

PETITION

BEFORE THE UNIVERSITY OF THE STATE OF NEW YORK

IN THE MATTER OF THE APPLICATION

BALLSTON COMMUNITY PUBLIC LIBRARY

TO AMEND ITS CHARTER

TO ADD IRS TAX EXEMPTION AND

DISSOLUTION CLAUSES.

TO THE BOARD OF REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK

We, the undersigned, being all the trustees of the Ballston Community Public Library, Michael Nyhan, Patrick Daly, Emily Brower, Carol Shemo, Martie Hamilton, David Robards and Kelly A. Stewart, do respectfully petition as follows:

1. That on June 27, 1958, the Ballston Community Public Library was granted a provisional charter, and on June 28, 1963, the library was granted an absolute charter.
2. That on March 31, 1978, the Ballston Community Public Library was registered.
3. That on September 29, 1999, the Ballston Community Public Library Board of Trustees voted at a regular meeting to petition the Board of Regents for an amendment to its charter to add tax exemption and dissolution clauses as required by the Internal Revenue Service.

WHEREFORE, your petitioners respectfully request that the absolute charter granted on June 28, 1963 to the Ballston Community Public Library be amended according to the following:

Notwithstanding any other provision of these articles the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation), and no member, trustee, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

No substantial part of the activities of the corporation shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation, (except to the extent authorized by Internal Revenue Code section 501(h) as amended, or the corresponding provision of any future United States Internal Revenue Law, during any fiscal year or years in which the corporation has chosen to utilize the benefits authorized by the statutory provision) and the corporation shall not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of any candidate for public office.

Upon dissolution of the Ballston Community Public library, the board of trustees shall, after paying or making provision for the payment of all the liabilities of the corporation, dispose of the remaining assets of the corporation exclusively for one or more exempt purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), or shall distribute the same to the Federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York in the judicial district where the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, organized and operated exclusively for such purposes, as said Court shall determine.

The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.

Dated: Sept. 29, 1999

BOARD OF TRUSTEES OF THE BALLSTON
COMMUNITY PUBLIC LIBRARY

Michael E. [Signature], President
(signature)

Kelly A. [Signature]

Emily [Signature]

Daniel W. [Signature]

Martie M. [Signature]

Carol [Signature]

Pat [Signature]

Notary Public

Subscribed and sworn to before me this
29th day of September 1999.

Muriel K. Swatling
Notary Public

MURIEL K. SWATLING
Notary Public, State of New York
Saratoga County - No. 4674168
Commission Expires May 31, 2000

BALLSTON COMMUNITY PUBLIC LIBRARY
BOARD OF TRUSTEES MEETING
SEPTEMBER 29, 1999

Attendance: E. Brower, P. Daly, M. Hamilton, M. Nyhan, D. Robards, C. Shemo, K. Stewart, A. Abaray

President Nyhan called the meeting to order at 7:07 P.M.

A correction was made to the date of the minutes of July 23, 1999. The date should read June 23, 1999. Kelly Stewart made a motion to accept the June minutes as corrected, and the August 25, 1999 minutes. David Robards seconded this motion. The motion passed 7-0.

Director's Report: Director Abaray stated that SALS has been awarded a Federal Library Services and Technology Grant. Our library will receive \$2,000 in equipment and training. This grant will provide the library with a scanner, digital camera, software and training for two staff persons in developing our website.

Director Abaray stated that the library book sale would be November 18-20.

The Infant/child CPR class was presented by the American Red Cross on September 18, 1999. All participants received their certification. Infant/child CPR program for recertification and the babysitting course are possible programs to be presented by the American Red Cross next year.

Bill Lists: David Robards moved and Carol Shemo seconded the motion to approve the bill lists. The motion passed 7-0.

Pat Daly moved and Carol Shemo seconded the motion to extend the committee assignments for this year. All approved this motion.

David Robards made a motion to accept the resolution for charter amendment concerning the clauses under section 501(c)(3) of the Internal Revenue Code of 1986. Martie Hamilton seconded this motion. The motion passed 7-0.

Martie Hamilton made a motion to approve the proposed change to SALS' Plan of Service for implementing New York State Education Commissioner's Regulation 90.3 regarding direct access to public libraries. Emily Brower seconded this motion. The motion passed 7-0.

The Library Board discussed the four-day holiday schedule at Christmas and New Years. Kelly Stewart made the motion to amend the holiday schedule so that the library will be open from 10:00 A.M. to 2:00 P.M. on Christmas Eve and New Years Eve. Martie Hamilton seconded this motion. The motion passed 7-0.

There being no further business, the meeting was adjourned at 8:15 P.M.

Respectfully Submitted,

Carol Shemo
Carol Shemo
Secretary

MURIEL K. SWATLING
Notary Public, State of New York
Saratoga County - No. 4674188
Commission Expires May 31, 2000

*Subscribed and sworn to before me this
6th day of October 1999.*

Muriel K. Swatling
Notary Public

RESOLUTION FOR
CHARTER AMENDMENT PETITION

RESOLVED, that the absolute charter granted to the Ballston Community Public Library, Burnt Hills, New York on June 23, 1963, be amended to add the following clauses, and that this resolution be forwarded to the Board of Regents of the University of the State of New York petitioning such action.

Notwithstanding any other provision of these articles the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation), and no member, trustee, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

No substantial part of the activities of the corporation shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation, (except to the extent authorized by Internal Revenue Code section 501(h) as amended, or the corresponding provision of any future United States Internal Revenue Law, during any fiscal year or years in which the corporation has chosen to utilize the benefits authorized by the statutory provision) and the corporation shall not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of any candidate for public office.

Upon dissolution of the Ballston Community Public library, the board of trustees shall, after paying or making provision for the payment of all the liabilities of the corporation, dispose of the remaining assets of the corporation exclusively for one or more exempt purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), or shall distribute the same to the Federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York in the judicial district where the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, organized and operated exclusively for such purposes, as said Court shall determine.

The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.

CERTIFICATION

STATE OF NEW YORK

COUNTY OF SARATOGA

THIS IS TO CERTIFY, that the undersigned being duly sworn, says:

1. That the undersigned is the Secretary for the Board of Trustees of the Ballston Community Public Library.

2. That at a duly called meeting of the Board of Trustees of the Ballston Community Public Library held at the Library building in Burnt Hills, New York on September 29, 1999 at 7:00p.m. at which meeting all of the members being present the following Resolution was duly and unanimously adopted.

"RESOLVED, that the absolute charter granted to the Ballston Community Public Library, Burnt Hills, New York on June 28, 1963, be amended to add the following clauses, and that this resolution be forwarded to the Board of Regents of the University of the State of New York petitioning such action.

Notwithstanding any other provision of these articles the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

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No substantial part of the activities of the corporation shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation, (except to the extent authorized by Internal Revenue Code section 501(h) as amended, or the corresponding provision of any future United States Internal Revenue Law, during any fiscal year or years in which the corporation has chosen to utilize the benefits authorized by the statutory provision) and the corporation shall not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of any candidate for public office.

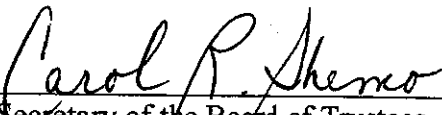
Upon dissolution of the Ballston Community Public library, the board of trustees shall, after paying or making provision for the payment of all the liabilities of the corporation, dispose of the remaining assets of the corporation exclusively for one or more exempt purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), or shall distribute the same to the Federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York in the judicial district where the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, organized and operated exclusively for such purposes, as said Court shall determine.

The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.

3. That the names and addresses of all members of the Board of Trustees of the Ballston Community Public Library are as follows:

Name	Address
Michael Nyhan	14 Beechwood Dr., Burnt Hills, NY 12027
Patrick Daly	1 Garrison Rd., Burnt Hills, NY 12027
Emily Brower	4 Silver Springs Dr., Ballston Spa, NY 12020
Carol Shemo	13 Pearce Ln., Ballston Lake, NY 12019
Martie Hamilton	196 Blue Barns Rd., Burnt Hills, NY 12027
David Robards	72 Lakehill Rd., Burnt Hills, NY 12027
Kelly A. Stewart	2 Stewart Ct., Burnt Hills, NY 12027

4. That all the above named members attended the meeting above referred to and all of the said members present at such meeting voted in favor of the said Resolution.


Secretary of the Board of Trustees
of the Ballston Community Public Library

Notary Public

*Subscribed and sworn to before me
This 29th day of September 1999.*

*Muriel K. Swatling
Notary Public*

MURIEL K. SWATLING
Notary Public, State of New York
Saratoga County - No. 4674168
Commission Expires May 31, 2000

Adopted 6-25-'78

BALLSTON COMMUNITY PUBLIC LIBRARY. An application having been made by and on behalf of the trustees of Ballston Community Public Library, Burnt Hills, for an amendment to its charter, it was

Voted, That the absolute charter of Ballston Community Public Library, located in Burnt Hills, county of Saratoga, State of New York, which was granted by the Board of Regents on June 28, 1963, be and the same hereby is amended as follows:

By changing the number of trustees from 5 to 7, with the terms of office expiring one in 1982, and one in 1983, and thereafter to be of 5-year duration.

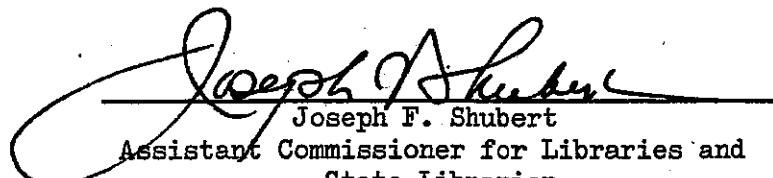
MEMORANDUM RELATIVE TO

AMENDMENT OF CHARTER

OF

BALLSTON COMMUNITY PUBLIC LIBRARY
Burnt Hills, N.Y.

I recommend that the absolute charter held by the Ballston Community Public Library be amended to provide for the increase in the board of trustees from 5 to 7 members. Such expansion is authorized by a recent amendment to the Education Law, and will provide for a broader representation of varied community interests in the governance of this library.


Joseph F. Shubert
Assistant Commissioner for Libraries and
State Librarian

May 25, 1978

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

To: Joseph F. Shubert

Date: May 25, 1978

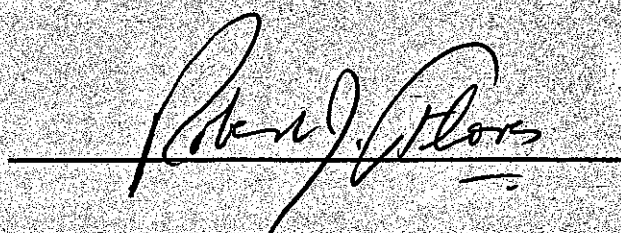
From: Robert J. Flores

Subject: Request for Amendment of Charter of the Ballston Community Public Library

In reference to:

This library holds an absolute charter as a special district public library serving the Town of Ballston outside the Village of Ballston Spa. Since its establishment in 1958, it has been governed by a board of trustees consisting of five members. Under provisions of a revision of section 260 of the Education Law enacted last year, public libraries are now permitted to have as many as 11 trustees.

The trustees of the Ballston Community Public Library have adopted a resolution requesting the Regents to amend their charter to increase the number of trustees from five to seven. Power of appointment of the additional trustees will rest with the town board, which presently is authorized to appoint the remaining five library trustees. I endorse this request for amendment of charter.



A handwritten signature in cursive script, reading "Robert J. Flores", is written over a horizontal line.

RJF:ik
Enc.

cc: R. Edwin Berry