



Gloversville Public Library  
Meeting of the Board of Trustees  
September 15, 2015  
6:30pm  
Gloversville Public Library

Pledge to the Flag  
Public Comment

1. Accept minutes of the August 2015 meeting
2. Treasurer's Report
3. Budget and Finance  
Warrant
4. Friends
5. Building and Grounds  
DLD
6. AD HOC Steering Committee
7. AD HOC Policy  
Finance committee 1<sup>st</sup> reading of Investment Policy
8. Personnel Committee  
Civil Service
9. Program Committee
10. PR Committee
11. Director's Report
12. President's Report  
Committee assignments  
Plan of Service
13. Foundation
14. Old Business
15. New Business
16. Adjourn

Next Meeting: October 20, 2015 6:30

**Draft Minutes of the Gloversville Public Library Board of Trustees Meeting**

August 18, 2015

The Gloversville Public Library Board of Trustees held a meeting on August 18, 2015 in the Reading Room at the Library, 58 E. Fulton Street, Gloversville, New York at 6:30 P.M

The following trustees were present: Elizabeth Batchelor, Robin Lair, Craig Clark, Jay Ephraim, Christine Pesses, Vincent De Santis, Patricia Donovan and Merry Dunn Brown. Michael J. Frank, Treasurer and Recording Secretary, Barbara J. Madonna, Director of the Gloversville Public Library, Jean LaPorta, President of the Friends of the Gloversville Public Library and John Blackmon, Claims Auditor for the Gloversville Public Library, also attended the meeting. Wanda Prew was excused from the meeting.

Mr. Clark, President of the Board of Trustees, opened the meeting by leading the Trustees in the Pledge of Allegiance.

Mr. Clark asked if there was anything anyone from the public wished to present at this time. Hearing nothing, the regular meeting was convened.

Mr. Clark asked the Trustees to review the minutes of the Regular Meeting of the Trustees held on July 21 2015. Mr. Clark asked if there were any corrections or additions to the minutes of the meeting as presented. Hearing none, Mrs. Pesses made a motion, seconded by Ms. Batchelor, to approve the minutes as presented. This motion was approved all voting aye.

Mr. Clark asked Mr. Frank to review the Treasurer's Report for the month of July 2015 with the Trustees. Mr. Frank informed the Trustees that our income for the month of July 2015 is up approximately \$700 from the same period of last year due primarily to the higher Interest and Dividends received from the Foundation this year. Expenses this month are up approximately \$500 from the prior year month primarily due to higher Library Supplies, Medical Insurance and higher General Insurance. These expenses have been partially offset by lower full time salaries due to an unplanned retirement, position not filled yet. Mr. Frank asked if there were any questions or comments on the financials for the month of July 2015. Hearing none, Mrs. Lair made a motion, seconded by Mr. De Santis, to accept the Treasurer's Report as presented. This was approved all voting aye.

Mr. Frank distributed the Warrants list for August 2015 numbered 349 through 369 which was audited by John Blackmon our Claims Auditor. Mr. Blackmon found all claims to be legitimate claims for monies due from the Gloversville Public Library and recommended payment of same. Mrs. Pesses made a motion, seconded by Mrs. Lair, to have Mr. Frank our Treasurer prepare checks for payment of these claims. This was approved all voting aye.

Mr. Frank informed the Trustees that he had filed the Library's Annual Financial Report with the New York State Comptroller's office on August 17, 2015.

Mrs. La Porta distributed envelopes to each of the Trustees which contained tickets to sell for the chicken barbecue fundraiser on September 25, 2015, coupons for an ice cream fundraiser at the Perfect Scoop ice cream shop in Mecoo on August 24-26, and information regarding the bus trip to the New York Public Library on September 30. Mrs. La Porta also reminded the Trustees about the raffle basket fundraiser coming up this fall. The Trustees have agreed to do a basket for this event.

Ms. Madonna informed the Trustees that she has been working with the Lansing Engineering Firm regarding the lighting specifications for the lot at 66 East Fulton Street. This information is needed for the Historical Review Board to approve our plans for the lot. Ms. Madonna also informed the Trustees that we had been awarded a Division of Library Development Grant for \$150,000 for the elevator and that she has applied for \$400,000 for the new heating system and three computers for public use from the Division of Library Development for next year. Mrs. Pesses made a motion, seconded by Mrs. Donovan, to approve the filing of the Grant application for the heating system and the computers. This was approved all voting aye.

Mrs. Pesses informed the Trustees that the National Parks Service had rejected our application for Federal Historical Grant money which also prevents us from getting State Historical Grant money. An appeal hearing has been set for September 15, 2015 to see if we can change their minds on this decision. Mrs. Pesses and Ms. Batchelor informed the Trustees that the Steering Committee feels that we should prepare for a Bond Referendum for the voters in case our appeal fails so that we can attempt to raise the necessary funds for the Master Renovation Project. The Trustees felt that this option should continue to be investigated.

Barbara Madonna  
Library Director

20152016  
Board of Trustees

Elizabeth Batchelor

Merry Dunn Brown

Craig Clark

Vincent DeSantis

Patricia Donovan

Jay Ephraim

Robin Lair

Christine Pesses

Wanda Prew

Mr. Clark informed the Trustees that the AD HOC Policy Committee had not met since the last Trustees meeting however; we will need to begin working on an Investment Policy to be in compliance with the State Department of Audit and Control. Mr. Frank and Ms. Madonna passed out a sample for the Trustees information and Ms. Madonna informed the Trustees that she would send out a formal Policy in time for an official review at the September meeting.

Ms. Madonna informed the Trustees that Civil Service has approved our request for a change in the structure of our Library personnel to having a Librarian 1 position instead of a Senior Library Clerk on staff. Ms. Madonna informed the Trustees that she will be able to promote Nicole Hauser to this position immediately as she has the credentials to fill the position. As a result of this promotion we will now need to fill the full time position of Library Clerk as soon as possible.

Mr. Ephraim informed the Trustees that the Summer Programming ends tomorrow. Mrs. Howard has expressed concerns about people signing up for programs and then not coming to them. The Public Relations Committee will try to work with the Programming Committee to see if anything can be done about this issue.

Ms. Madonna reminded the Trustees that our three year Plan of Service had ended and that we need to get at least a one year plan done by December 31, 2015 to be in compliance with New York State requirements.

Mr. Clark distributed Committee assignments for the Trustees to review.

Mr. Frank informed the Trustees that the Gloversville Library Foundation Board had not met since the last meeting of the Trustees but that a meeting is scheduled for September 10, 2015 at 3:00 PM.

Mr. Clark asked if there was any old business to come before the meeting. Hearing none, Mr. Clark asked if there was any new business to come before the meeting. Ms. Madonna asked to go into Executive Session to discuss a personnel issue. Mrs. Pesses made a motion, seconded by Mrs. Donovan, to go into Executive Session at 8:05 PM. This was approved all voting aye. Mrs. Pesses made a motion to come out of Executive Session at 8:20 PM. This motion was seconded by Ms. Dunn Brown and approved all voting aye. Mr. De Santis made a motion to approve the salary schedule presented by Ms. Madonna for Nicole Hauser which increases her salary to \$34,000 effective immediately and increases her salary to \$36,000 after a successful completion of her probationary period. This motion was seconded by Mrs. Lair and approved all voting aye.

Mr. Clark asked if there was any other new business to come before the meeting. Mrs. Donovan expressed her concern about being away for three months this winter and Mr. Ephraim also said that he will be away this winter. Ms. Madonna said that she thought we might be able to SKYPE them into the meeting if needed for a quorum but that they will need to be located in a publicly accessible location and the library needs to include that location in its advertisement of the meeting.

Mr. De Santis made a motion, seconded by Mrs. Donovan, to adjourn the meeting at 8:30 PM. This was approved all voting aye.

The next meeting of the Board of Trustees will be held on September 15, 2015 at 6:30 PM. The Annual Meeting will precede the Regular Board Meeting.

Michael J. Frank  
Recording Secretary

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Robin Lair  
Secretary

**GLOVERSVILLE PUBLIC LIBRARY**

**MONTH AND YEAR-TO-DATE INCOME REPORT AND CASH RECONCILIATIONS**

**AUGUST 2015**

	Budget July 1, 2015 to June 30, 2016	Amount Received Curr. Month	Amount Received Current Year to Date	Amount Received Prior Year to Date	Remaining Balance to be Received Curr. Year
Tax Levy	\$276,321.00	\$0.00	\$0.00	\$0.00	\$276,321.00
Investment Income	200.00	4.32	9.06	12.48	190.94
Gloversville Library Foundation Inc. - Int. & Div.	150,000.00	14,287.06	25,067.90	24,781.65	124,932.10
Gloversville Library Foundation Inc. - Don. Reg.	10,000.00	655.00	680.00	225.00	9,320.00
Government Affiliations	6,500.00	0.00	0.00	0.00	6,500.00
Fines & Miscellaneous Income	13,000.00	860.00	1,993.00	1,759.10	11,007.00
U.S. Treasury - Medical Ins. Credit Refunds	5,250.00	0.00	0.00	0.00	5,250.00
Friends of the Gloversville Public Library, Inc.	10,000.00	0.00	0.00	0.00	10,000.00
<b>TOTAL RECEIPTS</b>	<u><u>\$471,271.00</u></u>	<u><u>\$15,806.38</u></u>	<u><u>\$27,749.96</u></u>	<u><u>\$26,778.23</u></u>	<u><u>\$443,521.04</u></u>
	<u>Income Cash Reconcilement</u>				
Income Cash Balance on August 1, 2015	<u>\$252,592.51</u>				
Plus: Receipts Per Report	15,806.38				
Less: Expenses Per Report	<u>39,016.62</u>				
Income Cash Balance on August 31, 2015	<u><u>229,382.27</u></u>				
Accounts Payable as of 08/31/15	14,715.75				
Accrued Expenses as of 08/31/15	0.00				
Prepaid Expenses as of 08/31/15	<u>(866.81)</u>				
Actual Cash Balance on August 31, 2015	<u><u>\$243,231.21</u></u>				

**BUILDING FUND**

Balance on August 1, 2015	\$125,719.73
Plus: Receipts:	
Interest on Money Market Account	2.14
Less: Paid Outs:	
None	<u>0.00</u>
Balance on August 31, 2015	<u><u>\$125,721.87</u></u>

Prepared By,  
Michael J. Frank, Treasurer

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Submitted By,  
Christine Pesses, Vice President of Finance

**GLOVERSVILLE PUBLIC LIBRARY**

**MONTH AND YEAR-TO-DATE COMPARISON EXPENSE REPORT**

**AUGUST 2015**

	Budget July 1, 2015 to June 30, 2016	Amount Expended Curr. Month	Amount Expended Current Year to Date	Amount Expended Prior Year to Date	Current Year Unexpended Balance
Salaries - Full Time Employees	\$183,301.00	\$ 12,700.87	\$ 25,300.91	\$ 28,496.76	\$158,000.09
Salaries - Part Time Employees	62,910.00	5,196.35	9,842.31	8,301.84	53,067.69
Salaries - Custodians	25,007.00	2,083.92	4,167.84	3,864.52	20,839.16
F I C A & Medicare Tax	20,748.00	1,528.55	3,007.29	3,110.77	17,740.71
Unemployment Insurance	725.00	0.00	180.25	175.25	544.75
Disability Insurance	780.00	0.00	219.95	286.70	560.05
Medical Insurance	43,725.00	2,962.15	9,033.21	7,771.04	34,691.79
Pension Expense	42,000.00	0.00	0.00	(9.16)	42,000.00
Heat	9,000.00	83.48	83.48	77.37	8,916.52
Electricity	8,500.00	775.91	775.91	627.94	7,724.09
Telephone	2,880.00	266.51	528.55	422.06	2,351.45
Insurance	11,500.00	224.76	6,540.39	5,696.79	4,959.61
Books, Periodicals, etc.	46,500.00	10,913.97	13,892.76	13,901.06	32,607.24
Computer & Automation Services	16,000.00	1,053.15	1,073.15	1,042.03	14,926.85
Library, Building & Office Supplies	10,000.00	118.42	1,463.58	1,086.95	8,536.42
Maintenance & Repairs	9,000.00	82.45	142.81	141.57	8,857.19
Financial Secretary	8,200.00	700.00	1,350.00	1,350.00	6,850.00
Professional Fees	4,000.00	0.00	0.00	0.00	4,000.00
Election Expense	1,000.00	0.00	0.00	0.00	1,000.00
Professional Meetings & Travel	2,500.00	0.00	0.00	506.90	2,500.00
Events & Programming	4,500.00	245.43	467.40	1,004.48	4,032.60
Promotion Expense	2,500.00	21.00	190.00	189.00	2,310.00
General Expense	2,000.00	59.70	337.87	287.02	1,662.13
<b>TOTAL EXPENSE</b>	<u>\$517,276.00</u>	<u>\$39,016.62</u>	<u>\$78,597.66</u>	<u>\$78,330.89</u>	<u>\$438,678.34</u>

**GLOVERSVILLE PUBLIC LIBRARY**

**CHECK AND CASH DISBURSEMENTS**

**AUGUST 2015**

<u>Check No.</u>	<u>Warrant Number</u>	<u>Payee</u>		<u>Fund</u>
DM		E F T United States Treasury (2,404.08)	\$761.04	FICA & Medicare Expense
			1,643.04	Payroll
4764		NYS Child Support Processing Center	171.42	Child Support
4765		Gloversville Public Library	7,393.39	Payroll
4766	000349	New York State Insurance Fund	224.76	Insurance - Worker's Comp.
4767	000350	Barbara J. Madonna	445.13	Petty Cash
4768	000351	Michael J. Frank	700.00	Treasurer & Rec. Secretary
4769	000352	George J. Steele (175.00)	75.00	Stewart's Grant Expense
			100.00	W G Y Grant Expense
4770	000353	Mary Cuffe Perez	100.00	Events & Programming
4771	000354	Frontier Communications	266.51	Telephone
4772	000355	C D P H P	3,351.09	Insurance - Medical
4773	000356	Unique Management Services, Inc.	59.70	G/E - Collection Expense
4774	000357	National Grid (859.39)	83.48	Heat
			775.91	Electric
4775	000358	Michael Daly	25.00	Events & Programming
4776	000359	Gloversville True Value Hardware	7.45	Maintenance & Repairs
4777	000360	The Leader-Herald	21.00	Promotion Expense
4778	000361	W M H T	50.00	Events & Programming
4779	000362	Warren Electric Supply	75.00	Maintenance & Repairs
4780	000363	Mohawk Valley Library System	1,033.15	Computer & Automation
4781	000364	Quill Corporation	118.42	Library Supplies
4782	000365	Business Card (433.09)	95.43	Events & Programming
			20.00	Computer & Automation
			197.17	A/V - DVDs
			120.49	Books
4783	000366	Baker & Taylor Books	418.32	Books
4784	000367	Audio Editions	158.70	A/V - DVDs
4785	000368	Center Point Large Print	92.88	Books
4786	000369	Baker & Taylor Books (10,401.72)	9,534.91	Books
			866.81	Prepaid Expense
4787		NYS Child Support Processing Center	171.42	Child Support
4788		Gloversville Public Library	7,438.30	Payroll
DM		Oppenheimer Funds - 403b Plan	400.00	403b Plan
DM		E F T NYS & Local Retirement System	383.76	Pension - Withholdings
DM		E F T NYS Tax Department	711.30	Payroll
DM		E F T United States Treasury (2,436.02)	767.51	FICA & Medicare Expense
			1,668.51	Payroll
DMs		Jaeger & Flynn Associates, Inc. (Reimb. & Adm. Fee)	1,438.48	Medical Insurance
		CHECK AND EFT PAID OUTS - AUGUST 2015	<u>41,964.48</u>	
		PETTY CASH PAID OUTS - AUGUST 2015		
		Newspapers (Books)	<u>391.50</u>	
		<b>TOTAL AUGUST 2015 PAID OUTS</b>	<b><u>\$42,355.98</u></b>	
		Less: W G Y Grant Expense	(100.00)	
		Less: Stewart's Grant Expense	(75.00)	
		Less: Insurance Reimbursement Johnson	(789.76)	
		Less: Cobra Reimbursement Bucholtz	(1,037.66)	
		Less: Voided Check #4644	(25.00)	
		Less: Prepaid Expense	(866.81)	
		Less: Petty Cash Check	<u>(445.13)</u>	
		NET TO BALANCE TO EXPENSES	<u>\$39,016.62</u>	

**GLOVERSVILLE PUBLIC LIBRARY**  
**GRANTS AND OTHER ITEMS IN PROCESS**

**LIONS CLUB - BRAILLE GRANT**

Balance as of August 1, 2015		\$1,005.75
Grant Money Received		0.00
Expenses Paid From Grant Money:	<u>Check No.</u>	<u>Purpose</u>
None		0.00
Total Expenses		0.00
Balance of Grant Money Left at August 31, 2015		\$1,005.75

**WGY CHRISTMAS WISH GRANT**

Balance as of August 1, 2015		\$505.00
Grant Money Received		0.00
Expenses Paid From Grant Money:	<u>Check No.</u>	<u>Purpose</u>
George J. Steele	4769	Programming
Total Expenses		100.00
Balance of Grant Money Left at August 31, 2015		\$405.00

**STEWART'S FOUNDATION GRANT**

Balance as of August 1, 2015		\$400.00
Grant Money Received		0.00
Expenses Paid From Grant Money:	<u>Check No.</u>	<u>Purpose</u>
George J. Steele	4769	Programming
Total Expenses		75.00
Balance of Grant Money Left at August 31, 2015		\$325.00

**WORKFORCE LITERACY GRANT**

Balance as of August 1, 2015		\$193.73
Grant Money Received		0.00
Expenses Paid From Grant Money:	<u>Check No.</u>	<u>Purpose</u>
None		0.00
Total Expenses		0.00
Balance of Grant Money Left at August 31, 2015		\$193.73

**APPROPRIATION FOR FUTURE AUDIT**

Balance as of August 1, 2015		\$718.75
Appropriation Provided For In 2014-2015		0.00
Expenses Paid From Appropriation Funds:	<u>Check No.</u>	<u>Purpose</u>
None		0.00
Total Expenses		0.00
Balance of Appropriation Funds Left at August 31, 2015		\$718.75

**RESTORATION FUNDS RECONCILEMENT**

Balance as of August 1, 2015		\$694.38
Funds Received		0.00
Expenses Paid From Restoration Funds:	<u>Check No.</u>	<u>Purpose</u>
None		0.00
Total Expenses		0.00
Balance of Restoration Funds Left at August 31, 2015		\$694.38



## Gloversville Public Library

Director's Report: August 2015

Barbara Madonna – Director

Nicole Hauser was promoted to the new Librarian I position. She is the first Librarian hired by the Gloversville Public Library. While she will perform many Librarian duties such as collection development, long range planning and some program development, she will also perform many of Donna Kuhner's management responsibilities. The next task will be to determine which clerical duties of her old position and Donna's need to be covered and to hire a full time Library Clerk to perform them.

Another personnel project Nicole and I worked on was a review of the existing Employee Handbook. It has also been reviewed by the Personnel Committee and the guts of it, minus the index, appendices and forms, is part of this month's board packet for review.

Carly Washburn, the summer intern, finished up her internship in August. In addition to providing an extra set of hands for programs this summer, she developed a digital collection out of the colorize postcard collection donated by Dr. Robert Palmer via his will in the mid 1980's. While my initial focus was to digitize the collection to provide viewers with historic images of Gloversville and Fulton County, Carly discovered that a large portion of the collection was correspondence between Dr. Palmer and his family, mostly his mother. In addition to scanning the pictures, she digitized and transcribed the messages. The collection will be uploaded to NYHeritage.org.

Summer programming wrapped up in August. Two Hundred and thirty-eight children and teens signed up this year. While we only had 11 teens this year, we had 28 children under the age of 5. It is becoming more difficult to engage the preschoolers because attendance at our traditional Friends storytime is being impacted by participation in Universal Pre-K. And class visits by school groups are being eliminated due to common core requirements and the cost of busing students. While early literacy is sweeping the country, our current methods are not meeting the needs of our community.

In August the Library received formal notification of award for the 2014-2016 application to the NYS Public Library Construction Grant Program. The request was for \$140,000 and \$150,356 was granted. Last year's application focused on the elevator portion of the complete renovation. The application also included two exterior security cameras that were installed last fall. This year's application will assist with the new HVAC system.

### Meetings

- Aug. 5<sup>th</sup> Paul Mays, Butler Rowland Mays Architects
- Aug. 6<sup>th</sup> 1) Trustee Orientation  
2) Lisa Hayes, Butler Rowland Mays Architects  
3) Bond Referendum Steering Committee meeting  
4) Friends of the Library meeting
- Aug. 7<sup>th</sup> 1) Nicole Hauser  
2) Nicole Hauser, Bonnie Howard, and Sally Fancher
- Aug 11<sup>th</sup> 1) John Borgolini, Leader-Herald  
2) Ellen Wood  
3) Ellen Bach and Robert Schofield, Whiteman Osterman and Hanna  
4) Matt Blumenfeld, Financial Development Agency  
5) Levi Pasher, Fulton County Express  
6) Steering Committee meeting
- Aug. 13<sup>th</sup> 1) MVLS Board meeting  
2) Kyle Adams, Daily Gazette  
3) Craig Clark
- Aug. 14<sup>th</sup> Nicole Hauser

Aug. 18<sup>th</sup> 1) Paul Mays, Butler Rowland Mays Architects  
2) Kari Town, Fulton County Personnel Department  
3) Ellen Wood  
4) Board of Trustees Meeting

Aug. 19<sup>th</sup> 1) Paul Mays, Butler Rowland Mays Architects  
2) Lisa Hayes, Butler Rowland Mays Architects

Aug. 21<sup>st</sup> Lois Gordon, MVLS

Aug. 26<sup>th</sup> Bond Referendum Steering Committee meeting

Aug. 27<sup>th</sup> Wanda Prew

**Gloversville Public Library  
2015 Statistical Report**

Statistics for August 2015 are as follows (figures in parentheses represent comparable figures for August 2014):

	<b>2015</b>	<b>2014</b>
<b>VISITORS</b>	8,326	(8,707)
<b>CIRCULATION</b>		
Adult Circulation	2,341	(2,822)
Teen Circulation	313	(456)
Juvenile Circulation	1,436	(1,724)
Audiobooks	483	(322)
eBooks	263	(310)
Music	7	(10)
Periodicals	93	(103)
Videos	1,227	(1,329)
Museum Passes	-	(4)
Subtotal	6,163	(7,080)
In-House Use		
Adult	14	(405)
Juvenile	65	(413)
Other Materials	65	(1,105)
Subtotal	144	(1,923)
<b>Total Circulation</b>	<b>6,307</b>	<b>(9,003)</b>
 <b>REFERENCE QUESTIONS</b>	 248	 (587)
 <b>MEETINGS/PROGRAMS/OUTREACH</b>		
6 Adult programs and meetings with 24 people		(7 Adult programs and meetings with 61 people)
14 Juvenile programs with 200 children		(17 Juvenile programs with 382 children)
1 Teen programs with 9 people		(2 Teen programs with 22 people)
 <b>INTERLIBRARY LOAN</b>		
Material Borrowed	736	(910)
Material Loaned	629	(612)
Total	1,365	(1,522)
 <b>COMPUTER USAGE</b>	 2,629	 (1,366) users
 <b>HISTORICAL ROOM</b>		
Visitors		(5)
Books Used		(12)
Reference Questions		(3)

# Employee Handbook

## Gloversville Public Library

### I. PURPOSE OF EMPLOYEE HANDBOOK

Employees are a vital Library resource necessary to carry out the Library mission. It is the intent of the Library to treat its employees fairly and outline the conditions, terms and responsibilities of employment clearly through this handbook.

### II. MISSION STATEMENT

The Gloversville Public Library commits itself to the residents of the Gloversville Enlarged School District to be a community resource that provides access to information and technology, educational and cultural events while remaining a center for research and recreational pursuits.

### III. ORGANIZATION

#### A. Board of Trustees

The Board of Trustees is the governing body of the Library and consists of not less than five or more than fifteen members elected by the voters of the Gloversville Enlarged School District. Per the By-laws the Board currently consists of nine members. The Board will meet a minimum of 7 times per year with the Organization Meeting as one of the required meetings. The Organization Meeting is held as soon as possible after July 1<sup>st</sup>. All meetings are open to the public.

#### B. Administrator

The Director of the Library is the chief administrator and is hired by and responsible to the Board of Trustees. The Director is charged with maintenance of library service, appointment of personnel, and all phases of administration.

The Director has a separate employment agreement with the Board of Trustees which outlines hours, duties, compensation and benefits. This employment agreement supersedes the terms in this handbook.

An organizational chart appears **on page 14.**

#### C. Employees

Library employees may be full or part time. Their main duty is to provide library service directly to patrons under the supervision of the Library Director. A few support positions may exist to maintain the library's infrastructure.

# Employee Handbook Gloversville Public Library

## III. EMPLOYMENT

**Policy of Non-discrimination** - In all matters, the Gloversville Public Library does not permit discrimination for or against any individual or group.

### A. Civil Service

As a public library, the Gloversville Public Library comes under jurisdiction of Civil Service administered by the Fulton County Personnel Office. Qualification guidelines for professional and non-professional positions in public libraries under Civil Service are adhered to.

### B. Definitions

1. **Professional employee** (Director & Librarian) - An employee who possess an ALA-accredited Masters degree in Library Science and a public librarian's professional certificate issued by the State of New York.
2. **Non-professional employee** - paraprofessionals or support staff
3. **Full-time employee** - A full-time employee, other than the Director & Librarian, is defined as one who is regularly scheduled to work 40 hours per week. For the purposes of the NYS and Local Retirement System, a standard work day for full-time employees is calculated as 8 hours per day.

All full-time employees are entitled to compensatory time, but are not entitled to overtime pay.

4. **Part-time employee** - A part-time employee is defined as one who is regularly scheduled to work a maximum of 29 hours per week. For the purposes of the NYS and Local Retirement System, a standard work day for part-time employees is calculated as 6 hours per day. All part-time employees are "non-exempt" employees paid at an hourly rate. They are not entitled to compensatory time.
5. **Permanent employee** - A permanent employee may be either part-time or full-time, and is someone who has passed the probationary period in a Board approved position or job title.
6. **Temporary employee** - A temporary employee is a person filling the position of a permanent employee who is on extended leave.
7. **Special employee** - A special employee is a person appointed to work on a special project funded by the regular Library budget or other sources and designed to be completed within a limited time.
8. **Volunteer** - Volunteers perform various library tasks without receiving pay.

# Employee Handbook Gloversville Public Library

## C. Job Classifications and Descriptions

Custodial Worker	Page
Librarian I	Program Coordinator
<i>Must have a MLS degree from an ALA approved school and a professional public librarian's certificate per NYS Education Law 90.3.</i>	Senior Library Clerk
Library Clerk	Summer Assistant
Library Director I	
<i>Must have a MLS degree from an ALA approved school and a professional public librarian's certificate per NYS Education Law 90.3.</i>	

Job descriptions are available (See Appendix A: Job Classifications and Descriptions)

Civil Service job descriptions are general in nature and Gloversville Public Library employees will complete tasks as appropriate for this library. Employees are expected to familiarize themselves with their individual job descriptions and to be responsible for knowledge of duties and requirements of the job.

## D. Probationary Period

All employees in a new position are on probation for a minimum of 12 weeks to a maximum of 52 weeks as per Fulton County Civil Service rules. The probationary period is a time when the employee becomes familiar with the basic requirements and expectations for the job. It is also the time for supervisors to assess the employee's skills, determine if the employee's job performance meets the expected standards, and whether employment should continue. At the end of the probationary period, a formal evaluation will be completed. The probationary period is a time for open communication by both parties.

Any periods of authorized or unauthorized absence up to 10 working days may be counted as time served in the probationary period at the discretion of the appointing authority. Any authorized or unauthorized absence in excess of an aggregate of 10 working days shall not be counted as time served in the probationary period. The minimum and maximum period of the probationary term for any employee shall be extended by the number of work days of absence, which pursuant to rule, are not considered as time served in the probationary term.

All new employees will receive an Employee Orientation.

New full-time probationary employees may earn Floating Holidays when Federal holidays fall on a day the Library is closed or on an employee's day off. New full-time employees will accrue, but cannot use Floating Holidays, during the first 12 weeks of their probationary period.

New full-time employees will earn 2 hours per week of leave during the probation period and may begin to use accrued leave after the 12<sup>th</sup> week of the probationary period. Leave during the probationary period is pro-rated based on date of hire within the July 1-June 30 fiscal year, up to a maximum of 104 hours.

## Employee Handbook Gloversville Public Library

Upon the successful completion of probation, new full-time employees earn additional leave, formerly known as vacation, pro-rated to end of the fiscal year, up to 40 hours. Time must be used by the end of the fiscal year.

Employees with a lateral transfer are on probation for 12 weeks. Employees who are promoted are on probation for the appropriate number of weeks for the position not to exceed 52 weeks. In both scenarios, employees will carry existing Leave Time and benefits to the new position for the duration of the fiscal year. They may use existing time during the probationary period.

Employees with a promotional transfer will be on probation for the length of time the new position requires. They will carry existing Leave Time and benefits to the new position. They may use existing time during the probationary period.

### E. Seniority

Seniority is calculated based on the initial date hire for continuous employment. A break in service occurs after a leave of absence of 13 consecutive weeks that is not covered by the Library's Extended Leave of Absence policy (see p. 7). All benefits of seniority, including pay rates and benefits, are forfeit following a break in service.

A part-time employee who becomes a full-time employee will accrue seniority from the initial date of continuous employment.

## IV. COMPENSATION

### A. Salary Payment

1. Full-time employees are salaried.
2. Part-time employees are paid an hourly rate.
3. The pay period is twice a month. Employees are paid on the 15<sup>th</sup> & the last day of the month. If the Library is closed on that day, then payment is made on the work day prior to that date within a Monday-Friday work week.

### B. Automatic Deductions

1. Federal and New York State withholding taxes
2. FICA (Social Security) (see p. 9)
3. Medicare (see p. 5)
4. New York State Retirement (see p. 9)

### C. Voluntary Deductions

## Employee Handbook Gloversville Public Library

1. Fulton County Federal Credit Union
2. Health insurance (see p. 5)

### D. Overtime

1. Time worked in excess of a full-time employee's regular work week must receive prior authorization from the Director or Librarian in charge. It is considered compensatory time for which compensatory leave off is granted. Each full-time employee is responsible for notifying the Director, in writing (see Appendix B: Forms: Absence Request & Time Earned Notification), of compensatory time earned so it may be entered into their time record.
2. Part-time employees are paid for scheduled hours worked. Excess hours, except in emergencies or at the request of the Director or Librarian in charge, are not permitted.

## V. BENEFITS

### A. Disability Benefits

The New York State Disability Benefits Law provides temporary benefits to eligible wage earners disabled by injury or sickness that is not work related.

### B. First Choice Federal Credit Union

All employees and members of the Board of Trustees are eligible, upon purchase of one share, to become members in the First Choice Federal Credit Union.

### C. Health Insurance

1. All full-time employees are offered paid individual health insurance coverage. Spouse, dependent and family coverage is available at the employee's expense. Coverage begins after 12 weeks of full-time employment. Benefit information may be reviewed in copies of the insurance policy.
2. Part-time employees may participate in the Library's health insurance group at their own expense after 12 weeks of employment.
3. Employees must enroll in the Federal Medicare program three months in advance of their 65th birthday.
4. Termination of individual and dependent health insurance coverage occurs at:
  - a. Termination of employment
  - b. Retirement
  - c. Death
5. COBRA (Consolidated Omnibus Budget Reconciliation Act of 1986)

## Employee Handbook Gloversville Public Library

An employer with 20 or more employees is required by Federal Law to offer the opportunity to continue health insurance for up to 18 months if termination occurs for reason (except gross misconduct). The Library does provide this coverage to employees. Payment of monthly premiums is made by the former employee to the Library's health insurance broker.

### D. Leave

It is an employee's responsibility to come to work every day they are scheduled to do so and to stay within their allotted leave time limits. Employees are given paid leave and are expected to use this leave when they are unable to work their scheduled hours. Making up missed, prescheduled hours is not allowed.

Employees are required to notify the Director or Librarian in writing (see Appendix B: Forms: Absence Request & Time Earned Notification) when requesting use of leave time for vacation, illness or personal reasons. Employees are required to request time ahead of the date and time for scheduled absences and as soon as possible for unscheduled time off. Use of time will be calculated in 15 minute increments.

1. **Compensatory Leave.** Compensatory Leave is granted by the Director to full-time employees for work performed in excess of their normal work week. Compensatory leave may be accrued during probation, but not used until after the 12<sup>th</sup> week of the probationary period. Permanent full-time employees may use compensatory leave immediately.
2. **Death in the family.** Leave with pay will be granted up to one week for the death of an immediate family member or the death of an employee's spouse's immediate family member. Immediate family members are spouse, parents, siblings and children. **(Grandparents? Grandchild? In-laws?)**
3. **Holidays.** The Library is closed on legal public holidays only. If a holiday occurs on a day the library is closed or a full time employee's day off, the employee will receive Floating Holiday leave equal to 8 hours. Floating Holiday leave is available immediately.

- a. The days on which the Library is closed are:

New Year's Day (January 1st)  
Martin Luther King, Jr.'s Birthday (3<sup>rd</sup> Monday in January)  
George Washington's Birthday (3<sup>rd</sup> Monday in February)  
Memorial Day (last Monday in May)  
Independence Day (July 4th)  
Labor Day (the first Monday in September)  
Columbus Day (2<sup>nd</sup> Monday in October)  
Veterans Day (November 11<sup>th</sup>)  
Thanksgiving Day (the fourth Thursday in November)

# Employee Handbook Gloversville Public Library

Christmas Day (December 25th)

b. The Library closes at 1:00 p.m. on the afternoons of the following holidays:

New Year's Eve  
Thanksgiving Eve  
Christmas Eve

4. **Jury Duty.** If an employee is called for jury duty or as a witness in court, they will be granted leave with pay. Where jury duty creates a hardship, the Library may ask to have the employee excused. Employees excused by the judge or clerk early in the day are expected to return to work if they are regularly scheduled. Jury pay is paid to the Library.
5. **Extended Leave of Absence without pay.** An employee must first use 50% of their available leave time (from the date of the request or the date of the approval) before the extended leave without pay becomes effective. It covers extended, consecutive days off not to exceed one year. Prior approval of the Director and the Board of Trustees is required, except in emergency situations (see Appendix B: Forms: Leave of Absence Request). When needed for a personal medical reason a doctor's order must accompany the request. (Maternity leave)
6. **Military Duty.** Those entering military service are granted leave of absence without pay in conformance with federal regulations.
7. **Leave.** Leave for the new fiscal year will be granted on July 1 and must be used by June 30 of the following year. It cannot be banked, accumulated, or carried forward.

All permanent, full time employees will receive a base of 104 Leave hours each fiscal year.

All permanent, part-time employees will be granted base Leave hours equal to 260% of the employee's anticipated weekly hours beginning the first week of September. If a permanent, part time employee's weekly hours are permanently increased during the fiscal year, leave will be recalculated using a pro-rated schedule at the time of the change. If a permanent, part time employee's weekly hours are permanently decreased during the fiscal year, leave will be recalculated at the beginning of the next fiscal year.

Additional leave hours, formerly known as vacation, will be based on the number of years of employment. See chart for full-time employees.

<u>Years of Employment</u>	<u>Additional Leave</u>
6 months – 1 year	pro-rated to end of the fiscal year; 40 hours maximum
1-5 years	80 hours
6-10 years	120 hours

## Employee Handbook Gloversville Public Library

11 years or more                      160 hours

The Library Director is granted vacation leave per their contract with the Board of Trustees.

All part time employees with 5 years of consecutive service are granted additional Leave hours equal to one week of the anticipated weekly hours beginning the first week of September.

The total of the base Leave and additional Leave equal an employee's available Leave time for each fiscal year.

### E. New York State Retirement

All eligible employees may participate in New York State's Retirement System. All full-time employees must participate and are required to contribute a percentage of their salary per NYSLRS guidelines. Part-time employees may participate voluntarily.

### F. Social Security

All full-time and part-time employees are automatically enrolled under Social Security (Federal Insurance Contributions Act). Employees and employers are taxed at rates set by law. Retirement benefits are payable to fully insured persons and are determined by the Social Security Administration.

### G. Travel Time and Mileage

1. **Travel time** will only be considered for pre-approved, work-related travel. Travel time occurring outside of normal work hours for full-time employees will be accrued as compensatory time. Part-time employees are to enter travel time on their time cards for compensation.
2. **Mileage** is paid to employees using a personal vehicle traveling on work-related business for a distance of 10 miles or greater at the current rate as approved by the Board of Trustees. Forms must be submitted to the Director for reimbursement. Tolls and parking may also be reimbursed by providing receipts.

### H. Unemployment Insurance

Employees are covered by New York State Unemployment Insurance.

### I. Workers' Compensation

The New York State Workers' Compensation Law provides cash benefits and medical care for workers who become disabled because of an injury or sickness related to their job. If death results, benefits are payable to the surviving spouse and dependents as defined by law.

# Employee Handbook

## Gloversville Public Library

### VI. EMPLOYEE PRIVILEGES

#### A. Loan of Library Material

Employees are not required to pay fines on overdue books or materials. All materials must be checked out.

#### B. Parking

Limited space is available for parking of employee vehicles. Priority in the main lot should be given to patrons and employees should park at 66 E Fulton St. Additional space is available in the city-owned lot on Fremont Street behind the Glove Theater.

#### C. Photocopier

Personal photocopier privileges are extended to the employees on a limited basis using copier in the Office only.

### VII. EMPLOYEE RESPONSIBILITIES

It is an employee's responsibility to come to work every day they are scheduled to do so, complete tasks assigned and outlined in their job description, and to contribute to a positive, team-based work environment.

#### A. Accidents on the Job

All accidents and injuries involving employees and/or patrons must be orally reported to the Director or Librarian. Oral reports are to be immediately followed by a written report using the official **form (Appendix )**.

#### B. Appearance

Neatness in personal appearance is important. Suitable clothing and good personal hygiene are required.

#### C. Attitudes and conduct

1. Punctuality is required so the desks and other schedules may be kept promptly.
2. Each patron should be given friendly, courteous, and prompt service.
3. Co-workers deserve courtesy and good teamwork.
4. Employees are expected to avoid careless or personal use of scheduled work time or property.
5. Proper care of the kitchen equipment and lockers is the responsibility of each individual.

## Employee Handbook Gloversville Public Library

### D. Change in status

Employees are responsible for informing the Director of any change in name, address, telephone number, and emergency contact information. Employees are also responsible for informing the Director of any change in health that will impact their adherence to their work schedule or physical ability to perform assigned duties. They are also responsible for providing updated allergy and prescription information to the Director to be shared only with health care professionals in the event of an emergency.

### E. Conflict of Interest

Employees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, and colleagues.

Employees may not benefit either personally or financially from a relationship with any vendor serving the library.

Employees may not make decisions for the Library based solely on personal or financial relationships with vendors.

Whenever a conflict of interest exists, it is incumbent upon any employee to inform their supervisor.

### F. Employee Notices

Employees are responsible for checking the employees' bulletin board, staff meeting minutes binder, and their mailboxes regularly for notices.

### G. Incidents

Incidents involving employees and/or patrons must be orally reported to the Director or Librarian. Oral reports are to be immediately followed by a written report using the official form (Appendix ).

### H. Lateness

When employees know they will be late, the Director or Librarian should be notified as soon as possible. Habitual lateness is not tolerated and may result in disciplinary action which can include dismissal.

### I. Job Abandonment /No Call No Show

It is an employee's responsibility to come to work every day they are scheduled to do so. Unscheduled absences create a hardship for co-workers and can disrupt library service.

## Employee Handbook Gloversville Public Library

1. Every attempt should be made to notify the Director or Librarian directly in advance of an unscheduled absence. As a last resort, a message may be left on the Library's voicemail.
2. Leave will be used to offset time not worked. If no leave is available, there will be no pay for the time not worked.
3. Repeated unscheduled absences may result in disciplinary action which can include dismissal.

### J. Work performance

A full day's work in both time and quality is expected.

## VIII. GRIEVANCE PROCEDURE

### A. Between Employees

1<sup>st</sup> Step – When a difficulty arises between employees, the problem should be discussed by them in an attempt to resolve it.

2<sup>nd</sup> Step – If no solution is able to be reached at the end of three working days, the employees should meet with the Director in an attempt to resolve the grievance.

3<sup>rd</sup> Step – Employees have the right to contact the Board of Trustees directly when serious problems have not been solved after consideration by the Director with employees. Such communication will be provided in written form to the Board through the chair of the Personnel Committee.

### B. Between Director and Employee(s)

1<sup>st</sup> Step - The Director is the immediate supervisor of the employees. When a difficulty arises between the Director and an employee, the problem should be discussed between them in an attempt to resolve it.

2<sup>nd</sup> Step – If no solution is able to be reached at the end of three working days, the employee and/or Director should contact the Chair of the Personnel Committee, in written form, in an attempt to resolve the grievance.

## IX. WORK ROUTINES

### A. Full-time Employees

For all full-time employees the workweek is 40 hours per week. Evening and weekend work is scheduled on an equitable basis.

Full-time employees are permitted a paid fifteen-minute break in the morning and a paid fifteen-minute break in the afternoon. Compulsory, non-paid lunch periods are normally

## Employee Handbook Gloversville Public Library

one hour, but may be adjusted to meet a particular daily schedule. The employee is expected to arrange breaks, as per the New York State Department of Labor, so the public desks are adequately staffed.

### B. Part-time Employees

Part-time employees work as scheduled. Hours may vary from week to week. Part-time employees are permitted a paid fifteen-minute break for each four-hour work cycle. Any employee whose shift is longer than six hours, must take a half hour, unpaid meal break. The employee is expected to arrange breaks, as per the New York State Department of Labor, so the public desks are adequately staffed.

### C. Emergency Closings

In case of threatening weather conditions or other serious situations, notify the Library Director, Librarian in charge or Board President immediately. The Library Director, Librarian in charge or Board President will determine if the Library will remain open.

If the library closes, the Library Director, Librarian in charge or Board President will attempt to contact each employee. Notice is also given to local radio stations and posted on social media.

If the Library is open and an employee is unable to get to work, time will be deducted from leave time. If no leave time remains then the employee will not be compensated for the hours missed.

### D. Time Sheets

Part-time employees are responsible for completing their time sheets for hours worked by the end of each week. Hours omitted cannot be paid. Time sheets are to be left in the employee's mailbox.

## X. STAFF DEVELOPMENT

### A. Civic, educational or library organizations

Employees are urged to take an active part in community life, to become members of local civic, educational, social, and literary organizations, and to participate in their efforts to as great an extent as library duties permit.

### B. Continuing Education

Continuing education is essential for all library personnel, professional and non-professional. Continuing education opportunities can include formal and informal learning situations, and need not be limited to library subjects. The Director will authorize employees to attend conferences and workshops and determine the expenses to be paid by the Library. Those requesting or needing library oriented

## Employee Handbook Gloversville Public Library

training may be granted limited leave with pay after approval from the Board of Trustees and/or the Director.

### C. On-the-Job Training

On-the-Job Training may take various forms including continual sharing designed to keep employees current in their job responsibilities.

### D. Staff Meetings

Full-time employees are expected to attend staff meetings. Part-time employees are encouraged to attend whenever possible and shall enter such time on their time cards.

### E. Performance Evaluation/Review

Evaluations are a staff development tool. The Director will conduct annual evaluations of all employees.

## XI. TERMINATION OF SERVICES

### A. Resignation/Retirement

An employee should inform the Director of their intent by a written resignation giving at least two weeks notice. Employees who successfully complete probation will receive payment for half of all remaining base and additional leave time. No payment will be made for remaining floating holiday leave or compensatory leave time. This applies to both full and part-time employees.

### B. Separation

Separation from employment initiated by the Library may occur based upon financial hardship of the Library or discontinuance of a position. Payment for remaining leave time and two weeks severance will be given.

### C. Dismissal

1. During the probationary period, dismissal may occur at any time.
2. After the probationary period, dismissal may be necessary for cause as per civil service guidelines.
3. No payment will be made for any remaining leave time.

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## **GLOVERSVILLE PUBLIC LIBRARY INVESTMENT POLICY**

*Policy to be adopted by the Board of Trustees October 2015*

### **Scope**

This investment policy applies to all monies and other financial resources available for investment on Groversville Public Library's behalf.

### **Objectives**

The primary objectives of Groversville Public Library's investment activities are, in priority order:

1. conform with all applicable federal, state and other legal requirements;
2. adequately safeguard principal;
3. provide sufficient liquidity to meet all library operating requirements; and,
4. obtain a reasonable rate of return.

### **Delegation of Authority**

The Board of Trustees' responsibility for administration of the investment program may be delegated to the President and the VP of Finance, who shall solicit advice from the Board Treasurer, and who shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability.

### **Prudence**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in Groversville Public Library to operate effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or impair their ability to make impartial investment decisions.

### **Internal Controls**

All monies collected by any officer or employee of Groversville Public Library shall be deposited within thirty (30) days of receipt; a record of such deposit shall be conveyed to the Treasurer.

The President and or VP of Finance is responsible for supervising an internal control structure to provide assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition.

### **Designation of Depositories**

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are set forth by the Trustees at the annual Organizational Meeting. Maximum Amount: \$10 million

**Collateralizing of Deposits**

In accordance with the provisions of General Municipal Law §10 (Appendix A), all deposits of Gloversville Public Library, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, shall be secured by a pledge of “eligible securities” with an aggregate “market value” as provided by General Municipal Law §10, equal to the aggregate amount of deposits from the categories designated in Section F of General Municipal Law §10.

**Permitted Investments**

As authorized by General Municipal Law §11 (Appendix B), Gloversville Public Library authorizes the President and the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. special time deposit accounts
2. certificates of deposit
3. obligations of the United States of America

## NYS General Municipal Law §10

§ 10. Deposits of public money; security. 1. For purposes of this section:

a. "Local government" shall mean any municipal corporation, school district, board of cooperative educational services, district corporation, special improvement district governed by a separate board of commissioners, industrial development agency or authority or a public library.

b. "Public funds" shall mean funds of a local government.

c. "Public deposits" shall mean deposits of public funds in a bank or trust company which are available for all uses generally permitted by the bank or trust company to the depositing local government for actually and finally collected funds under the bank's or trust company's account agreement or policies.

d. "Bank" shall mean a bank as defined by the banking law or a national banking association located and authorized to do business in New York.

e. "Trust company" shall mean a trust company as defined by the banking law and located and authorized to do business in New York.

f. "Eligible securities" shall mean any of the following:

(i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than this state) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated

in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty days from the date they are pledged.

(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".

g. "Eligible surety bond" shall mean a bond executed by an insurance company authorized to do business in this state, the claims-paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

h. "Eligible letter of credit" shall mean an irrevocable letter of credit issued in favor of the local government for a term not to exceed ninety days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements.

2. a. The governing board of every local government shall designate one or more banks or trust companies for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or any other officer authorized by law to make deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall specify the maximum amount which may be kept on deposit at any time in each such bank or trust company. Such designations and amounts may be changed at any time by further resolution.

b. Except as otherwise provided by law, all deposits shall be made to the credit of the local government. The deposit of public funds pursuant to this subdivision shall release the officer making the deposit and his or her surety from any liability for loss of such public funds by reason of the default or insolvency of any such bank or trust company.

c. The governing board of a local government, in which a banking development district has been designated by the superintendent of banks pursuant to section ninety-six-d of the banking law, may designate a bank, trust company or national bank located in such district for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or other officer authorized by law to make such deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall specify the maximum amount which may be kept on deposit at any time with such bank, trust company or national bank located in such district. Subject to an agreement between such governing board and such banking institution, public funds deposited in such banking institution may earn a fixed interest rate which is at or below such banking institution's posted two year certificate of deposit rate. In those instances where there is such an agreement, its terms and conditions shall also be specified in the

resolution. Any such designation, amount, or agreement provisions may be changed at any time by further resolution.

3. All public deposits in excess of the amount insured under the provisions of the Federal Deposit Insurance Act as now or hereafter amended shall be secured in accordance with this subdivision:

a. The officers making a deposit may accept a pledge of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from such officers, or a pledge of a pro rata portion of a pool of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from all such officers within the state at such bank or trust company, together with a security agreement from the bank or trust company. The security agreement and custodial agreement referred to below may be the same agreement including when the bank or trust company holding the public deposits holds the collateral for the public body. The security agreement shall provide that such eligible securities or pro rata portion of a pool of eligible securities are being pledged by the bank or trust company as security for the public deposits, together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposit upon a default. It shall also provide for the conditions under which the securities or pro rata portion of a pool of eligible securities held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. The custodial agreement shall provide that the pledged securities or pro rata portion of a pool of eligible securities will be held by the custodial bank or trust company as agent of, and custodian for, the local government, and will be kept separate and apart from the general assets of the custodial bank or trust company and it shall provide for the manner in which the custodial bank or trust company shall confirm the receipt, substitution or release of the collateral. Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to paragraph f of subdivision one of this section. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. Such agreement may also contain such other provisions as the governing board may deem necessary.

b. Whenever eligible securities delivered to a custodial bank or trust company pursuant to this paragraph are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of such obligations, the records of the custodial bank or trust company shall show, at all times, the interest of the local government in such securities or pro rata portion of a pool of eligible securities as set forth in the security agreement.

c. (i) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may accept an eligible surety bond payable to such local government as security for the payment of one hundred percent, or an eligible letter of credit payable to such local government as security for the payment of one hundred forty percent, of the aggregate amount of public deposits from such officers and the

agreed upon interest, if any. The terms and conditions of any eligible surety bond shall be approved by the governing board.

(ii) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one hundred percent of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

d. For purposes of determining the market value of securities as required by this subdivision:

(i) The eligible securities described in subparagraphs (viii), (x) and (xi) of paragraph f of subdivision one of this section shall be valued at eighty percent of their market value.

(ii) The eligible securities described in subparagraph (ix) of paragraph f of subdivision one of this section shall be valued at seventy percent of their market value.

(iii) Of the eligible securities described in subparagraphs (v), (vi) and (vii) of paragraph f of subdivision one of this section, those securities rated in the highest category shall be valued at one hundred percent of their market value; those securities rated in the second highest rating category shall be valued at ninety percent of their market value; and those securities rated in the third highest rating category shall be valued at eighty percent of their market value. When two nationally recognized statistical rating organizations rate a security in two different categories, the security shall be considered to be rated in the higher of the two categories.

4. (a) Notwithstanding any other provision of law to the contrary, the chief fiscal officer, or other officer authorized by law to make deposits, may, subject to the approval of the governing body of a local government, by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company as provided in this section.

(b) The entrusting of public funds for deposit pursuant to paragraph (a) of this subdivision shall release the officer entrusting the public funds to the courier service and his or her surety from any liability for loss of such public funds by the courier service in the process of delivering such public funds to the designated bank or trust company.

(c) The local government authorizing the deposit of public funds by a courier service pursuant to paragraph (a) of this subdivision shall require the courier service to obtain a surety bond for the full amount entrusted to the courier, payable to the local government and executed by an insurance company authorized to do business in this state, the claims paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public funds entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier.

(d) A deposit made by a courier on behalf of a local government shall be deemed to be a deposit made by the chief fiscal officer or other officer entrusting such funds for purposes of the requirements contained in this section for securing public deposits.

(e) A bank or trust company may, from time to time and as agreed upon

with a local government, reimburse all or part of, but not more than, the actual cost incurred by the local government in transporting cash, negotiable instruments or other items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or state authority.

## NYS General Municipal Law §11

§ 11. Temporary investments. 1. For purposes of this section, the terms "local government", "bank" and "trust company" shall have the same meanings as in section ten of this article.

2. The governing board of any local government or, if the governing board so delegates, the chief fiscal officer or other officer having custody of the moneys may temporarily invest moneys not required for immediate expenditure, except moneys the investment of which is otherwise provided for by law, in special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in this state, provided however, that such time deposit account or certificate of deposit shall be payable within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained and provided further that such time deposit account or certificate of deposit be secured in the same manner as is provided for securing deposits of public funds by subdivision three of section ten of this article.

\* 3. a. Investments pursuant to this section may also be made in the following:

(1) obligations of the United States of America or in obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America or in obligations of the state of New York, or with the approval of the state comptroller in obligations issued pursuant to section 24.00 or 25.00 of the local finance law by any municipality, school district or district corporation other than the municipality, school district or district corporation investing such moneys pursuant to this paragraph. In addition, moneys in any reserve fund established pursuant to section six-c, six-d, six-e, six-f, six-g, six-h, six-j, six-k, six-l, six-m or six-n of this article may be invested in obligations of the municipality, school district, fire district or district corporation which has established the reserve fund, or in the case of a capital reserve fund established for a town or county improvement district, obligations of the town or county issued for the purposes of such district.

(2) notwithstanding any other provision of general, special or local law, any city having a population of one million or more may also make investments in the following:

(i) general obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller;

(ii) obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six

month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation; or

(iii) bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (ii) of this subparagraph. Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or

(iv) obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.

(v) no-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations), and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

b. All investments made pursuant to this subdivision shall be subject to the following conditions:

(1) Such obligations shall be payable or redeemable at the option of the owner within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event, at the option of the owner, within two years of the date of purchase. Obligations that are purchased pursuant to a repurchase agreement shall be deemed to be payable or redeemable for purposes of this paragraph on the date on which the purchased obligations are scheduled to be repurchased by the seller thereof. Any obligation that provides for the adjustment of its interest rate on set dates shall be deemed to be payable or redeemable for purposes of this paragraph on the date on which the principal amount can be recovered through demand by the holder thereof.

(2) Such obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company or, with respect to the city of New York, a reputable dealer in such obligations as shall be designated by the state comptroller, in this state. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company or dealer in obligations only in accordance with

prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the local government by the bank or trust company. All obligations held in the custody of a bank or trust company pursuant to this paragraph shall be held by such bank or trust company pursuant to a written custodial agreement as set forth in paragraph a of subdivision three of section ten of this article.

**\* NB Effective until July 1, 2008**

\* 3. Investments pursuant to this section may also be made in obligations of the United States of America or in obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America or in obligations of the state of New York,. In addition, moneys in any reserve fund established pursuant to section six-c, six-d, six-e, six-f, six-g, six-h, six-j, six-k, six-l, six-m or six-n of this article may be invested in obligations of the municipality, school district, fire district or district corporation which has established the reserve fund, or in the case of a capital reserve fund established for a town or county improvement district, obligations of the town or county issued for the purposes of such district.

All investments made pursuant to this subdivision shall be subject to the following conditions:

a. Such obligations shall be payable or redeemable at the option of the owner within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event, at the option of the owner, within two years of the date of purchase. Obligations that are purchased pursuant to a repurchase agreement shall be deemed to be payable or redeemable for purposes of this paragraph on the date on which the purchased obligations are scheduled to be repurchased by the seller thereof. Any obligation that provides for the adjustment of its interest rate on set dates shall be deemed to be payable or redeemable for purposes of this paragraph on the date on which the principal amount can be recovered through demand by the holder thereof.

b. Such obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company or, with respect to the city of New York, a reputable dealer in such obligations as shall be designated by the state comptroller, in this state. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company or dealer in obligations only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the local government by the bank or trust company. All obligations held in the custody of a bank or trust company pursuant to this paragraph shall be held by such bank or trust company pursuant to a written custodial agreement as set forth in paragraph a of subdivision three of section ten of this article.

**\* NB Effective July 1, 2008**

4. Notwithstanding any other provision of law, the governing board of a local government may authorize the aforementioned officers to turn

over the physical custody and safekeeping of the evidences of the investments made pursuant to this section to (a) any bank or trust company incorporated in this state, or (b) any national bank located in this state, or (c) any private banker duly authorized by the superintendent of banks of this state to engage in business here. All such private bankers shall, as private bankers, maintain a permanent capital of not less than one million dollars in this state. The said officers may direct such bank, trust company or private banker to register and hold any such evidences of investments in its custody, in the name of its nominee. Such officers may deposit or authorize such bank, trust company or private banker, to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity to be credited to an account as to which the ownership of, and other interests in, such evidences of investments may be transferred by entries on the books of such federal reserve bank or other book-entry transfer system operated by a federally regulated entity without physical delivery of any such evidences of investments. The records of any such bank, trust company or private banker shall show, at all times, the ownership of such evidences of investments, and they shall, when held in the possession of such bank, trust company or private banker be, at all times, kept separate from the assets of such bank, trust company or private banker. All evidences of investments delivered to a bank, trust company, or private banker pursuant to this subdivision shall be held by such bank, trust company or private banker pursuant to a written custodial agreement as set forth in paragraph a of subdivision three of section ten of this article. When any such evidences of investments are so registered in the name of a nominee, such bank, trust company or private banker shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

5. A county clerk may invest any money collected on behalf of the state until such time as the money is required to be remitted to the state. The county clerk shall invest the state money only in those investments authorized by this section and payable within such time as the proceeds shall be required to be remitted to the state. Any interest that accrues on moneys invested pursuant to this subdivision shall be payable in equal shares to the state and to the county provided, however, that any fees or service charges associated with the investment shall be paid from such interest.

6. Except as may otherwise be provided in a contract with bond or note holders, any moneys of a political subdivision authorized to be invested pursuant to this section may be commingled for investment purposes; provided, however, that any investment of commingled moneys shall be payable or redeemable at the option of the owner within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained or as otherwise specifically provided in this section. The separate identity of the sources of such funds shall at all times be maintained and income received on moneys commingled for the purpose of investment shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

7. The chief fiscal officer of each local government shall maintain or cause to be maintained a proper record of all books, notes, securities or other evidences of indebtedness held by or for such subdivision for

the purpose of investment. Such record shall at least identify the security, the fund for which held, the place where kept and entries shall be made therein showing date of sale or other disposition and the amount realized therefrom.