

# **By-Laws of The Brooks Free Library Board of Trustees**

*Amended by Board of Trustees May 1, 2024*

## **Article I. Mission Statement**

The mission of the Brooks Free Library is to promote full and equal access to information and ideas, the love of reading, the joy of learning, and engagement with the arts, sciences, and humanities.

## **Article II. Name and Authorization**

“The Brooks Free Library Board of Trustees” was created when the Town accepted the library in 1910. The Board role is further described by Ch. 78 sec. 11. of the General Laws of Massachusetts. The Board of Trustees exercises the power and authority, and assumes the responsibilities delegated to it under said statute and the provisions of the Harwich Home Rule Charter.

## **Article III. Board of Trustees (The “Board”)**

### **Section 1. Number and Term**

There shall be seven (7) Trustees of the Brooks Free Library elected from the citizenry of the Town of Harwich who shall serve for a term of three (3) years according to the provisions of the Harwich Home Rule Charter.

### **Section 2. Resignations**

Any member of the Board of Trustees may resign by written notice filed with the Town Clerk of the Town of Harwich and with the Chair or the Secretary of the Board of Trustees.

### **Section 3. Vacancies**

In the event of the vacancy or vacancies on the Board of Trustees prior to end of the individual(s) term(s) of office, Trustees shall inform the Select Board and initiate action to fill the vacancy as provided in the Harwich Home Rule Charter and Massachusetts General Law. The Trustees may recommend to the Select Board the names of potential replacements. Such appointments shall be valid until the next town election when any remaining portion of a term of office shall be filled through election.

## **Article IV. Officers**

### **Section 1. Officers**

The officers of the Brooks Free Library shall be a Chair, a Vice-Chair, a Secretary, and a Treasurer.

The Chair, Vice-Chair, Secretary and Treasurer shall be elected by the Board of Trustees of the Brooks Free Library at the Organizational Meeting of the Board after the May election. They shall hold office until the next Organizational Meeting of the Board, and until their respective successors are elected.

**Section 2. Duties of the Chair**

Serve as presiding member at all meetings of the Brooks Free Library Board of Trustees. Call special meetings of the Brooks Free Library Board of Trustees. Serve ex-officio as a member of all committees of the Brooks Free Library Board of Trustees and preside at all meetings of such committees as he or she attends.

**Section 3. Duties of the Vice-Chair**

Perform the duties of the Chair of the Brooks Free Library Board of Trustees at the request of the Chair or in the Chair's absence.

**Section 4. Duties of the Secretary**

Keep a true and accurate record of all meetings of the Board and perform such other duties as are generally associated with that office.

**Section 5. Duties of the Treasurer**

Maintain oversight of Board controlled Funds, in accordance with any investment policies adopted by the Board of Trustees.

**Article V. Committees**

**Section 1. Standing committees:**

Building and Grounds Committee. The duties of the Building and Grounds Committee shall be to advise the Trustees on matters affecting the state of the of the Building and Grounds of the Library

**Section 2. Ad Hoc Committees**

The Chair shall appoint committees of one or more people, each for specific purposes as the business of the Board may require from time to time. The committee shall be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

**Section 3.** All committees shall make a progress report to the Library Board at each of its meetings.

**Section 4.** No committee will have other than advisory powers unless, by vote of the Board, it is granted specific powers to act.

## **Article VI. Meetings**

### **Section 1.**

The Board of Trustees shall meet monthly at such a time and place designated by the Board. The first meeting after the town election shall be the Organizational Meeting.

### **Section 2. Open Meeting Law.**

All meetings of the Trustees shall be subject to the Commonwealth's Open Meeting Law, as elaborated in Massachusetts General Laws.

**Section 3.** Special meetings of the Board of Trustees may be called by the Chair, or any four (4) members of the Board, for the transaction of business as stated in the meeting request. Notice stating time and place of any special meeting, and the purpose for which it is called shall be posted as required by the Commonwealth's Open Meeting Law and in advance of the meeting.

**Section 4.** A quorum for transaction of business shall consist of four (4) members.

**Section 5.** Order of business at regular and special meetings shall be established by the Chair.

## **Article VII. Duties of the Board of Trustees**

1. It is the duty of each Trustee to attend all Board Meetings.
2. Engage in an ongoing planning process, which assesses the needs of the library and the role of the library in the community; and ensure that the library develops to meet those needs.
3. Select, appoint, and regularly evaluate the Library Director.
4. The Brooks Free Library subscribes to the Library Bill of Rights.
5. Determine the policies of the library, maintain a written record thereof, and review periodically as needed.
6. Advise in the preparation of the budget and approve it for submission to the Finance Committee and Select Board.
7. Advise in the supervision and maintenance of buildings and grounds, as well as regularly review various physical and building needs to see that they meet the requirements of the total library program. Work together in supplying such needs as additional furniture, furnishings, lighting, heating, etc.
8. Attend meetings with municipal finance, personnel, and administrative boards as necessary.

9. Speak and act as an advocate for the Brooks Free Library and maintain vital public relations.
10. Endorse and participate in local and/or regional library networks and workshops.
11. Study and support legislation that will bring the greatest good to the greatest number of libraries.

## **Article VIII. Collective authority of the Board**

No individual member may make decisions or act for the Board unless specifically authorized to do so by a vote of the membership of the Board.

## **Article IX. Parliamentary rules**

Robert's Rules of Order shall govern in the Parliamentary procedures of the Board.

## **Article X. Library Director**

**Section 1: Qualifications:** The Library Director shall be a college graduate and hold a Masters Degree in Library Science or Information Science or similar programs from an ALA (American Library Association) accredited institution. The Board shall appoint a Library Director who shall be the executive and administrative officer of the library on behalf of the Board, under its review and direction.

The Library Director, upon appointment, must obtain certification from the Massachusetts Board of Library Commissioners within the specified timeframe as required by the Commonwealth of Massachusetts.

**Section 2: General Duties and Responsibilities.** The Library Director is responsible for planning, organizing, and administering library operations and services. Duties shall include, but not be limited to the following: The Director shall attend all Board Meetings. The Director shall submit a report on the current conditions of the library at each regular Board Meeting and an annual report for inclusion in the Annual Town Report. The Director has the authority to interview and hire staff members. A member of the Board may participate in interviews. The Director will also recommend to the Board policies that could promote the efficiency of the library in its operation and in its services to the community and its cooperation with other libraries in this state.

## **Article XI. Friends Group**

The Friends of Brooks Free Library was incorporated in 1974. It is a volunteer organization formed to assist the Director and Library staff in serving the community. A member of the Board of Trustees may be appointed as Liaison to the Friends each year.

## **Article XII. Acceptance of Gifts**

The Board of Trustees has the authority to accept donations to and authorize expenditures of funds from the Library Gift Account. (Minutes, Town of Harwich BOS Meeting, September 4<sup>th</sup>, 2007)

### **Article XIII. Amendments**

These by-laws may be amended at any regular meeting of the Board by an affirmative vote of at least four (4) members if written notice of the changed amendment was provided to all Board members at least 30 days prior to the meeting.

## **Appendix (not part of the bylaws)**

### **Massachusetts General Laws**

#### **Chapter 78: Section 11. Board of trustees; powers and duties**

##### **Section 11.**

The board shall have the custody and management of the library and reading room and of all property owned by the town relating thereto. All money raised or appropriated by the town for its support and maintenance shall be expended by the board, and all money or property which the town may receive by gift or bequest for said library and reading room shall be administered by the board in accordance with the provisions of such gift or bequest. The board of any library, for the purpose of improving the services of said library, may enter into an agreement with the board or boards of any neighboring library or libraries, to pay for services in common, or to manage a facility to be operated jointly by more than one municipality, such payments to be shared in accordance with terms of such agreement.

##### **Open meeting law**

Ch. 39S 23B-23 C. In part, all meetings are open to the public unless held in executive session under terms of the law. Notice of all meetings except in case of emergency will be filed with the Town Clerk at least 48 hours beforehand and a copy of the notice will be posted in the town office. Further, all records or minutes of meetings will be available for public inspection.

##### **American Library Association Library Bill of Rights**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

*Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.*

*Inclusion of "age" reaffirmed January 23, 1996.*