

This is an update on the Transition of the Library to a Special District Library (as currently defined by New York State Education Department (NYSED)). Content updates for February 2023 are highlighted yellow. Clerical updates are not highlighted. Transition efforts status is provided in Table 1 and summarized in the descriptive text.

Despite the setback of missing the 2022 legislative cycle, the Library Board of Trustees is continuing the effort in 2023 to establish clear operational guidelines between the Town Board and the Library Board of Trustees. The Library Trustees are working with the Town Board as well as the appropriate stakeholders to initiate the legislative process which will provide direct accountability to the voters of the Library District.

All of the previously shared or Town administered services on behalf of the Library have transitioned to full Library administration. Library operations do not rely on Town administration, and, in the future, will not, unless, and except as, *ad hoc* efficiencies in collaborating are identified by the Library and the Town.

On November 1, 2022 Library Trustee Stone, Town Councilman Carota, and Town Supervisor Connolly met and discussed home rule for legislation, the status of a potential lease agreement, and dual building insurance. The Town Supervisor addressed the above by reaching out to the Town Board members. At the December 27, 2022 Town Board Agenda Meeting, the Library requested a Home Rule Resolution from the Town Board that would allow an update of the current charter to that of a true special district; Town Board discussed it and no issues were presented regarding this initiative. At the January 10, 2023 Town Board Meeting, Town Supervisor Connolly acknowledged receiving a Home Rule Resolution Draft from the Library. On February 16, 2023, a Stakeholder Meeting was held to discuss the legislative amendment process. Town Attorney Ryan reviewed the 2022 draft legislation and raised points where he would like the language to be updated so that it is acceptable to both Town and Library; Town Attorney Ryan and Library Attorney Adams plan to meet to make these revisions; a tentative timeline was suggested during this meeting as follows:

- Now to End of February - Make edits to current 2022 draft
- Beginning of March – Both parties to review and analyze
- Mid to End of March – Approved and finalized Legislation introduced into Assembly by Sam Torrey (Chief of Staff for Assemblywoman Marybeth Walsh) for Number; Additional discussion as needed at Town Board Agenda Meeting (3/28/23)
- Beginning of April – Anticipated Home Rule Resolution at Town Board Meeting (4/11/23); paperwork to be finalized by Sam

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

Table 1. Capture of Services

A. Payroll has been transitioned. Library is processing payroll.

B. Since January 1, 2022, the Library process is being used to administer all new Library procurements. This will continue for future procurements.

C. Library Funds, and the Accounts where those funds reside, are described in the 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 February 22, 2023. Further, on February 13, 2023, the Library provided the Town with updated additional detailed monthly Financial reports and account reconciliations that had been identified by the Town.

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. After Transition, the Library Tax will continue to be collected by the Town on residents' tax bills. The proposed legislation will authorize a process by which a budget is directly approved by voters of the Special District Library. The delay in the Legislative process required to execute the Transition means that the Pre-Transition budget process will remain in effect for the 2023 Budgeting cycle.

E. Historically, the Library Trustees are appointed by the Town Board. This is specified in the existing Library Charter. NYSED specifies an election-based approach for selecting Trustees in Special District Libraries. The Transition will modify the existing Library Charter in this regard. Constituents in the Library's Special District (serving the Town of Ballston, excluding the Village of Ballston Spa) will be eligible to vote to select Library Trustees.

In the May 2, 2022, meeting, Town Supervisor Connolly requested that the new Library Board of Trustees (3 new trustees appointed as of 7/1/22) revisit the idea of modifying the Legislation to the Special District Library definition. Consequently, the Library Board of Trustees passed a resolution in the July 27, 2022 meeting recommitting to a charter update.

F. Employee Medical Benefits/WC/Retirement/Disability; beginning on the 1 January 2022, the Library manages this in accordance with local Civil Service rules and guidelines. The last elements of the NYS Retirement have been completed.

G. HR Administration; Beginning on January 1, 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 January 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. In June, it was discovered that both the Town and the Library are maintaining insurance for the premises and collection. The Library's budget is being used to pay for both. This is the topic of ongoing evaluation and discussion.

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.

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. The Library Board of

Trustees passed a resolution in the September 28, 2022 meeting to consider entering into a lease agreement with Town for use of the library building. The Library wishes to confirm the terms of its occupancy of the library building to ensure clarity regarding key operational issues. Therefore, the Library shall explore a written agreement with the Town; this is currently on hold pending legislation.

L & M. Snow removal and landscaping are administered and paid by the Library.

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.

O. On-going Legal Support of the Library was previously provided by Town, but is currently administered 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. The Library no longer references Town policies.

**Summary:**

This document describes 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.

Despite the setback of missing the 2022 legislative cycle, the Library Board of Trustees is continuing the effort in 2023 to establish clear operational guidelines between the Town Board and the Library Board of Trustees. The Library Trustees are working with the Town Board as well as the appropriate stakeholders to initiate the legislative process which will provide direct accountability to the voters of the Library District.

The Town and Library serve shared constituents. It is imperative that this transition results in minimal disruption for patrons and employees.