The Jones Library, Inc.                                      Thursday, January 4, 2024
Board of Trustees                                         1-3pm; Zoom

ADVISORY TO THE PUBLIC:
Pursuant to Chapter 20 of the Acts of 2021 and extended by Chapters 22 and 107 of the Acts of 2022, this Jones Library Board of Trustees meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so via Zoom or by telephone. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means.

You are invited to a Zoom webinar.
When: Jan 4, 2024 01:00 PM Eastern Time (US and Canada)
Topic: The Jones Library, Inc. Board of Trustees

Please click the link below to join the webinar:
https://amherstma.zoom.us/j/82140977479
Or One tap mobile :
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Dial(for higher quality, dial a number based on your current location):
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Webinar ID: 821 4097 7479
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1. Call to Order/Attendance.
2. Changes/Additions to Agenda.
3. Election of Officers (President; Vice President; Treasurer; Vice Treasurer; Secretary). *
4. Committee Assignments [Library (JLBC; B&F; Development; PPP; Budget; Investment); Town (BCG; Personnel Board; Audit Committee; JCPC)]
5. Approval of Minutes (12-19-23) *
6. Public Comment.
7. President’s Report. *
   a. Jones Building Project Easements Negotiations
8. Adjourn.

Proposed Motions

I. Trustee President Motion (proposed):

MOTION: To allow the Trustee President to negotiate with the Board of the Amherst Historical Society, the owner of The Works building, and the owner of The Drake building regarding temporary and permanent easements necessary for the Jones Library expansion & renovation project.
Meeting of the Jones Library, Inc., and the Town Libraries’ Board of Trustees
December 19, 2023  3:00 p.m.  meeting conducted via Zoom webinar.

Members Present:  Austin Sarat, Alex Lefebvre, Tamson Ely, Lee Edwards, Farah Ameen, and Bob Pam
Also Present:  Sharon Sharry, and members of the public (1 attendee)

I.  Meeting called to order at 3:00 p.m.

II. Changes/Additions to Agenda - None

III.  MOTION: To approve the minutes of December 13, 2023.  Approved as amended 6-0.

IV.  Public Comment – None

V.  President’s Report
   A.  Trustee President expressed gratitude to all who worked extremely hard to provide information needed by the Town Council to carefully review and assess increasing the bond authorization.  Would also like to thank all those involved including folks at Town Hall and Bob Peirent.
   B.  While did not always agree with arguments made and information provided by the critics, believe the Town is better off with the active involvement of its citizens.  Believe we saw people try their best to articulate their views, digest a lot of information, and come to a decision as to what the town should do.  Things were said, but throughout felt lucky to live in a town where people care about the town and the Library.  As we move forward, we are not just Library Trustees, or an interest group, each of us drive on roads, depend on emergency services, rely on DPW, and some have children in the schools or who have gone through the schools.  We are citizens of the town and if any of us thought the addition or expansion of the Library would have been a net detriment to the town, we would have acted differently.  All care a lot about the well-being of the town and that was front and center in the decision-making process.
   C.  Would like to extend a special word of thanks to Lee Edwards and the Capital Campaign committee.  We were in a different position than we could have been thanks to the efforts of the campaign.
   D.  Would also like to recognize Bob Pam who did well beyond what he needed to do for the project.  Appreciate his important role in providing essential information to the Town Council.
   E.  Appreciated residents of Amherst coming forward and speaking about what the Library meant to them.  It was an enormous tribute to Library staff.

VI.  Amendment #2 MOA between Town and Jones Library Trustees – nothing further to do at this time.  We will need to sign the document when we are called to do that.

VII. Library Director Contract
   A.  MOTION – Move to approve the Library Director contract as amended.  Approved 6-0.
   B.  Proposed 3-year extension.  Sharon has been the Library Director for over a decade and in annual evaluations is typically regarded as quite successful.  She is respected by staff, the Board, patrons, and people in town hall.  Proposed changes to Article 5 – compensation is changed, and vacation schedule be changed from 25 to 30 days.  Article 9B – termination clause other than for cause changed from 6 to 9 months.
   C.  It was noted that under Position Description Duties, Section 7 – “spokes person” should be one word.
   D.  It was noted that Article II notice of intent not to renew was also changed from 3 months to 6 months.  When this language was changed to 3 months in 2017 the suggestion came from the HR Director.  Was
this change also from the HR Director? No. It has been suggested in recognition of both the length of time the Director has been in her position and her Annual Evaluation results.

E. It was noted that Article IX Discipline or Discharge Section A Termination for Cause contains language regarding insubordination by the Director. This might be language to reconsider in the future to add something regarding documentation of problems or progressive discipline. This language is different from other Town Departments and other library language – suggested PPP review more closely when next contract is up for negotiation.

F. Also noted that the severance package in section B of the same article will result in additional cost to the Library should the Director be terminated. Assume this language was included to be more commiserate with Town Manager and School Superintendent language? Again, language was proposed in recognition of both the length of time the Director has been in her position and her Annual Evaluation results, rather than outside consultation.

G. Question under Position Description Duties, Section 7, the last line regarding serving as chief liaison with the Friends was crossed out. Intention was to capture this same sentiment in the creation of Section 3.

H. Question if the Article V compensation – is current compensation? Yes, this reflects the Director’s current compensation and does not result in a raise outside of the standard increases of the Town scale.

I. Question if the increase from 25 days of annual leave was done as comparative equity and with Town Manager or other positions. Again, language was proposed in recognition of both the length of time the Director has been in her position and her Annual Evaluation results, rather than outside consultation.

J. MOTION: To amend the Position Description, Section 5 to delete the word ‘and’ and insert the following language “implements decisions of the Board” directly prior to supervises implementation of new programs and services in the third to last line of the paragraph. Approved 6-0

K. MOTION: To amend the Position Description, Section 1 to insert the following language “to ensure a focus on patrons and town residents” directly after customer service experience in the 4th line from the bottom of the paragraph. Failed 1-5 (Ameen, Ely, Lee, Lefebvre, Sarat - no)

L. Believe the intent already exists in the language. Concern of who is defined as a patron so felt there would be a need to add town resident language. Comment about ESL services and are those residents considered patrons. It was expressed that anyone using Library services would be considered a patron by we know that not all people using the ESL services are town residents.

M. MOTION: To amend the Position Description, Section 1 to substitute the word “patron” for “customer service” in the 4th line from the bottom of the paragraph. Approved 6-0.

N. MOTION: To amend the Position Description, Section 3 to add the following sentence to the beginning of the section. “Serves as chief liaison with the Friends of the Jones Library. Approved 6-0.

O. MOTION: To amend Article IX Discipline or Discharge, A. Termination by the Board for Other than Cause replace “nine (9) months” with six (6) months. Failed 1-5 (Ameen, Ely, Lee, Lefebvre, Sarat - no)

P. Expressed desire to leave the severance of 6 months as it exists in the current contract and not increase the number of months to 9. Question if we know what is in place for Town Manager or Superintendent? Discussed that a quick search of public records online reveals that the Superintendent of schools in Amherst has a one-year severance for termination without cause and the Town Manager has a graduated scale of 9 months during the first year, 10 months in the second year, 11 months in the third year, and 12 months in the 4th year.

VIII. Meeting adjourned at 3:53 p.m.

Respectfully submitted by Alex Lefebvre
Board of Trustees’ Officers, Boards, and Committees List
Updated 12-21-23

Trustee Officers

1. President (serves on BCG)
2. Vice President
3. Secretary
4. Treasurer (serves on Budget, Investment, Audit, & BCG)
5. Vice Treasurer (serves on Budget)

Library Committees

1. Budget Committee (two Trustees, preferably Treasurer and Vice Treasurer)
2. Buildings and Facilities Committee (two Trustees; may serve on JCPC)
3. Development Committee (two Trustees; Chair is Trustee liaison to the Board of the Friends of the Jones Library System)
4. Investment Committee (two Trustees)
5. Personnel, Planning, and Policy Committee (PPP) (two Trustees; Chair serves on Town Personnel Board)
   - Burnett Gallery Committee (one Trustee may attend monthly Committee meetings)
Town Boards/Committees

1. Jones Library Building Committee (two Trustees)

2. Audit Committee (one Trustee - preferably the Treasurer)

Meets once per year in the spring.

Attended by Town Manager; Town Finance Director; Town Comptroller; Town Finance Committee; one Library Board representative. The Town's independent auditor attends.

Purposes: Review and query the Town's independent auditor about the previous fiscal year's draft audit report; accept Town audit report; decide on the Town component on which independent auditor will concentrate specifically for the next audit.

The Town has custody of, and makes disbursement of, Library funds appropriated by Town Council, including all JCPC and CPAC funds; all grants from state and federal governmental sources; and two small trust funds that benefit the Library. The audit of all of these comes annually within the independent Town auditor's purview. Any of these may or may not come within the areas that the auditor samples in any given year.

3. Budget Coordinating Group (BCG) (two Trustees - President and Treasurer, preferably)

Meets approximately monthly during budget season.

Attended by Town Councilors; School Board delegate; Superintendent of Schools; School Head of Finances; Library Director; Library Board President; and Library Treasurer. Town Manager and Town Finance Director attend.

Purposes: To hear updates on the constantly changing state financial picture, especially as it affects or may affect municipalities; to hear reports from Town, Library, Schools on their respective budgets for the upcoming year.

Members agree by civilized consensus at each meeting on takeaway points for distribution to their respective organizations. These takeaway points arrive by email later that day or the next.

N.B. The Library Board determines the Spending Rate for the next fiscal year's draw from the Endowment after the end of the fiscal year, rather than after the calendar year's end. This will allow the Director to formulate, and the Board to adopt, the following fiscal year's budget during the autumn. It will thus put the Library's budget cycle in synch with that of the Town and the Schools.
4. **Business Improvement District (BID)** (Library Director)

The Library is a member of the Amherst Business Improvement District (BID).

5. **Joint Capital Planning Committee (JCPC)** (two Trustees - preferably from Building and Facilities Committee)

Meets weekly in the Town Room of Town Hall, from about January through March or early April.

Representatives of the Town Finance Committee, Library, Schools. Town Manager and Town Finance Director attend.

Purposes: To hear presentations from the Library, schools, police department, fire department, department of public works, etc. on capital projects requested for the coming fiscal year and projected capital needs for the out years; to prioritize which capital projects to recommend to Town Council for the upcoming fiscal year, within a given percentage of the annual Town levy; and to draft a comprehensive report on recommended projects for Town Council.

The Library Director and Facilities Manager attend to make presentations on the Library capital project requests.

6. **Personnel Board** (one Trustee – Chair of Personnel, Planning, and Policy Committee, preferably)

Voting members: Library Board representative; three citizen representatives; one retired Town employee rep of non-union Town employees. Town Manager and Town Human Resources Director attend.

Meets monthly all year in First Floor Meeting Room in Town Hall for up to two hours. May shift meeting date or time depending on members' schedules.

Purposes: To review and authorize new position descriptions and material changes in existing position descriptions; ask questions about personnel changes and changes of personnel classifications in Town jobs except schools; to make recommendations to the Town Manager about proposed pay for non-union jobs; to hear and determine grievance appeals by non-union Town employees; to make recommendations to Select Board about the Town *Personnel Procedures Manual*; other Town personnel matters.

Library Board representative is responsible for knowing *Town Personnel Procedures Manual* thoroughly as it pertains to the Library.
Other Town Committees with No Trustee Representation

1. Amherst Historical Commission (no Trustees)

Citizen's commission with Town staff support from Town Planning Department.

Among other things, the Historical Commission studies requests to use Community Preservation Act funds for preservation projects, and makes recommendations about these to the Community Preservation Act Committee (CPAC).

The Library Director, Head of Special Collections, and Facilities Supervisor, as appropriate, make presentations to the Commission about requested Library preservation projects. These may be capital projects, such as restoration of The Jones Library's slate roof, or such projects as preserving historic documents. The Commission also likes to see the Library's projected requests for the next several years.

Trustees, particularly from the Building and Facilities Committee, may attend when Library staff make presentations. Sometimes the Commission has questions for Trustees, e.g., about the Library's prioritization of its requests.

2. Community Preservation Act Committee (no Trustees)

Studies the needs, possibilities, and resources of the Town regarding community preservation; makes recommendations to the Town Council annually for, among other things, the acquisition and preservation of historic resources; and for rehabilitation or restoration of such historic resources acquired or created as provided in the Community Preservation Act.

Each fall, the CPAC sends prospective requesters instructions on making Community Preservation Act requests. These include the deadline by which these requests must reach the CPAC. If a request includes insufficient information, the CPAC will send the requester a detailed list of its questions.

Trustees, particularly from the Building and Facilities Committee, may attend when Library staff make presentations. Sometimes the Commission has questions for Trustees, e.g., about the Library's prioritization of its requests.
Bylaws of the Board of Trustees  
of  
The Jones Library, Inc. and of the Amherst Town Library

ARTICLE I. Name

The name of this organization is the “Board of Trustees of the Jones Library, Incorporated, and of the Amherst Town Library.” The library establishment conducted by the Board of Trustees shall be known as “The Jones Library.”

ARTICLE II. Trustees

Section 1. The inhabitants of the town of Amherst are hereby authorized to elect six members of the Board of Trustees for two year terms arranged so that six are elected every other year.

Section 2. Trustees shall serve without compensation.

Section 3. Vacancies occurring in the membership of the Board of Trustees by death, resignation, or otherwise, shall be filled until the next annual town election by majority voted, taken by ballot, of the remaining Trustees and the members of the Town Council of the Town of Amherst in joint session [Massachusetts General Laws (MGL) Chapter 41, Section 11]. The Trustees shall inform the Town Council and the Town Clerk in writing within one month of said vacancy.

Section 4. The Director of the Jones Library shall be an ex-officio, non-voting member of the Board.

ARTICLE III. Officers

Section 1. The Board of Trustees shall at each Annual Meeting of the Jones Library, Incorporated, and the Town Library elect from their number a President, Vice President, Treasurer, Vice Treasurer, and Clerk, each of whom shall hold office until the close of the next Annual Meeting or until another is elected and qualified in their stead. The same person may be Vice President and Clerk.

Section 2. The Board of Trustees is authorized to fill by election until the close of the next Annual Meeting a vacancy in any of the offices, except that of President, provided for in this article.

Section 3. The Treasurer and/or the Vice Treasurer shall, when and as required by the Board of Trustees, give bond for the faithful performance of duty, and the President shall have custody of such bond.
ARTICLE IV. Duties of Trustees

Section 1. The Board of Trustees in consultation with the Library Director shall have sole responsibility for the management, control, and direction of the property and the affairs of the Town Library and the Jones Library, Incorporated, hereinafter referred to as the Town Library.

Section 2. The Board of Trustees shall be the sole administrator for bequests and endowments accrued under the will and codicils of Samuel Minot Jones and other such bequests, endowment gifts, and memorials which have accrued or may accrue to the Jones Library, Incorporated.

Section 3. Routine payments from the funds of the Jones Library, Incorporated may be made by the Director. Any payment must be approved by the Treasurer, Vice Treasurer, or such other Trustee as the Board shall authorize to approve financial payments.

Section 4. The Board of Trustees shall, at the close of each fiscal year, make a report to the Town Council of the state of the funds and business of the Jones Library, Incorporated.

Section 5. The Board of Trustees shall have such other responsibilities for the management and direction of the Town Library as provided by the Amherst Home Rule Charter, Chapter 215 of the Acts of 2001, Chapter 512 of the Acts of 1972, and Chapter 96 of the Acts of 1919, as those acts may, from time to time, be amended.

Section 6. The Board of Trustees shall appoint a qualified Library Director who shall be the executive and administrative officer of the Library on behalf of the Board and under its review and direction. The Library Director shall be an employee of the town of Amherst, as provided under the Town’s Personnel Bylaw.

Section 7. The Board of Trustees shall execute a written employment contract with the Library Director outlining the conditions of employments as provided for in the MGL, Chapter 78, Section 34.

Section 8. The Board may organize standing and ad hoc committees for the study and investigation of special issues or for specific tasks. Such committees will disband when their work is completed. All committee decisions and reports are purely advisory to the Board. Committee appointments will be made by the President and his/her designee and may include members of the community at large.

Section 9. Duties of the officers shall be as listed in Appendix A.

ARTICLE V. Meetings

Section 1. The Annual Meeting shall be held in January following the month in which the Trustees of the Town Library are elected at the day, hour, and publicly accessible venue fixed by the President. The fiscal year shall end with the thirtieth day of June.

Section 2. Special meetings may be called by the President or by any two Trustees.

Section 3. The Board of Trustees shall hold regular monthly meetings and may from time to time fix, cancel, or change the times for holding regular meetings.
**Section 4.** Every meeting shall be called by written notice emailed or mailed by the office of the Jones Library to all members of the Board of Trustees and posted with the Town Clerk’s office five days in advance thereof.

**Section 5.** Four Trustees shall constitute a quorum at any meeting.

**Section 6.** If for any reason a Board member cannot attend a scheduled meeting, such member shall give notice in advance to the President, Library Director, or other designated officer of the Board.

**Section 7.** All meetings of the Board shall be subject to the Open Meeting Law, MGL Chapter 39, Section 23A-C, including all requirements for advance public notice. Meetings may be held in executive session, only as permitted under the Open Meeting Law. All minutes and records of meetings shall be available for public inspection in accordance with and subject to the provisions of the Public Records Law, MGL Chapter 66, Section 10.

**Section 8.** The current edition of Robert’s Rules of Order shall govern as parliamentary rules for the conduct of meetings.

**Section 9.** In event of a tie vote, the motion will be defeated.

**ARTICLE VI. Collective Authority of the Board of Trustees**

All decisions of the Board shall be made by vote of a quorum of the Board as a collective body. No individual member may make decisions, act, or speak for the Board unless specifically authorized to do so by vote of the membership of the Board.

**ARTICLE VII. Amendments**

These Bylaws may be amended or repealed by a favoring vote of at least four Trustees at any meeting of the Corporation provided that the proposed action had been set forth in the notice of the meeting, except that no amendment of Article I or Article III may be made unless in conformity with a change in the appropriate state law.

*Approved October 9, 1973*
*Amended May 12, 1982*
*Amended August 25, 1994*
*Amended September 13, 1999*
*Amended September 29, 2005*
*Amended September 6, 2012*
*Amended November 16, 2022*
APPENDIX A. DUTIES OF THE OFFICERS OF THE BOARD

A. DUTIES OF THE PRESIDENT OF THE BOARD OF TRUSTEES
1. Elected annually by the Board of Trustees.
2. Presides at regular and special meetings of the Board of Trustees.
3. Appoints committees, committee chairs, and subcommittees, as necessary.
4. Represents and speaks for the Library to other Town Boards and Committees.
   - May appoint another Trustee as his/her representative.
5. Works with the Trustees and the Director to develop agendas, goals and objectives.
6. Sets dates for Annual and Special Meetings of the Board.
7. Acts as President and legal head of the Jones Library, Incorporated.
8. Serves as signatory for the Town Library and the Jones Library, Incorporated on:
   - Grants and State Aid Certification
   - Contracts
   - Correspondence
   - Expenditures from Jones Library, Incorporated funds
9. Chairs the Robert Frost Teaching Awards Committee to disburse annual awards to Amherst teachers (non-voting member). May appoint another Trustee as his/her representative.
10. Supports fund raising activities and public events at the Library.

B. DUTIES OF THE VICE PRESIDENT
1. Assumes the duties of the President in case of the absence or incapacity of the President.
2. Other duties as assigned by the President.
3. May also serve as Clerk.
4. Elected annually by the Board of Trustees.

C. DUTIES OF THE CLERK
1. Takes careful note of the proceedings of the meetings and prepares the minutes for the public record.
2. Signs official documents to attest to their authenticity.
3. Carries on official correspondence, as requested.
4. Keeps a record of the addresses of all Trustees.
5. Elected annually by the Board of Trustees.
D. DUTIES OF THE TREASURER
   1. Responsible for the oversight and expenditure of all funds.
   2. Reviews and authorizes payments for on-going expenses of the Library, according to the bylaws.
   3. Serves as signatory for expenditures from Jones Library, Incorporated funds.
   4. Chairs the Budget Committee, as needed.
   5. Authorizes the annual audit of corporation finances and receives the auditor’s report.
   6. Reports to the Board of Trustees on financial matters at Board meetings and as requested by the President.
   7. May be required to post bond for faithful performance of duties.
   8. Elected annually by the Board of Trustees.

E. DUTIES OF THE VICE TREASURER
   1. Assumes the duties of the Treasurer in case of the absence or incapacity of the Treasurer.
   2. Other duties as assigned by the Treasurer.
   3. Elected annually by the Board of Trustees.
   4. May also serve as Vice President or other Office.