

## **Fleetwood Area Public Library By-Laws**

### **ARTICLE I: NAME**

This organization shall be called "THE BOARD OF TRUSTEES OF THE FLEETWOOD AREA PUBLIC LIBRARY" existing by virtue of the Provisions of The Library Code Act of June 14, 1961, P.L. 324 of the Commonwealth of Pennsylvania, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute. It shall hereafter be referred to as the "Board" in this document.

### **ARTICLE II: MEMBERS**

Section 1. The board shall consist of at least seven (7) and no more than nine (9) trustees. Attempts will be made to have at least one trustee representing each of the service areas assigned by the Berks County Library System. The service areas are the Borough of Fleetwood, Maiden Creek Township, and Richmond Township. All trustees each will serve a term of at least 3 years.

Section 2. In the event of a vacancy on the Board, the position shall be filled by appointment by a Nominating Committee of the Board of Trustees for the remainder of that term of office, as required by provisions of The Library Code, P.L. 324 Comm. of PA.

Section 3. A Trusteeship is an honorary position with a working relationship with the community, the library staff and fellow trustees. A trustee is required to attend at least 6 (six) board meetings a year, in order to remain on the board. Failure to do this will result in the trustee being asked to resign. The board will then appoint someone to complete their term.

### **ARTICLE III: OFFICERS**

Section 1. The officers shall be a President, a Vice-President, Secretary and a Treasurer elected by the appointed Trustees. The election of officers shall occur as terms expire.

Section 2. A nominating committee shall be appointed by the President three (3) months prior to the expiration of the next term, who will present a slate of officers at the meeting. Additional nominations may be made from the floor.

Section 3. Officers shall serve a term of three years from the meeting at which they are elected and until their successors are duly elected.

Section 4. No one shall hold more than one office at a time. No Trustee shall hold the same office for more than two terms in succession.

Section 5. The President shall preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.

Section 6. The Vice-President, in the event of the absence or disability of the President, or of a vacancy in that office, shall assume and perform the duties and functions of the President.

Section 7. The Secretary shall oversee a true and accurate record of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office. The Treasurer shall oversee reports from the Business Manager at the monthly meetings.

#### **ARTICLE IV: MEETINGS**

Section 1. Regular meetings of the Board shall be held each month at such time and at such place as agreed upon by the members of the Board.

Section 2. The order of business for the regular meetings shall include, but not be limited to, the following items which shall be covered so far as circumstances will permit:

- A. Call to Order
- B. Minutes
- C. Guests
- D. Financial Report
- E. Librarian's Report
- F. BCPLS
- G. President's Report
- H. Old Business
- I. New Business
- J. Adjournment

Section 3. Special meetings may be called by the Secretary at the direction of the President, or at the request of one half plus one of the board members, for the transaction of business as stated in the call for the meeting and in accordance with the Sunshine Act of Pennsylvania, Act 1986-84 Sec. 7, 8, and 9.

Section 4. A quorum for the transaction of business at any meeting shall consist of one half plus one of the Board present in person.

Section 5. Conduct of meetings: Proceedings of all meetings shall be governed by "Robert's Rules of Order".

#### **ARTICLE V: COMMITTEES**

Section 1. The President shall appoint at least one (1) Trustee to head each committee for such specific purpose as the business of the Board may require from time to time. The Committee shall be considered to be discharged upon the completing of the purpose for which it was appointed and after the final report is made to the Board.

Section 2. All Committees shall make progress reports to the Board at each of its meetings.

Section 3. All committees fulfill advisory roles. Committees will not act until the Board authorizes the requested actions.

#### **ARTICLE VI: OPERATIONS**

Section 1. All books and records of this Corporation may be inspected by any member, or his agent or attorney for any proper purpose at any reasonable time on written demand under oath stating such purpose.

Section 2. This Corporation will not have or issue shares of stock. No dividend will be paid, and no part of the income of this Corporation will be distributed to its Members, Trustees, or Officers.

Section 3. This Corporation will make no loans to any of its Trustees or Officers or to any of its key management or other personnel.

Section 4. The fiscal year of this Corporation will be the calendar year.

#### **ARTICLE VII: GENERAL**

Section 1. An affirmative vote of the majority of the quorum of the Board at the time shall be necessary to approve any action before the Board. The President may vote upon and may move or second a proposal before the Board.

Section 2. These by-laws may be amended by the majority vote of all members of the Board provided written notice of the proposed amendment shall have been provided to all Trustees at least ten (10) days prior to the meeting at which such action is proposed to be taken.

Section 3. Any rule or resolution of the Board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds (2/3) of the members of the Board shall be present and two-thirds (2/3) of those present shall so approve.

Section 4. No part of these by-laws shall be constructed as being contrary to The Library Code of the Commonwealth of Pennsylvania, P.L. 324, and in any case said statute shall supersede these by-laws.

Section 5. The Board provides an equal opportunity environment without regard to race, color, sex, age, national origin, religion, disability, or genetic information. Further, the library adheres to all local, state, and federal laws and regulations affecting recruitment, hiring, and employment.

**ARTICLE VIII: DISSOLUTION OF CORPORATION**

Upon the dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 [C] [3] of the Internal Revenue Code of 1954 (or corresponding provision of any future US Internal Revenue law), as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of Berks County, exclusively for such purposes as said Court shall determine, which are organized and operated exclusively for such purposes.

Adopted by the Fleetwood Area Public Library Board of Trustees: Feb. 27, 1990  
Revised by the Fleetwood Area Public Library Board of Trustees: July 25, 1990  
Revised by the Fleetwood Area Public Library Board of Trustees: Sept. 25, 1991  
Revised by the Fleetwood Area Public Library Board of Trustees: Aug. 26, 1992  
Revised by the Fleetwood Area Public Library Board of Trustees: Jan. 27, 1993  
Reviewed by the Fleetwood Area Public Library Board of Trustees: Aug. 24, 1994  
Revised by the Fleetwood Area Public Library Board of Trustees: April 19, 1995  
Revised by the Fleetwood Area Public Library Board of Trustees: June, 25, 1996  
Revised by the Fleetwood Area Public Library Board of Trustees: April 28, 1998  
Revised by the Fleetwood Area Public Library Board of Trustees: Feb. 16, 1999  
Revised by the FAPL Board of Trustees: November 21, 2000  
Revised by the FAPL Board of Trustees: November 20, 2001  
Revised by the FAPL Board of Trustees: October 15, 2002  
Revised by the FAPL Board of Trustees: September 19, 2006  
Revised by the FAPL Board of Trustees: May 19, 2009  
Revised by the FAPL Board of Trustees: November 16, 2010  
Reviewed November 15, 2011  
Revised May 15, 2012  
Reviewed August 20, 2013  
Revised November 17, 2015