

# **MONMOUTH COUNTY LIBRARY COMMISSION**

## **Bylaws**

### **Article I –Identification**

This organization shall be called “The Monmouth County Library Commission,” headquartered in Manalapan, New Jersey, existing by virtue of the provisions of the relevant subsections of the New Jersey State Statutes for county libraries N.J.S.A 40:33, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute.

### **Article II –Membership**

Section 1. Appointments and Terms of Office. Appointments, vacancies, and terms of office are as provided by the subsections of the New Jersey State Statutes for county libraries (N.J.S.A. 40:33-17).

Section 2. Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason. In accordance with Monmouth County Board of Chosen Freeholders Resolution Number 08-757, a commission member may be removed for unexcused absences from three consecutive meetings or a cumulative total of more than 50% of the meetings in any twelve (12) month period. The commission chairperson will notify the Monmouth County Clerk of the Board when the attendance of any member warrants removal action by the Board of Chosen Freeholders and will also file an annual attendance record each December to the Clerk of the Board.

Section 3. Freeholder Liaison. One member of the Board of Chosen Freeholders serves as liaison between the commission and the Freeholders appointed by the Board of Chosen Freeholders each year. The Freeholder liaison serves in an advisory capacity to the library commission and shall be notified of all regular, annual, and special meetings of the commission.

### **Article III. Officers**

Section 1. The officers shall be a chairperson, a vice-chairperson, a secretary, and a treasurer, who shall also be elected from among the appointed commissioners at the annual meeting of the commission in January. Nominations may be made from the floor at the annual meeting and vacancies in office shall be filled by a majority vote of the commission.

Section 2. Officers shall serve a term of one year from the annual meeting at which they are elected.

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Section 3. The chairperson shall preside at all meetings of the commission, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the commission, serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.

Section 4. In the event of the absence of the chairperson from a commission meeting or of a vacancy in that office, either the vice-chairperson or a temporary chairperson selected by the members present, shall assume and perform the duties and functions of the chairperson.

Section 5. The secretary shall keep a true and accurate record of all proceedings of commission meetings, shall call the roll, and record votes, shall issue notices of all regular meetings, shall, on the authorization of the chairperson, issue notices of special meetings, shall have custody of the minutes and other records of the commission, shall notify the appointing authority of any vacancies on the commission, and shall perform such other duties as are generally associated with that office. Notices of regular meetings shall be mailed to commission members at least five days in advance of the meeting and shall include copies of the minutes of the prior meeting, and agenda to be discussed at the scheduled meeting, and any reports considered essential to consideration of the agenda. The library director or a member of the staff may be designated by the board to perform any or all of the above duties. A paid recording secretary may be employed to record the minutes but it is not recommended that the director have this additional duty.

Section 6. The Monmouth County Finance Director/Treasurer disburses library funds approved for payment by the commission treasurer or the director. The commission shall approve expenditures in excess of \$9,999.99 in advance of the purchase for items other than library materials after authorization by majority vote of the commission. The library director or other staff designee is authorized to approve expenditures for library materials in any amount provided it does not exceed the library materials budget. The commission authorizes the director or other staff designee to sign all vouchers in any amount. In the event of a necessary emergency purchase exceeding \$9,999.99 that requires immediate attention, the library commission authorizes the library director to approve the use of funds with prior written authorization from the chair, vice-chair or treasurer (in that order). The commission treasurer, or director if directed by the commission treasurer, shall present a monthly financial report to the commission showing in detail the amount and investment of, and income and disbursements from, the funds in his or her charge. Bonding for the commission treasurer,

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director, and applicable library employees is through the County of Monmouth.

### **Article III-Meetings**

Section 1. Regular Meetings. The regular monthly meeting of the commission of the Monmouth County Library shall be held on the second Tuesday of each month January through June and September through December. July and August meetings are at the discretion of the commission. All meetings of the commission shall be open to the public in accordance with the NJ Open Public Meeting Law (N.J.S.A. 10:4-6). The commission sets the dates and times of the meetings at its annual reorganization meeting and posts them according to the Open Public Meeting Law.

Section 2. Annual Meeting. The annual meeting, at which officers are elected, shall be held at the time of the regular monthly meeting for the month of January of each year.

Section 3. Order of Business. 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 circumstances permit:

- a. Call to order.
- b. Announcement of compliance with the Open Public Meetings Law
- c. Roll call of members (establishment of the quorum)
- d. Agenda approval
- e. Approval of minutes of prior meeting(s)
- f. Financial report
- g. Action on bills
- h. Public portion of meeting with instructions to address the board
- i. Correspondence
- j. Reports of officers and director
- k. Committee reports
- l. Old Business
- m. New business
- n. Program or guest speaker
- o. Announcements
- p. Confirm next meeting date
- q. Adjournment

Section 4. Agendas and Notices. Meeting agendas and notices shall indicate the time, date, and place of the meeting and indicate all subject matters intended for consideration at the meeting.

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Section 5. Minutes. Minutes of all meetings shall, at a minimum, include the date, time and place of the meeting; the names of all commission members present and absent; the substance of all matters proposed, discussed or decided, and a record and result of votes taken; the names of the public who appeared and substance of their comments; and other meeting information that commission members request be entered in the record. Commission minutes should be available to the public according to the law.

Section 6. Special Meetings. Special meetings may be called at the direction of the chairperson, or at the written request of members, for the transaction of business as stated in the call for the meeting. Except in cases of emergency, at least 48 hours of notice shall be given, according to the terms of the Open Public Meetings Law.

Section 7. Quorum. A quorum for the transaction of business at any meeting shall consist of 4 members of the commission

Section 8. Open Public Meetings Law Compliance. All board meetings and all committee meetings shall be held in compliance with New Jersey's Open Public Meetings Law (N.J.S.A.10:4-6).

Section 9. Parliamentary Authority. Conduct of meetings shall be governed by Robert's Rules of Order, latest edition.

#### **Article IV—Library Director and Staff**

The commission 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. The director shall act as technical advisor to the board. The director shall attend all board meetings except those at which the director's salary or appointment are to be discussed or decided. The library director shall have no vote.

#### **Article V-Committees (*Revised 1/10/17*)**

Section 1. Standing Committees. The following committees: Personnel, Budget & Finance, Buildings & Grounds, and Policy, shall be appointed by the chairperson after the annual meeting and shall make recommendations to the commission as pertinent to commission meeting agenda items and business.

Section 2. Special Committees. The chairperson shall appoint special

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committees for the study and investigation of special problems or issues. They serve until the final report of the work for which they were appointed has been made to the commission. Examples of special committees are Planning and Automation.

Section 3. The chairperson shall appoint committees of one or more members each for such specific purposes as the business of the commission may require.

Section 4: No committee shall have other than advisory powers unless, by suitable action of the commission, it is granted specific power to act.

### **Article VI. Conflict of Interest**

Section 1. Commission members may not in their private capacity negotiate, bid for, or enter into a contract with the Monmouth County Library in which they have a direct or indirect financial interest.

Section 2. A commission member shall withdraw from board discussion, deliberation, and vote on any matter in which the commission member, an immediate family member, or an organization with which the commission member is associated or has a financial interest.

Section 3. A commission member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

### **Article VII. General**

Section 1. An affirmative vote of the majority of all members of the commission, provided there is a quorum present at the time, shall be necessary to approve any action before the commission. The chairperson may vote upon and may move or second a proposal before the commission.

Section 2. These by-laws may be amended by a majority vote of all members of the commission, provided written notice of the proposed amendment shall have been mailed to all members at least five days prior to the meeting at which such action is proposed to be taken.

*Revised 3/10/20*