

An Ordinance to Create the East Haddam Public Library System

BE IT RESOLVED: That the “**Ordinance to Create the East Haddam Public Library System**” be added to the East Haddam Code of Ordinances.

RECITATIONS:

Whereas for many years East Haddam Free Public Library and Rathbun Free Memorial Library have been financed, managed and operated as separate and distinct public libraries in the Town of East Haddam (“Town”) by separately established boards, councils, directors and trustees; and

Whereas East Haddam Free Public Library and Rathbun Free Memorial Library have requested that the Town accept responsibility for maintenance of the facilities and grounds and the operation and management of the libraries; and

Whereas the Town has agreed to accept such responsibility on the condition that the land, buildings and contents constituting Rathbun Free Memorial Library are conveyed, transferred and delivered to the Town, that the two library locations be joined under one unified library system known as East Haddam Public Library System (“System”), that one board of trustees numbering nine (9) members and one director of library services shall oversee, operate and manage the System and that the private trusts and funds supporting the maintenance, operations and management as presently constituted of both libraries continue to make substantial dollar contributions to the annual costs and expenses of the libraries;

Whereas the Probate Court, Region #14 Probate District in a decree dated January 3, 2013, authorized the Trustee of the Norris W. Rathbun Trust under Will fbo Rathbun Free Memorial Library to transfer the said Library’s real estate, furnishings and books to the Town;

BE IT RESOLVED:

1. **ESTABLISHMENT.** That East Haddam Public Library System be established; that East Haddam Free Public Library be designated the principal public library and Rathbun Free Memorial Library be made a part thereof. East Haddam Free Public Library and Rathbun Free Memorial Library shall constitute one library at two locations and all library services provided the public from said two locations shall be part of one unified library system known as East Haddam Public Library System. The library building at 36 Main Street, East Haddam, Connecticut shall continue to bear the name Rathbun Free Memorial Library, in perpetuity.
2. **BOARD OF TRUSTEES.** The Board of Trustees shall be the only library board operating and existing under the ordinances of East Haddam and any other board or boards, committees or councils established prior to the date of the first organizational meeting of the Board of Trustees under the ordinances of East Haddam or holding office as elected trustees of East Haddam Free Public Library for the purpose of overseeing, managing or operating either East Haddam Free Public Library or Rathbun Free

Memorial Library is abolished. The Board of Trustees may create a set of bylaws for its governance and from time to time, in the discretion of the Board, amend its bylaws.

3. **MEMBERSHIP**. There shall be a Board of Trustees consisting of nine (9) elected trustees whose term of office shall be six (6) years. Said trustees shall be elected in the manner provided in Connecticut General Statutes Section 9-207.
4. **ELECTIONS OF 2013, 2015, 2017 and 2019**. In 2013 nine (9) trustees shall be elected, three (3) to a term of two (2) years and hence in 2015 to a term of six years, three (3) to a term of four (4) years and hence in 2017 to a term of six years and three to a term of six (6) years and hence in 2019 to a term of six years. Upon the election of said nine trustees to the Board of Trustees in 2013 and upon the taking of the oath of office, the Board of Trustees shall be duly constituted under the laws of the State of Connecticut and able to carry out its responsibilities as enumerated below in Section 6. Any vacancy in the office of library trustee created by death, resignation, ceasing to be an elector of East Haddam or removal from the Board of Trustees for any other reason shall be filled by appointment of the Board of Selectmen in accordance with Connecticut General Statutes Section 9-220 and Section 9-167d.
5. **QUORUM**. The Board of Trustees shall hold an organizational meeting within thirty (30) days of the 2013 election at which a chairperson and secretary shall be elected. Five (5) trustees present shall constitute a quorum.
6. **RESPONSIBILITIES OF THE TRUSTEES**. The Board of Trustees is authorized under the provisions of this ordinance and the laws of the State of Connecticut to carry out the responsibilities of trustees of the System. The trustees shall be principally responsible, in consultation with the Library Director, for developing appropriate policies for overseeing the management of the System's finances, purchasing, budgeting and accounting systems; maintenance of the buildings, interior and exterior, contents and the grounds, driveways and parking areas; hours and use of the premises by the public; developing a job description for the Library Director and evaluating the performance of the Library Director and staff; promoting gifting and other forms of private donation and fundraising; and advocating for the System to the public.
7. **APPROPRIATIONS**. All appropriations for the System shall be requested in accordance with the Town's established municipal budgeting procedures as determined by the Board of Selectmen and the Board of Finance and adopted at the annual budget town meeting.
8. **LIBRARY DIRECTOR**. The Board of Selectmen shall hire a Library Director who shall have responsibility for the day to day operations and management of the System including assisting the Board of Trustees in developing appropriate policies for management of the System's finances, purchasing and accounting systems; maintenance of the buildings, interior and exterior, contents and the grounds, driveways and parking areas; hours and use of the premises by the public; evaluating the performance of the

staff; promoting gifting and other forms of private donation and fundraising; and advocating for the System to the public.

9. **CONDITION PRECEDENT TO ESTABLISHING THE SYSTEM.** The conveyance, transfer and delivery of appropriate documents of title to the physical assets consisting of the real property located at 36 Main Street, East Haddam, Connecticut and the contents and tangible personal property located in the library building situated on said real property by Bank of America, Trustee of the Norris W. Rathbun Trust fbo Rathbun Free Memorial Library as directed in the decree of the Probate Court, Region #14 Probate District dated January 3, 2013 is deemed a condition precedent to establishing the System and the Board of Trustees under this ordinance and failure or refusal of Bank of America, Trustee, to make said transfer and deliver said physical assets as authorized under the terms of the decree will render this ordinance null and void.

10. **EFFECTIVE DATE.** This Ordinance shall become effective fifteen days after publication in a newspaper having circulation in the Town of East Haddam.

Adopted at Town Meeting on the day of June, 2013. Published in the Hartford Courant Press on June , 2013.

Dated at East Haddam, Connecticut this day of June, 2013.

Mark B. Walter, First Selectman