

Brooks Free Library

739 Main Street
Harwich, MA 02645

By-Laws of The Brooks Free Library Board of Trustees

*Approved by the Board of Trustees
of Brooks Free Library Oct. 14, 2009*

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 Chairman 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 Board of Selectmen and initiate action to fill the vacancy as provided in the Harwich Home Rule Charter and Massachusetts General Law. The Trustees shall recommend to the Board of Selectmen the names of acceptable replacements. The Trustees may suggest a single name or multiple names as they deem fit. 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 Chairman, a Vice-Chairman, a Secretary and a Treasurer.

The Chairman, Vice-Chairman, 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 Chairman

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 to preside at all meetings of such committees as he or she attends.

Section 3. Duties of the Vice-Chairman

Perform the duties of the Chairman 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. The Chairman shall appoint committees of one or more persons, each for specific purposes as the business of the Board may require from time to time. The committee shall be considered to 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 Chairman, 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 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 meetings shall be:

Call to order/roll call

Adoption of/amendment to agenda

Disposition of minutes of previous meeting

Public Comment⁵.

Reports:

Chairman

Library Director

Committees

Friends of the Brooks Free Library

Board of Selectmen Liaison

6. Financial reports, Acceptance of Gifts

7. Correspondence

8. Old business

9. New business, policy review and member education

10. Adjournment

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 insure that the library develops to meet those needs.
3. Select, appoint, and regularly evaluate a qualified 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 annually in February.
6. Advise in the preparation of the budget and approve it for submission to the Finance Committee and Board of Selectmen.
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 and Staff

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

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 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 recommend appointments to the Board. Rather than wait for the monthly Board Meeting, the Chair or designated Trustee may approve appointments 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 will 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 4th, 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.

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. A 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.

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.

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.

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.

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

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

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

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.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of "age" reaffirmed January 24, 1996.

Harwich Home Rule Charter

CHAPTER 6. ELECTED TOWN OFFICERS AND TOWN AGENCIES

Section 1. General Provisions

6-1-1 The officers and town agencies to be elected by vote of the town shall be: a moderator, a town clerk, a board of selectmen as provided in chapter 3, a school committee, a water commission, a board of library trustees, and a housing authority.

6-1-2 Town agencies established or continued under this chapter shall perform their functions and duties in accordance with the constitution, general law, this charter, and by-laws.

6-1-3 No members of any elected town agency established or continued under this chapter shall be eligible to accept any appointed, paid position under that agency. This prohibition shall apply to the term for which an office holder has been elected, and for 1 year following the expiration of that term of office.

Section 7. Library Trustees

6-7-1 A board of library trustees of 7 members shall be elected for 3-year overlapping terms.

6-7-2 The board shall be responsible for the administration and operation of the Brooks Free Library, including appointment of professional library staff, acquisitions of books, journals, periodicals, and other materials relating to the library function, and the promulgation of library rules and regulations.