

CHEMUNG COUNTY LIBRARY DISTRICT

Agenda

The January 2006 meeting of the Board of Trustees of the Chemung County Library District will be held on Thursday, January 19, 2006 at 7pm in the auditorium of the Steele Memorial Library, 101 East Church Street, Elmira, New York 14901. The agenda for the meeting is listed below. If you are unable to attend, please inform Ms. Wavle (735-1865), Mrs. Santulli (733-8607), or Mr. Sleeth (733-8611).

1. Call to order
2. Pledge of allegiance
3. Approval of minutes (document #2006-1)
4. Treasurer's report
 - a) Financial report (document #2006-2)
 - b) Report of receipts and disbursements (document #2006-3)
5. Correspondence
6. President's report
 - a) Jim Young, attorney for CCLD, presents
 - b) Definition of, appointment to, and first charge to library district committees
 - c) Policies & Bylaws Committee
 - d) Building & Grounds Committee
 - e) Personnel Committee
 - f) Budget & Finance Committee
 - g) Schedule and location of board meetings
 - h) Deadlines for documentation to regular meetings of the library district
7. Director's report
 - a) Transition work (document #2006-4)
8. Committee reports
9. Old business
 - a) Proposed amendment to the Bylaws (document #2006-5)
10. New business
 - a) Consideration by the Chemung County Library District of the August 2005 Memorandum of Agreement between the Horseheads Free Library and the Steele Memorial Library (document #2006-6)
 - b) Establishing the library district's newspaper of record
 - c) Establishing the library district's bank of record
 - d) Appointments (document #2006-7)
 - e) Resolution approving participation in the New York State and Local Employees' Retirement System **and** Resolution Providing a 1/60th Pension Under a Non-Contributory Plan, Section 75-c ...**and** Resolution providing for an allowance of unused sick leave credits under Section 41(j) (documents #2006- 8, 9, and 10)
11. Period for public expression
12. Adjournment

Minutes of the December 2005 meeting of the Chemung County Library District Board of Trustees. (document #2006-1)

Minutes of the December 2005 meeting of the Chemung County Library District Board of Trustees. The December meeting was held on Thursday, December 1, 2005 at 4:00pm in the auditorium of the Steele Memorial Library. Judge Peter C. Buckley called the meeting to order.

Administration of the oath of office. Judge Peter C. Buckley administered the oaths of office for the 15 newly appointed members of the Chemung County Library District.

Drawing of lots for terms of office. Judge Peter C. Buckley oversaw the drawing of lots. The Chemung County Library District shall be administered by a board of fifteen trustees, to be at first the persons who are named herein as incorporators, said trustees to serve in the order in which they are named herein, for the terms that shall expire as follows: Robin Fitzgerald, December 31, 2006; Maria Scotti-Laifer, December 31, 2006; Allen C. Smith, December 31, 2006; Karl Schwesinger, December 31, 2006; Dan Drake, December 31, 2006; Claudia Radin, December 31, 2007; Richard Pirozzolo, December 31, 2007; Jan Kather, December 31, 2007; Andrea Ogunwumi, December 31, 2007; Julia Lavarnway, December 31, 2007; Elizabeth Wavle, December 31, 2008; Joan Hurley, December 31, 2008; Sherrill Collins, December 31, 2008; Marleah Denkenberger, December 31, 2008; and Edwin Marosek, December 31, 2008.

Election of officers. Judge Peter C. Buckley oversaw the election of officers. Ms. Laifer moved, seconded by Mr. Marosek that the following slate trustees be nominated: Elizabeth Wavle, President; Maria Scotti-Laifer, Vice-President; Richard Pirozzolo, Treasurer; and Sherrill Collins, Secretary. Motion carried.

Judge Buckley then applauded the tremendous accomplishment the Steele Memorial Library and Horseheads Free Library did in educating the public, in working together, and in working with the County Administration. The result of 65% of the voters favoring the Library District is an outstanding victory. This is a new beginning for the public library, a great opportunity for the public to come together and take ownership of their libraries.

Judge Buckley then turned the meeting over to newly elected President Ms. Wavle. She added her thanks and welcome to the District Board, to the members of the Steele and Horseheads Library Boards, to members of the Joint Task Force and to Jim Farrell and Dick Panz of Panz Library Consulting.

Consideration of By-Laws. President Wavle stated that the board needed to adopt a set of by-laws today in order to proceed with business but that the proposed Bylaws could be amended when deemed necessary. Mr. Drake moved, seconded by Ms. Lavarnway, to adopt the by-laws as submitted in writing in the board packet. Motion carried.

Consideration of standing committees. President Wavle suggested that standing committees would be necessary to assist the board in overseeing the library district. Several possible committees are listed in the *Handbook for Library Trustees of New York State*. These included the Executive Committee, Planning Committee, Finance Committee, Personnel Committee, Facilities Committee, Bylaws Committee, and Policy Committee. Ms. Wavle asked that board members think about the skills and background they bring to the board and prepare to volunteer for committee assignments. In addition, Ms. Wavle suggested the immediate appointment of an *ad hoc* Transition Committee to work on issues that should not wait until the next meeting of the library district. Agreeing to serve on this Transition Committee were Mr. Schwesinger, Mr. Pirozzolo, Ms. Ogunwumi, and Ms. Wavle.

Charter Application. Ms. Wavle asked Jim Farrell from Panz Library Consulting to step the library board through the charter application documents to be sent to the Board of Regents. Mr. Farrell began by applauding the achievement of the Chemung County Library District, the first countywide special library district in New York State.

The first document considered was entitled “Petition to the Regents of the University of the State of New York for an Absolute Charter in the First Instance, to be granted pursuant to the provisions of Section 216 of the Education Law.” This petition was approved and signed by the fifteen members of the board of the Chemung County Library District Board of Trustees, then notarized by Judge Peter C. Buckley.

The second document considered was entitled “Certificate of Establishment of a New Library.” This certificate establishes that the Chemung County Library District, a public library, be established for the use of all residents of the County of Chemung in accordance with sections 216 and 255 of the State Education Law. This certificate was approved and signed by the fifteen members of the board of the Chemung County Library District. This certificate indicated that the successors of the initial board of trustees will be elected to their terms, and that the initial sum of \$1,963,969 will be hereby appropriated for the purposes of operating the library district. Judge Peter C. Buckley notarized the board signatures on this certificate.

The third document considered was entitled “An Application for Library Charter and Admission to the University.” This document was approved and signed by the fifteen members of the board of the Chemung County Library District and authenticated by the President of the board, Elizabeth Wavle.

The fifteen members of the library board of the Chemung County Library District signed forms entitled “Consent to Serve as an Initial Trustee of the Chemung County Library District.” Judge Peter C. Buckley notarized these consent forms.

Mr. Farrell stated that there are a couple of other documents that will be included with the charter application that board members do not need to sign. A statement of when each trustee’s term expires will be included in the original documents sent to the Board of Regents. Also included will be a certified copy of the Proposal given to the public to

vote on and a certified copy of the voting results of each polling place. The documents will be sent to the Office of Council for review and then forwarded to the Board of Regents for their approval. He stated that the application would probably reach the agenda of the Board of Regents in February of 2006. After the charter application is approved, a representative from the Division of Library Development will come and perform a library review.

Dick Panz of Panz Library Consulting then explained that after the documents are submitted to the Division of Library Development in Albany there will need to be a transfer of assets from the Steele Memorial Library and the Horseheads Free Library to the District. The two libraries will then file dissolution papers with the State. Mr. Panz encouraged board members to participate in an orientation session and recommended that they read and use the *Handbook for Library Trustees of New York State*. The annual trustee institute sponsored by the New York State Association of Library Boards in the spring of the each year provides another trustee education opportunity.

Attorney for the Chemung County Library District. Ms Laifer stated that the library district needs to hire an attorney, and she recommended Jim Young of the firm of Sayles & Evans. Mr. Young is familiar with Education Law and also attorney for the Southern Tier Library System. Ms. Laifer moved, seconded by Ms. Radin, to contact Jim Young to serve as the attorney for the Chemung County Library District. Motion Carried.

Regular meeting date and time. Following a general discussion, Ms. Lavarney moved, seconded by Ms. Laifer, to amend the Bylaws to state that regular meetings of the library district board of trustees be held on the third Thursday of each month, beginning at 7pm. [As an amendment to the *Bylaws*, this motion will be reconsidered at the January 19, 2006 regular board meeting before it is formally included in the *Bylaws*.]

Remarks from County Executive Tom Santulli. Ms. Wavle asked County Executive Tom Santulli to address the library board. Mr. Santulli stated that the formation of the library district was a remarkable accomplishment. He commented that our libraries did a great job convincing the public that the idea had merit and should be supported and that the 65% approval of the referendum was excellent for our community. Mr. Santulli encouraged the board to think creatively as it provided library services to the community.

President Wavle thanked Judge Buckley for attending this meeting and assisting with the process to apply for a charter from the Board of Regents. She also again expressed appreciation to Dick Panz and Jim Farrell for lending their professional assistance with the process of creating the Chemung County Library District.

Mr. Smith moved, seconded by Mr. Pirozzolo, to adjourn the meeting at 5:35 PM. The next regular meeting of the board will be on Thursday, January 19, 2006 at 7 PM at the Steele Library. Motion carried.

CHEMUNG COUNTY LIBRARY DISTRICT (DOCUMENT #2006-2)
 Financial Report - JANUARY 1, 2006

Account	2006 Annual Budget	Received to date	Balance remaining	Percentage Received	Percentage through year
Income					
Library Fines, Fees & Contributions	89,625		89,625	0%	
Grants (other than N.Y.S.)	58,650		58,650	0%	
Interest & Foundation Contributions	80,000		80,000	0%	
Library District Tax Receipts	1,963,969		1,963,969	0%	
State Aid					
Central Library Development	105,000		105,000	0%	
Central Book Aid	71,500		71,500	0%	
Local Library Services Aid	49,952		49,952	0%	
Other State Aid	3,200		3,200	0%	
Interfund Transfer	94,619		94,619	0%	
TOTAL INCOME	\$ 2,516,515	\$ -	\$ 2,516,515	0%	0%

Account	Annual Budget	Expended to date	Balance remaining	Percentage Expended	Percentage through year
Expense					
Personnel					
Salaries	\$ 1,084,071		\$ 1,084,071	0%	
Sunday & Holiday Salaries	46,258		46,258	0%	
Employee Benefits	478,892		478,892	0%	
Contractual					
Equipment	14,681		14,681	0%	
Telephone	12,130		12,130	0%	
Supplies	28,300		28,300	0%	
Travel & Continuing Education	12,603		12,603	0%	
Repairs & Maintenance	43,279		43,279	0%	
Postage	7,610		7,610	0%	
Library Materials (books, video, etc.)	254,667		254,667	0%	
Utilities	80,901		80,901	0%	
Building Cleaning Supplies	4,150		4,150	0%	
Fuel, Gas & Oil	1,200		1,200	0%	
Insurance	18,645		18,645	0%	
Rent	5,000		5,000	0%	
Vehicle Operation / Lease	7,000		7,000	0%	
Professional Fees (audit, membership)	12,650		12,650	0%	
Data Processing Expenses	37,118		37,118	0%	
Payment of Taxes	4,575		4,575	0%	
Library Programming	11,250		11,250	0%	
Interfund Transfer	94,619		94,619	0%	
Debt Service	221,065		221,065	0%	
TOTAL EXPENSE	\$ 2,480,664	\$ -	\$ 2,480,664	0%	0%

GRANT FUND

	<u>Type</u>	<u>Date</u>	<u>Memo</u>	<u>Due Date</u>	<u>Open Balance</u>
ProQuest Information & Learning	Bill	01/09/2006	MF-New York Times	01/19/2006	<u>5,550.36</u>
Total ProQuest Information & Learning					<u>5,550.36</u>
TOTAL					<u><u>5,550.36</u></u>

Memo (document #2006-4)

To: Chemung County Library District Board of Trustees

From: Jim Sleeth & Joan Santulli

Subject: Transition from the County to the Library District

Date: January 10, 2006 update

State Charter. All paperwork to receive a charter for the Library District has been submitted to the State Education Department. We anticipate the Board of Regents will take action to approve the absolute charter at its mid-February meeting. Jim Farrell from Panz Library Consulting and Lisa Areford from the Division of Library Development provided assistance with this project.

Working with County Departments. Verbal working agreements with the County Building & Grounds, Treasurer, Data Processing, Budget, Purchasing, and the Real Property Tax Office have been concluded. A good working relationship with the Regional Civil Service Commission is established. The general principal being followed is that when the library district requires material (replacement light bulbs, salt to melt ice, items from the county general store), the district will be billed for that material. When the district needs staff assistance (the lawn mowed, snow removed, etc.), the county will not bill the district for personnel costs.

Payroll. The library district is using the County's payroll software. The library district will transfer, from its payroll account at Chemung Canal Trust Company, funds to the County to cover the library district payroll. The first payroll to library district employees will be distributed on Thursday, January 19th.

Health insurance for employees and retirees. Library District employees will remain in the pool for health insurance purposes, though the County insurance department staff will bill back costs. There will be no change to coverage.

Labor relations and Civil Service. It was suggested that the library district should adopt the current County of Chemung / CSEA agreement since the district legislation stipulates that "all employees of the Steele Memorial Library and the Horseheads Free Library shall become employees of the library district upon the same terms and conditions of employment as their previous employment"

Receipt of tax dollars and cash flow issues. Tax revenue is collected by the towns and, starting with the first days of February, distributed directly to the Library District. Most, but not all, tax revenue will be received by the end of February. The cash flow issue was resolved when the Steele Memorial Library Board of Trustees voted a one-time grant of \$250,000 to the library district.

Transfer of ownership of existing libraries. Issue remains unresolved.

Insurance. Insurance coverage identical to that of the County has been obtained. Mark Hagan from Perry & Carroll will attend the February meeting to address the library board about its insurance coverage.

Document #2006-5

Proposed amendment to the Bylaws

Article VII Section 1 of the Bylaws of the Chemung County Library District reads:

Section I. An amendment to the Bylaws may be proposed by any Trustee. An amendment shall be valid after a majority vote at a regular board meeting. Such amendments may be adopted only after they have been presented at a prior regular Board meeting and included on the agenda for the meeting where they are voted on.

Thus the amendment to the Bylaws at the December 1st meeting of the library board that establishes the regular meeting of the library district on the third Thursday of each month needs to be presented for consideration at the January 19th, 2005 regular meeting.

MEMORANDUM OF AGREEMENT

Entered into by the Steele Memorial Library Board of Trustees and the Horseheads Free Library Board of Trustees on the ____th day of ~~July~~ 2005, the Parties agree:

August

1. The allocation of Chemung County Public Library District revenues shall be structured so that 13.7% of the revenues are used for the operation of the Horseheads Free Library and 86.3% of the revenues are used for the operation of Steele Library, the Big Flats Library, the West Elmira Library, the Bookmobile and the Van Etten Reading Center.
2. Any change in the allocation cited above will require a supermajority vote comprised of 12 of the 15 Library District Board members.

Signed: Kristen J Meyer Date: 8/22/05
For the Steele Memorial Library Board

Claudia Radin Date: 8/31/05
For the Horseheads Free Library Board

Appointments

(Document 2006-7)

Personnel vacancies can be assumed to occur from time to time throughout the year. When these vacancies occur, the Director is authorized to fill positions as listed in the annual budget, in accordance with the staff plan of the Chemung County Library District. Any change in the Library's staff plan shall be submitted in writing to the Personnel Committee of the Library Board, which shall be responsible for reviewing the proposal and referring the new staff plan for consideration to the Library Board. The Director shall regularly report all vacancies and appointments to the Library Board.

All vacancies are to be filled and personnel policies administered recognizing the laws and rules of the State of New York and the Chemung County / City of Elmira Regional Civil Service Commission as they pertain to the Chemung County Library District.

The selection of staff members is based strictly on merit with due consideration of personal and educational qualifications, and of training and aptitude for the position.

Applicants for employment shall be interviewed and carefully screened by the Director and / or the Director's designee.

Every permanent competitive appointment shall be for a probationary period of twenty-six weeks. If the position is classified under Civil Service, the probationary period cannot start until Civil Service has certified the employee.

The employee should be given assistance and consultation on the job to help him or her qualify for permanent placement.

If the probationer is not satisfactory, employment may be terminated at any time on or before the completion of the probationary period of employment, consistent with the law and governing regulations.

Members of the Board of Trustees, and the spouses, parents and children of the Trustees are prohibited from being employed by the Chemung County Library District.



New York State and Local Retirement Systems
 Employees' Retirement System
 Police and Fire Retirement System
 110 State St., Albany, New York 12244

Location Code: _____

Resolution approving participation in the New York State and Local Employees' Retirement System.

At a meeting of the governing board of the Chemung County Library District held at _____,
 New York, on _____, 200__, _____ offered the following
 resolution: (Person)

"BE IT RESOLVED: that the governing board of the Chemung County Library District does hereby elect to participate as an employer in the New York State and Local Employees Retirement System and approves inclusion of its officers and employees in such system, in accordance with any and all of the laws governing such participation as set forth in the Retirement and Social Security Law, as presently or hereafter amended, together with any administrative rule, regulation or directive governing same."

"BE IT FURTHER RESOLVED: that this election shall become effective on the _____, day of _____, 200__." **

**** The effective date of the benefit cannot be prior to the date this resolution is "filed" with the Comptroller. Documents mailed by the United States Postal Service registered or certified mail return receipt requested or express mail and ultimately received by the Retirement System will be considered received as of the postmark date will be considered "filed" as of the date it was mailed.**

STATE OF NEW YORK)
):SS
 COUNTY OF CHEMUNG)

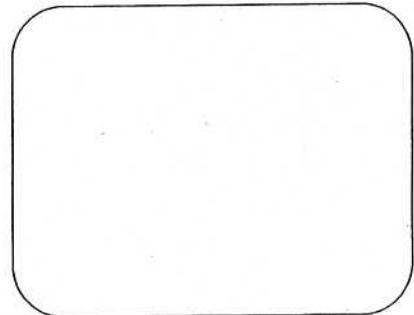
I, _____, clerk of the governing board of the Chemung County Library District of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 200__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
 set my hand and the seal of the

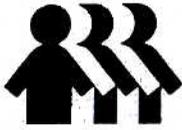
(Seal)

 (name of employer)
 on this _____ day of _____, 20__

 (signature of clerk)



The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.



New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System

Location Code: _____

110 State St., Albany, New York 12244

Resolution Providing a 1/60th Pension Under a Non-Contributory Plan, Section 75-c; a Non-Contributory Plan with Guaranteed Benefits Under Section 75-e; a Career Retirement Plan Under Section 75-g and a New Career Retirement Plan Under Section 75-i

At a meeting of the governing board of the Chemung County Library District held at _____,
New York, on _____, 200__, _____ offered the following
resolution: (Person)

"BE IT RESOLVED: that the governing board of the Chemung County Library District does hereby elect to provide the additional pension benefits of Section 75-c; Section 75-e; Section 75-g and Section 75-i of the Retirement and Social Security Law, as presently or hereafter amended.

"BE IT FURTHER RESOLVED: that the effective date of such shall be the _____, day of _____, 200__." **

**** The effective date of the benefit cannot be prior to the date this resolution is "filed" with the Comptroller. Documents mailed by the United States Postal Service registered or certified mail return receipt requested or express mail and ultimately received by the Retirement System will be considered "filed" as of the date it was mailed.**

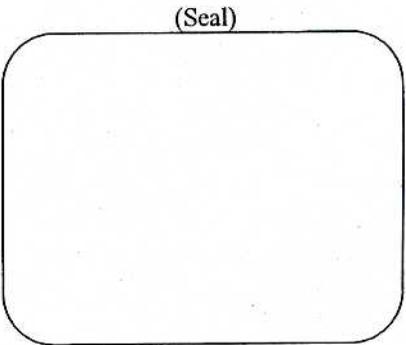
STATE OF NEW YORK)
):SS
COUNTY OF CHEMUNG)

I, _____, clerk of the governing board the Chemung County Library District, the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such Board, at a legally convened meeting held on the ___ day of _____, 200__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full Board consists of ___ members, and that ___ of such members were present at such meeting and that ___ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

(name of employer)
on this _____ day of _____, 200__

(signature of clerk)



The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.



New York State and Local Retirement Systems
 Employees' Retirement System
 Police and Fire Retirement System

Location Code: _____

Alan G. Hevesi, State Comptroller
 110 State Street, Albany, New York 12244

Resolution providing for an allowance of unused sick leave credits under Section 41(j).

At a meeting of the governing board of the Chemung County Library District held at _____, New York, on _____, 200__, _____ offered the following resolution: (Person)

"BE IT RESOLVED: that the governing board of the Chemung County Library District does hereby elect to provide the additional pension benefits of Section 41(j) of the Retirement and Social Security Law, as presently or hereafter amended."

"BE IT FURTHER RESOLVED: that the effective date of such shall be the _____, day of _____, 200__." **

**** The effective date of the benefit cannot be prior to the date this resolution is "filed" with the Comptroller. Documents mailed by the United States Postal Service registered or certified mail return receipt requested or express mail and ultimately received by the Retirement System will be considered received as of the postmark date.**

STATE OF NEW YORK)
) SS:
 COUNTY OF CHEMUNG)

I, _____, clerk of the governing board of the Chemung County Library District of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such Board, at a legally convened meeting held on the _____ day of _____, 200__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full Board consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

 (name of employer)

on this _____ day of _____, 20__

 (signature of clerk)

(Seal)

The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.

Note: When filing this resolution, you must submit a copy of your approved plan for granting sick leave credits. An allowance will only be made for leave credits granted to eligible employees according to this plan.