

MEMORANDUM OF UNDERSTANDING and COOPERATIVE AGREEMENT

between

The Town of Milton, NH operating through its Select Board

and

The Milton Free Public Library Operating through its Board of Trustees

PURPOSE AND SCOPE:

This Memorandum of Understanding sets out and summarizes a cooperative agreement between the Town/selectmen under RSA 31 “The Powers of Towns” and the Library/trustees under RSA 202 regarding the operation of a “Public Library” in the Town of Milton—a cordial and productive working relationship of some two decades- to the benefit of the citizens who use it.

Library History, Operation, and Statutory Duties: The Library is housed in the historic 1875 schoolhouse donated to the town for that specific purpose in 1991. It is a “Public Library” as defined under NH RSA 202-A:2 with the Board of Trustees responsible for its management under RSA 202-A:6. The Board of Trustees also has case law authority (Town of Littleton v. Kathryn Taylor 138 NH 419 (1994)) to appoint and set the qualifications of Librarian and all other staff, determine duties and rate(s) of pay and set out personnel policies-consistent with state statute, local ordinance and Town liability coverage(s).

Town Duties and Responsibilities: The Town, under its Chapter 31 authorities has, over time, provided various administrative and bookkeeping supports. The Town has provided grounds keeping and other maintenance services e.g. Trash or snow removal and as a “governmental services” building—the Library has been under the Town’s Insurance/liability coverage.

THEREFORE, the Town of Milton acting through its Selectmen and the Milton Free Public Library acting through its board of Trustees do hereby mutually agree as follows:

1. Pursuant to RSA 202-A:6, 202-A:11 and 202-A:11-a, the Library will continue to: expend trust funds consistent with the specific trust fund; retain funds received from Library income-generating equipment and place such funds in a non-lapsing account for expenditure by the Library; make any rule or policy relative to the operation of the Library, adopt a Library Personnel Policy for Library employees, appoint the employees of the Library, and set their compensation consistent with the Library’s Personnel Policy. The Town will continue to provide certain administrative support tasks to the Library—in particular payroll services, processing of accounts payable and receivable, financial support and assistance with budgeting—consistent with those services being performed at present.

2. The Library Trustees agree to:
 - a. Offer to send the Library Director to Town staff meetings, as time allows.
 - b. Meet with the Select Board semi-annually to discuss goals for the Library.
 - c. Work with Select Board to develop a Library Budget, which will support the Library's needs and address the Select Board's recommendations for budget increases or decreases.
 - d. Welcome Select Board members and their input at Library's Trustee Meetings.

3. Consistent with N.H. RSA 202-A:11, II the Library will "prepare an annual budget indicating what support and maintenance of the free public library will be required out of public funds." Historically, the Library meets with the Town prior to Town meeting to discuss the library budget. In the unlikely event that the Town and the Library do not agree on the Library Budget, the Town will submit its recommended budget as part of the overall town budget at Town Meeting. It is understood that the Library retains the right and ability to offer a budget recommendation to Town Meeting on the proposal submitted by the Town.

4. As the CIP (begun in 2016) moves forward, the Library will continue to work with that Committee, Selectmen, Budget Committee and Department of Public Works (DPW) as necessary to meet CIP goals-and in any cooperative development of LCHIP or other grants which may have CIP impact or staff/cost (s) for DPW

5. The Library will continue to participate in the Town's property and liability insurance, health insurance, employee benefits, and training programs, at no additional cost to the Library. The Town will continue to insure the Library building and contents against fire and property damage.

6. The Town agrees that it will provide the following maintenance services to the Library:
 - * HVAC Repairs and Upgrades
 - * Plumbing Repairs
 - * Exterior building issues, including siding repair, overhangs, oil fill valves, roofing, windows and painting
 - * Exterminator services for the building
 - * Interior painting when needed
 - * Parking lot and curbing issues
 - * Upkeep of entryway stairs
 - * Electrical Issues
 - * Replacement of full lighting fixtures and light bulb replacement as needed.
 - * Replacement or repair of doors
 - * Septic and well Repairs
 - * Weekly pickup of trash and recycling
 - * Landscaping of grounds (excluding gardens), snow removal includes walkways, parking lot, and, if necessary, in the judgment of the Public Works Director, the roof

Library Custodial/Building Repair Tasks and Budget Items

- * All interior cleaning and purchasing of supplies needed from within library budget
- * Garden Maintenance and Planting, including costs
- * Small tasks such as repairing or building display units or furniture, installing wall shelves, keyboard trays, etc.
- * If the library chooses to move or add to existing outlets they will be budgeted for within the library budget
- * All CAT5 wiring needed to run the library computer systems will be purchased and installed from within the library budget.
- * Daily trash removal and recycling placed where available for town removal

THIS AGREEMENT is a document of process and goals for the effective operations of the Milton Free Public Library as a public benefit for the citizens of the Town of Milton. It is in effect when signed, has no statutory power of its own, depends on “funds available” implementation, is subject to timely renegotiation, and may be ended by either party as circumstance and statute may require. Nothing in this Memorandum of Understanding shall be construed to limit the powers and/or responsibilities of the Library Trustees or Selectmen as set out under New Hampshire law.

(Name) Library Trustee

(Name) Library Trustee

(Name) Library Trustee

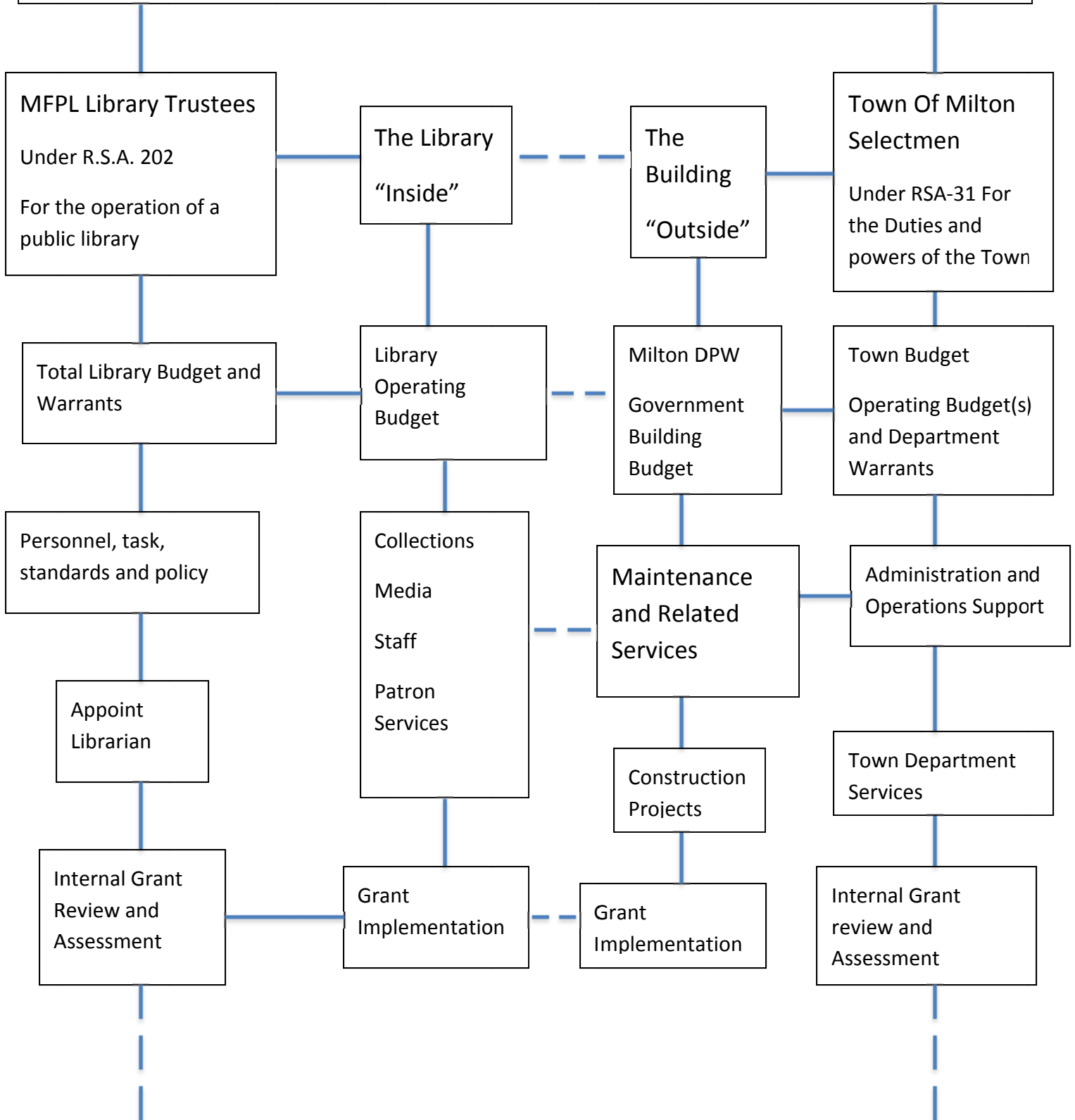
(Name) Town of Milton Selectman

(Name) Town of Milton Selectman

(Name) Town of Milton Selectman

Milton Free Public Library Overview

Under SB-2 Legislation Milton voters determine the governance and funding of the Library (Milton Free Public Library) and Town (Town of Milton) annually at their two part meeting.



Such Budget Issues or 3rd Party Sourced Projects, Funds, or Grants as May Require Mutual Assessment/Action are shown by a Dotted Line Connection