



## **NASHUA PUBLIC LIBRARY**

### ***Bylaws of the Board of Trustees***

#### **ARTICLE I: Name and Purpose**

1.1 The “Nashua Public Library” (hereinafter “Library”) is the name of the organization that was established by the N.H. General Court in 1867.

1.2 The current library building, located at 2 Court Street, Nashua, Hillsborough County, New Hampshire, opened in 1971. Funding for its construction was a gift from Eliot A. Carter. In 2017 a wing at the lower level of the Library was renovated through the generosity of the late Mabel Chandler.

1.3 The Library is a forum for ideas and a source of information for the enrichment of the entire Nashua community.

#### **ARTICLE II: Governance**

2.1 A Board of Trustees (“Trustees” or the “Board”) shall consist of nine persons who shall have full control of the public Library Department of the City of Nashua (“City”).

2.2 The Board shall consist of the mayor, the president of the board of Aldermen, and seven others who shall hold their offices for seven-year terms or until a successor has been chosen and qualified as provided in §2.3 of these bylaws

2.3 Vacancies on the Board shall be filled by joint ballot of the Board and the board of aldermen in convention. Any vacancy caused by something other than the expiration of a trustee’s term shall be filled in the same manner, but only for the unexpired terms of the trustee whose place is thus filled

2.4 The Board shall organize annually, on or about May 1, to select a Chairperson and Secretary from their own number. The Chairperson shall preside at all meetings of the Board, appoint all committees, execute all documents authorized by the Board, authorize calls for special meetings and shall have other responsibilities typically associated with this position. The Secretary shall keep a record of the Board’s proceedings and provide such notices as required by law. The Secretary may delegate notice duties to the Library Director and recording duties to either the Library Director or to the Library Assistant Director.

2.5 The Chairperson or Secretary shall be selected by a majority vote of Trustees constituting a quorum at a regular or special meeting.

### **ARTICLE III: Powers**

3.1 The Board possesses the power and authority, and assumes the duties and responsibilities, provided under the laws of the State of New Hampshire including without limitation N.H. Revised Statutes Annotated 91-A *et seq.*, which are incorporated herein by reference.

3.2 The Board shall have the sole care, superintendence, and management of the property, expenditures, business and prudential affairs of Library and of all property of the City relating thereto; and may employ librarians and such assistants as the Board shall deem necessary and establish their compensation.

3.3 The Board is authorized to take and hold any grant, gift, bequest or devise, of property upon trust, to apply the principal or the income thereof for the establishment or improvement of the Library, or for the erection of buildings or repair of the same, or for the embellishment or improvement of the premises in connection therewith, all in accordance with the conditions of any gift, grant, bequest or devise. In the event there are no conditions attaching to such gift, grant, bequest or devise, then the same is to be retained or expended as in the judgment of the Board will most effectively promote the purposes of the Library.

3.4 The Board shall make and execute all such rules and regulations for its government, the preservation of property under its charge, and the use and management thereof, as it may from time to time deem necessary or expedient.

### **ARTICLE IV: General Provisions**

4.1 The Chairperson shall determine the order of business at any regular or special meeting of the Board.

4.2 These bylaws may be altered or amended at any regular meeting of the Board of Trustees or at any special meeting duly called for such purpose.

4.3 Four Trustees shall constitute a quorum at all duly noticed meetings. Meetings shall be held monthly, except for July and August. Meetings may be held in July and August if deemed necessary. The annual meeting of the Board shall be the monthly meeting held in May unless otherwise ordered by the Board. The annual meeting shall be an organizational meeting at which the Chairperson and Secretary for the ensuing year shall be selected, and such other matters shall be acted upon as customarily is required at an annual meeting.

4.4 The Library Director, with the concurrence of the Chairperson, may call for an emergency meeting when there is a situation where immediate action is deemed to be imperative.

### **ARTICLE V: Public Participation**

5.1 Anyone (Nashua residents and nonresidents) can attend any meeting of the Nashua Public Library Board of Trustees. However, open-to-the-public does not mean the right to speak at the

meeting. Nobody has a right to disrupt a meeting or to speak without being invited. New Hampshire's Right-to-Know Law (RSA 91-A) gives a right to attend only, not a right to participate.

5.2 Therefore, to ensure that any who do wish to speak may be heard, the agenda of the Board of Trustees meeting shall include a 15-minute period for public expression. This is the only time during the meeting that the public may contribute to the meeting. Observers may not participate in the work of the Board.

5.3 To ensure that the work of the Board of Trustees progresses in a timely fashion, the Board shall adopt a policy to allow persons wishing to make comment to the Board to do so. The Board Chairman shall have the authority to determine procedural matters regarding public participation not otherwise defined in said policy.

#### **ARTICLE VI: Amendments**

6.1 Any amendment of these bylaws may be adopted by a majority of those present at any regular meeting at which a quorum is present, provided written notice of the proposed amendment shall have been given to the Trustees at least one (1) week prior to the meeting. There shall be no voting by proxy or absentee ballot.

### **NASHUA PUBLIC LIBRARY** ***Public Participation Policy***

- A. Anyone (Nashua residents and non-residents) can attend any meeting of the Nashua Public Library Board of Trustees. Open-to-the-public does not mean the right to speak at the meeting, however. Nobody has a right to disrupt a meeting or to speak without being invited. New Hampshire's Right-to-Know Law (RSA 91-A) gives a right to attend only, not a right to participate.
- B. Therefore, to ensure that any who do wish to speak may be heard, the agenda of the Board of Trustees meeting shall include a period of up to 15 minutes for public expression; provided, however, that this period may be extended by motion and by a majority vote of the Library Board of Trustees for good cause shown. This is the only time during the meeting that the public may contribute to the meeting. Observers may not participate in the work of the Board.
- C. To ensure that the work of the Board of Trustees progresses in a timely fashion, each person wishing to make comment to the Board shall be given one period of up to 3 minutes to speak. Individuals wishing to speak must sign their name, address, and the subjects on which they wish to address the Trustees on a sheet provided in the meeting room prior to the start of the meeting. Each speaker shall state their name and address at the beginning of their comments for inclusion in the official record of the Board.

- D. Speakers are not to address nor engage in dialogue with individual trustees during the public comment period. Comments are to be addressed to the Board as a whole. Trustees are not obligated to respond to comments from the public. Issues requiring possible action by the Board may be added to a future meeting agenda, and issues that can be addressed by library administration will be noted. Trustees will not engage individual speakers in dialogue nor ask or answer questions during the presentation, with the following exception: at the request of any Trustee, the Chair of the Board shall allow questions from Trustees to speakers for purposes of clarification, limiting the time for discussion as the Chair deems appropriate.
  
- E. Individuals attending board meetings must conduct themselves with respect and civility toward others. Abusive, profane, threatening, or harassing language and/or personal attacks will not be permitted. No person shall be allowed to use the public participation period for the purpose of discussing, speaking about, or addressing any issue or issues not relevant or germane to the Nashua Public Library. Any such discussions, comments, actions, or announcements shall be considered as out of order, and the Chair, upon a motion from a member of the Board or of his/her volition, shall rule said person out of order and comments shall be terminated forthwith.
  
- F. The Board Chairman shall have the authority to determine procedural matters regarding public participation not otherwise defined in the policy.

ADOPTED by the Board of Library Trustees  
April 2, 2019

---

David K. Pinsonneault, Secretary