI. Inconsistent Provisions

To the extent that any provision of these By-Laws is inconsistent with any provision of the Massachusetts General Laws or the Town By-Laws, the Massachusetts General Laws or the Town By-Laws, as the case may be, shall govern.

Article XII. General Policies

For assistance in carrying out their duties of trust and governance as elected officers, reference should be made to "Massachusetts Library Trustee Handbook" available online at http://mblc.state.ma.us/advisory/trustees/trustees_handbook. This resource clarifies innumerable problems and can be of great assistance to library trustees.

Applicable Massachusetts General Laws

MGL, ch. 78, sec. 10 deals with how the town selects trustees, elections and makeup of The Board.

MGL, ch. 78, sec. 11 deals with the powers and duties of a trustee.

MGL, ch. 78, sec.13 deals with non-applicability of the previous sections to library associations and libraries organized under a special act.

MGL, ch. 78, sec. 33 requires the trustees to adopt a written policy for the selection of library materials.

MGL, ch. 41, sec. 109 deals with the resignation of town officers and residential requirements for holding office.

MGL, ch. 41, sec.11 outlines the requirements a town must take to fill such a vacancy. .n.b. Selectmen must be included in this process.

MGL, ch. 30A, sec.18 - 25 explains the open meeting law, executive session and requirements of record keeping.

MGL, ch. 30A sec. 20 allows presiding officer in an open meeting to remove unruly persons.