

AMENDED CONSTITUTION AND BY-LAWS OF THE JESSE M. SMITH MEMORIAL LIBRARY

Revision of 9/19/2023

ARTICLE I: NAME

This Library shall be called Jesse M. Smith Memorial Library and shall not be permitted to be used for any other purpose than a library, excepting only those educational, cultural, artistic, and recreational purposes that are deemed to serve the good of the community and enrich the lives of the citizenry.

ARTICLE II: OBJECT

The object and purpose of the Jesse M. Smith Memorial library is to give the best possible library service to people of all ages in the Town of Burrillville by making books and other materials available in order to meet their educational, cultural, and recreational needs, thereby enriching their lives and promoting enlightened citizenship.

ARTICLE III: BOARD OF TRUSTEES

SECTION 1: MEMBERSHIP

Five Library Trustees are appointed by the Town Council to serve for three years on a staggered basis. In the interest of facilitating communication, the President of the Town council, or their designee, shall serve as a non-voting member in an advisory capacity.

SECTION 2: VACANCIES

Whenever a Trustee shall die, cease to be a resident of Burrillville, resign from the Board of Trustees, or whenever, from any other cause, a vacancy shall arise on the board, the Town council shall fill the vacancy at its next regular meeting.

SECTION 3: HONORARY MEMBERS

Honorary membership may be extended to any former Board members who rendered long or outstanding service to the Library upon recommendation of the Board of Trustees and approval of the Town Council. Honorary members do not have a vote.

ARTICLE IV: MEETINGS

SECTION 1: REGULAR MEETINGS

The Library Board shall meet at the Library on the second Wednesday of every even month at 6:30 p.m. The October meeting shall be the Annual Meeting.

SECTION 2: SPECIAL MEETINGS

Special meetings may be called by the Chairperson or upon the written request of three members of the Board for the transaction of business stated in the call of the meeting.

SECTION 3: QUORUM

A quorum for the transaction of business shall be a simple majority of the Board members.

ARTICLE V: OFFICERS

SECTION 1: OFFICES

The officers of the Library Board shall be a Chairperson, a Secretary, and a Treasurer, elected by the Trustees from among its members. The election shall be held at the Annual Meeting. In the event an office is vacated mid-term, the Chairperson may call for an election to fill the office at the next Board meeting.

SECTION 2: CHAIRPERSON

The Chairperson shall preside at all meetings of the board, and shall be an ex officio member of all committees, but shall not be required to preside at or attend said committee meetings.

SECTION 2A: SPECIAL COMMITTEES

The Chairperson shall appoint said Special Committees with advice and consent of the Trustees.

SECTION 3: SECRETARY

The Secretary shall be responsible for filing or causing to be filed all notices and agendas in accordance with State and Local regulations. The Secretary shall keep a true record of all business done at said meetings.

SECTION 4: TREASURER

The Treasurer shall oversee the payment of all bills, and maintain an accurate record of all financial transactions.

ARTICLE VI: LIBRARY DIRECTOR

The Librarian/Director is the board's executive officer and shall have sole charge of administering the Library under the Board's direction and review. The Director shall be responsible for employing and directing the staff in accordance with Town procedures, for selecting library materials, for the efficiency of the Library's service to the public, and for operating the Library under the financial conditions set forth in the annual budget. The Director shall attend all Board meetings except those conducted under Executive Session. The Director shall have no vote on the Board.

ARTICLE VII: PARLIAMENTARY AUTHORITY

All meetings shall be conducted according to Robert's Rules of Order.

ARTICLE VIII: ORDER OF BUSINESS

SECTION 1: THE ORDER OF BUSINESS AT THE REGULAR MEETING SHOULD BE AS FOLLOWS:

- Roll call
- Approval of previous meeting minutes
- Correspondence and communications
- Financial report and approval of expenditures
- Reports
- Unfinished business
- New business
- Adjournment

ARTICLE IX: AMENDMENTS TO CONSTITUTION AND BY-LAWS

SECTION 1:

These articles may be amended, repealed, or suspended by a two-thirds vote of the Board, provided that notice of the proposed action shall have been given in writing at a meeting of the Board and in the call for the meeting at which such action is to be taken.

ARTICLE X: GENERAL PROVISIONS

Notwithstanding any other provisions of these articles, the organization is organized exclusively for one or more of the purposes as specified in 501(c)(3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under IRC 501(c)(3) or corresponding provisions of any subsequent Federal tax laws.

No part of the net earnings of the organization shall inure to the benefit of any member, trustee, director, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization), and no member, trustee, officer of the organization, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the organization.

No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by IRC 501(h)) and does not participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of any candidates for public office.

In the event of dissolution, all of the remaining assets and property of the organization shall, after necessary expenses thereof, be distributed to another organization exempt under IRD 501(c)(3) of the Internal Revenue Code of 1986.

In any taxable year in which the organization is a private foundation as described in IRC 509(A), the organization shall distribute its income for said period at such time and manner as not to subject it to tax under 4942, and the organization shall not (A) engage in any act of self-dealing as defined in IRC 4941(d), retain any excess business holding as defined in IRC 4943(c), (B) make any investments in such manner as to subject the organization to tax under IRC 4944, or (C) make any taxable expenditures as defined in IRC 4945(d) or corresponding provisions of any subsequent Federal tax laws.
