

**Consultant Reports**  
**Directors Association Meeting – January 2012**

**Merribeth Advocate, Outreach & Education Coordinator**

1. **Fall Into Books in Kingston:** The 14<sup>th</sup> annual Fall Into Books Children's & Teen Literature Conference will be held at the Kingston Holiday Inn in October 2012. The keynote speaker will be Michael Sullivan who speaks on promoting reading to boys. The actual date and the guest author will be announced soon. Last year over 25 people attended from MHLS libraries. Please encourage your library staff that work with youth (or yourself) to attend. Watch for the early-bird registration at reduced prices.
2. **Summer Reading Program Funds:** If there is are grant funds from the New York State Library for the 2012 Summer Reading Program, should we spend a significant chunk of it to bring in an all-day workshop on the theme, or should we plan to mini-grant it to member libraries as we did last year?
3. **Job Resource Center page:** As we discussed at the December DA meeting, with so many Job resources available it would be good to have one page for patrons to get them all. I am developing one for each of the 5 counties and will have an update at the meeting.
4. **Member Library Annual Reports:** The 2011 Annual Report is due from each member library to MHLS on February 17. The software will be turned on by the state very soon. When that happens there will be a link to the login on the home page of midhudson.org. Please check the center of midhudson.org for updates to **MHLS Tips for Answering Questions**. There we have posted tips for answering specific questions to help making the process of completing your 2011 annual report easier. New tips will be added there as they are uncovered.

**MHLS will be providing:**

- Millennium data for answering:
  - i. Collection questions 2.1 - 2.5, 2.10, 2.13, 2.18, 2.20 - 2.24, 2.28 - 2.31
  - ii. Library Use questions 3.50, 3.51
  - iii. Transaction questions 4.1, 4.2, 4.4, 4.5, 4.8, 4.9, 4.14, 4.15
- Financial info from the MHLS Business Office for answering questions 11.3, 12.7, 12.24 (also for libraries it pertains to, the answers to 11.1 & 11.7)

**Contacts for annual report support:**

- General questions, software functionality issues, Millennium information provided by MHLS: Merribeth Advocate (madvocate@midhudson.org or x254)
- Info provided by MHLS Business Office: Joan Kay (jkay@midhudson.org or x214)
- User names & passwords, Summer Reading Report questions: Kerstin Cruger (kcruger@midhudson.org or x250)

5. **Local History Information:** Last summer 59 member libraries participated in survey about what they had in their local history / genealogical collections. When the results were posted the decision was to password protect the chart (<http://midhudson.org/resource/millennium/history.xls>) so libraries who were not interested in unexpected attention would not get it. Since then we have been contacted by the Director of Education at The New York Genealogical & Biographical Society <http://www.newyorkfamilyhistory.org/> who is very interested in publishing an article on the genealogical collections in MHLS libraries. I need to know if there are libraries willing to be mentioned in the article.
6. **Getting Connected and Being a Connector:** The MHLS Outreach Advisory Committee, representing service agencies and cultural groups in the region, concluded in their recent meeting that we all share a common goal – connecting with each other as service agencies and being connectors to people who need services. Connections like this help you know the needs of your community, provides opportunity for collaboration and cooperation, makes your library more likely to receive addition funding from the community and grant providers, and gives others the opportunity to carry your message for you.

## Rebekkah Smith Aldrich, Coordinator for Library Growth & Sustainability

### 1. Tax Cap:

- If your community has EVER voted on any portion of your budget you must comply with the tax cap legislation:
  - i. File the online form with the Office of the State Comptroller IMMEDIATELY (you are now late if you have not done this.) **Association libraries:** If you or your treasurer did not receive your login information via email contact: Rhonda Natale at 518.473.0006 or rnatale@osc.state.ny.us
  - ii. If you go to the voters with an increase the amount must comply with the tax levy limit you calculate using the comptroller's online form
  - iii. If you need to ask for more than the calculated tax levy limit you need to use the override procedure ( a resolution passed by your board prior to the approval of your budget)
- Sample override resolution language has been supplied by the New York Library Association and is included in your DA packet. It is also available online at <http://www.nyla.org/page/tax-cap-information-for-libraries-535.html>
- The most up-to-date advisory opinion from NYLA, issued in November, is also included in the DA packet.
- NYLA is still lobbying on behalf of libraries regarding the timing issues surrounding the deadline for the online form for OSC and library budget timelines. Stay tuned...

2. **MTA Tax (this is relevant to member libraries in Dutchess & Putnam Counties):** The MTA Payroll Tax reform bill exempts any employer (including libraries) with payrolls of \$1.25 million or less annually from the MTA Payroll Tax. There is also a graduated reduction in the MTA payroll tax for those employers with payrolls between \$1.25 and \$1.75 million per year. The Senate Majority has informed NYLA that leaving libraries out of full exemptions (like private and public schools) was an "oversight" and that they plan to address it in the 2012-13 State Budget.

3. **Organizational Membership in the New York Library Association:** I'd like to encourage more libraries and Friends Groups to join NYLA as organizations. **NYLA is on the frontlines on our behalf in Albany.** If you have benefitted from the increase in construction funds that have come to MHLS in the past three years you have NYLA to thank for that. If you were relieved to hear the legislature restored \$3 million of Governor Cuomo's proposed \$8.45 million cut to libraries in 2011 you have NYLA to thank for that. If you were thankful to receive clarification about the new election procedures earlier this year you have NYLA to thank for that. If you were pleased to hear you have your own tax cap and your levy and cap calculations are not rolled into your municipality or school district you have NYLA to thank for that. NYLA is funded through memberships.

### 4. Construction Grant Program Update:

- Libraries with pending grant applications for FY2012: DLD has vetted all MHLS applications and we are in good shape for the application review by the Dormitory Authority (DASNY). I'll let you know if I hear anything new.
- **If you are considering an application for the next round, please start thinking/planning now:**
  - i. Work on a **facility plan**, a sample outline for a plan is available by emailing me. You will need to identify your facility needs in a prioritized fashion. The MHLS Board requires this.
  - ii. If you are thinking of **energy efficiency related projects** you must at least have a NYSERDA energy audit done of your building. The MHLS Board requires this for any project with an energy efficiency scope. Book your audit now if you are at all thinking in this direction: <http://www.nyserda.org/programs/energyaudit.asp> Once booked let me know. I am willing to be on site during your audit and help you transform your audit report into a useable document with items prioritized. Just a reminder that I am a certified Sustainable Building Advisor and a LEED AP and I'm happy to help you in this area.

iii. **Timeline:**

1. March: Construction Needs Update Action Memo from MHLS. All libraries should file this, regardless of your intent to apply. If you don't file this you will not be eligible to apply when the applications come out.
  2. April/May/or June: Applications are released by DLD once the budget passes.
  3. Late Summer: Applications due to MHLS
  4. March/April 2013 Awards Confirmed
- Legislation was passed this year that allows Systems to award up to 75% of project costs for libraries that meet criteria related to poverty levels. Systems around the state are discussing how to define the criteria. MHLS will take those discussions into account when crafting our local criteria. We'll keep you posted.

5. **Building Your Base Online Project**

- Thank you to everyone who attended the November/December workshop series! **55% of libraries participated and 78% of those libraries came to more than one session.** Evaluations show that people were more than satisfied with the courses and appreciative of the chance to get the basics about Facebook, Twitter and Email Marketing.
  - i. Did you know?
    1. 83% of member libraries are on Facebook.
    2. There are over 6,300 fans of member libraries on Facebook
    3. Average number of fans per library is ~200
- **"10 Things" Registration is Filled!** 70 people are registered for the "10 Things" Building Your Base Online self-directed online learning series. This is a more than full cohort so I've officially turned off registration. You may add yourself to the waiting list. We'll be contacted those registered very soon with preparation instructions. The series kicks off the week of January 23.

6. **Essential Documents Inventory:** It's that time of year again! I'll be emailing each director a list of which essential documents they've completed and filed with me. This is the list that helps your library come more comfortably into compliance with the **Minimum Standards for Public Libraries in New York State**. I'm looking for your most recent annual report to your community, your latest long-range plan, any updates to your bylaws in the past year and a complete complement of your policies. My tip from last year stands, if have not worked on **internal financial control policies** and a comprehensive **personnel policy** for your library these should be your priority in 2012.
7. At the request of the Marketing Advisory Committee we have scheduled two sessions each of **Advocacy Bootcamp for Frontline Staff** and **Advocacy Bootcamp for Trustees** in February. This will be another chance for your staff and trustees to learn the basics of how libraries are funded (locally, from the county and state) and how they can best help educate the public to speak up for libraries.
8. **Consultations:** In 2011 I did over 100 consultations at member libraries with directors and boards. The top requested topics were strategies for winning budget votes, examining sustainable funding options and community-based long-range planning. If you are planning a budget vote, need clarification on the tax cap, would like to redesign your existing space, go green, do a PR audit, have your board trained or just need help strategizing your year, let me know. I'm here to help.
- **Association/Municipal Public Libraries:** if you are planning to go for a 414 vote this year please let me know as soon as you can. Thanks!



**Advisory Opinion on Tax Cap Impact on Libraries – Updated 11/29/11**

The tax cap legislation (S.5856/A.8518), which was passed by the Legislature and signed into law by the Governor on 6/24/11 (Chapter 97 Part A), even though it does not specifically mentions libraries, was intended by the Legislature and Governor to cover libraries.

For the purpose of the tax cap law, state policymakers have placed all types of libraries into the local government section of the legislation under the category of "special districts". Therefore for libraries the impact of the tax cap law is the following:

- The tax cap limits annual levy growth to the lesser of 2% or the rate of inflation, subject to certain limited exemptions and adjustments for growth in the full value of taxable real property due to physical and quantity change.
- The tax cap does not include a levy necessary for expenditures resulting from (i) court orders or judgments arising out of tort actions for any amount that exceeds 5% of the local government's tax levy for the prior fiscal year, and (ii) increases in pension contributions above a certain threshold attributable to system-wide contribution rate increases above 2 percentage points.
- A library board can propose a budget that exceeds the tax cap by a 60% vote of their total board and if budget requires voter approval, must be approved by simple majority of voters (+50%).
- Capital or Bonded Projects are not exempt from tax cap, but still require simple majority of voters for approval. If the resulting budget requires an increase in the levy above the cap then the board must approve the resulting budget by a 60 percent vote.
- The tax cap does not apply to the first fiscal year after a local government is newly established.
- The State Comptroller shall determine the tax levy limit in the first fiscal year for a local government that assumes the liabilities of a dissolved local government, and in the first fiscal year following the consolidation of local governments.

For example, a library (such as a special legislative district public library, school district public library, a municipal public library, or an association library) has its own tax levy limit if it (i) has a separate, independent elected or appointed governing board, and (ii) can require a municipality or school district to levy a tax on its behalf (which includes, where applicable, a tax levy approved by voters, i.e. Section 259/Chapter 414). To the extent the budget of a library is comprised of revenues generated by a tax levy of a municipality or school district that the municipality or school district is required to impose on behalf of the library, those tax revenues fall within the tax levy limit of the library. To the extent the budget of that library is comprised of revenues generated by the taxing authority of a municipality (such as a town or village), and that municipality is not required to impose that tax levy on behalf of the library, those tax revenues fall within the tax levy limit of the municipality.





## **Sample Tax Cap Override Resolutions**

### **Option 1**

Use this sample resolution if you plan to pass override at the beginning of your fiscal year or at your annual meeting in advance of adopting a budget. This meets the requirements of the tax cap law while giving flexibility to the library board to adopt a budget later in the year that requires a tax levy that exceeds the tax cap or if the board approves a budget with incomplete or incorrect information to calculate the tax levy. If a library or any local government approves a tax levy that exceeds the cap (without passing the below resolutions), then these excess funds must be put in an interest bearing account and used the following fiscal year to reduce the tax levy.

*Whereas, the adoption of the (Year) budget for the (Library Name) may require a tax levy increase that exceeds the tax cap imposed by state law as outlined in General Municipal Law Section 3-c adopted in 2011; and*

*Whereas, General Municipal Law Section 3-c expressly permits the library board to override the tax levy limit by a resolution approved by a vote of sixty percent of qualified board members; now therefore be it*

*Resolved, that the Board of Trustees of the (Library Name) voted and approved to exceed the tax levy limit for (Year) by at least the sixty percent of the board of trustees as required by state law on (meeting date).*

### **Option 2**

Use this sample resolution if you plan to pass the override at the same time you approve your budget, when you believe you have all the necessary data to correctly calculate your tax levy.

*Whereas, the adoption of this (Year) budget for the (Library Name) requires a tax levy increase that exceeds the tax cap imposed by state law as outlined in General Municipal Law Section 3-c adopted in 2011; and*

*Whereas, General Municipal Law Section 3-c expressly permits the library board to override the tax levy limit by a resolution approved by a vote of sixty percent of qualified board members; now therefore be it*

*Resolved, that the Board of Trustees of the (Library Name) voted and approved to exceed the tax levy limit for (Year) by at least the sixty percent of the board of trustees as required by state law on (meeting date).*

