



Agenda

ADVISORY TO THE PUBLIC: This special Library Trustee meeting will occur virtually via ZOOM and will be streamed live here:

You are invited to a Zoom webinar.

When: Sep 27, 2022 04:30 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/81655372609>

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1. Call to Order/Attendance.
2. Public Comment.
3. **Memorandum of Agreement Bridge Amendment ***
4. **State Funding Initiative Resolution ***
5. **National Endowment for the Humanities Grant Application Letter of Support ***
6. Adjourn.

AMENDMENT TO MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (this “Amendment”) is entered into by and between the **Town of Amherst** (the “Town”), acting by and through its Town Manager, and **The Jones Library, Incorporated** (the “Library”), a Massachusetts nonprofit corporation, acting by and through its Board of Trustees.

Recitals

Whereas, the Library is the owner of a parcel of land with the improvement thereon known as the Jones Library (the “Building”), located 43 Amity Street, Amherst, MA 01002 (the “Property”), which Building, originally constructed around 1928, is in urgent need of capital repairs and improvements;

Whereas, the Library has, through diligent efforts, obtained a grant in the amount of \$13,871,314 from the Massachusetts Board of Library Commissioners (“MBLC”) to fund repairs to the Building and the renovation and expansion of the Building (the “Project”);

Whereas, the Town and the Library entered into a Memorandum of Agreement (“MOA”), setting forth, among other things, the funds to be contributed by the Town and by the Library to undertake and complete the Project. Capitalized terms used but not defined in this Amendment shall have the meaning ascribed to such terms in the MOA;

Whereas, at the time the parties entered into the MOA, the Total Project Cost was estimated to be \$36,279,700 (the “Original Total Project Cost”), of which \$13,861,314 was to be paid by the Massachusetts Board of Library Commissioners, \$15,751,810 was to be paid by the Town (the “Town Share”), and the remaining \$6,656,576 was to be paid by the Library (the “Library Share”) on the Library Share Due Date;

Whereas, since the time the parties entered into the MOA, given the Covid-19 pandemic and shortfalls in materials and labor, the new Total Project Cost, as of the date of this Amendment, is expected to be between \$43.5 million and \$49.8 million (or such other sum as is required to undertake and complete the Project, the “New Total Project Cost”);

Whereas, the Library has agreed to fund the difference between the New Total Project Cost and the Original Total Project Cost (together with the Library Share, the “Library Adjusted Share”) through its fundraising efforts and/or its Endowment funds;

Whereas, as of the date of this Amendment, the Town has completed the schematic design phase and will expend an additional sum of approximately \$1,800,000 to complete the design development, preparation of construction drawings, and bidding (the “Design, Construction Plans and Bidding”);

Whereas, given the uncertainty in funding the difference between the Original Total Project Cost and the New Total Project cost (the “Differential”), the parties agree that in the event the Project does not proceed past the Design, Construction Plans and Bidding phase, the parties will undertake the urgent repairs required to the Building roof and HVAC system (the “Building Repairs”); and

Whereas, given that the Town will proceed with the Design, Construction Plans and Bidding notwithstanding such uncertainty, the Town seeks assurance from the Library that the Library will invest at least \$1,800,000 of its own funds toward the Building Repairs;

Whereas, the Library, in the interest of advancing the Project, agrees to contribute \$1,800,000 towards the Building Repairs from its Endowment or another source (that was not provided by the Town) if the Project does not proceed past the Design, Constructions Plans, and Bidding phase; and

Whereas, the Library understands that if it uses its Endowment to make the Building Repairs, instead of funding the Building Repairs solely through its funding efforts, the shortfall may impact its contribution to the Library operating budget and that the Town shall not be required to provide any additional operating funds to offset this impact; and

Whereas, the parties wish to amend the MOA to reflect the understanding of the parties as set forth above.

Now, Therefore, for good and valuable consideration, the parties agree as follows:

1. The Library shall be responsible for the Library Adjusted Share.
2. The Library agrees that, given the urgent need of the Building Repairs, Library staff will work with Town staff, at least once every quarter from the date of this Agreement, to discuss the nature, scope, feasibility and design of the Building Repairs and to develop a repair plan and schedule should the Project not proceed.
3. Notwithstanding the provisions of Section 6 of the MOA to the contrary, the Library agrees in the event that the Project does not proceed past the Design, Construction Plans, and Bidding phase, as determined by the Town, the Library shall pay the full \$1,800,000 towards the cost of the Building Repairs within three (3) years from the date the Town decides to end the Project or such other time as agreed to by the Town Manager and the Library (the "Building Repair Due Date"). This contribution shall be from a source other than those provided by the Town (i.e. operating funds or state aid).
4. The Town's decision not to proceed with the Project past Design, Construction Plans, and Bidding may occur under the following circumstances:
 - (a) The Town Council does not appropriate funds to cover all eligible costs of the Project as required by the MBLC; or
 - (b) The Town Manager determines that the Library has not received funds, secured commitments, and/or obtained grants in the amount of at least \$7,000,000 as of the opening of construction bids, not including the Jones Library Endowment.
 - (c) The Town Manager determines that the project is not financially feasible.
5. The parties agree that if the Library does not pay \$1,800,000 to the Town in full by the Building Repair Due Date, the Town shall have the right to exercise the remedies set forth in Section 7 of the MOA.
6. All references to the Library Share in the MOA will refer instead to the Adjusted Library Share, which, except as provided for in this Amendment, will be paid on the Library Share Due Date.
7. Other than as amended herein, the MOA is hereby ratified and continues in full force and effect.

8. The recitals to this Amendment are incorporated herein by reference.

[signature page follows]

Signed under seal as of this _____ day of _____, 2022.

TOWN OF AMHERST,
By its Town Manager

THE JONES LIBRARY, INCORPORATED

Paul Bockelman, Duly Authorized

By: _____
Name: _____
Title: President, Jones Library Incorporated

By: _____
Name: _____
Title: Treasurer, Jones Library Incorporated

**BOARD OF TRUSTEES OF THE JONES
LIBRARY, INCORPORATED, AND OF
THE AMHERST TOWN LIBRARY**

JONES LIBRARY

NORTH AMHERST LIBRARY • MUNSON MEMORIAL LIBRARY

September 27, 2022

The Honorable Ronald Mariano
Speaker of the House of Representatives
Massachusetts State House, Room 356
Boston, MA 02133

Dear Speaker Mariano:

In 2017, the 12 municipalities of Amherst, Brewster, Deerfield, Fitchburg, Gloucester, Lynnfield, Orange, Seekonk, Sharon, Swansea, Westborough, and Westford applied for **\$96.3 million** worth of Massachusetts Public Library Construction Program (MPLCP) grant funding. At that time, the total cost for those 12 construction projects was **\$235.5 million**. Due to pandemic-related supply chain disruption, escalation in labor costs, and the fact that six years have passed since the original cost estimates were created, the total cost for these 12 projects has increased to **\$323.2 million**. To say we're experiencing sticker shock is an understatement. The MPLCP funding has gone from providing our towns with **41%** of the total project costs down to **30%**.

The 12 libraries have collectively sent an appeal to the governor and lieutenant governor to include an additional **\$87.7 million of ARPA money earmarked for library construction projects in the supplemental budget now being created**, to bridge the cost gap created by the pandemic. The American Rescue Plan Act of 2021, as you know, was created specifically "to provide relief to address the continued impacts of COVID-19 on the economy, public health, state and local governments, individuals, and businesses." We feel that this is an urgent need, not just for Amherst, but for all the MPLCP grant recipient towns.

65% of Amherst residents voted in favor of our Library Renovation & Expansion project. Amherst alone has spent over **\$1,000,000** since 2015 on this project. If this project fails, the building's problems and shortcomings will not go away. The Town of Amherst will have to start over, and plan B will only be more expensive. **Allowing these 12 projects to fail will ultimately result in much higher price tags for each municipality.**

We know you have been a library champion in the past. This grant is a once-in-a-generation opportunity for our community to have the improved library facility and services it needs, wants, and deserves, for at least the next fifty years. Like all other municipalities, we are facing dramatic increases in property taxes due to skyrocketing property values, so additional ARPA funds would help ease the burden that the pandemic-fueled escalation has caused, and help ensure the project moves forward.

We ask that you be a library champion again, and do all you can to provide additional ARPA funds to Amherst and the other 11 municipalities. Please help us make our library the true community hub it has the potential to be. [EKB1]

Sincerely,

Austin Sarat, President, Jones Library Board of Trustees, adsarat@amherst.edu

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The Honorable Ronald Mariano
Speaker of the House of Representatives
Massachusetts State House, Room 356
Boston, MA 02133

Dear Speaker Mariano:

The Honorable Aaron M. Michlewitz
Chairman of the House Ways and Means Committee
Massachusetts State House, Room 243
Boston, MA 02133

Dear Chairman Michlewitz:

The Honorable Todd Smola
Ranking Minority Member of the House Ways and Means Committee
Massachusetts State House, Room 124
Boston, MA 02133

Dear Ranking Minority Member Smola:

The Honorable Michael Rodrigues
Chairman of the Senate Ways and Means Committee
Massachusetts State House, Room 212
Boston, MA 02133

Dear Chairman Rodrigues:

The Honorable Eric Lesser
Library Caucus Leader
Massachusetts State House, Room 410
Boston, MA 02133

Dear Senator Lesser:

The Honorable Natalie Higgins
Massachusetts State House, Room 39
Boston, MA 02133

Dear Representative Higgins:

The Honorable Brian Murray
Massachusetts State House, Room 136
Boston, MA 02133

Dear Representative Murray:

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MUNICIPALITY	LIBRARY	MBLC STATUS	MBLC GRANT AWARD	Original Project Cost	MBLC % of cost	Current cost if known	% Increase	State Senator	State Representative	Library Contact Name & Email	Town Contact Names & Emails
Amherst	Jones Library, Inc.	grant award accepted & contract executed	\$13,871,314	\$36,300,000	38%	\$49,900,000	37.5%	Senator Joanne M. Comerford	Representative Mindy Domb	Sharon Sharry sharrys@joneslibrary.org	George Ryan, georya@artist.umass.edu Kent Faerber kwfaerber@gmail.com Ginny Hamilton manager@joneslibrarycapitalcampaign.org
Brewster	Brewster Ladies' Library	waitlist	\$4,655,737	\$10,247,956	45%	\$16,411,387	60.1%	Senator Julian Cyr	Representative Timothy R. Whelan	Cindy St. Amour cstamour@brewsterladieslibrary.org	
Deerfield	Tilton Library	provisional grant offered July 2022	\$3,944,338	\$7,872,117	50%	\$12,300,000	56.2%	Senator Joanne M. Comerford	Representative Natalie M. Blais	Candace Bradbury-Carlin <cbradbury-carlin@cwmars.org>	Carolyn Ness <acornhillfarm@hotmail.com>, Kayce Warren, townadmin@town.deerfield.ma.us, Tim Hilchey thilchey@town.deerfield.ma.us
Fitchburg	Fitchburg Public Library	waitlist; City Council apporved \$40,000,000	\$12,449,949	\$31,164,300	40%	\$40,000,000	28.4%	Senator John J. Cronin	Representative Michael P. Kushmerek	Deborah Hinkle dhinkle@cwmars.org	Matt Blumenfeld (consult)
Gloucester	Sawyer Free Library	provisional grant offered July 2022	\$9,030,047	\$24,805,263	36%	\$28,000,000	12.9%	Senator Bruce E. Tarr	Representative Ann-Margaret Ferrante	Jenny Benedict jbenedict@sawyerfreelibrary.org	
Lynnfield	Lynnfield Public Library	waitlist	\$8,193,792	\$21,426,278	38%	\$24,000,000	12.0%	Senator Brendan P. Crighton	Representative Bradley H. Jones, Jr.	Abigail Porter aporter@noblenet.org	
Orange	Wheeler Memorial Library	provisional grant offered July 2022	\$5,218,804	\$9,941,364	52%	\$15,653,316	57.5%	Senator Joanne M. Comerford	Representative Susannah M. Whipps	Jessica Magelaner director@orangelib.org	Selectboard Chair Jane Peirce
Seekonk	Seekonk Public Library	provisional grant offered July 2022	\$7,322,855	\$15,844,870	46%	\$24,500,000	54.6%	Senator Paul R. Feeney	Representative Steven S. Howitt	Kathleen (Kate) Hibbert <khibbert@seekonkpl.org>	
Sharon	Sharon Public Library	grant award accepted & contract executed, provisional 7/2019	\$7,485,943	\$18,000,000	42%	\$24,200,000	34.4%	Senator Paul R. Feeney	Representative Edward R. Philips	Lee Ann Amend lamend@sharon.ocln.org	
Swansea	Swansea Free Public Library	waitlist	\$6,875,844	\$14,526,558	47%	\$19,000,000	30.8%	Senator Michael J. Rodrigues	Representative Patricia A. Haddad	Eileen Dyer edyer@sailsinc.org	
Westborough	Westborough Public Library	provisional grant offered July 2022	\$9,403,090	\$24,000,000	39%	\$36,689,556	52.9%	Senator James B. Eldridge	Representative Danielle W. Gregoire	Maureen Amyot <mamyot@town.westborough.ma.us>	
Westford	J.V. Fletcher Library	provisional grant offered July 2022	\$7,851,994	\$21,400,000	37%	\$32,546,009	52.1%	Senator Edward J. Kennedy	Representative James Arciero	Ellen Rainville erainville@westfordma.gov	Chair Marianne Fleckner mflexner@acton-ma.gov

\$96,303,707 \$235,528,706 40.9% \$323,200,268 29.8%

gap: \$87,671,562 109.8%

JONES LIBRARY

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September 27, 2022

Office of Challenge Grant Programs
National Endowment for the Humanities
400 7th Street, SW
Washington, DC 20506

Dear Members of the NEH Infrastructure and Capacity Building Challenge Grant Review Committee,

On behalf of the Trustees of the Jones Library, I am writing in support of the Library's application for a NEH Infrastructure and Capacity Building Challenge Grant as the Town of Amherst and the Library Trustees commit to create a Humanities Center on the ground floor of the renovated and expanded Jones Library.

As is stated in our application, the mission of the Jones Library is to be a community hub to a diverse population of Amherst residents, where books are celebrated, and all members of the community can enhance their educational, cultural, and lifelong learning pursuits. As part of this mission, the Library works to provide outstanding collections and programming that spark understanding of all subjects within the humanities. A new Humanities Center at the Jones will accomplish many Library goals, including: the creation of a permanent place to prominently display the Town's Civil War Tablets in the Library; protecting our valuable Archival materials in a fully climate-controlled space; offering a more visible space for the Burnett Art Gallery; and providing accessible and flexible spaces for the community to hold humanities programs.

In 2019, the Library Trustees enthusiastically signed a Memorandum of Understanding with the Friends of the Jones Library System, agreeing that the Friends would oversee the project's capital campaign. This confirms our commitment and capacity to raise the \$4M in matching funds that this challenge grant will facilitate.

I hope you will agree that the Jones Library's renovation and expansion project has been planned so that the outcomes and benefits of the Humanities Center will be sustainable environmentally and economically, and the resulting spaces will enable the Jones to bring additional, community-wide humanities programming to downtown Amherst.

Thank you so much for your time and consideration.

Sincerely,

Austin Sarat, President
Jones Library Board of Trustees
43 Amity Street
Amherst, MA 01002
adsarat@amherst.edu
413.259.3090

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