



— TOWN OF —
ULSTER
PUBLIC LIBRARY

SECTION TWO:
Organizational Policies

TABLE OF CONTENTS

RELATIONSHIP OF THE TRUSTEES AND THE LIBRARY STAFF	1
LIBRARY DOCUMENT MANAGEMENT and FOIL RESOLUTION	1
INTERNAL CONTROLS PURCHASING POLICY	2
INVESTMENT POLICY	2
PETTY CASH POLICY	4
WHISTLE BLOWER POLICY	4
PUBLIC RELATIONS POLICY	5
FRIENDS GROUP	6
RECORDS RETENTION	7
LAW ENFORCEMENT	7
WORKPLACE SAFETY	10
LIBRARY DISASTER AND EMERGENCY RESPONSE	11
MATERIALS CHALLENGES AND RECONSIDERATION	12
CONFLICT OF INTEREST POLICY	12

1. RELATIONSHIP OF THE TRUSTEES AND THE LIBRARY STAFF

1.1 The Board of Trustees (BOT) is responsible for:

- Setting the policies of the library.
- Hiring and terminating the employment of the library staff.
- Setting the salaries of the staff.
- Attending BOT meetings.
- Securing adequate funding needed for the library.
- Promoting the library in a positive light to the public at large.

1.2 The Library Director is responsible for:

- Recommending and carrying out the policies set by the trustees.
- Running the library on a day-to-day basis.
- Purchasing all library materials.
- Advising the board of trustees on technical matters
- Providing a monthly report to the BOT.
- Directing the activities of all the staff.
- Advising on best practices and policy changes for approval by the BOT.
- Advise the Personnel Committee of the BOT on matters such as hiring, salaries, scheduling and dismissal.

1.3 Trustees may not directly instruct or order staff members, but instead work through the Library Director or Acting Director. Furthermore, the BOT President of the Board communicates directives of the board as a whole.

1.4 Under the supervision of the Director or designee, the library staff is responsible to carry-out the day-to-day operations of the library as assigned and in accordance with library policy.

2. LIBRARY DOCUMENT MANAGEMENT and FOIL RESOLUTION

2.1 The Town of Ulster Public Library Board of Trustees responds to requests for documents of the Library Board and its officers to members of the public and media, via the FOIL process, which requires a written request is submitted for documents.

2.2 Employees and BOT are expected to abide by the FOIL process. Disregard for this process is subject to disciplinary action by the BOT and may include suspension or dismissal from employment or removal from the Board.

2.3 The current year's library budget, BOT bylaws, patron-related policies and approved minutes of monthly BOT meetings are available on the library's web site.

3. INTERNAL CONTROLS PURCHASING POLICY

3.1 Purchase of materials and supplies are either made by or under the supervision of the library director, with the understanding that best prices or volume discounted should always be sought.

3.2 Capital and one-time purchase procedures are conducted as outlined here:

Purchase Amounts:

- Up to \$3000 - Discretion of the Director.
- \$3000 - \$4,999 - Minimum of three documented quotes and approved by the President or full BOT prior to purchase.
- Over \$5,000 - Formal bid process approved by the Board of Trustees.

3.3 The Library District will comply with all New York State requirements for public works projects.

3.4 In the case of emergency responses costing over \$3,000, the Director will attempt three quotes but may consult with the President or BOT officers to approve the expense.

4. INVESTMENT POLICY

4.1 All investment policies and procedures are in accordance with New York State law regarding public libraries. The Library is required to meet the requirements of the General Municipal Law and the applicable Banking Law.

4.2 Administration and execution of these policies are the responsibility of the BOT and its officers, with oversight of the Treasurer and third party bookkeeper.

4.3 Investments, fund balances, and the status of accounts are reported on and reviewed on a monthly basis at the BOT meeting.

4.4 In selecting financial institutions and investment instruments to be used, the following general objectives should be considered:

- A. *Safety*: Municipal Law requires that deposit accounts in banks must either be FDIC insured, \$100,000; or for amounts above the FDIC limit, deposits

can be collateralized. Banks will provide municipal accounts to collateralize deposits. In general, municipal accounts will not provide the best rates of return; it is therefore the policy of the Town of Ulster Public Library to disburse funds among more than one bank so that all deposits are fully FDIC insured. Authorized investments include and will primarily consist of Certificates of Deposit, Treasury Bills and other securities guaranteed by the U.S. Government, and any other investments allowed under State law that satisfy the investment objectives of the library district.

- B. *Maintenance of sufficient liquidity to meet current obligations:* In general, investments should be managed to meet liquidity needs for the current month plus one month based on forecasted needs. The Library Tax collected by the Town is provided annually in the first quarter, so at times the Library's Fund Balance may be drawn on if so approved by the BOT.
- C. *Return on investment:* Within the constraints of NYS law and this investment policy, every effort should be made to maximize return on investments made. All available funds will be placed in investments or kept in interest bearing deposit accounts at all times.

4.5 Simplicity of Management:

- A. The time required by library administrative staff to manage investments are kept to a minimum.
- B. Financial Controls are required as part of the Board's fiduciary responsibility.
- C. To disburse funds vouchers must be attached to invoices and approved by the Board. This approval may be satisfied in the form of a voucher list.
- D. For recurring bills, such as utility bills, the Board may, on a yearly basis, approve one voucher and with an accompanying resolution, agree to pay the bills for the remainder of the year.
- E. In the event that a Board meeting is delayed and time sensitive bills comes due, the director can seek interim approval by officers of the BOT.
- F. If the voucher list is approved, the library director will send an email notifying the remaining board members of the resolution.
- G. At year-end, a copy of the financial records are saved on secure media and filed with the annual reports.
- H. All banks used by the Library will be approved by resolution.

5. PETTY CASH POLICY

- 5.1** A Petty Cash Fund for \$75.00 exists for the purchase of materials, supplies or services under conditions requiring immediate payment.
- 5.2** The Library Director is the custodian for the library's petty cash fund, will administer cash disbursements in exchange for receipts, and is responsible for the security of the funds.

5.3 Guidelines:

- Petty cash is for unexpected or immediate payments and not meant for frequently purchased items.
- Receipts and cash-on-hand must always total the authorized fund amount.
- Receipts or other documenting evidence of the expenditure must support all disbursements from such funds.
- The Library only reimburses petty cash funds with receipts or valid documentation.
- The Library will not pay sales tax on purchases from petty cash funds.
- The treasurer reviews all petty cash reimbursement vouchers.

6. WHISTLE BLOWER POLICY

- 6.1** To observe high standards of business and personal ethics in the conduct of their duties and responsibilities. BOT, employees and representatives of the Library must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the responsibility of all directors, officers and employees to comply with the policies and by-laws and to report violations or suspected violations in accordance with this Whistleblower Policy.
- 6.2** Those who report a violation of the policy/by-laws in good faith, will not suffer harassment, retaliation or adverse employment consequence.
- 6.3** An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

- 6.4 This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.
- 6.5 Employees should share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, the Library Director is in the best position to address an area of concern. However, if a complaint is not satisfied with the response, you are encouraged to address it in writing to the President of the Board of Trustees.
- 6.6 The BOT President addresses all reported concerns or complaints. Anyone filing a complaint concerning a violation or suspected violation of the policy/by-laws must be acting in good faith and have reasonable grounds.
- 6.7 Any allegations that prove not to be substantiated and/or which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
- 6.8 Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- 6.9 The Director or Board President will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

7. PUBLIC RELATIONS POLICY

- 7.1 Public relations goals of the Town of Ulster Public Library are:
 - A. To promote a good understanding of the Library's objectives and services among governing officials, civic leaders, and the general public.
 - B. To promote active participation in the varied services offered by the library to people of all ages.
 - C. The BOT recognizes that public relations involve every person who has a connection with the Library. The BOT encourages its own members and every staff member to realize that he or she represents the library in every public contact. Good service supports good public relations.
 - D. The Library Director and staff will promote library programs and services.

8. FRIENDS GROUP

8.1 The mission of a Friend's Group is to raise money and create public awareness in the community to support the services and programs of the Library. The BOT looks upon a Friends Group as a valuable community organization which greatly benefits the Library. To that end, the following will constitute an operating agreement between the Friends and the Board. It will stand until and unless it is modified by mutual agreement between the Friends Executive Board and the Town of Ulster Public Library Board of Trustees:

- A. The Library agrees to include the Friends in the long-term planning process to ensure that the Friends are aware of the goals and direction of the library.
- B. The Library agrees to supply the Friends with a "wish list" each year that indicates the anticipated needs for Friends support. In that regard, the Library agrees that the Friend's funds are to supplement the library's operating budget providing materials and programs that enhance the library's services. Friends' funds should not replace money that is normally provided by the municipality for library operations. The Friends will decide how to spend their money after conferring with the Library Director and BOT.
- C. The Library agrees to provide public space for Friends membership brochures and promotional materials.
- D. The Friends agree to publicly support the Library and its policies.
- E. The Friends agree to invite the Board Liaison to their meetings and/or provide the Board with status reports on activities and projects currently in both the planning and implementation stages.
- F. The Friends agree that any and all monies raised will be spent exclusively for library programs, services, and other Library defined needs unless otherwise agreed to by both the Friends and the Library.
- G. The Friends agree that the Library Director and the BOT have the final say in accepting or declining any and all gifts made to the library.
- H. The Friends agree to engage in advocacy efforts on behalf of the Library under the guidance of the Library and the BOT.
- I. The Friends agree that if they cease to actively fundraise and promote the Library, they will disband, allowing for a new Friends group to be established in the future.
- J. The Library and the Friends agree that one member of the Board of Trustees shall be appointed as a Friends liaison to report Friends activities and requests to the BOT.

9. RECORDS RETENTION

- 9.1** The Town of Ulster Public Library follows the guidelines created by the New York State Archives:
- A. Incorporation, chartering and registration records: RETENTION: PERMANENT
 - B. Accession records: RETENTION: 1 year after accessioning procedure becomes obsolete.
 - C. Directory of public library system and member libraries, prepared by public library system (Member library's copy): RETENTION: 0 after superseded or obsolete.
 - D. Borrowing or loaning records, including interlibrary loan: RETENTION: 0 after no longer needed.
 - E. Catalog of holding, Manuscript or published catalog: RETENTION: PERMANENT Continuously updated catalog: RETENTION: 0 after superseded, obsolete.
 - F. Individual title purchase requisition which has been filled or found to be unfillable: RETENTION: 0 after superseded, obsolete.
 - G. Records documenting selection of books and other library materials: RETENTION: 0 after no longer needed.
 - H. Library material censorship and complaint records, including evaluations by staff, patrons' complaints and record of final decision: RETENTION: 6 years after the last entry (NOTE: These records are appraised for historical significance prior to disposition. Some library censorship records deal with serious constitutional issues and may have value for future research)

10. LAW ENFORCEMENT

10.1 Response:

- A. The Library Director has been designated as the person responsible for handling law enforcement requests.
- B. All library staff should understand that it is lawful to refer the agent or officer to an administrator in charge of the library, and that they do not need to respond immediately to any request.
- C. A staff member should make a good attempt to contact the Director.
- D. The Director will contact the Library's Legal Counsel.

- E. If the Director is not available, the staff should contact the Board President, who will call Legal Counsel.

10.2 During a visit:

- A. If anyone approaches a staff member alleging to be a law enforcement official requesting information, DO NOT DISCLOSE ANY INFORMATION.
- B. Ask for identification and then immediately refer the agent or officer to the Library Director. Photocopy the identification or take business card.
- C. The Director will meet with the agent with the Library Counsel. If Counsel is not available, the Library Board President, or a Trustee should be in attendance during this meeting.
- D. Ask to see the court order(s) (for example, a search warrant, subpoena, National Security Letter) authorizing law enforcement.
- E. If the agent or officer does not have a court order compelling the production of records, the Library Director or Counsel should explain the library's confidentiality policy and/or the state's confidentiality law (NYS 4509) and inform the agent or officer that users' records are not available except when a proper court order in good form has been presented to the library.
- F. If there is no court order presented the FBI and /or local law enforcement has no authority to compel cooperation with an investigation or require answers to questions (other than the name and address of the person speaking to him/her). If the agent or officer makes an appeal to patriotism, the Director will explain that, as good citizens, the library staff will not respond to informal requests for confidential information, in conformity with professional ethics, First Amendment freedoms and state law.
- G. If the agent or officer does present a court order the Director should immediately refer the court order to the Library's Legal Counsel for review.

H. *If the court order is in the form of a subpoena:*

1. Library Counsel will examine the subpoena for any legal defect including the manner in which it was served on the library, the breadth of its request, its form, or an insufficient showing of good cause made to a court. If a defect exists, counsel will advise on the best method to resist the subpoena.
2. Through Legal Counsel, the Director will insist that any defect be cured before records are released and that the subpoena is strictly limited to require release of specifically identified records or documents.
3. The Library's Counsel or Director will require that the agent, officer, or party requesting the information submit a new subpoena in good form and without defects.
4. The Library's Counsel and Director will review the information that may be produced in response to the subpoena before releasing the information. They will follow the subpoena strictly and will not provide any information that is not specifically requested in it.
5. If disclosure is required the Library's Legal Counsel will draft a request to the court to enter a protective order keeping the information confidential and limiting its use to the particular case. The document will ask that access be restricted to those persons working directly on the case.

I. *If the court order is in the form of a search warrant:*

1. Search warrants are executable immediately. However, ask to have Library Counsel present before the search begins to allow Counsel to examine the warrant and assure that the search conforms to the terms of the warrant. This request may not be granted. Gather records identified in the warrant and present them rather than allowing non-library personnel to go through the Library's databases or records.

J. *If the court order is a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA PATRIOT ACT amendment):*

1. The recommendations for a regular search warrant still apply. However, a search warrant issued by a FISA court also contains a "gag order." That means that no person or institution served with the warrant can disclose that the warrant has been served or that records have been produced pursuant to the warrant.

2. The library and its staff must comply with this order. No information can be disclosed to any other party; including the Director if not present at the time the warrant is served and the patron whose records are the subject of the search warrant. The gag order does not change a library's right to legal representation during the search. The Library can still seek legal advice concerning the warrant and request that the Library's Legal Counsel be present during the actual search and execution of the warrant.
- K. *If the court order is a National Security Letter:*
1. The procedure is the same as for a search warrant. However, a gag order applies. The Director will contact Library Counsel. If the Director is not available, contact the Board President, and Legal Counsel. He/she may request that the Library's Legal Counsel be present during the search and that the search be delayed until Counsel examines the court document.
 2. If law enforcement chooses to proceed, the Library must comply.

11. WORKPLACE SAFETY

11.1 The Library cannot by itself create a safe and healthy environment. With the goal of avoiding accidents altogether, all of its employees and community must hold awareness of safety and health hazards at all times.

11.2 The following are a limited number of basic precautions:

- Make sure that the aisles in work areas are free of debris.
- Close cabinet doors and drawers when not in use.
- Observe good lifting practices.
- Employees should report all injuries, no matter how slight, immediately to their supervisor.
- Employees should report all unsafe conditions or practices immediately to their supervisor.

11.3 All federal and state OSHA safety requirements must be complied with. In the event that any employee is unsure of the rules or has taken on a new responsibility, he/she should contact the supervisor for additional training.

11.4 Please cross reference patron code of conduct for rules regarding patrons.

12. LIBRARY DISASTER AND EMERGENCY RESPONSE

12.1 The Town of Ulster Public Library is equipped with four exits. All employees should familiarize themselves with each exit location. If evacuation is necessary staff should use the safest exit out of the building.

12.2 Fire

- A. Do not panic, but do not underestimate the potential danger of a fire.
- B. At the first indication of smoke or flame, investigate the situation to determine the location and extent of the fire.
- C. If the fire can obviously be contained and extinguished quickly and safely by staff, proceed to do so.
- D. If there is any doubt about whether the fire can be controlled, immediately call 911 or the fire department and then clear the building.
- E. The time to think about fires is before they happen. Familiarize yourself with the type, location, and application of the fire extinguisher(s) in the building. Orient all staff and volunteers to this information.

12.3 Health emergencies

- A. The Rescue Squad/Police (911 if available) should be called immediately in the event of any serious problem. No medication, including aspirin, should ever be dispensed to the public.
- B. Staff members should exercise caution when administering first aid of even a minor nature because of the safety of the injured individual and the potential liability of the staff member.
- C. Without specialized training it is not advisable for staff to undertake more than keeping the sick or injured patron comfortable and protected from needless disturbance until medical help can be obtained.
- D. Since each case is unique, staff members should use their own judgment to do what is prudent and reasonable.

12.4 Bomb threats

- A. Keep the caller on the line as long as possible.
- B. Ask the caller to repeat the message and try to write down every word spoken by the person. If the caller does not indicate the location of the bomb or the time of possible detonation, ASK FOR THIS INFORMATION.

- C. Pay particular attention to peculiar background noises such as motors running, background music and any other sounds which may indicate the location from which the call is originating. Listen closely to the voice (male, female), voice quality (calm, excited), accents and speech impediments.
- D. Simultaneously have someone call the police or immediately after the caller hangs up, call the police.
- E. Clear the building. The police will handle the actual bomb search.

13. MATERIALS CHALLENGES AND RECONSIDERATION

- 13.1** The Town of Ulster Public Library supports the Library Bill of Rights and the Freedom to Read act.
- 13.2** Questions raised by patrons about any materials provided by the library as being objectionable require a written complaint to the Library Director.
- 13.3** The written complaint will be brought to the attention of the BOT, which will form a subcommittee to review the challenge. The review will focus on:
 - The specific reasons for the objections indicated in the complaint.
 - Weigh the cultural context, value and faults of the material in general.
 - Solicit opinions and or advice from the library director, staff, fellow professionals and paraprofessionals.
 - Consult with the Library System or other organization if appropriate.
 - Accessing relevance to our library collection and to our development policy as a whole.
- 13.4** A written report will be issued within ninety days to the director with the recommendations from the committee.
- 13.5** The Director will review the report and notify the person who issued the complaint.

14. CONFLICT OF INTEREST POLICY

14.1 Purpose:

- A. The purpose of this conflict of interest policy is to protect the Town of Ulster Library's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interests of a covered person

or might result in a possible excess benefit transaction.

- B. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

14.2 Definitions:

- A. *Covered Person*: any TOWN OF ULSTER LIBRARY employee or Board Trustee.
- B. *Interested Person*: any TOWN OF ULSTER LIBRARY employee or Board Trustee that has a financial interest, directly or indirectly.
- C. *Financial interest*: a covered person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - 1. An ownership or investment interest in any entity with which TOWN OF ULSTER LIBRARY has a transaction or arrangement.
 - 2. A compensation arrangement with TOWN OF ULSTER LIBRARY or with any entity or individual with which TOWN OF ULSTER LIBRARY has a transaction or arrangement; compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
 - 3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which TOWN OF ULSTER LIBRARY is negotiating a transaction or arrangement.

14.3 Procedures:

- A. *Duty to Disclose*: In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the TOWN OF ULSTER LIBRARY Board President and Trustees.
- B. *Recusal of Self*: Any covered person may recuse themselves at any time from involvement in any decision or discussion in which the covered person believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.
- C. *Determining Whether a Conflict of Interest Exists*: After disclosure of the financial interest and all material facts, and after any discussion with the

TOWN OF ULSTER LIBRARY Board President and Trustees, the covered person shall leave the Library Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

D. Procedures for Addressing the Conflict of Interest:

1. An interested person may make a presentation at a TOWN OF ULSTER LIBRARY BOT, but after the presentation, the interested person shall leave the meeting during the discussion of, and the vote on the transaction or arrangement involving the possible conflict of interest.
2. The BOT President shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the TOWN OF ULSTER LIBRARY BOT shall determine whether TOWN OF ULSTER LIBRARY (or the person or party seeking to enter into a potentially conflicted arrangement or transaction) can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the TOWN OF ULSTER LIBRARY BOT, shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in TOWN OF ULSTER LIBRARY's best interest, for its own benefit, and whether it is fair and reasonable. Pursuant to that determination, the party seeking the determination shall be free to enter into the proposed arrangement or transaction.

14.4 Violations of this policy

- A. If the TOWN OF ULSTER LIBRARY BOT has reasonable cause to believe a covered person has failed to disclose actual or possible conflicts of interest, it shall inform the covered person of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- B. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the TOWN OF ULSTER

LIBRARY Board President and Trustees, to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

14.5 Records of Proceedings

The minutes of the Board and all committees with board delegated powers shall contain:

- A. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest.
- B. The nature of the financial interest.
- C. Any action taken to determine whether a conflict of interest was present
- D. The Board's or Executive Committee's decision as to whether a conflict of interest in fact existed
- E. The names of the persons who were present for discussions and votes relating to the transaction or arrangement
- F. The content of the discussion, including any alternatives to the proposed transaction or arrangement.
- G. A record of any votes taken in connection with the proceedings.

14.6 Compensation

A covered or interested person who receives compensation, directly or indirectly, from Town of Ulster Library is precluded from voting on matters pertaining to the compensation.

14.7 Annual Statements

Each covered person shall annually sign a statement which affirms they have received a copy of this policy, has read and understands this policy, and if at any time during the year the information in the annual statement changes materially, the covered person shall disclose such changes and revise the Annual disclosure form.