

Library Director's Report February 2025

Trustee Election and Budget Vote Calendar [Action Items]

As reported last month, in January, Kim usually presents a trustee election and budget vote calendar to the Board for approval. However, with uncertainty about whether we can hold the bond vote at the same time as the budget vote, we held off on creating it. Normally, the election and budget vote is held the first Tuesday in May, which would be the 6th this year. I would suggest we hold it the last Tuesday in June, which is the 24th. We are allowed by law to hold the budget vote as late as June 30th. Kim is checking to see if any other public votes are scheduled that day, just to be sure we'll have access to poll workers.

The attorney we were planning to use (Robert Schofield) for our bond proposition has not responded to any of my calls or emails since early January. We were waiting on him to give us the final word on bonding through the CRC, as well as holding the budget and bond votes on the same day (two propositions on a single ballot). While Harris Beach is certain we can bond through the CRC, I think we should have our own legal representative confirm that. My recommendation would be that we go back to working with Bond Schoeneck King, who we were originally working with when we were first planning to bond through the school district. They are not experts in public libraries but work with a lot of school districts. They were very responsive and willing to do research to understand the laws specific to public libraries. We will have to retain them soon, as Noah can only advise us up to a point.

Trustee Ann Tenglund's term expires on June 30, 2025. She does not plan to run again, so we will have to recruit someone who lives in the district to run for her seat. Once the calendar is created, the date will be set for availability of petitions for nomination to the ballot for Library Trustee, as well as applications for absentee ballots. This usually happens sometime in March, but if the vote is moved to June, it would likely be later. The budget hearing will be held 2-3 weeks before the vote. The Board should discuss the timing of the vote and whether there is enough information to set a date. Due to the fact we are going out for a tax increase that exceeds the tax cap limit, the Board will also have to formally approve overriding the tax cap.

There will be at least one public hearing at the Library in May and/or June for constituents to ask questions about the proposed budget, and possibly the capital project if the bond vote will also be held. While the Director runs the hearing(s), it is strongly recommended that Trustees also attend, especially the President and Finance Officer, to help answer questions and show support for the proposed budget and capital project. The Treasurer also attends the hearing, and the business office official should also be present. Often a reporter from the OTH shows up and interviews Library officials about the budget. With the tax levy increase being considered, and possibly the bond vote, there is every likelihood that members of the public will attend, as well as reporters. If a bond vote is also anticipated, the architect and financial advisor will also be present and/or assist with the presentation to the public.

Bequest to OPL through CRCF

As reported last month, on January 13th, the Library was contacted by Kirk Windus from CRCF regarding a bequest to the Library in the amount of \$50,000 from the estate of Thomas Barnes. Because the bequest was made through the Foundation, an endowment fund will have to be established there to allow us to access the gift. Trustees Reed McElfresh and Laura Whitford,

along with myself, met with Windus on January 30th to discuss the options available to us to set up a fund that would not involve the Library investing the money directly. I have sent the Foundation paperwork to attorney Stephanie Cole Adams to review. Once we receive her opinion, we can determine next steps.

Fund Balance Overview (see attached)

At last month's Board meeting, trustees requested an historical overview of the Library's "fund balance," aka reserves, as well as how fund balance has been used over the years to balance the Library's budget. The attached spreadsheet goes back to 2006, providing a nearly 20 year perspective.

Annual tax revenues since 2006 have increased from \$882,000 to \$1,124,663. The tab at the bottom labeled "2% Tax Annual" shows where we would be if the Board had requested a 2 percent increase every year since 2006 (\$1,284,907—a difference of \$160,917). Columns also show "Budgeted Use of Fund Balance" vs. "Actual Fund Balance Increase/(Use);" increase in fund balance means not only did the Library not use the budgeted fund balance but actually came in with a surplus (note that in the earlier years, we were able to ask for more than a 2 percent increase annually, which meant reserves did not have to be used to balance the budget; later, as the 2 percent tax cap was imposed and the Board stopped asking for annual tax increases, budgeted use of reserves were spent, and sometimes more than what was budgeted). As the Board began to ask for annual tax increases again, reserves were not spent on operations and some surpluses were again realized. For several years, reserves did not have to be included in the creation of the annual budget at all (2018-2020). These were years when staffing levels were down due to retirements and resignations, and where some positions were not replaced.

The years 2019-2021 saw large surpluses go into reserves. In 2019, two full-time librarians left for other jobs, and their positions were not immediately filled due to a lack of applicants; that same year, the Library's "orders database" crashed, meaning a large number of orders were lost; therefore, our circulating materials budgets were significantly underspent. 2020 and 2021 were heavily impacted by COVID. Printing houses shut down, leading to collections budgets again being significantly underspent. As the Library reopened, hours for part-time staff were reduced due to social distancing requirements that limited how many people could be in the building or in a particular location in the building. Office and programming supplies budgets were also underspent due to fewer staff in the building and not being able to offer in-person programs.

Because of the hardships COVID placed on the community, and because it was difficult to spend down the annual budget, the Board did not increase taxes in 2020, 2021 or 2022. However, by 2022, minimum wage increases, and increases made to the wages and salaries of the rest of the staff, in order to be competitive for retention and recruitment, led to surpluses disappearing. By 2023, a large amount of fund balance was budgeted to create a balanced budget. While appropriated fund balance was not fully utilized, reserves of over \$100,000 were used in both 2023 and 2024 to cover operating and capital expenses. Two columns to the right of "Actual Fund Balance Increase/(Use)" show the dollar amount of reserves spent on operations and the dollar amount spent on capital expenses (those amounts are shown in parentheses). With capital expenditures, oftentimes these are the Library's share of Construction Aid projects (our match is always at least 25 percent of the total project cost). In 2011 and 2012, for example, the Library did a roof replacement project and the boiler was replaced.

NYS Construction Aid

The Teen Room grant submitted to the state in 2024 had to be submitted to the NYS Historic Preservation Office (SHPO), due to our building now being over 50 years old. We received a response from SHPO on February 6th, stating that “the Olean Public Library is not eligible for listing on the State and National Registers of Historic Places,” meaning that we should not have to apply to SHPO for approval of any future projects.

January Gifts/Grants/Donations [Action Item]

Per our Policy on Acceptance of Gifts, Grants and Bequests to the Library, the Board must formally accept the following: in January, we received \$100 from ARVAS to help pay for fish tank care; \$18.93 in anonymous donations; \$20 memorial donation for Sandy G. Kehoe.

Friends of the Library

The Friends’ annual beer tasting fundraiser, FeBREWary, is scheduled for Friday, Feb. 28th. It will run from 7-9:30 PM at the Library. Tickets are on sale at the Library—one for \$25, two for \$45, and \$15 for designated drivers. All of the proceeds from this event will go to the Library to help pay for presenters, programming supplies, circulating materials, furniture, technology, and many other needed items.

At the end of their January 13th board meeting, Cookie Lindamer announced her retirement from the Friends board. A nominating committee was formed and the following officers have now been approved: Darlene Connelly is the new president; Tom Jacobs is vice president; Mary Giardini is secretary; Betsy Matz will remain treasurer.

News from the Library

On Jan. 24th, I attended a webinar entitled New Laws in the New Year with Stephanie Cole Adams. It was, as the title makes clear, a review of new/relatively new laws that employers need to be aware of in 2025. Some of the ones that affect the Library include:

- a new requirement per the NYS DOL to provide a written contract to all freelance presenters and performers. Heather looked into this further, and it does look like this only pertains to those who earn a minimum of \$800 in payments from the Library per calendar year.
- Lactation Law: requires providing extra 30-minute paid breaks to express milk whenever needed and provide private space for the employee (this cannot be a restroom).
- Workers’ Comp for stress-induced injury: workers can file claims for injury due to stress. Adams stated, “The claim shall not be disallowed on the basis of the experience not being out of the ordinary range of stress for the occupation. This changes the way stress-induced injury will be evaluated, with more claims being granted coverage. Employees should be made aware that stress-induced injury can be just as valid a claim as physical injury.”
- Criminal background checks: we must provide employees/potential employees with a copy of their criminal background check if a criminal conviction is indicated in the report. We must also provide a copy of the law that includes the method for disputing results in a report. Employers cannot refuse employment to someone with a criminal record, if the crime(s) are not relevant to the position being sought.