

**Meeting of the Jones Library, Inc. and the Town Libraries' Board of Trustees**  
**April 9, 2021 4:30 p.m. meeting conducted via Zoom webinar**

Members Present: Austin Sarat, Lee Edwards, Alex Lefebvre, Tamson Ely, Chris Hoffmann, and Bob Pam  
Also Present: Sharon Sharry, Lewis Mainzer, and members of the public

---

- I. Meeting called to order at 4:30 p.m.
- II. **Public Comment:** None.
- III. **President's Report:**
  - A. Citizen petition being circulated to exercise voter veto. If requisite number of signatures collected, then signatures must be certified. Residents have until April 20, 2021 to submit signatures to the Town. After certification of signatures, need opinion of Town lawyer if it is a valid voter veto. If yes, the veto goes to Town Council to reconsider their vote. If no change, special election.
  - B. Want to note the importance of the vote of Town Council on the Library project. It has been 10 years in the making and the affirmative vote is such an important step for both the Town and the Library. Many thanks to all who have played such an important role in getting to this successful vote.
  - C. **MOTION:** To approve the Memorandum of Understanding with the Town of Amherst. Approved 6-0-0.
    1. Same MOU previously reviewed, only change is addition of wording regarding CPA and special collections. Also added back signatures of all six Trustees. The reference to the "Trustees of the Town Library" on the signature page should not be there; what is being approved does not include the phrase "the Trustees of the Town Library."
  - D. **MOTION:** To hire counsel to represent JLI in conjunction with the Library Renovation and Expansion project. Approved 6-0-0.
    1. Do we need an attorney to represent JLI? Believe for MOU, it was not required. How will the Library move forward to comply with requirements of MBLC and make sure we do not jeopardize any funding sources. Unique Library since the building is not owned by the Town. Library Director has had a series of conversations with MBLC about how to accomplish an arrangement that is satisfactory to the Town, Trustees, MBLC, and not jeopardize any possible sources of fundraising. Eligibility of Mass Historic Tax Credits involves language around ownership of the building.
    2. Eligibility for grants appears to be the primary question. Tax consultant was not sure how title or leasing impacted our eligibility. Directed to contact the brokers who sell the tax credits. Told eligibility for federal tax credits would be dependent on ownership of the building but did not have a ready answer on the state and will get back to us.
    3. Library Director is in favor of hiring counsel. There are a lot of moving parts and makes sense to have attorney helping to navigate. Don't know costs yet of hiring counsel because don't fully have scope yet of what we would need. Might be an expense that can be charged against the capital campaign. Have spoken with Town Manager and Town Council President who also felt hiring counsel made sense.
  - E. **MOTION:** To authorize the President of the Board to hire John 'Jay' Driscoll on behalf of JLI. Approved 6-0-0.
    1. Austin met with lawyer that represented the Holyoke Library. Library Director conducted research for recommendations for lawyers. Very few attorneys with expertise in this area. Attorney recommended was Jay Driscoll who practices in Holyoke. Very short time frame to make decisions because need to iron out for signing of the contract with the MBLC.
    2. Driscoll did work for the Holyoke Public Library Corporation which is a private, non-profit corporation, governed by a thirteen member Board of Directors. Seven "member directors" are elected at the annual meeting of the members. Six "City Directors" are chosen by the Mayor of

the City of Holyoke and approved by Holyoke City Council. The officers and member directors are elected at the corporation's annual meeting in October. The purpose of the Corporation is to maintain and operate a public library in the City of Holyoke, Massachusetts and to carry out such activities and programs in furtherance of such purpose as may be consistent with the Public Law adopted by the General Court of Massachusetts on April 20, 1870, by which the Corporation was organized.

3. Discuss possibility to pay for attorney through Van Steenberg account with Town Manager and Town Council president. Library Director has been in close contact with Town Manager and Town Council. Also discussions around the Building Committee and how it is appointed and to whom it reports.
- F. Library Director has begun discussions around temporary space. Working with MBLC to determine requirements and working with staff to come up with required square footage etc. which will determine site. Munson Memorial - Town would consider using the Hall as one of the potential spaces.
- G. April 30, 2021 is the deadline to sign contract so that MBLC votes to approve grant and make first payment in FY21. The MBLC meets again in June, but due to backlog with the comptroller's office, we have been told that April 30, 2021 is a certainty for the FY21 payment but later is not a certainty. Asked MBLC to keep the Jones on their agenda for the May meeting.
- H. Discussed that if voter veto petition receives enough signatures and special election is held, the date of that election is not certain yet. An election requires ballot printing which takes time, discussion of polling locations because of COVID protocols. Emergency election laws expire on June 30<sup>th</sup> at which time regulations would revert back to the usual State law for changing a polling location – which requires mailing out notice to every voting household in town as well as a number of other requirements. A large mailing takes time to assemble and Town would have to allow time for receipt by the household (new mail standards now say 5 days one way).
- I. If a Special Election is required, it will likely push the signing of the grant contract into FY22 causing the Town to receive the first payment in FY22 rather than FY21. This means that while the amount the Town will need to borrow will not change, the length of repayment and the amount of interest to be paid on the borrowing will increase.

Meeting adjourned at 5:22 p.m.

Respectfully submitted by Alex Lefebvre