

Ordinance Establishing the Board of Trustees of the Shaw Library, Mercer, Maine

Article I. Establishment

The name of this organization is Board of Trustees of the Shaw Library, located in Mercer, Maine, established by the municipality of Mercer, according to the provisions of Maine State Law (Title 27 §101, 106), and exercising the powers and assuming the duties granted to it under said statute.

Article II. Organization

A Board of Trustees shall be organized as follows:

Section 1. Appointments and Terms of Office. Trustees shall be elected by secret Australian ballot at the Annual Town Meeting. Members shall consist of five (5) elected Trustees, with staggering terms not to exceed five (5) years in length. In addition, members may appoint one alternate trustee with full voting privileges.

Section 2. Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason.

Section 3. Alternate trustee may vote in the absence of a quorum.

Article III. Officers

Section 1. The officers shall be a chairperson, a secretary, and a treasurer, elected from among the appointed Trustees at the annual meeting of the Board. Vacancies in office shall be temporarily filled by vote at the next regular meeting of the Select Board after the vacancy occurs; such appointment to be in effect until the next annual town meeting election. An alternate trustee may not be an officer.

Section 2. Officers shall serve a term of five years from the annual meeting at which they are elected and until their successors are duly elected.

Section 3. The Trustees shall preside at meetings of the Board, authorize calls for special meetings, appoint all committees, execute all documents authorized by the Board, and generally perform all duties associated with the office of president.

Section 4. The secretary shall keep 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 the office of secretary. The library director or a member of the staff may be designated by the Board to perform any or all of the above duties.

Section 5. The treasurer shall: 1) be responsible for signing all vouchers for disbursements from the library funds and from the library's annual appropriation; 2) reconcile petty cash on an as needed basis but not less than annually; 3) create an annual financial report for the town report; and 4) oversee the use of the library special revenue fund i.e. the library savings accounts by directing the town treasurer to deposit any revenue or donations received into the library fund and authorizing the town treasurer to transfer money out of the library fund for Board approved disbursements or withdrawals), as well as to ensure fund balances are maintained to the satisfaction of the Board of Trustees.

The municipal treasurer i.e. town treasurer shall: 1) be the designated signee on all checks drawn on funds held by the library; 2) perform payroll duties for all library employees; 3) transfer funds to and from the library special revenue fund as directed by the Treasurer of the Board of Trustees, and 4) submit to the Board of Trustees monthly revenue and expenditure reports showing in detail the amount of all revenue received and disbursements from the Library Department, and on a quarterly basis, the activity from the special revenue fund.

Article IV. Meetings

Section 1. Regular Meetings. The regular meetings shall be held each month, as needed, the date and hour to be set by the Board at its annual meeting.

Section 2. Annual Meeting. The annual meeting, which shall be for the purpose of the election of officers, shall be held at the time of the regular meeting in March of each year.

Section 3. Quorum. A quorum for the transaction of business at any meeting shall consist of three (3) members of the Board present in person. An appointed alternate may vote in the absence of a quorum.

Section 4. Open Meetings Law Compliance. All Board meetings and all committee meetings shall be held in compliance with Maine's open meetings law.

Article V. Duties of the Board of Trustees

Section 1. Legal responsibility for the operation of the Mercer Shaw Public Library is vested in the Board of Trustees. Subject to state and federal law, the Board has the power and duty to determine rules and regulations governing library operations and services.

Section 2. The Board shall select, appoint and supervise a properly certified and competent library director and determine the duties and compensation of all library employees. On or before November 1st annually, the Trustees shall submit proposed wages and benefits of all employees to the Select Board for discussion and inclusion in the annual town meeting warrant.

Section 3. The Board shall have exclusive control of the expenditure of all moneys collected, donated or appropriated for the library fund and shall audit and approve all library expenditures.

The library department shall establish a petty cash fund, with the amount of said fund to be determined by the Trustees.

Section 4. The Board shall supervise and maintain 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.

Section 5. The Board shall cooperate with other public officials and boards and maintain vital public relations. The Trustees shall give to the Select Board a quarterly report of the activities of the Shaw Library.

Section 6. The Board shall approve and submit the required annual reports (town report, written; town report, financial; state MSL report; E-rate report) as required by law.

Article VI. Library Director

The Library Director shall be appointed by the Board of Trustees and shall be responsible to the Board. The library director shall be considered the executive officer of the library under the direction and review of the Board, and subject to the policies established by the Board. The director shall act as technical advisor to the Board. The director shall attend all Board meetings (but may be excused from closed sessions) and shall have no vote.

Article VII. Conflict of Interest

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

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

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

Article VIII. General

Section 1. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board.

Section 2. The Trustees shall develop Bylaws in accordance with the establishment of Shaw Library. These Bylaws may be amended at any regular meeting of the board by majority vote of all members of the board, provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting which such action is proposed to be taken, and as long as the change is in compliance with this Ordinance. Where a conflict exists between the Bylaws and this Ordinance, this Ordinance shall prevail until such time as it is

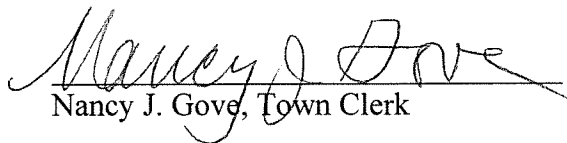
amended at a duly called town meeting. A review of the Bylaws will be done yearly during the annual meeting in March.

Article IX. Effective Date

This Ordinance shall become effective upon the date of adoption by Town Meeting vote.

Adopted on March 4, 2023.

Attested to be a True Copy.


Nancy J. Gove, Town Clerk