

**Town of Ballston Community Library
Board of Trustees Meeting Agenda
February 16, 2022**

1) Call to order

2) Minutes of 1/26/22 Meeting

3) Minutes of 2/2/22 Meeting

4) Old Business

- a) Reopening Plan Update
- b) Local History & Lighting Construction Project

5) New Business

Resolution 22-020 BE IT RESOLVED that to provide mutual awareness of fiscal operations until the Legislation Update takes effect, the Library Board of Trustees (BOT) will generate and provide courtesy copies to the Town Board of financial reports as follows:

- A. Bank reconciliations signed as approved by a BOT officer (typically the BOT Treasurer), for all bank accounts under the control of the BOT, by the 15th of each following month;
- B. NYSLRS (New York State and Local Retirement System) report (from NYSLRS web portal) of transmission/submission of Library employee retirement data from monthly payroll, by the 15th of each following month;
- C. Monthly financial Statements in a routine format developed by the Library's accounting firm, by the 15th of each following month;
- D. Federal 941 and NYS 45 quarterly payroll tax reports for the 1st and 2nd quarters of the current year, within 10 business days of completion;
- E. Proof of Insurance on Building with Town listed as an additional insured and Town to be notified if insurance lapses, on a no less than annual basis, and upon any material change in coverage terms or carrier;
- F. Annually audited Financial Statements and Report no later than 15 days after receipt by the BOT;
- G. Plan of Service no later than 15 days after submission to New York State Education Department;
- H. Annual Report to New York State Library Development no later than 15 days after submission to New York State Education Department;
- I. The final report and direction from the New York State Comptroller regarding audit of the Library, no later than 15 days after receipt by the Library;
- J. The Library shall provide a monthly summary to the Town Board advising of status of change to enabling legislation, charter, and bylaws.

Resolution 22-021 BE IT RESOLVED that a change order in the amount of BLANK be approved for the Reading Room Light Fixtures.

Executive Session: Discuss Legal Matters

6) Adjournment

**Town of Ballston Community Library
Board of Trustees Meeting Minutes
January 26, 2022**

Call to order: The meeting was called to order at 7:04 p.m. by President Steve Zarelli.

Present via Zoom: [x]Rebecca Darling, Director; [x]Jenn Richard, Adult Services Librarian, [x]Alyssa Harvey, Youth Services Librarian.

Trustees: [x]Steve Burchett, [x]Michelle Hernandez, [x]Tom Shaginaw, [x]Carolyn Speenburgh, [x]Julia Stone, [x]Sue Tomlinson, [x]Steve Zarelli

Town of Ballston Representative – []Michael Carota

Town of Charlton Representative – []Chris Tasse

Minutes of January 12, 2022 meeting: On a motion by Steve Burchett, seconded by Julia Stone, trustees unanimously approved the minutes of the January 12, 2022 meeting.

Report of Special Funds: Special funds for January were reviewed.

Monthly Financial Report: Financial statements for January were reviewed.

Approval of Bills: The January bills, reviewed and signed by Michelle Hernandez, were approved unanimously on a motion by Steve Burchett, with second by Sue Tomlinson.

Librarians' Reports: appended at end of minutes

Reports of Committees:

Policy Review: Updates to policies P4000, Personnel Policy, and P7250, Trustee Appointment Policy, were discussed.

Old Business:

Reopening Plan: no changes.

Local History & Lighting Construction Project: Town attorney Deb Kaelin would like to review the process the Library followed for bidding and awarding the contract for this project to ensure that Town bidding policies were followed. Library attorney Stephanie Adams and architect Lisa Hayes are providing guidance to help us move forward. Director Darling has a meeting scheduled with Ms. Hayes to talk about how the situation will be communicated with Gallo Construction. Once the proper documentation is provided to the Town, we expect that they will approve the contract with Gallo and the construction work can proceed.

Rotary Peace Pole: Rotary continues to work on the project, and there is a meeting scheduled in two weeks to finalize plans for ordering the bench and other site preparation plans.

New Business:

a) RESOLUTION 22-001 - APPROVE THE ORGANIZATIONAL RESOLUTIONS 22-002 THROUGH 22-014 AND APPOINTMENTS FOR 2022.

Motion made by Tom Shaginaw, seconded by Steve Burchett, and passed unanimously.

b) RESOLUTION 22-002 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library Community Library that all meetings of the Board of Trustees shall be held in accordance with the latest edition of Robert's Rules of Order.

- c) RESOLUTION 22-003 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that the meetings of the Board of Trustees shall be held in the Town of Ballston Community Library located at 2 Lawmar Lane, Ballston, Saratoga County or any video conferencing platform that allows public participation and transcription. The regular meeting shall be held at 7:00 p.m. on the Last Wednesday of each month.
- d) RESOLUTION 22-004 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that the Ballston Spa National Bank shall be the official depository for Library funds and, BE IT FURTHER RESOLVED that the funds may be withdrawn, and checks may be signed, in accordance with the provisions of the procedures established by the Board of Trustees in Library policy P5600.
- e) RESOLUTION 22-005 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that salaries for Library Employees for 2022 are approved and established in the 2022 budget and that all other salaries and hourly rates for the 2022 budget and any subsequent resolutions be approved with longevity awards to be applied during the year as earned and BE IT FURTHER RESOLVED that the payroll schedule be biweekly for all hourly and salaried employees.
- f) RESOLUTION 22-006 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that the official newspaper as required by NYS Education Department Law shall be The Daily Gazette.
- g) RESOLUTION 22-007 – BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that Library Employees shall be compensated at the rate of 58.5 cents per mile for the approved use of their personal automobiles in the performance of their official duties.
- h) RESOLUTION 22-008 BE IT RESOLVED that the Library Fee Schedule (attached) will be used for the 2022 calendar year through the 2023 Organizational Meeting.
- i) RESOLUTION 22-009 - BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that all overnight trips shall require prior approval by the Board of Trustees and, BE IT FURTHER RESOLVED that all other conference attendance shall require prior authorization of the Board of Trustees and BE IT FURTHER RESOLVED that reasonable expense reimbursement for conferences shall be approved by the Director. Any conference enrollee who cannot attend without cause will reimburse the Library for any costs incurred by the Library. Any late fee is the sole responsibility of the conference enrollee.
- j) RESOLUTION 22-010 - BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that the agenda be posted on the Library Website and the Library Bulletin Board 24 hours prior to the meeting.
- k) RESOLUTION 22-011 - BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that all official meeting minutes must be written and mailed or electronically distributed to appropriate parties within 14 days of applicable meeting.
- l) RESOLUTION 22-012 - BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library that the fee schedule be amended to include a fee for checks returned by any bank for insufficient funds is to be \$20.00.
- m) RESOLUTION 22-013 - BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community Library authorizes the Library Director, with Treasurer written concurrence, to make transfers between accounts in the current budget in order to keep accounts properly funded and the Library Director will report transfers to the Board of Trustees.
- n) RESOLUTION 22-014 - WHEREAS the Board of Trustees of the Town of Ballston Community Library requires varied professional services from experts that appropriately licensed and registered in New York State; and, BE IT RESOLVED by the Board of Trustees of the Town of Ballston Community designates and appoints the following firms, subject to approval of contracts by the Library's Attorney, or independent counsel as appropriate:

Firm	Appointment to Library
UHY LLC	Accounting Services
The Law Office of Stephanie Adams (LOSA), PLLC	Legal Services
Public Sector HR, LLC	Human Resources Consultant

o) 22-015 RESOLUTION to rescind existing Policies P4000-P4700 effective to be replaced with the Town of Ballston Community Library Employee Handbook adopted by resolution of the Library Board of Trustees on December 22, 2021.

Motion made by Steve Burchett, seconded by Julia Stone, passed unanimously.

p) 22-016 RESOLUTION to add policy P7250 Trustee Appointment to the Master Policy

Motion made by Tom Shaginaw, seconded by Sue Tomlinson, passed unanimously.

q) 22-017 RESOLUTION to enter into Professional Services Agreement with Public Sector HR

for on demand human resource consulting at a rate of \$185 per hour for 2022.

At a Meeting of the Board of Trustees of the Town of Ballston Community Library, New York, on January 26, 2022, there were:

	Present	Absent	Aye	Nay	Abstain
Steve Zarelli	X		X		
Michelle Hernandez	X		X		
Steve Burchett	X		X		
Sue Tomlinson	X		X		
Tom Shaginaw	X		X		
Carolyn Speenburgh	X		X		
Julia Stone	X		X		
Total	7	0	7	0	0

I, Trustee Carolyn Speenburgh, offer the following resolution and move its adoption:

To pass resolution 22-017

BE IT RESOLVED: that the Board of Trustees of the Town of Ballston Community Library does hereby approve 22-017: RESOLUTION to enter into Professional Services Agreement with Public Sector HR for on demand human resource consulting at a rate of \$185 per hour for 2022.

Seconded by Trustee Steve Burchett, offered for discussion and duly put to a vote, the results of which appear above.

Executive session: At 7:50 p.m., on a motion by Michelle Hernandez, seconded by Julia Stone, trustees voted unanimously to enter executive session to discuss legal matters. At 8:29, Julia Stone made a motion, which was seconded by Sue Tomlinson and passed without exception, to exit executive session, where no votes were taken.

Adjournment: At 8:30, on a motion by Tom Shaginaw with second from Steve Zarelli, trustees voted with all in favor to adjourn the meeting.

Minutes respectfully submitted by: Susan Tomlinson, Secretary

**Town of Ballston Community Library
Board of Trustees Meeting Minutes
February 2, 2022**

Call to order: The meeting was called to order at 7:03 p.m. by President Steve Zarelli.

Present via Zoom: [x]Rebecca Darling, Director; [x]Jenn Richard, Adult Services Librarian, [x]Alyssa Harvey, Youth Services Librarian.

Trustees: []Steve Burchett, [x]Michelle Hernandez, [x]Tom Shaginaw, [x]Carolyn Speenburgh, [x]Julia Stone, [x]Sue Tomlinson, [x]Steve Zarelli

Town of Ballston Representative – []Michael Carota

Town of Charlton Representative – []Chris Tasse

Old Business:

Reopening Plan: no changes.

Local History and Lighting Construction Project Update:

- Director Darling met with architects Lisa Hayes and Paul Mays; they have spoken with Gallo Constuction regarding the status of the contract and availability of materials. We should get a finalized schedule from Gallo soon. They may be able to start next week if the Town signs the contract on 2/8/22.

New Business:

President Zarelli reviewed Resolution 22-018, listed below in its entirety, with Trustees.

At a Meeting of the Board of Trustees of the Town of Ballston Community Library, New York, on February 2, 2022, there were:

	Present	Absent	Aye	Nay	Abstain
Steve Zarelli	X		X		
Michelle Hernandez	X		X		
Steve Burchett		X			
Sue Tomlinson	X		X		
Tom Shaginaw	X		X		
Carolyn Speenburgh	X		X		
Julia Stone	X		X		
Total	6	1	6		0

I, Trustee Tom Shaginaw, offer the following resolution and move its adoption:
Resolution 22-018

BE IT RESOLVED: that the Board of Trustees of the Town of Ballston Community Library does hereby approve Resolution 22-018 **WHEREAS**, on this 2nd day of February, 2022, the Board of Trustees of the Ballston Community Library hereby confirms that the publicly available minutes and records of the Ballston Community Library Board of Trustees include the following due diligence and compliance as required by relevant law and policy:

Project Timeline 2019 State Construction Grant:

August 27, 2019: Letter of Support from Supervisor Szczepaniak
September 25, 2019: Library Board of Trustees voted to apply for a grant from New York State Library Division of Library Development State Aid for Library Construction
September 29, 2019: Grant submitted to the Southern Adirondack Library System
October 16, 2020: Library notified that we have been awarded \$107,606 for the Local History Room & LED Upgrades
October 11, 2021: Invitation to Bid per Town of Ballston bidding procedures published in the Schenectady Gazette by Ballston Community Library
October 26, 2021: Pre-Bid Meeting at the Library
November 8, 2021: Bid Opening at the Library
November 15, 2021: Bid recommendation from Butler, Rowland, Mays
November 17, 2021: Motion by BOT to accept low bidder Gallo Construction; certificate of insurance listing both Library and Town included in proposed contract

Project Timeline 2021 State Construction Grant:

August 25, 2021: Motion by BOT to apply for a grant from New York State Library Division of Library Development State Aid for Library Construction to upgrade the Children's Room to LED lighting. Expected grant amount \$39,000
August 26, 2021: Letter of Support from Supervisor Connolly
August 27, 2021: Grant submitted to the Southern Adirondack Library System
January, 2022: Grant pending, we will not be officially notified until Fall 2022.

BE IT RESOLVED that the Library Board requests the Town Board to affirm the Library Board of Trustees' selection of low bidder Gallo Construction per the attached contract; and

BE IT FURTHER RESOLVED that the Library Board requests the Town Board as owner of the building occupied by the Library to enter into the attached contract with the Library and Contractor to enable Gallo Construction to start work as of February 9, 2022; and

BE IT FURTHER RESOLVED that the Library Board requests the Town Board to affirm the use, as budgeted, of \$74,000.00 of library funds as the required matching funds; and

BE IT FURTHER RESOLVED that the Library Board requests the Town Board to enable through the above-listed actions to enable the Town Supervisor, Comptroller, and Attorney to take all administrative steps consistent with these affirmations and directions.

Seconded by Trustee Julia Stone, offered for discussion and duly put to a vote, the results of which appear above.

Executive session: At 7:11 p.m., on a motion by Carolyn Speenburgh, seconded by Julia Stone, trustees voted unanimously to enter executive session to discuss legal matters. At 7:44, Sue Tomlinson made a motion, which was seconded by Julia Stone and passed without exception, to exit executive session, where no votes were taken.

Motion 22-019: Motion 22-019 to approve the monthly transition status report and send it to the Town was made by Sue Tomlinson with second by Steve Zarelli. It passed unanimously and the report is appended below.

Adjournment: At 7:46, on a motion by Julia Stone with second from Michelle Hernandez, trustees voted with all in favor to adjourn the meeting.

Minutes respectfully submitted by: Susan Tomlinson, Secretary

This report is an update on the elements of the transition of the Library to operate as a Special District Library (as currently defined by New York State Education Department (NYSED)). This is a mutual project of the Town Board and the Library Trustees, undertaken to update practices and emphasize the Library's accountability and autonomy. This transition will require changes from existing operations relative to Town support for payroll, procurement, custody of Library funds, etc. as noted below. At the end of the transition, Library operations will not rely on Town resources, unless, and except as, *ad hoc* efficiencies in collaborating are identified by the Library and the Town and a mutually agreed upon, separate contract is put in place.

This month's updates are highlighted yellow in this document.

The operational transition date is: January 1, 2022 ("Transition Date").

Multiple shared services, along with their previous/current approach (2020 used as a baseline) and the 2022 approach, are identified in Table 1 below.

Reference	Service	2020 State	2022 State
A	Payroll	Administered by Town	Administered by Library
B	Bill Paying	Administered by Town	Administered by Library
C	Funds/Bank Accounts	Held by Town	Held by Library
D	Annual Budgeting Process	Town Process/Approved by Town	Special District Guidelines/ Public Vote as required
E	Trustee Appointment	Appointed by Town	Special District Guidelines/Public Vote Administered by Library
F	Employee Medical Benefits/WC/Retirement/Disability	Administered by Town	Administered by Library
G	HR Administration	Administered by Town	Administered by Library
H	Insurance Coverage (Building, D&O)	Administered by Town	Administered by Library
I	Building Maintenance	Administered by Library	Administered by Library
J	Building Ownership	Owned by Town	Transfer to be pursued.
K	Land Ownership	Owned by Town	Transfer to be pursued.
L	Sidewalk Clearance/ Landscaping	Administered by Library	Administered by Library
M	Parking Lot Snow Plowing/ Lawn Mowing	Performed by Town - transitioned to Library in winter 2020/2021	Administered by Library
N	Governance/ Compliance Guidance	Administered by Town	Administered by Library
O	On-going Legal Support	Administered by Town	Administered by Library
P	Policies	Town and Library blend	Administered by Library

Table 1. Capture of Services

A. Payroll was administered through the Town in 2020; beginning on the 1 January 2022, the Library will manage payroll in accordance with local Civil Service rules and guidelines. **This transition has been completed; the payroll process is in place.**

B. In 2021, Library Procurements were handled through either the Town or the Library payment processes. Under either process, all Library bills (services and goods) were in the name of, and paid by, the Library. Expenses specifically designated to use funds that resided in Library held accounts used the Library process. All procurements through the Library process follow the Library's procurement policy. All procurements through the Town process follow the Town's procurement policy. Both processes adhere to state finance law. **Since 1 January 2022, the Library process is being used to administer all new Library procurements, unless *ad hoc* efficiencies are identified and jointly agreed to by the Library and the Town.**

C. Library Funds, and the Accounts where those funds reside, **are described in Director's report in the posted minutes of the Library Board of Trustees meeting. <https://burnthills.sals.edu/>.**

The most recent Library-generated financial report was reviewed in the Public Meeting of the Library Board of Trustees on **26 January 2022.**

To facilitate continued Library operations, the Town turned over \$100,000 (less Library expenses or obligations outstanding in the Town process) to Library's Treasurer, in advance of receipt of tax levy funds.

The Bookkeepers for the Town and Library worked closely to establish the amount of the pre-paid accrual for 2022 and 2023 as \$25,344.67. This transfer occurred on 7 January 2022.

D. The tax levy is currently authorized to be included on the budget submitted by the Town Board, and paid only by those in the district served. The Library Tax will continue to be collected by the Town on residents' tax bills. This will maintain operational efficiency and a consistent tax payer experience. The legislation that is currently being drafted (see section E below) addresses the process by which a budget is approved by the Special District Library.

E. Historically, Library Trustees are appointed by the Town Board. NYSED specifies an election-based approach for Special District Libraries. Constituents in the Library's Special District (serving the Town of Ballston, excluding the Village of Ballston Spa) will be eligible to vote. The vote will be conducted in accordance with legislation that is being drafted in December 2021 and **January 2022** by a group that includes Deb Kaelin (Town Attorney), Kelly Stewart (**Former** Town Board member), Cole Adams (Library Attorney), and representatives from the Library (Staff and Trustees). **An initial status meeting with Assemblywoman Mary Beth Walsh was conducted on 13 January 2022. A subsequent meeting to finalize the legislation is being scheduled for February 2022.**

F. Employee Medical Benefits/WC/Retirement/Disability was administered through the Town in 2020; beginning on the 1 January 2022, the Library manages this in accordance with local Civil Service rules and guidelines.

G. HR Administration leveraged Town policies in 2020. In Q4 2021, the Library contracted Public Sector HR to create an employee handbook for Library employees. The handbook was adopted by the Library Board of Trustees in December of 2021. Beginning on the 1 January 2022, the Library manages HR Administration in accordance with local Civil Service rules and guidelines and that handbook.

H. The Library premises and contents have been previously insured through the Town, and paid by Library funds. Presently, the Library has secured its own insurance for the Library's premises and contents that went into effect on the 1/1/2022. The process for insuring the building may change as (and, if) building ownership evolves. A copy of the applicable insurance policies has been provided to the Town by the Library.

I. Building Maintenance is coordinated and paid for by the Library. Capital improvements are coordinated and paid for by the Library, with notice to and upon leave of the Town as property owner. This will not change through the Transition.

J & K. The Library premises are owned by the Town, but restricted by deed to the use of the Library. The Library and Town coordinate on property-related issues. Transfer of ownership is sought within 2022.

L & M. Snow removal and landscaping are administered and paid by the Library. Historically, the Town and Library have jointly procured sidewalk salt, which had been stored at the Town. The Library's current supply of salt is being stored at Hometown Turf.

N. The Library has retained an accountant for the fiscal reports it must file with the State and share with the public and other services. Coordination and collaboration between Town and Library financial entities will be especially critical in reporting during the period of transition. The Library finances are reviewed by NYSED annually and that will continue. The Library is already subject to audit by the NYS Comptroller, and will continue to be so.

O. On-going Legal Support of the Library was previously provided by Town, but is currently coordinated and paid by the Library.

P. Previously, the Library employed Policies of both Town and Library, with the Library leveraging Town policies for many administrative and non-Library specific operations. An assessment of the comprehensive policy set that governs the Library is underway as part of this transition. The structure employed is based on the guidance from the New York State Library organization within NYSED. That guidance describes Externally Focused (Service to the Public) and Internally Focused (Library Operations) Policy Areas as noted in **Table 2** below.

Externally Focused Policy Areas	Internally Focused Policy Areas
Circulation	Board (Trustees)
Collection	Administrative
Public Space	Financial Controls
Technology	Personnel
	Safety

Table 2. Summary of Library Policy Topic Areas

Summary:

The goal of this document is to describe the aims and activities of the transition of the Library to a Special District Library (using the Contemporary Definition). It specifically targets the roles of the Town and the Library relative to operations and governance.

The Town and Library serve shared constituents. It is imperative that this transition results in minimal disruption for patrons and employees, while maintaining a productive partnership between the Town and the Library.