

## **BERKS COUNTY PUBLIC LIBRARIES BY-LAWS**

### **ARTICLE I**

Section 1.01 Name. This organization shall be called Berks County Public Libraries, which may be abbreviated as "BCPL"; the organization is a federated library system (hereinafter referred to as *the System*) existing by virtue of *The Public Library Code, Commonwealth of Pennsylvania, (24 Pa.C.S §§ 9301-9376; and Title 22, Pennsylvania Code, Sections 141.24)*. The organization shall exercise the powers and authority and shall assume the responsibilities designated to it under said Statute.

Section 1.02 Statement of Purposes. The System's primary purposes are:

- a. To develop and maintain a system of autonomous member libraries in Berks County, Pennsylvania, that promotes, develops, and improves library and information services for all residents in accordance with the "Commonwealth of Pennsylvania Code Title 22 - Education – Public Library Code";
- b. To be responsible for the receipt and distribution of state and county aid to Member Libraries in accordance with the funding formula as approved by the Advisory Board;
- c. To encourage maximum local use and support of libraries;
- d. To encourage and promote cooperation between and among public libraries in Berks County.

Section 1.03 Duties of the Headquarters.

- a. Receive and disburse all county and state funds for member libraries in accordance with the funding formula as approved by the Advisory Board and generally oversee the financial administration of the System;
- b. Provide advisory only consultation services via the System Administrator to member libraries as requested in such areas as:
  - a. Long-range planning, budgets, library law, policy development, questions about general library best practices. Ultimate decision making shall rest with the member libraries and all recommendations made by the System Administrator shall be construed as advisory only.
- c. Serve as the central processing center for cataloging and the IntraLibrary Loan service in Berks County.
- d. Provide general Outreach Services in early literacy, services to special populations and community based partnerships to unserved municipalities.
- e. Provide general Technology Support services related to computers, networking, systems and data management.
- f. Provide a System-wide help desk and first point of contact for member libraries.
- g. Provide marketing services as the main communicator between the Library System and the public by promoting the services offered by its member libraries and the value of the Library System in the County.

### **ARTICLE II**

#### **A. THE ADVISORY BOARD**

Section 2.01 The Advisory Board of the System (the "Board") shall consist of seven members, appointed by the Berks County Board of Commissioners.

Section 2.02 The term of office of all Board members shall be for three years. Terms shall be staggered in a 3 year sequence, with 2 terms expiring in the 2<sup>nd</sup> year and 3 terms expiring in the 3<sup>rd</sup> year of the

sequence. A member who has served for 3 consecutive 3 year terms may be re-appointed to the Board after a hiatus of one year.

Section 2.03 All Board members shall maintain residency in Berks County.

Section 2.04 When the office of a Board member becomes vacant for any cause, the County Commissioners will be notified to promptly fill the unexpired term.

Section 2.05. Each Board member shall attend a Trustee orientation provided by the Berks County Public Library System once during the first year of his/her initial three year term of office. Each Board member shall actively participate in continuing education opportunities as required by the Berks County Public Library System's Uniform Requirements and Responsibilities, and by the Office of Commonwealth Libraries.

## **B. SYSTEM MEMBER REPRESENTATIVES**

Section 2.06 System Member Representatives shall consist of one or more board members from each Member Library, to be chosen by Member Library boards; and an at-large member from the Friends of Berks County Public Libraries, to be appointed by the Friends. One alternate should also be chosen by each Member Library board and all appointees shall be communicated to the System by January 31 each year.

Section 2.07 Appointed System Member Representatives shall attend Board meetings and participate in discussions where appropriate, but do not have Board voting rights. System Member Representatives can serve on standing and ad hoc committees of the Board as appointed by the Berks County Public Library System Board president.

## **C. OFFICERS**

Section 2.08 The Officers of the Board of the System shall be a president, vice president, and secretary/treasurer as well as such other officers and agents as the Board may deem necessary from time to time. The Board may decide to separate the position of secretary and treasurer into two positions for any and all calendar years.

Officers shall be elected from among the appointed members of the Board at the scheduled annual reorganization meeting of the Board.

Section 2.09 Officers shall serve a term of one (1) year from the date of the annual reorganization meeting at which they are elected or until their successors are duly elected and qualified, provided they remain members of the Board.

Section 2.10 The president shall preside at all meetings of the Board, authorize the call for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as a member of all committees with the exception of the nominating committee, and perform all duties generally associated with that office.

Section 2.11 The vice-president shall exercise those duties mandated to the president in his/her absence and shall perform such duties as determined by the Board from time to time. The Vice-President serves as Parliamentarian for the Board unless otherwise specified at an annual reorganization

Section 2.12 The secretary/treasurer shall serve a dual role unless the position is separated in which case, the appropriate officer shall fulfill the following duties of the matching role.

- a. As secretary, shall oversee the keeping of a true and accurate record of all meetings of the Board, shall issue notices of all regular and special meetings, and shall perform such other duties as are generally associated with that office.
- b. As treasurer, shall perform such duties as are generally existent with said office. In the absence or inability of the treasurer, his/her duties shall be performed by such other members of the Board as the Board may designate.

### **ARTICLE III MEETINGS**

Section 3.01 Regular meetings of the Board shall be held no less than four times each year at such time and at such place as agreed upon by the members of the Board.

Section 3.02 The annual reorganization meeting, which shall be for the purpose of the election of officers and appointment to committees, shall be held during the first meeting of each year, at such time and place as designated to the Board.

Section 3.03 Special meetings of the Board may be called by the secretary at the direction of the president or at the request of three members for the transaction of business as stated in the call for the meeting.

Section 3.04 A quorum for the transaction of all business at any meeting shall consist of a majority of duly appointed members of the Board. A majority of the 7 member Board is 4 members.

Section 3.05 If a Board Member is absent from two meetings in a year, the Board shall review his/her performance as a Board Member and consider recommending to the Berks County Board of Commissioners that he or she be replaced. Virtual attendance at a Board meeting qualifies as attendance.

Section 3.06 Any business may be transacted at any regular Board meeting by a vote of the majority of duly appointed Board members. To pass a motion requires an affirmative vote by 4 members of the Board. Proxy voting shall not be allowed.

Section 3.07 A Board member vote by phone or virtual attendance shall be acceptable via telephone call or video call; in which case, the meeting must be conducted in such a way that all members participating can hear each other at the same time.

Section 3.08 The president may vote upon and may move or second proposals before the Board.

Section 3.09 All meetings of the Board are to be conducted in accordance with the Pennsylvania Sunshine Act (65 Pa. CS § 701 et seq).

### **ARTICLE IV SYSTEM ADMINISTRATOR AND STAFF**

Section 4.01 The Board shall be assisted in the performance of its duties by the System Administrator (the "Administrator"). The Administrator, a County department head, shall be hired by the Berks County Board of Commissioners at the recommendation of the Board.

Section 4.02 The Administrator shall be the executive officer of the System on behalf of the Board and shall function within the policies, procedures, and budgeted appropriations established by the County. The Administrator shall advise the Board on matters related to policy-making, planning, and compliance with library system standards established in *The Public Library Code* and Title 22, Section 141.24 of the *Pennsylvania Code*.

Section 4.03. The Administrator shall be held responsible for the proper direction and supervision of the staff, for the care and maintenance of System property, and for the System headquarters financial operation within the limitations of the budgeted appropriations and disbursement of funds

Section 4.04 The Administrator shall annually review each member library for compliance with the System Membership Agreement and report any deficiencies to the Board. The Board will follow the procedures outlined in the System Membership Agreement to determine if a funding appropriation should be withheld for any identified deficiency. The Administrator shall annually review each member library for compliance with the Uniform Requirements and Responsibilities and inform each member library of its compliance status.

## **ARTICLE V COMMITTEES**

Section 5.01 Standing Committees. The president shall annually appoint two or more members of the Board and any additional System Member Representatives as deemed appropriate to the following standing committees:

- a. *Finance Committee* The Finance Committee shall review and make recommendations to the full Board concerning funding distribution, service area assignments, and municipal support. In addition, this committee shall monitor data trends in relation to the Funding Formula's categories.
- b. *Advocacy Committee*: The Advocacy Committee will plan and develop strategies to help inform elected officials about library priorities. The Committee will provide resources to assist member libraries in advocacy efforts on the local municipal level.
- c. *Nominating Committee*: The Nominating Committee will include 3 members of the BCPL Board. This committee will annually develop a slate of officers for the annual reorganizational meeting and will continually identify and recruit potential members of the community for recommendation for appointment to the Commissioners for any Board vacancy as needed.

Section 5.02 Ad Hoc Committees. The president shall appoint one or more members of the Board and any additional System Member Representatives as deemed appropriate for such specific purposes as the business of the Board may require from time to time. Such *ad hoc* committees shall be considered to be discharged upon the completion of the purpose for which they were appointed and after the final report is made to the Board.

Section 5.03 All committees shall make progress reports to the Board at each of its meetings.

## **ARTICLE VI REPORTS**

Section 6.01 The Administrator works with the Board as needed to create report, upon request, to the Berks County Board of Commissioners, to the Office of Commonwealth Libraries, and to the member libraries of the System.

## **ARTICLE VII STANDING RULES**

Section 7.01 Standing Rules as used in these By-laws relate to the details of the administration of the System rather than to parliamentary procedure.

Section 7.02 Standing Rules may be adopted or changed upon the same conditions as any ordinary act of the System by majority vote at any meeting of the Board of Directors without previous notice.

Section 7.03 Standing Rules shall be adopted individually if and when the need arises and printed under a separate heading and attached to the By-laws of the System.

Section 7.04 Standing Rules that deal with parliamentary procedure shall rely on the provisions of the Parliamentary Authority defined below.

## **ARTICLE VIII PARLIAMENTARY AUTHORITY**

Section 8.01 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall serve as the Parliamentary Authority and govern the System in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any special rules the System may adopt.

## **ARTICLE IX AMENDMENT OF BY-LAWS**

Section 9.01 These By-laws may be amended from time to time by an affirmative vote of at least five members of the Board, provided such amendment is proposed at one regular meeting and voted on at the next regular meeting and provided that written notice of the proposed amendment shall have been distributed to all members of the Board and System Member Representatives at least 20 days prior to the meeting at which the vote is taken.

As revised June 17, 2009

As revised May 21, 2014

As revised November 16, 2016

Amended August 21, 2019

Amended November 16, 2022

Amended May 21, 2025

Amended May 20, 2026