Adopted April 5, 2011

MASSENA PUBLIC LIBRARY. An application having been made by and on behalf of the trustees of the Massena Public Library, for an amendment of its charter, it was

Voted, that the absolute charter of the Massena Public Library, located in Massena, county of St. Lawrence, state of New York, which was granted by action of the Board of Regents on April 26, 1935 be and the same hereby is, amended to designate the library's service area to be coterminous with the Town of Massena; to designate the Commissioner of Education as the agent of the corporation for the purpose of service of process; and to add the following language:

> The corporation hereby created shall be a nonstock corporation organized and operated exclusively for educational purposes, as defined in section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), and no part of the net earnings or net income shall inure to the benefit of any member, trustee, director or 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, director or officer of the corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the corporation.
>
> 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 Federal tax code) or by (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 Federal tax code). No part of the net earnings or net income of the corporation shall inure to the benefit of any member, trustee, director or 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, director or officer of the corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets upon 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 Federal tax code, 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 or in opposition to any candidate for public office.

Upon dissolution of the corporation, 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

exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code) or by (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 Federal tax code). No part of the net earnings or net income of the corporation shall inure to the benefit of any member, trustee, director or 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, director or officer of the corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the corporation.

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Upon dissolution of the corporation, 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.

PETITION FOR AMENDMENT OF CHARTER

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

We the undersigned, being the President and Vice-President of the Board of Trustees of the Massena Public Library, do hereby apply to the Regents of the University of the State of New York for an amendment to the charter of the Massena Public Library, and do make, sign and acknowledge the following statements:

1. The name of the corporation is Massena Public Library.

2. An absolute charter was granted to this corporation on April 26, 1935.

3. The trustees hereby request that the charter be amended to designate the library's service area to be coterminous with the town of Massena; to add the Internal Revenue Service dissolution language necessary for tax exempt status under §501(c)(3); and to designate the Commissioner of Education as the representative of the corporation upon whom process in any action or proceeding against it may be served.

IN WITNESS WHEREOF, we have made, signed and acknowledged this application on the 15 day of January 2011.

Barbara DeLine, President
Board of Trustees

Richard Geiser, Vice-President
Board of Trustees

STATE OF NEW YORK)
ss:
COUNTY OF SAINT LAWRENCE)

On this 15th day of January 2011 before me personally came Barbara DeLine and Richard Geiser to me known to be the persons described in and who executed the foregoing application, and they severally duly acknowledged to me that they executed the same.

DEBRA A. FUEHRING
Notary Public - State of New York
No. 01FU6068228
Qualified in St. Lawrence County
My Commission Expires 12/31/13

Debra A. Fuehring

RESOLUTION OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES OF

Massena Public Library

We, the undersigned, being the President and VVice-President of the Board of Trustees of Massena Public Library, a corporation organized and existing pursuant to an absolute charter granted by the Regents of the University of the State of New York, hereby certify that the following is a true and complete copy of a resolution duly adopted by the affirmative vote of not less than three-fourths of the whole number of trustees at a meeting held on the 11 day of JANUARY, 2011, and that such resolution remains in full force and effect.

RESOLVED: That the board of trustees of Massena Public Library hereby requests that the Board of Regents of the University of the State of New York amend the charter of such corporation to designate the library's service area to be coterminous with the town of Massena; to add the Internal Revenue Service dissolution language necessary for tax exempt status under §501(c)(3); and to designate the Commissioner of Education as the representative of the corporation upon whom process in any action or proceeding against it may be served.

RESOLVED: That the President and Vice-President of the corporation, on behalf of the board of trustees be and they hereby are authorized to execute a petition to be addressed "To the Regents of the University of the State of New York" for such purpose.

IN WITNESS WHEREOF, We have made, signed and acknowledged this application on the 15 day of January 2011.

Barbara DeLine

Barbara DeLine, President
Board of Trustees

R. Richard Geiser, Vice-President
Board of Trustees

STATE OF NEW YORK) ss:
COUNTY OF SAINT LAWRENCE)

On this 15th day of January 2011 before me personally came Barbara DeLine and Richard Geiser, to me known to be the persons described in and who executed the foregoing application, and they severally duly acknowledged that they executed the same.

DEBRA A. FUEHRING
Notary Public - State of New York
No. 01FU6068228
Qualified in St. Lawrence County
My Commission Expires 12/31/13

Debra A. Fuehring

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

To: Carol A. Desch **Date:** February 18, 2011

From: Karen Balsen

Subject: Charter Amendment – Massena Public Library

The MASSENA PUBLIC LIBRARY, a public library located in Massena, St. Lawrence County, was granted an absolute charter by the New York State Board of Regents on April 26, 1935. This absolute charter has not been amended.

The Board of Trustees of the Massena Public Library has petitioned the Board of Regents to amend the charter to designate the service area to be coterminous with the town of Massena; to designate the Commissioner of Education as the representative of the corporation upon whom process in any action or proceeding against it may be served; and to add the Internal Revenue Service dissolution language necessary for tax exempt status under section 501(c)(3).

I recommend the charter amendment be granted to the Massena Public Library.

Karen Balsen
Library Development Specialist II

I concur with Ms. Balsen's recommendation.

Carol A. Desch
Coordinator of Statewide Library Services

I recommend that the Massena Public Library be approved for the charter amendment for which the Board of Trustees has applied.

Jeffrey W. Cannell
Deputy Commissioner for Cultural Education