

MUNICIPALITY OF MONROEVILLE

ORDINANCE NO. 2423

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, A HOME RULE CHARTER COMMUNITY, AMENDING ORDINANCE 235, COMMONLY REFERRED TO AS THE LIBRARY ORDINANCE

WHEREAS, Council for the Municipality of Monroeville desires to amend and update its present series of Library Ordinances.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, The Municipality of Monroeville makes the following amendments to its Library Ordinance:

SECTION 1. CREATION AND COMPOSITION OF BOARD OF DIRECTORS.

A. There is hereby created and established, in the Municipality of Monroeville, the Board of Directors of the Monroeville Library, which shall have full and complete control over the operation and conduct of a municipal library including the effort to get such a library established.

B. The Board shall consist of seven (7) members each of whom shall be a bona fide resident of the Municipality of Monroeville. One member of the Council of the Municipality of Monroeville shall sit in an ex-officio capacity as a representative of the Council of the Municipality of Monroeville.

C. No more than one (1) person from each Ward of the Municipality of Monroeville shall sit as a member of the Board of Directors of the Monroeville Library. The current members of the Board of Directors shall be permitted to fulfill their terms without being in violation of this provision, however, upon expiration of the terms of the current members, the vacancies shall be filled so that no more than one (1) member from each Ward of the Municipality shall be represented on the Board of Directors.

D. In the event a Ward board position is advertised and remains vacant for a four (4) month period, Council may nominate and appoint a qualified resident from another Ward to fill the vacated position. Upon conclusion of this non-Ward appointment, the Ward board position shall revert back to the respective Ward. No more than one (1) person from each Ward of the Municipality of Monroeville shall sit as a member at large of the Library Board of Directors.

E. All Board members shall serve until their successors have been appointed. No member of the Board shall receive any salary for her/his service as such.

SECTION 2. NOMINATION AND APPOINTMENT OF MEMBERS TO BE BY MAJORITY VOTE OF COUNCIL.

All nominations and appointments to the Board of Directors shall be by the affirmative vote of a majority of the elected members of Council.

SECTION 3. TERMS OF OFFICE.

Members appointed to serve on the Library Board of Directors shall not serve more than two (2) consecutive terms. Filling an unexpired term shall not be considered in calculating terms for this purpose. The term of office for members of the Board of Directors shall not exceed three (3) years.

SECTION 4. ELECTION OF OFFICERS.

The Board of Directors, when appointed, shall organize by electing a President, Vice President, Secretary and Treasurer at the January monthly meeting. The newly elected officers shall begin their respective terms immediately and shall hold office for one (1) year or until her or his refusal, or inability to serve, death, resignation or removal.

SECTION 5. BYLAWS.

The Board of Directors shall adopt bylaws.

SECTION 6. LIBRARY RULES AND REGULATIONS.

The Board of Directors shall prescribe rules and regulations for the operation of the Monroeville Library, including the hours that the library will be open.

SECTION 7. APPOINTMENT AND DISCHARGE OF LIBRARY EMPLOYEES.

The Board of Directors at their pleasure shall have the power to hire and discharge, discipline such employees as shall be necessary for the proper operation of the library provided that the number of employees shall be within the provisions of the annual budget enacted by the Council.

SECTION 8. QUALITY LIBRARY AID.

The Council of the Municipality of Monroeville hereby agrees to maintain the Monroeville Public Library in accordance with the provisions of Section 401 of the Library Code, as amended from time to time, the Act of June 14, 1961, P.L. 324, at a level of financial support that will insure that the library will have a minimum financial effort of five dollars (\$5) per capita for each person residing in the municipalities based on which it qualifies for aid in accordance with Section 303.2 of the Library Code, as amended from time to time.

SECTION 9. LIBRARY CARDHOLDERS.

Library cards are free of charge to residents of Allegheny County and areas that participate in Access PA. Pennsylvania residents of areas not in Access PA and out-of-state residents are charged a fee to be determined by the Board of Directors. Identification must be presented to verify name and address when applying for a card.

SECTION 10. RECEIPT OF LIBRARY INCOME, MAINTENANCE, DISBURSEMENT AND AUDIT.

All monies appropriated for the establishing or maintenance or both of the library and all monies, if any, received from other sources for its use, shall be under the exclusive control and shall be disbursed under the direction of the Board of Directors who shall make an annual report

to the Council of the Municipality of Monroeville. The accounts of the Treasurer of the Board of Directors shall be audited as is the case of other expenditures.

SECTION 11. INVESTMENT POLICY.

A. It is the policy of the Monroeville Library Board of Directors to invest public funds and donations in a manner which will provide the highest return with the maximum security while meeting cash flow demands. All investments will conform to all applicable laws and regulations governing the investment of public funds, including 53 P.S. Section 46316. Investment of Funds, as amended from time to time, including funds that are secured through public insurance protection companies.

B. The primary objectives, in priority order, of the library's financial investments are: 1) Safety of Principal – Safety of principal is the foremost objective of the investment program. All Investments shall be undertaken in a manner that seeks first to preserve capital and second to fulfill other investment objectives; 2) Liquidity – The library's investment portfolio will remain sufficiently liquid to enable the library to meet all operating requirements which might be reasonably anticipated and; 3) Return on Investments (Yield) – The library's investments should generate the highest available return without sacrificing the first two objectives outlined above.

C. The Treasurer shall be responsible for implementation of the investment program and is authorized, with approval from the Board of Directors, to invest library funds in only those investments specifically delineated as follows: Certificates of Deposits (CDs) with a maturity of one year or less and money market funds, both with financial institutions insured by the Federal Deposit Insurance Corporation, Securities Investor Protection Corporation or the Federal Savings and Loan Insurance Corporation or the National Credit Union Share Insurance Fund or the Pennsylvania Savings Association Insurance Corporation, or its successor to the extent that such accounts are so insured.

SECTION 12. ENDOWMENT FUND INVESTMENT POLICY.

A. The purpose of the Monroeville Library Endowment Fund is to provide the library with a permanent source of income for library materials, services and programs beyond those allotted through public funds. All investments will conform to all applicable laws and regulations governing the investment of endowment funds, including 20 P.S. Chapter 73. Fiduciaries Investments, as amended from time to time.

B. The objective of the investments made with the Monroeville Library Endowment Fund is to provide a high and consistent level of income and preserve the principal while allowing for the growth of the principal to offset effects of inflation.

C. All monies in the endowment fund will consist of individual and corporate gifts; all stocks will be sold immediately; all fixed income/bonds will be considered on an individual basis; and any other tangible property will be converted into cash.

D. All funds in the Monroeville Library Endowment Fund shall be invested in funds in only those investments specifically delineated as follows: 1) Certificates of Deposits (CDs) with a maturity not to exceed one year; 2) fixed income with an investment grade of A or better by S&P or Moody's. Maturity shall not exceed five years; 3) a balanced (60% equities/40% fixed income) mutual fund with a performance history of at least ten years; 4) monies waiting for

investment will be placed in a money market fund and; 5) all investments may be 80% United States based corporations and up to 20% foreign based corporations.

SECTION 13. ANNUAL REPORT BY THE BOARD.

The Board of Directors shall report in writing annually, to the Council of the Municipality of Monroeville, the operation of the Monroeville Library for the previous year and shall specify in reasonable detail, source and amount of receipts as well as expenditures.

SECTION 14. TITLE TO PROPERTY.

A. Title to all property of the library, including real estate, personal property, funds and accounts shall be in the Government of the Municipality of Monroeville.

B. Should the library building or the ground upon which it is located cease to be used for the purposes as specified in the Municipality of Monroeville Resolution 62-7 for a continuous period of two (2) years after a library building has been constructed on the grounds, or five (5) years from February 28, 1962, whichever shall last occur, the Municipality of Monroeville, by its duly constituted officers, will forthwith convey the aforesaid tract of ground with all buildings located thereon free of liens and encumbrances to the Municipal Authority of the School District of the Municipality of Monroeville upon written request therefore from the Board of Directors of the Gateway Union School District.

SECTION 15. PENNSYLVANIA LIBRARY LAW.

In addition to these governing regulations, the Library Board of Directors shall also comply with the regulations as set forth in the Library Code, Act of June 14, 1961, P.L. 324, as amended from time to time.

SECTION 16. All ordinances and resolutions, or parts of any ordinance or resolution in conflict therewith are hereby repealed to the extent of such conflict.

SECTION 17. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

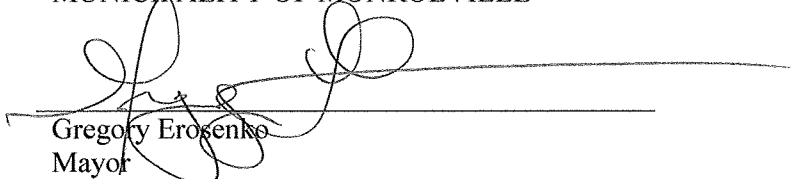
ORDAINED AND ENACTED this 10th day June, 2008

ATTEST:



Marshall W. Bond
Municipality Manager

MUNICIPALITY OF MONROEVILLE



Gregory Eroshenko
Mayor

ENTERED INTO LEGAL BOOK: JUNE 20, 2008