

North Hampton Public Library
Board of Trustees
Working Session

Date: 25 April 2019, 6:30 pm
Location of Session: North Hampton Town Hall
Meeting Recorded by Channel 22

Attendees:

For the Board of Trustees

Chair: Susan Leonardi
Secretary: Kathleen Kilgore

For the Friends of North Hampton Public Library:

Chair: Cynthia Swank
Vice Chair: Vicky Jones
Treasurer: Lisa Peck
Secretary: Jane Boesch

For the North Hampton Public Library & Cultural Center Foundation:

Principal: Kelly Parrot
Treasurer: Lewis Roch

For the Library:

Reference Librarian: Liz Herold

Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Board of Trustee.

The intent of these minutes is to provide a summary of the essential meeting content and not a transcription.

A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and a DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North Hampton, New Hampshire 03862.

Board of Trustees Working Session

1. The meeting was called to order at 6:35 pm by Susan Leonardi.

Susan Leonardi open the meeting sharing with the group her life story on why she is here working on this project. She feels with the proposed addition and renovation of the library we all have the opportunity to leave a legacy.

2. Old Business

The group briefly reviewed the initial timeline and preliminary cost study from BPS.

3. New Business

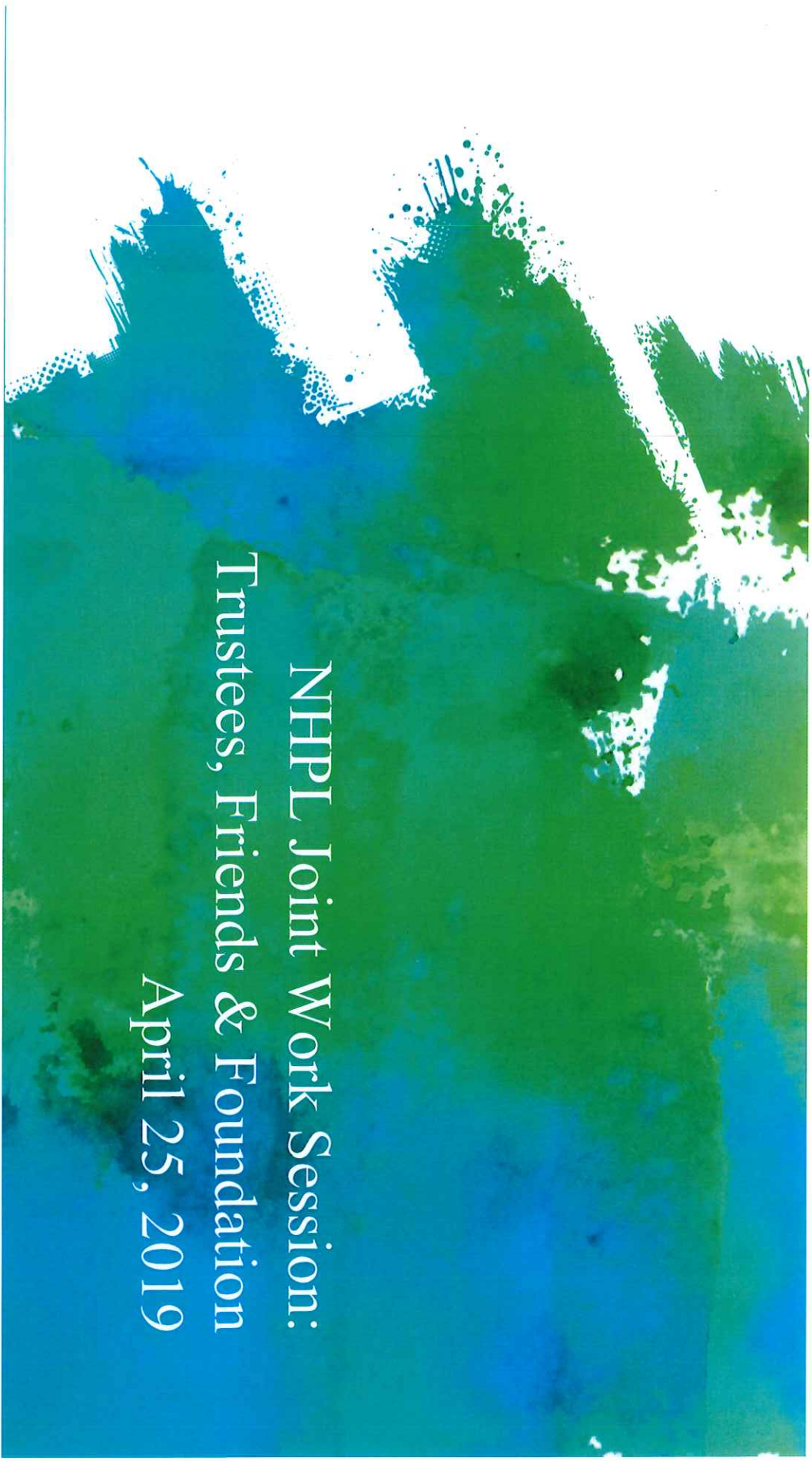
Discussed the roles of the Friends of North Hampton Public Library and North Hampton Public Library & Cultural Center Foundation. The Friends are the connecting link between the library and the community. The Foundation will be the primary fundraising agent for the addition, renovation project. Sandra Mitchell has been hired by the Foundation as the fundraiser. Sandra has worked as the fundraiser on the Durham Public Library and Barrington Public Library projects.

In a round table discussion, the group then discussed "How can we work together?"

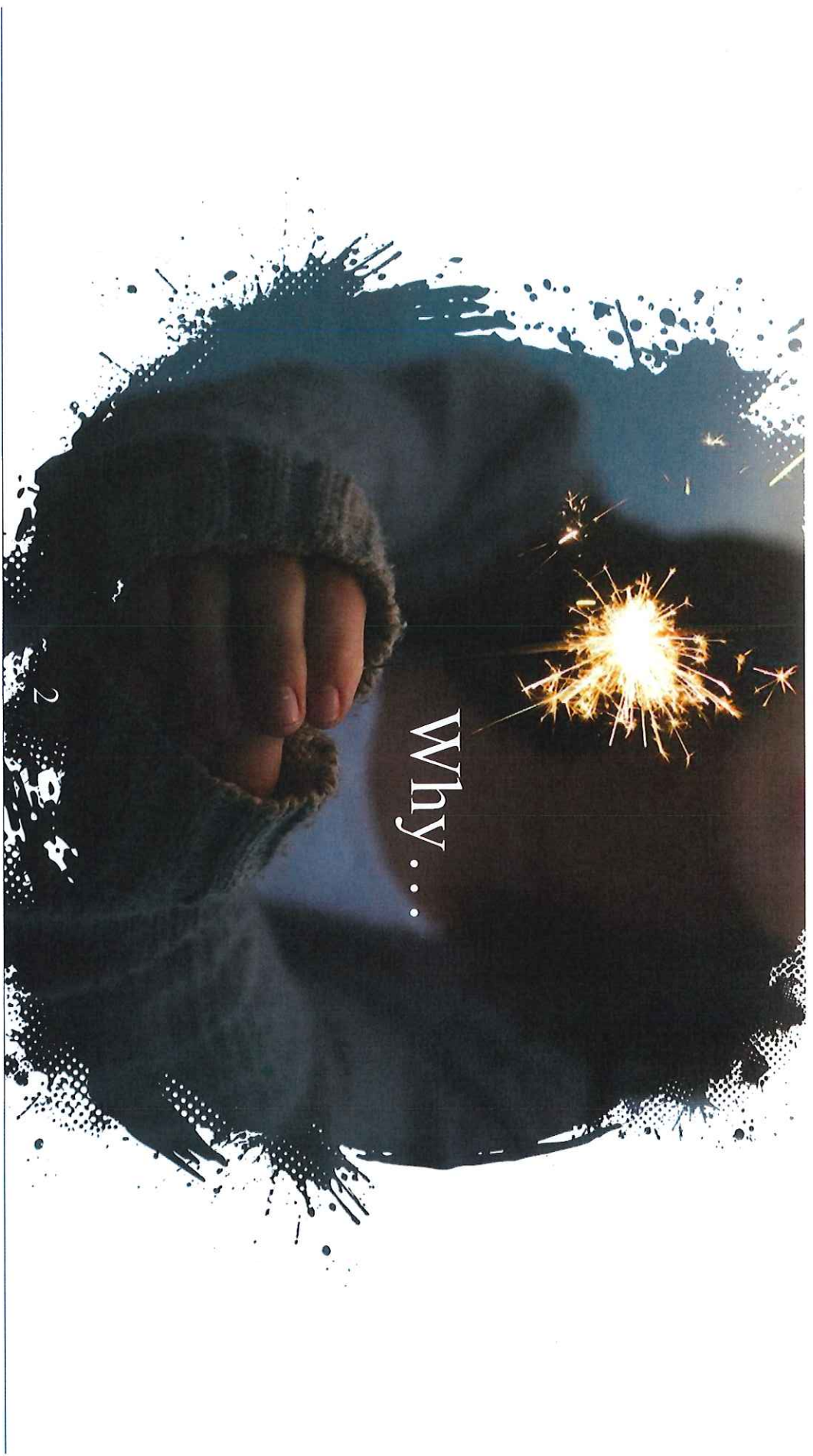
- We need to get more information out to the whole community
 - We need to present a clear financial picture
 - We need to incorporate and communicate the Strategic Plan for the Library forward looking 10-15 years
4. The next meeting date for the Board of Trustees will be Wednesday, May 8, 2019 at 6:00 pm at the Town Hall
5. Meeting was adjourned at 7:54 pm by Susan Leonardi.

Appendix of Additional Documents to Meeting Minutes (for reference):

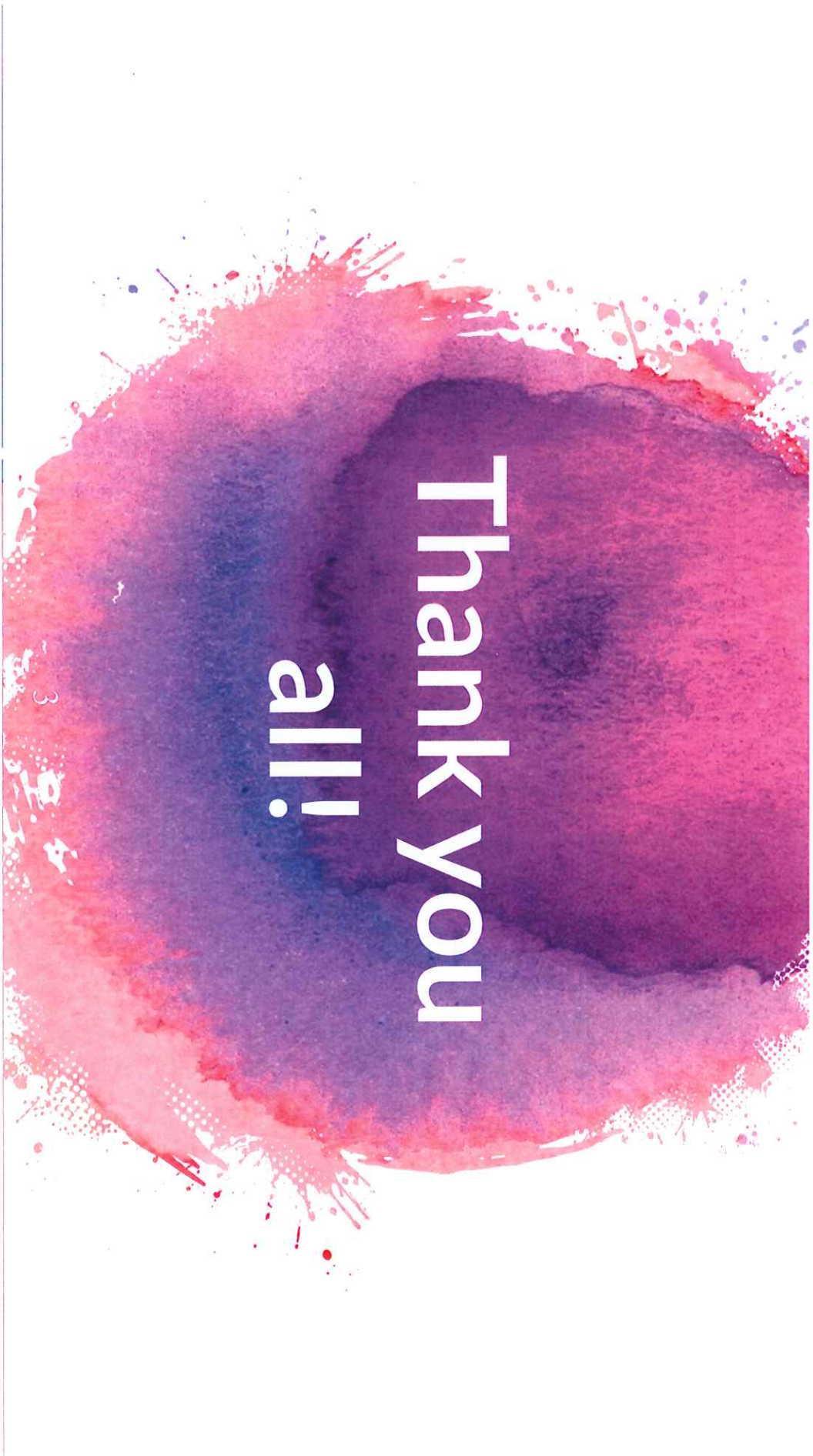
Power Point Presentation Slides
Library Expansion/Renovation Plan Initial Timeline
BPS – North Hampton Library Addition & Renovation Cost Study 002 181130 11-30-2018
Friends of North Hampton Public Library Constitution and By-Laws
Memorandum of Understanding NHPL & Friends of North Hampton Public Library
North Hampton Public Library & Cultural Center Foundation By-Laws
Memorandum of Understanding NHPL & North Hampton Public Library & Cultural Center Foundation
United for Libraries – Friends and Libraries – Working Effectively Together



NHPL Joint Work Session:
Trustees, Friends & Foundation
April 25, 2019



Why...



Thank you

all!

NH Libraries in the News

- [Barrington Public Library](#) - \$4.42M new building
- [Greenland -Weeks Public Library](#) - \$2.9M renovation & expansion
- [Epping – Harvey-Mitchell Memorial Library](#) - \$600k expansion*
- [Exeter Public Library](#) - \$4.5M expansion *
- [Madbury Public Library](#) - \$1.4M new building*
- [Rye Public Library](#) – new 2-level addition
- [Wolfeboro Public Library](#) - \$5M renovation*
- [Kittery, Maine- Rice Public Library](#) – renovation

(* approved)

NH Towns with Foundations

- Abbott Library Foundation, Sunapee
- Baker Free Library Foundation, Bow
- Bedford Public Library Foundation
- Concord Public Library Foundation
- Harvey Mitchell Memorial Library Foundation Epping
- Hopkinton Public Library Foundation
- Langdon Library Foundation Newington
- Manchester City Library Foundation
- North Hampton Public Library & Cultural Center Foundation
- Rye Library Development Foundation
- Whipple Free Library Foundation New Boston
- Wolfeboro Public Library Foundation



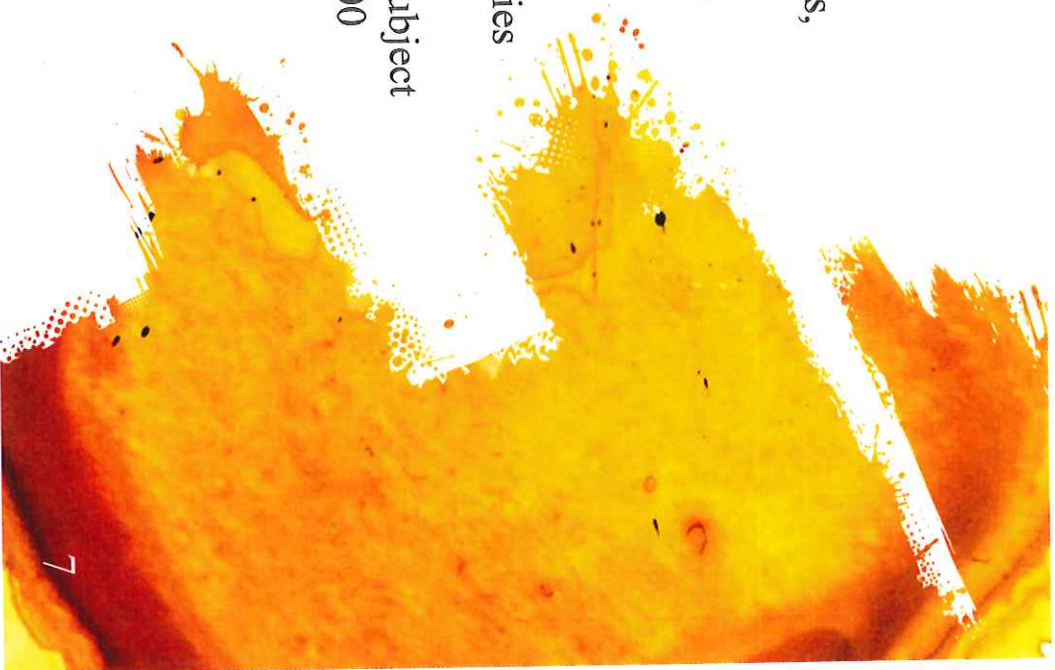
Expansion/Addition

● Capital Reserve Funds	\$339,970.41
● People's Checking - 8667	\$10,051.85
● People's United Bank - CD#1	\$142,312.34
● People's United Bank - CD#2	\$94,874.90
● Warrant Article	\$100,000
● Library Match	\$100,000
● Citizen's Petition	\$375,000

Total= \$1,162,209.50

Friends

- Friends groups typically serve libraries with volunteer activities, programming, membership, newsletters, and advocacy.
- Fundraising is on behalf of the public library and is considered on-going and long-term.
- Serve as our connecting links between the library and the community
- Are generally recognized by the IRS as 501(c)(3) public charities and are separate from the town.
- Any funds received by the Library from a Friends Group are subject to the publication and public hearing requirement if over \$5,000



Foundations

- Foundations have traditionally been affiliated with larger libraries
- Raise major funds for special library projects – capital campaign projects, endowments or other long-term needs.
- Are generally recognized by the IRS as 501(c)(3) public charity. Foundations are nonprofit organizations not subject to the right-to-know law (some large donors like privacy, others are weary of giving to government entities)
- Willing to assist in fundraising activities for projects or a capital campaign

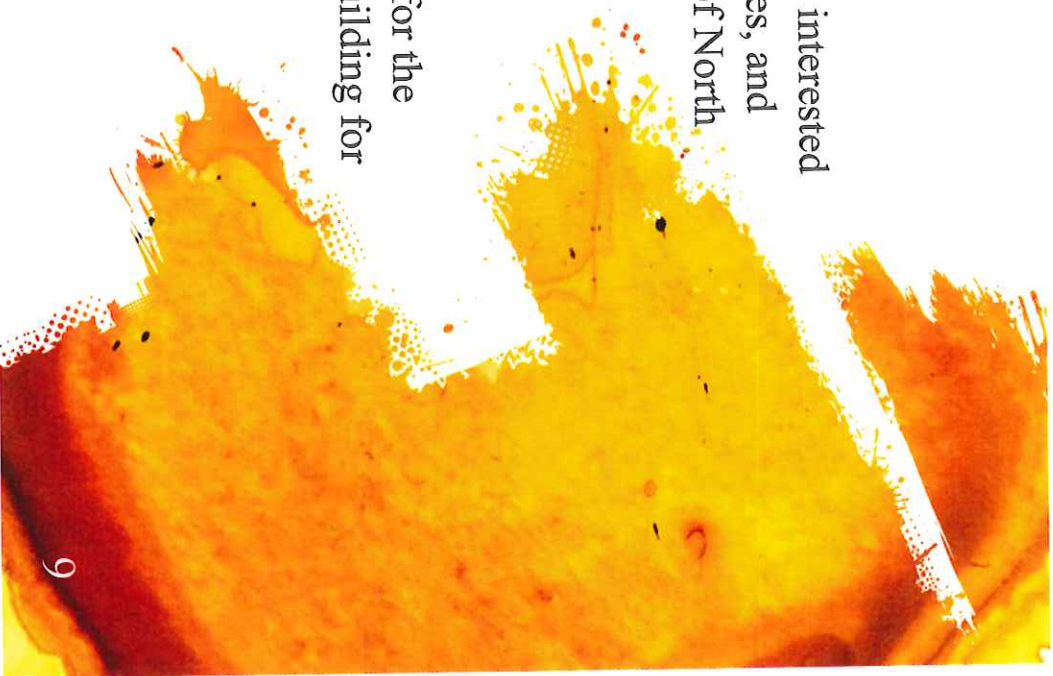


Friends of NHPL


“The Friends’ mission is to maintain an association of persons interested in enhancing the resources of the library, improving its facilities, and enriching the cultural opportunities available to the residents of North Hampton.”

NHPLCC Foundation

Formed in 2014 with the dedicated purpose of “raising funds for the construction and/or remodeling of a new or existing library building for the town of North Hampton, New Hampshire.



Discussion

- How involved do the Friends want to be with fundraising for the addition/renovation?
 - How do will we delineate between the on going, every Friends donation support and the one-time, big gift giving to the Foundation? Friends members and Foundation donors?
 - How much money should be raised by private donations? By bond?
 - How can we coordinate political advocacy for the library addition/expansion?
 - Would it be helpful to designate liaisons for communication?
 - How do we approach this “silent phase” together? Events? Programming?
- 

Credits

- [Understanding Library Friends & Foundations](#) – Presented by Terry Knowles
- [The Other Money](#) – Terry Knowles
- [How to Create a Foundation](#) – Terry Knowles

Special thanks to all the people who made and released these awesome resources for free:

- × Presentation template by [SlidesCarnival](#)
- × Photographs by [Unsplash](#)
- × Watercolor textures by [GraphicBurger](#)



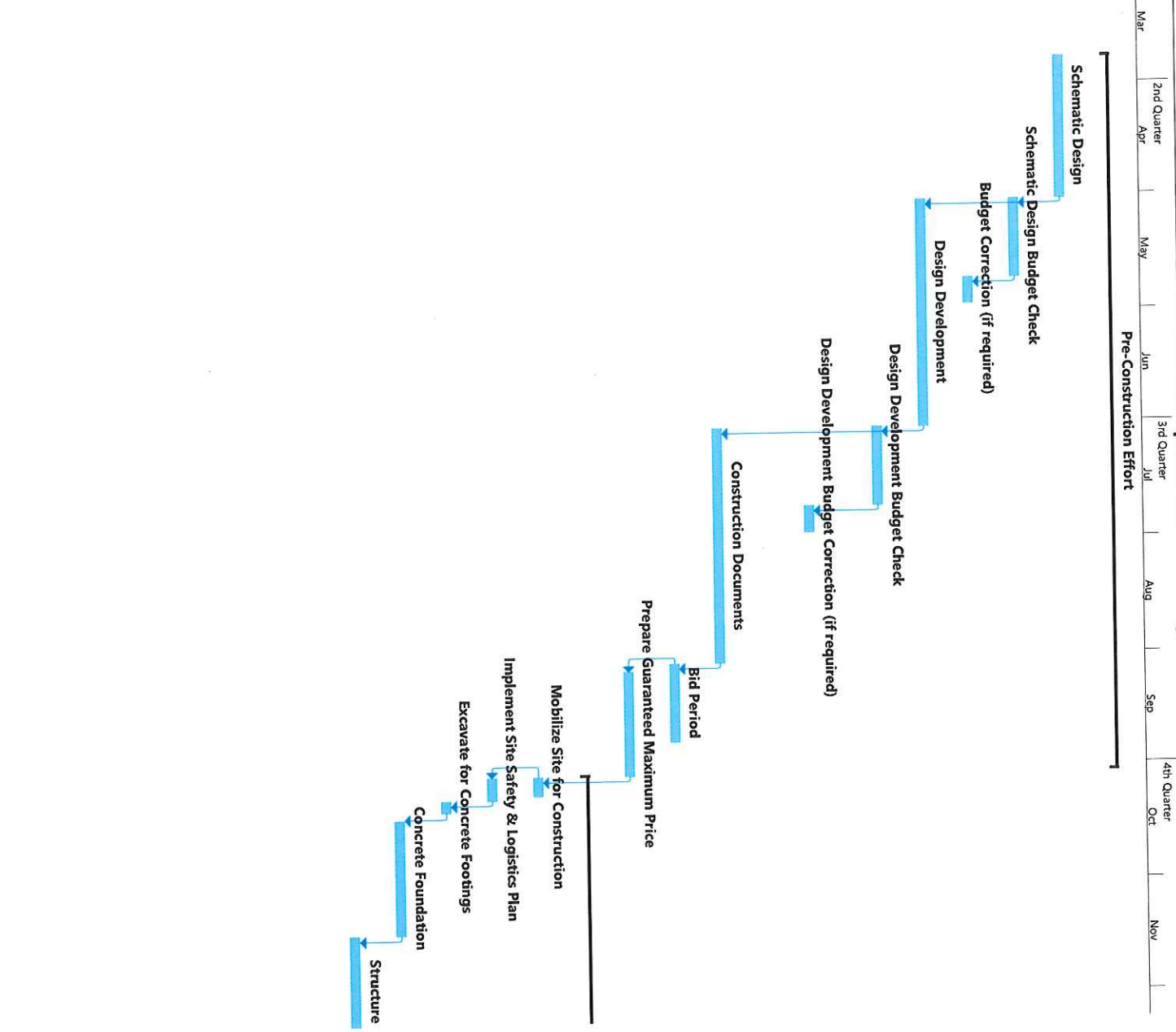


Contacting the Attorney General

Department of the Attorney General
Charitable Trusts Unit
33 Capitol Street
Concord, NH 03301-6397
Phone: 603-271-3591

North Hampton Library Addition & Renovat

ID	Task Mode	Task Name	Duration	Start	Finish
1		Pre-Construction Effort	138 days?	Mon 3/25/19	Wed 10/2/19
2		Schematic Design	28 days?	Mon 3/25/19	Wed 5/1/19
3		Schematic Design Budget Check	15 days	Thu 5/2/19	Wed 5/22/19
4		Budget Correction (if required)	5 days	Thu 5/23/19	Wed 5/29/19
5		Design Development	43 days	Thu 5/2/19	Mon 7/1/19
6		Design Development Budget Check	15 days	Tue 7/2/19	Mon 7/22/19
7		Design Development Budget Correction (if required)	5 days	Tue 7/23/19	Mon 7/29/19
8		Construction Documents	45 days	Tue 7/2/19	Mon 9/2/19
9		Bid Period	15 days	Tue 9/3/19	Mon 9/23/19
10		Prepare Guaranteed	20 days	Thu 9/5/19	Wed 10/2/19
11		Construction Period	215 days	Thu 10/3/19	Wed 7/29/20
12		Mobilize Site for Construction	3 days	Thu 10/3/19	Mon 10/7/19
13		Implement Site Safety & Logistics	4 days	Thu 10/3/19	Tue 10/8/19
14		Excavate for Concrete Footings	3 days	Wed 10/9/19	Fri 10/11/19
15		Concrete Foundation	23 days	Mon 10/14/19	Wed 11/13/19
16		Structure & Building Envelope	48 days	Thu 11/14/19	Mon 1/20/20
17		Pour Slab on Grade	4 days	Tue 1/14/20	Fri 1/17/20
18		Roofing	10 days	Tue 1/21/20	Mon 2/3/20
19		Mechanical & Electrical Rough - In	25 days	Tue 2/4/20	Mon 3/9/20
20		Interior Finishes	42 days	Tue 3/3/20	Wed 4/29/20
21		Mechanical & Electrical Finish	5 days	Thu 4/30/20	Wed 5/6/20
22		Punchlist	5 days	Thu 5/7/20	Wed 5/13/20
23		Occupancy of New Addition	0 days	Wed 5/13/20	Wed 5/13/20





North Hampton Library Addition & Renovation Cost Study

002 181130

Job: 121822127 - North Hampton Library ICS 002, North Hampton, NH

TY	Reference	Type	AdjQty	Units	AdjUnitCost	Labor	Material	Equipment	SubContr	Other	XtdCost
	General Requirements (01)					\$160,226.00	\$95,380.00	\$0.00	\$0.00	\$0.00	\$255,606.00
	Sitework (02)					\$2,500.00	\$1,000.00	\$0.00	\$90,785.00	\$0.00	\$94,285.00
	Concrete (03)					\$16,823.86	\$52,443.72	\$5,500.00	\$47,821.50	\$0.00	\$122,589.07
	Metals (05)					\$0.00	\$30,200.00	\$0.00	\$5,662.00	\$0.00	\$35,862.00
	Woods and Plastics (06)					\$146,616.00	\$147,981.00	\$31,000.00	\$49,402.00	\$0.00	\$374,999.00
	Thermal and Moisture Protection (07)					\$13,812.50	\$9,170.25	\$0.00	\$104,900.50	\$0.00	\$127,883.25
	Doors and Windows (08)					\$23,589.50	\$103,247.00	\$0.00	\$76,608.00	\$0.00	\$203,444.50
	Finishes (09)					\$0.00	\$0.00	\$0.00	\$244,695.05	\$0.00	\$244,695.05
	Specialties (10)					\$1,512.00	\$6,075.00	\$0.00	\$850.50	\$0.00	\$8,437.50
	Furnishings (12)					\$0.00	\$9,352.50	\$0.00	\$0.00	\$0.00	\$9,352.50
	Mechanical (15)					\$0.00	\$0.00	\$0.00	\$482,815.14	\$0.00	\$482,815.14
	Electrical (16)					\$0.00	\$0.00	\$0.00	\$189,748.16	\$0.00	\$189,748.16
	Demo Cut and Patch (17)					\$39,893.00	\$26,160.00	\$0.00	\$0.00	\$0.00	\$66,053.00
	Allowances (18)					\$0.00	\$132,259.00	\$0.00	\$0.00	\$0.00	\$132,259.00
	CM Fee (FIN.02)					\$0.00	\$0.00	\$0.00	\$0.00	\$147,926.00	\$147,926.00
						\$404,972.86	\$613,268.47	\$36,500.00	\$1,293,287.85	\$147,926.00	\$2,495,955.17



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TY	Reference	Type	AdjQty	Units	AdjUnitCost	Labor	Material	Equipment	SubContr	Other	XtdCost	
	General Requirements (01)											
	Site Supervision (01-101)					\$132,000.00	\$6,400.00	\$0.00	\$0.00	\$0.00	\$138,400.00	
	Time / Project Management (01-102)					\$0.00	\$31,680.00	\$0.00	\$0.00	\$0.00	\$31,680.00	
	Field Layout (01-103)					\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,500.00	
	Temporary Water Service (01-105)					\$288.00	\$250.00	\$0.00	\$0.00	\$0.00	\$538.00	
	Temporary Barricades (01-106)					\$3,216.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$4,716.00	
	Temporary Buildings and Storage (01-107)					\$0.00	\$10,400.00	\$0.00	\$0.00	\$0.00	\$10,400.00	
	Daily Debris Management and Recycling (01-108)					\$8,360.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$33,360.00	
	Telephone & Data (01-109)					\$0.00	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00	
	Small Tools (01-110)					\$0.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	
	Project Signs (01-112)					\$768.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$2,268.00	
	Temporary Toilet Facilities (01-113)					\$0.00	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	
	Temp Power (01-114)					\$0.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	
	Winter Weather Requirements (01-116)					\$4,530.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,530.00	
	Temporary Heat, Utilities & Snow Removal (01-117)					\$384.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,384.00	
	Printing and Reproduction Services (01-123)					\$0.00	\$1,200.00	\$0.00	\$0.00	\$0.00	\$1,200.00	
	Project Manuals and As-Builts (01-124)					\$1,500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$2,000.00	
	Clean Glass (01-126)					\$0.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	
	OSHA Requirements (01-130)					\$0.00	\$1,250.00	\$0.00	\$0.00	\$0.00	\$1,250.00	
	Punchlist Coordination (01-132)					\$7,680.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,680.00	
	Subtotal: General Requirements (01)					\$160,226.00	\$95,380.00	\$0.00	\$0.00	\$0.00	\$255,606.00	
	Sitework (02)											
	Site Construction (02-200)					\$0.00	\$0.00	\$0.00	\$83,285.00	\$0.00	\$83,285.00	
	Temporary Fence & Site Logistics (02-230)					\$0.00	\$0.00	\$0.00	\$3,000.00	\$0.00	\$3,000.00	
	Landscaping (02-255)					\$0.00	\$0.00	\$0.00	\$4,500.00	\$0.00	\$4,500.00	



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TY	Reference	Type	AdjQty	Units	AdjUnitCost	Labor	Material	Equipment	SubContr	Other	XtdCost
	Misc. Sitemwork (02-265)					\$2,500.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$3,500.00
	Subtotal: Sitemwork (02)					\$2,500.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$94,285.00
	Concrete (03)										
	Concrete (03-300)					\$0.00	\$0.00	\$5,500.00	\$0.00	\$0.00	\$5,500.00
	Spread Footings (03-305)					\$1,369.50	\$6,299.70	\$0.00	\$12,325.50	\$0.00	\$19,994.70
	Low Wall Concrete (03-320)					\$2,406.35	\$7,648.55	\$0.00	\$14,078.25	\$0.00	\$24,133.15
	Concrete Slab on Grade (03-345)					\$10,048.01	\$20,406.77	\$0.00	\$14,816.25	\$0.00	\$45,271.02
	Concrete Reinforcement (03-380)					\$0.00	\$13,838.70	\$0.00	\$6,601.50	\$0.00	\$20,440.20
	Miscellaneous Concrete (03-390)					\$3,000.00	\$4,250.00	\$0.00	\$0.00	\$0.00	\$7,250.00
	Subtotal: Concrete (03)					\$16,823.86	\$52,443.72	\$5,500.00	\$47,821.50	\$0.00	\$122,589.07
	Metals (05)										
	Structural Steel (05-510)					\$0.00	\$30,200.00	\$0.00	\$5,662.00	\$0.00	\$35,862.00
	Subtotal: Metals (05)					\$0.00	\$30,200.00	\$0.00	\$5,662.00	\$0.00	\$35,862.00
	Woods and Plastics (06)										
	Rough Carpentry (06-605)					\$99,856.00	\$99,214.00	\$15,500.00	\$0.00	\$0.00	\$214,570.00
	Finish Carpentry (06-610)					\$46,760.00	\$38,267.00	\$15,500.00	\$0.00	\$0.00	\$100,527.00
	Rough Hardware (06-620)					\$0.00	\$10,500.00	\$0.00	\$0.00	\$0.00	\$10,500.00
	Architectural Woodwork (06-675)					\$0.00	\$0.00	\$0.00	\$49,402.00	\$0.00	\$49,402.00
	Subtotal: Woods and Plastics (06)					\$146,616.00	\$147,981.00	\$31,000.00	\$49,402.00	\$0.00	\$374,999.00
	Thermal and Moisture Protection (07)										
	Fire Stopping & Sealants (07-715)					\$2,100.00	\$1,900.00	\$0.00	\$0.00	\$0.00	\$4,000.00
	Building Insulation (07-720)					\$3,055.50	\$3,665.25	\$0.00	\$25,769.50	\$0.00	\$32,490.25
	Shingle Roofing (07-725)					\$0.00	\$0.00	\$0.00	\$12,679.00	\$0.00	\$12,679.00
	Membrane Roofing (07-740)					\$0.00	\$0.00	\$0.00	\$62,952.00	\$0.00	\$62,952.00



North Hampton Library Addition & Renovation Cost Study

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	Sheet Metal Flashing & Trim (07-745)					\$0.00	\$0.00	\$0.00	\$3,500.00	\$0.00	\$3,500.00
	Joint Sealers (07-760)					\$8,657.00	\$3,605.00	\$0.00	\$0.00	\$0.00	\$12,262.00
	Subtotal: Thermal and Moisture Protection (07)					\$13,812.50	\$9,170.25	\$0.00	\$104,900.50	\$0.00	\$127,883.25
	Doors and Windows (08)										
	Steel Doors & Frames (08-805)					\$3,525.00	\$13,940.00	\$0.00	\$0.00	\$0.00	\$17,465.00
	Wood Doors (08-815)					\$1,400.00	\$11,200.00	\$0.00	\$0.00	\$0.00	\$12,600.00
	Access Doors (08-820)					\$432.00	\$500.00	\$0.00	\$0.00	\$0.00	\$932.00
	Specialty Doors (08-825)					\$570.00	\$10,040.00	\$0.00	\$1,125.00	\$0.00	\$11,735.00
	Entrances & Storefront (08-830)					\$0.00	\$0.00	\$0.00	\$53,930.00	\$0.00	\$53,930.00
	Fiberglass Windows (08-840)					\$11,182.50	\$48,967.00	\$0.00	\$0.00	\$0.00	\$60,149.50
	Finish Hardware (08-845)					\$6,480.00	\$18,600.00	\$0.00	\$7,000.00	\$0.00	\$32,080.00
	Glass & Glazing (08-850)					\$0.00	\$0.00	\$0.00	\$14,553.00	\$0.00	\$14,553.00
	Subtotal: Doors and Windows (08)					\$23,589.50	\$103,247.00	\$0.00	\$76,608.00	\$0.00	\$203,444.50
	Finishes (09)										
	Gypsum Drywall (09-910)					\$0.00	\$0.00	\$0.00	\$72,273.00	\$0.00	\$72,273.00
	Acoustical Ceilings (09-925)					\$0.00	\$0.00	\$0.00	\$39,385.50	\$0.00	\$39,385.50
	Resilient Flooring (09-940)					\$0.00	\$0.00	\$0.00	\$16,219.25	\$0.00	\$16,219.25
	Carpet (09-945)					\$0.00	\$0.00	\$0.00	\$64,239.30	\$0.00	\$64,239.30
	Painting & Finishing (09-955)					\$0.00	\$0.00	\$0.00	\$52,578.00	\$0.00	\$52,578.00
	Subtotal: Finishes (09)					\$0.00	\$0.00	\$0.00	\$244,695.05	\$0.00	\$244,695.05
	Specialties (10)										
	Signage (10-135)					\$462.00	\$2,420.00	\$0.00	\$0.00	\$0.00	\$2,882.00
	Fire Protection Specialties (10-145)					\$1,050.00	\$2,875.00	\$0.00	\$0.00	\$0.00	\$3,925.00
	Toilet & Bath Accessories (10-165)					\$0.00	\$780.00	\$0.00	\$850.50	\$0.00	\$1,630.50
	Subtotal: Specialties (10)					\$1,512.00	\$6,075.00	\$0.00	\$850.50	\$0.00	\$8,437.50



North Hampton Library Addition & Renovation Cost Study

002 181130

Job: 121822127 - North Hampton Library ICS 002, North Hampton, NH

TY	Reference	Type	AdjQty	Units	AdjUnitCost	Labor	Material	Equipment	SubContr	Other	XtdCost	
	Furnishings (12)											
	Entrance Mats (12-130)					\$0.00	\$9,352.50	\$0.00	\$0.00	\$0.00	\$9,352.50	
	Subtotal: Furnishings (12)					\$0.00	\$9,352.50	\$0.00	\$0.00	\$0.00	\$9,352.50	
	Mechanical (15)											
	Mechanical (15-100)					\$0.00	\$0.00	\$0.00	\$417,235.64	\$0.00	\$417,235.64	
	Fire Protection (15-400)					\$0.00	\$0.00	\$0.00	\$65,579.50	\$0.00	\$65,579.50	
	Subtotal: Mechanical (15)					\$0.00	\$0.00	\$0.00	\$482,815.14	\$0.00	\$482,815.14	
	Electrical (16)											
	Electrical (16-100)					\$0.00	\$0.00	\$0.00	\$189,748.16	\$0.00	\$189,748.16	
	Subtotal: Electrical (16)					\$0.00	\$0.00	\$0.00	\$189,748.16	\$0.00	\$189,748.16	
	Demo Cut and Patch (17)											
	Building Demolition (17-100)					\$39,893.00	\$26,160.00	\$0.00	\$0.00	\$0.00	\$66,053.00	
	Subtotal: Demo Cut and Patch (17)					\$39,893.00	\$26,160.00	\$0.00	\$0.00	\$0.00	\$66,053.00	
	Allowances (18)											
	CM Contingency, Allowances & Bonds (18-100)					\$0.00	\$132,259.00	\$0.00	\$0.00	\$0.00	\$132,259.00	
	Subtotal: Allowances (18)					\$0.00	\$132,259.00	\$0.00	\$0.00	\$0.00	\$132,259.00	
	CM Fee (FIN.02)											
	CM Fee (FIN.02)					\$0.00	\$0.00	\$0.00	\$0.00	\$147,926.00	\$147,926.00	
	Subtotal: CM Fee (FIN.02)					\$0.00	\$0.00	\$0.00	\$0.00	\$147,926.00	\$147,926.00	
	Subtotal: CM Fee (FIN.02)					\$404,972.86	\$613,268.47	\$36,500.00	\$1,293,287.85	\$147,926.00	\$2,495,955.17	

Friends of the North Hampton Public Library

CONSTITUTION AND BY-LAWS
(Revised and Adopted 2016)

PREAMBLE

NOW COME the Members of the Friends of the North Hampton Public Library (hereinafter "the Library") and establish the following BY-LAWS for their governance as a charitable, educational and scientific organization. These BY-LAWS shall replace those adopted by the Friends in 2000, and amended in 2001.

ARTICLE I

Name

The name of this organization shall be the Friends of the North Hampton Public Library (hereinafter "the Friends").

ARTICLE II

Purpose and Mission

The mission of the Friends shall be to maintain an association of persons interested in enhancing the resources of the library, improving its facilities, and enriching the cultural opportunities available to the residents of North Hampton

2.1 The Friends will enhance the resources of the Library by providing money, in-kind contributions, ideas, and the time and talents of its members. To that end, the Friends will create and manage an annual fundraising campaign, will engage in other fund-raising activities, will sponsor programs and assist with programs, and will make purchases suggested by Library staff and by Friends' members, and approved at a Friends' meeting.

2.2 The Friends will improve the Library's facilities by providing funds, by initiating or supporting fund-raising campaigns for specific purposes, and by publicly supporting capital projects approved at a Friends' meeting.

2.3 The Friends will enrich the cultural opportunities available to the citizens of North Hampton by participating in outreach efforts that encourage all residents of North

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Hampton to make use of the North Hampton Public Library, open and welcoming to all -- no matter race, color, religion, creed, socio-economic status, ethnicity, ancestry, national origin, sexual orientation, age or disability. The Friends will support the freedom to read as expressed in the American Library Association's Bill of Rights.

2.4 The Friends is organized exclusively for charitable, educational and scientific purposes under section 501(c)(3) of the Internal Revenue Code, as amended.

ARTICLE III Membership and Dues

3.1 Anyone who is a resident of North Hampton or a library cardholder who donates time or money to the Friends is a member.

ARTICLE IV Officers

4.1 The Friends shall have the following officers: a President, a Vice-President (President-elect), a Secretary, and a Treasurer. Elections shall be held in September.

4.1.1 The term of office for the President and Vice-President (President-elect) shall be one (1) year.

4.1.2 The Secretary and Treasurer will be elected to staggered two year terms.

4.2 The Executive Board will be made up of the officers and members attending the regular posted meeting.

4.3 The President may appoint committees consistent with the purpose and resources of this organization.

4.4 The Library Director of the North Hampton Public Library shall be an Ex-Officio, non-voting, member of the Executive Board of the Friends, with the privilege of attending all meetings of the organization.

4.5 A budget shall be prepared annually by the Treasurer to be presented to the members for approval at a regular posted meeting.

ARTICLE V Meetings

5.1 The organization shall hold its annual meeting in September for the purpose of electing officers, receiving reports, and transacting other business.

5.2 A quorum at any meeting shall require a minimum of five members and at least one officer of the Friends.

5.3 Notice of the time and place of each meeting shall be given not less than one week before the meeting, including the Agenda for the meeting, and shall be posted at the Library and publicized at other town sites (physical or virtual).

5.4 There will be no fewer than six meetings per year.

ARTICLE VI Funds

6.1 All funds shall be deposited to the account of, or invested in the name of, The Friends of the North Hampton Public Library, and shall be disbursed by the Treasurer as authorized by the members attending a posted meeting.

6.2 The Treasurer's accounts shall be audited annually by an Auditor or Audit Review Committee.

6.3 The Friends shall plan and manage fund raising, including an annual appeal as well as programs, and other activities as needed.

ARTICLE VII Dissolution

Upon the dissolution of the Friends, all its property, real or personal, of whatever kind shall be distributed to the North Hampton Public Library, New Hampshire for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended.

ARTICLE VIII Conflicts of Interest

- 8.1 Members attending meetings shall disclose any conflict of interest, real or apparent, when the interest involves a specific issue being addressed at the meeting.
 - 8.1.1 A conflict of interest shall be either a member's ownership or pecuniary interest in any matter being addressed or a member's association with a third party that would create to a reasonable person an impediment to that member's ability to impartially participate in deciding the issue.
 - 8.1.2 A member with any conflict of interest shall abstain from voting on the issue. The minutes of the meeting shall reflect the disclosure of the conflict of interest, the abstention and the actual vote.
 - 8.1.3 Members shall be advised of this policy at the annual meeting.
- 8.2 No officer shall personally profit from any transaction involving the Friends.
- 8.3 No part of the earnings of the Friends shall inure to the benefit of, or be distributed to, any of its members, officers or directors.
- 8.4 No part of the earnings of the Friends shall inure to the benefit or, or be distributed to, any private person; provided, however, that the Friends shall be authorized to pay reasonable compensation for services rendered by third parties and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- 8.5 No substantial part of the activities of the Friends shall be the carrying on of propaganda, or otherwise attempting to influence legislation.

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8.5.1 The Friends shall not participate in by any means any political campaign on behalf of any candidate for public office.

8.6 Notwithstanding any other provision of these BY-LAWS, the Friends shall not participate in an activity prohibited to organizations exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, as amended, or organizations to which contributions are deductible under section 170(c)(2) of the Internal Revenue Code, as amended.

ARTICLE IX Amendments

These BY-LAWS may be amended by a two-thirds vote of the members present at any regular meeting of the Friends, provided that notice of the amendment has been given at the meeting immediately prior thereto.

ARTICLE X Parliamentary Procedure

Robert's Rules of Order shall be used as a guide for meetings of the Friends of the North Hampton Public Library except when in conflict with these BY-LAWS.

DONE, in the Town of North Hampton, by two-thirds of the Friends members present in regular meeting on the ____ day of _____, 2016.

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Memorandum of Understanding Between the Friends of the North Hampton Public Library and the North Hampton Public Library

The following will constitute an operating agreement between the Friends of the North Hampton Public Library (Friends) and the North Hampton Public Library Board of Trustees (Library). It will stand until and unless it is modified by mutual agreement of the Friends' Executive Board and the North Hampton Public Library Board of Trustees. The Library administration is the library director or her designee.

The Friends' mission is to maintain an association of persons interested in enhancing the resources of the library, improving its facilities, and enriching the cultural opportunities available to the residents of North Hampton. As a non-profit, 501(c)(3) organization, however, it is a legally distinct entity and is not a part of the Library.

The **Library** agrees to include the Friends in the long-term planning process to ensure that the Friends are aware of the goals and direction of the Library.

The **Library** agrees to share with the Friends the Library's strategic initiatives at the beginning of its fiscal year and discuss with Friends how its resources and support might help forward these initiatives.

The **Library** agrees to supply the Friends with a "wishlist" at the beginning of its fiscal year that indicates the anticipated needs for the Friends support.

The **Library** agrees to provide the Friends with staff support to assist with mass mailings, meeting coordination, and the Friends' promotional materials.

The **Library** agrees to provide public space for the Friends' membership brochures and promotional materials.

The **Library** agrees to provide the Friends with space in the library for office needs.

The **Friends** agree to publicly support the library and its policies (consistent with its BY-LAWS).

The **Friends** agree to include a member from the Library's administration as a non-voting presence at all Friends' meetings and to allow room on the agenda for a Library report.

The **Friends** agree that any and all monies raised will be spent for Library programs, services, and other Library defined needs, unless otherwise agreed to by both the Friends and the Library.

The **Friends** agree that the Library administration has the final say in accepting or declining any and all gifts made to the library.

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The **Friends** agree to engage in advocacy efforts on behalf of the Library under the guidance of the Library and the Library's Board of Trustees (consistent with its BY-LAWS)

The **Friends** agree that if they cease to actively fundraise and promote the Library, they will disband, allowing for a new Friends group to be established in the future.

**BYLAWS
OF
NORTH HAMPTON PUBLIC LIBRARY AND
CULTURAL CENTER FOUNDATION**

ARTICLE I

Name

The name of this Corporation, a New Hampshire non-profit corporation, shall be North Hampton Library and Cultural Center Foundation (the "Corporation").

ARTICLE II

Location

Section 2.1. The principal office of the Corporation for the transaction of its business is located at 237A Atlantic Avenue, North Hampton, New Hampshire 03862.

ARTICLE III

Powers and Purposes

Section 3.1. Purpose. The purposes of the Corporation shall be to:

1). Create a temporary restricted fund for donations of property, real, personal, or mixed from area residents, businesses and others for the charitable purpose of helping to defray the cost of constructing and equipping a new public library and cultural center for the Town of North Hampton, or renovating and expanding the existing library building, or for further purposes that benefit the North Hampton Public Library. Such support is to be in addition, and not as a replacement, to any support provided to the Library by the town whether budgeted, bonded, or otherwise.

2). Aid, assist and promote interest in and development of the North Hampton Public Library and Cultural Center, and

3). Improve the financial support of the North Hampton Public Library and Cultural Center, particularly through gifts, grants and bequests.

Section 3.2. Powers. The Corporation shall have all the powers necessary to carry out the foregoing purposes and all the powers of non-profit corporations organized under the laws of the State of New Hampshire.

Section 3.3. Limitations.

(a) The Corporation shall be an equal opportunity employer, and it shall not discriminate on the basis of age, race, color, creed, sex, disabilities, or national origin (i) in the persons serviced, or in the manner of service; (ii) in the hiring, assignment, promotion, salary determination, or other conditions of staff employment; (iii) in the selection of members; or (iv) in the membership of its Board of Directors.

(b) The Corporation shall neither have nor exercise any power, nor shall it engage directly or indirectly in any activity that would invalidate its status as a corporation which is exempt from federal income taxation as an organization described in Section 501(c) of the Internal Revenue Code of 1986, or any successor provision.

(c) The Corporation is not organized for pecuniary profit and shall not have any capital stock. No part of its net earnings or of its principal shall inure to the benefit of any officer director of the Corporation, or any other individual, partnership or corporation, but reimbursement for expenditures or the payment of reasonable compensation for services rendered shall not be deemed to be a distribution of earnings or principal.

(d) No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting, to influence legislation; and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

ARTICLE IV

Members

Section 4.1. Membership in the Corporation shall include members of the Board of Directors and donors making gifts to the Corporation. The Corporation will maintain a list of the membership.

Section 4.2. Non-director members shall have no voting rights.

ARTICLE V

Directors

Section 5.1. Powers. The Directors shall supervise and control the business, property and affairs of the Corporation, except as otherwise provided by law, the Articles of Agreement of the Corporation, or these Bylaws.

Section 5.2. Number. There shall be a Board of Directors of the Corporation of not less than five (5) persons and not more than seven (7) persons. The signers of the Articles of Agreement shall elect the initial Board of Directors of the Corporation, and thereafter the members of the Board of Directors shall be elected at the annual meeting of Directors.

Section 5.3. Election Term. Directors of the Corporation shall be elected at the annual meeting of the Board of Directors to serve for a term of three (3) years or until their successors are elected and qualified.

Section 5.4. Vacancies and Newly Created Directorships. Any newly created Directorships and any vacancies on the Board of Directors arising at any time and from any cause may be filled at any meeting of the Board of Directors by a majority of the Directors then in office. A Director elected to fill a vacancy shall be elected for the unexpired term of the member's predecessor in office.

Section 5.5. Removal. Any Director may at any time be removed from office for any cause deemed sufficient by the Board of Directors by the affirmative vote of two-thirds of the full number of Directors then in office acting at a meeting of the Board, the notice of which has specified the proposed removal. In addition, three consecutive absences from regular meetings of the Board shall constitute an automatic resignation without any further action of the Board of Directors, unless the President of the Board has excused the absences.

Section 5.6. Compensation. Directors shall not receive salaries for their services, but by resolution of the Board of Directors, expenses of attendance, if any, may be allowed for attendance at any regular or special meeting of the Board. The Corporation shall not provide personal loans to any Director.

ARTICLE VI

Meetings of the Directors

Section 6.1. Annual Meeting. A regular annual meeting of the Board of Directors shall take place each year at such time, date and place as shall be designated by the Board of Directors. The purpose of the annual meeting shall be to elect Directors and officers of the Corporation and to transact such other business as may properly come before the meeting.

Section 6.2. Regular Meetings. Regular meetings of the Board of Directors shall be held at least two (2) times per year upon call of the President.

Section 6.3. Special Meetings. Special meetings of the Board of Directors may be called by the President, or by one third of the Directors, on three (3) days' notice to be held at such time, day and place as shall be designated in the notice of the meeting.

Section 6.4. Notice of Meetings. The time, day and place of any regular or special meeting of the Board of Directors shall be specified in the notice of the meeting, but no such specification is required in a waiver of notice of such meeting. Notice shall be given as provided in Section 7.1.

Section 6.5. Telephone Meetings. Any one or more Directors may participate in a meeting of the Board of Directors by conference telephone or other electronic means by which

all persons participating in the meeting can communicate with each other. Participation by telephone shall be equivalent to presence in person at a meeting for purposes of determining if a quorum is present.

Section 6.6. Record of Meetings. The Secretary or, in the absence of the Secretary, an individual designated by the Board of Directors and attending the meeting, shall keep a record of the meeting.

Section 6.7. Quorum; Vote Required. A majority of Directors then in office shall constitute a quorum for the transaction of business at any meeting of Directors, and, unless otherwise provided for by law or these Bylaws, the act of the majority of the Directors present and voting at any meeting at which a quorum is present shall be the act of the Board of Directors. If a quorum shall not be present at any meeting of the Directors, the Directors present at the meeting may adjourn the meeting from time to time, without notice other than an announcement at the meeting, until a quorum shall be present. At such adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the meeting as originally notified.

Section 6.8. Action by Unanimous Consent. Any action required or permitted to be taken at a meeting of the Directors may be taken without a meeting if:

a. Consents in writing, setting forth the action so taken, shall be signed by all of the Directors and filed by the Secretary with the minutes of the meetings of the Board of Directors. The consents may be executed in any number of counterparts, all of which when taken together shall constitute a single original consent.

b. Consents by electronic mail, setting forth the action so taken, are submitted by all the Directors, received by the Corporation and filed by the Secretary with the minutes of the meetings of the Board of Directors.

ARTICLE VII

Notice

Section 7.1. General. Whenever under the provisions of law or these Bylaws, notice is required to be given to any person, such notice may be given via U.S. mail or overnight delivery service with postage prepaid, and shall be deemed given when deposited in the mail or the delivery service addressed to such person at such person's address as it appears on the records of the Corporation. Notice may also be given by electronic mail, facsimile, or hand delivery, and such notice will be deemed given when received.

Section 7.2. Waiver. Whenever any notice is required to be given by law or by these Bylaws, a waiver of notice signed by the person or persons entitled to such notice, whether before or after the time stated in these Bylaws, shall be deemed equivalent to the giving of such notice. Attendance at a meeting either in person, or if applicable, by proxy, of a person entitled to notice shall constitute a waiver of notice of the meeting unless he or she attends solely for the

purpose of objecting at the beginning of the meeting to the transaction of business on the grounds that the meeting was not lawfully called or convened.

ARTICLE VIII

Officers and Agents

Section 8.1. Officers. The officers of the Corporation shall minimally consist of a President, a Vice-President, a Secretary, and a Treasurer. One person shall not hold two offices with the permissible exception of a Secretary-Treasurer.

Section 8.2. Election; Term of Officers; Resignation; Removal; Vacancies. The Board of Directors shall elect the officers of the Corporation at the annual meeting. The officers of the Corporation shall hold office for terms of one (1) year or until their successors are elected and qualified. Any officer may resign at any time by giving written notice to the President of the Board. Such resignation shall take effect at the time specified in the notice, or if no time is specified, then immediately. Any officer may be removed from office at any time, with or without cause, by the affirmative vote of two-thirds of the Board of Directors at any regular or special meeting of the Board called expressly for that purpose. The Directors shall fill any vacancy occurring in any office of the Corporation for the unexpired term.

Section 8.3. President. The President of the Board shall preside at meetings of the Board of Directors, and shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe.

Section 8.4. Vice President. The Vice President shall, in the absence or disability of the President, perform the duties and exercise the powers of the President and shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe.

Section 8.5. Secretary. The Secretary shall keep the minutes of all meetings of the Board of Directors, and perform all other duties usually incident to the office, and such other duties as may be assigned by the Board of Directors.

Section 8.6. Treasurer. The Treasurer shall cause regular books of account to be kept, and shall render to the Board of Directors, from time to time as may be required, an account of the financial condition of the Corporation, shall deliver an annual report at the annual meeting, and shall perform all other duties properly required of the Treasurer by the Board of Directors.

Section 8.7. Bonding of Officers. The Board of Directors may require any officer, or other person entrusted with the handling of funds or valuable property of the Corporation to give bond to the Corporation, with sufficient surety or sureties, conditioned upon the faithful performance of such person's duties.

ARTICLE IX

Committees

Section 9.1 Executive Committee. The Board of Directors shall establish an Executive Committee, consisting of at least three (3) Board members, including the incumbent officers. Except as provided in Section 9.1(a) below, the Executive Committee shall have the full power of the Board of Directors to act between meetings of the Board upon matters which, in the judgment of the Committee, are of such nature as to require action prior to the next regular meeting of the Board of Directors but do not require a calling of a special meeting of the Board of Directors. Any action taken by the Committee involving the exercise of the powers of the Board of Directors shall be reported promptly to the Board, and ratified at the next meeting of the Board following such action. The Executive Committee shall be subject to the authority of the Board of Directors in all matters.

Section 9.1(a) Limitations. The Executive Committee shall not have the power to:

1. Amend the Bylaws;
2. Appoint or remove Directors;
3. Approve a dissolution or merger or the sale of all the Corporation's assets;
4. Adopt the budget; or
5. Take any action that is contrary to, or a substantial departure from, the direction of the Board, or which represents major change in the affairs, business, or policy of the Corporation.

Section 9.2. Other Committees. The Board of Directors may designate such committees as they deem necessary for the efficient conduct of the business of the Corporation, which committees may consist either of members of the Board of Directors or such other persons as are designated in the resolution authorizing the creation of that committee. Such committees may be discontinued when no longer necessary.

ARTICLE X

Conflict of Interest

Section 10.1. Policy Governing Conflict of Interest. Any possible conflict of interest on the part of any member of the Board, officer or employee of the Corporation, shall be disclosed in writing to the Board and made a matter of record through an annual procedure and also when the interest involves a specific issue before the Board. Where the transaction involving a board member, trustee or officer exceeds five hundred dollars (\$500) but is less than five thousand dollars (\$5,000) in a fiscal year, a two-thirds vote of the disinterested directors is required. Where the transaction involved exceeds five thousand dollars (\$5,000) in a fiscal year, then a two-thirds vote of the disinterested directors and publication in the required newspaper is required. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the actual vote itself. Every new member of the Board will be advised of this policy upon entering the duties of his or her office, and shall sign a statement acknowledging, understanding of and agreement to this policy. The Board will comply with all requirements of New Hampshire law in this area and the New Hampshire requirements are incorporated into and made a part of this policy statement.

ARTICLE XI

Contributions and Depositories

Section 11.1. Voluntary Contributions. The Corporation may accept gifts, grants, legacies and contributions from any source including persons, corporations, trusts, charities, and governments and governmental agencies.

Section 11.2. Depositories. The Board of Directors shall determine what depositories shall be used by the Corporation as long as such depositories are located within the State of New Hampshire and are authorized to transact business by the State of New Hampshire and are federally insured. All checks and orders for the payment of money from said depository shall be signed by such signatories as have been authorized and required in advance by the Board of Directors.

ARTICLE XII

Dissolution

Section 12.1. Dissolution. Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be turned over to the North Hampton Public Library Board of Trustees to be distributed in a manner consistent with the charitable purposes of the Corporation or consistent with restrictions, if any, of the donors of the funds.

ARTICLE XIII

General

Section 13.1. Fiscal year. The Corporation shall operate on a fiscal year ending on December 31. Alteration of the fiscal year (by the Board of Directors) shall not require amendments of these Bylaws.

Section 13.2. Execution of Contracts and Documents. All contracts and evidence of debt may be executed only as directed by the Board of Directors.

ARTICLE XIV

Indemnification

The Corporation shall indemnify a person who is or was a Director, officer, employee or agent of the Corporation or who is or was serving in another capacity at the request of the Corporation, to the extent authorized by law. The members shall be indemnified and held harmless by reason of the fact that he or she acted in good faith and in a manner that represented the best interests of the board.

ARTICLE XV

Amendments

These Bylaws may be amended or repealed or new Bylaws adopted by the Directors at any meeting by the affirmative vote of not less than two-thirds of all the Directors of the Corporation, provided notice of the proposed change is given in the notice, which must be given not less than ten (10) days prior to such meeting.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (the Agreement) is made and entered into this 15 day of February, 2019 by and between the NORTH HAMPTON PUBLIC LIBRARY ("the Library"), 237A Atlantic Avenue, North Hampton, New Hampshire and the NORTH HAMPTON PUBLIC LIBRARY & CULTURAL CENTER FOUNDATION ("the Foundation"), a New Hampshire registered non-profit corporation exempt from taxation pursuant to Internal Revenue Code section 501(c)(3), both parties of the town of North Hampton, New Hampshire.

Recitals

- A. The Foundation was formed in 2014 with a stated purpose of raising funds for the construction and/or remodeling of a new or existing library building for the town of North Hampton, New Hampshire (hereafter, "Capital Campaign").
- B. The Library wishes to engage the Foundation to serve as the exclusive fundraising vehicle for said Capital Campaign and the Foundation agrees to actively pursue said objective.
- C. All funds raised by the Foundation's Capital Campaign, after expenses, will go to supporting the effort of providing the necessary funding required to pay for capital expenditures related to said building, equipment, and related furnishings.
- D. The Foundation will maintain its tax-exempt status and will ensure that cash and in-kind donations qualify as tax deductible donations and will provide confirmation to donors as required by IRS code.
- E. The Library has provided and will provide assistance to the Foundation to facilitate its operation and the fulfillment of its stated mission.

Agreements

NOW, THEREFORE, the Library and the Foundation agree as follows:

I. LIBRARY RESPONSIBILITIES

- 1.0 Office space. The Library will provide the Foundation with a space for mailings, information, brochures and marketing materials. The Foundation will comply with Library policies in its usage of such space.
- 2.0 Computer usage; office equipment; Foundation website. The Library will provide basic IT services, telephones and reasonable usage of office equipment, such as copiers and fax. The Library will also host a link to the Foundation website, with the understanding that the Foundation will be responsible for submitting changes and updates to the Foundation website.
- 3.0 Marketing and volunteer activities. The Library Board of Trustees and staff will assist the Foundation with marketing and volunteer support, as needed.

4.0 Charges to Foundation. The Foundation will be responsible for operating expenses relating to fundraising activities, including the costs of postage, large copy jobs, and consumable office supplies used in those activities, including pens, presentation folders, notebooks, card stock, and printing costs.

II. FOUNDATION RESPONSIBILITIES

5.0 Foundation Board. In compliance with its bylaws, the Foundation will recruit sufficient Board members, volunteers, and others as needed to conduct its activities and to fulfill the organization's mission.

6.0 Annual Audit. Once the Foundation has raised \$500,000, on a cash basis, the Foundation will engage in an annual audit at its own expense. Prior to raising \$500,000, the Foundation will provide annual financial statements to the Library. Said audit and financial statements will be made available to the Library Board of Trustees on a confidential, non-public basis. No material contained therein may be publicly disclosed without the Foundation's prior written approval.

III. FUNDRAISING AND GRANTMAKING

7.0 Restricted, unrestricted and endowment gifts made to the Foundation; All restricted and unrestricted gifts made by donors to the Foundation and all gifts made to the Foundation's endowment by donors will be retained and managed by the Foundation.

7.0.1 Restricted gifts made to the Foundation. The Foundation will accept no restricted gifts unless prior written approval from the Library has been received. All gifts restricted will be initially authorized by Library Director, subject to Library Board of Trustees approval when required under Library policies.

7.0.2 Management of funds for benefit of Library. The Foundation Board will manage the proceeds of the Foundation, ensuring that all funds needed for operating expenses and budgeted appropriations are used to further the mission of the Foundation in support of the Library.

7.0.3 Grant requests. Any grant request for unrestricted Foundation funds by the Library shall be presented in writing by the Library Board of Trustees to the Foundation. The Foundation will process the request following the Foundation's procedure for grant requests.

7.0.4 Excess Funds. Should the Foundation raise funds exceeding those required to construct, remodel, furnish, and/or equip a library building, the Foundation will hold and/or distribute said funds for the sole benefit of the Library, or a mutually acceptable designee.

7.1 Gifts made to the Library. The following provisions shall apply to gifts made to the Library:

7.1.1 Library's statutory obligations with respect to gifts made to the Library. Pursuant to R.S.A. 202-A:23, the Board of Trustees of the Library has the following powers and duties with respect to gifts made to the library:

202-A:23 Exceptions. Nothing in this chapter shall preclude the library trustees from accepting, receiving, investing, and administering directly any trust funds and donations when so specified by the donor. Library trustees administering and investing such special funds shall be governed by the provisions of RSA 31:25, RSA 31:25-d, and RSA 41:6.

7.1.2 Restricted gifts made to the Library. In those instances in which a donor has made a gift or donation to the Library subject to restrictions or specified conditions, the Library shall administer the same in accordance with such restrictions or conditions.

7.1.3 Exclusive Capital Campaign. The Library agrees to support the Foundation and to not compete with the Foundation's Capital Campaign fundraising efforts and to direct all inquiries for Capital Campaign donations to the Foundation.

7.1.4 Donor's Preference. In the course of the Foundation's fundraising, if donors indicate a preference to make donations or pledges directly to the Library rather than the Foundation, said donations and pledges will be directed to the Library.

7.1.5 Reporting of Donations. The Library agrees to provide a monthly update to the Foundation of the total pledges received and donations held by the Library for future capital construction or remodeling purposes and any expenditure of these said funds. The Foundation will incorporate said pledges, donations, and expenditures in the Foundation's campaign progress towards its goals and objectives.

7.1.6 Prohibitions or Restrictions. Nothing in this agreement shall prohibit the Library from receiving any donations for whatever purpose, whether by bequest, grant, donation, or otherwise. Furthermore, nothing in this agreement restricts the Library's ability to raise funds directly or in conjunction with other entities, such as the Friends of North Hampton Public Library, for any and all other purposes.

IV. MISCELLANEOUS PROVISIONS

8.0 Amendment of Agreement. The Library and Foundation agree that this Agreement may be amended or terminated by a writing signed by the parties.

9.0 Termination of Agreement. This Agreement will be terminated upon the conclusion of the Capital Campaign and the disbursement of all funds raised therefrom.


10.0 Governing law. This Agreement shall be governed by New Hampshire law.

In witness whereof, the parties have hereunto set their hands:

BOARD OF TRUSTEES OF THE
NORTH HAMPTON PUBLIC LIBRARY

By: 
Name, Chair

BOARD OF DIRECTORS OF THE
NORTH HAMPTON PUBLIC LIBRARY
& CULTURAL CENTER FOUNDATION

By: 
Name, Chair

Eusan Leonardi, Sec.



**United
for Libraries**

Association of Library Trustees,
Advocates, Friends and Foundations
A division of the American Library Association

Friends and Libraries – Working Effectively Together

Sally Gardner Reed, Executive Director, United for Libraries

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Revised November 2012

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INTRODUCTION

Believe it or not, there are librarians who are adamantly opposed to having a Friends group. If they don't have one, they don't want one. If they have one, they are likely to hand off responsibility for working with the group to anyone at all and they are happy to have no further involvement. Based on current or past experience they simply believe that Friends are more trouble than they're worth!

On the other hand, there are Friends groups out there who have become entirely frustrated with their library administration and/or trustees. They feel disenfranchised and as a result, often begin to develop their own agenda – even if it is one that is not in concert with the library's goals and objectives. In fact, there are currently a couple of Friends groups that are working against their libraries! It's true – there are some Friends groups that are actively and publicly opposing a new addition to the library, opposing a new library on a new site, or who are not happy with the overall direction of the library and its policies and are making their displeasure known to the public.

How do these rifts between the library and the Friends occur? Can they be resolved and if so, how? How can a library and its Friends group work to ensure that damaging and potentially devastating conflicts don't arise in the future?

This toolkit will discuss ways for libraries (including both the library administration and the trustees) and Friends to work together to maximize the value of the benefits that Friends can bring to the library. This toolkit begins with a discussion of the roles each entity plays in supporting the library, ways to work through conflict resolution, and finally ways to set up a structure that will help the library and the Friends avoid conflicts in the first place or in the future.

As with so many areas of life, breakdowns between the Friends and the library often are the result of poor communication. As an important part of the library director's "development" role, he or she should be actively involved with the Friends executive board either in person (preferable) or by the appointment of someone on the library's administrative team to act on the director's behalf. A member of the library's administration should be present as liaisons at each Friends meeting. In addition, the Friends should appoint a member of its executive board to attend each meeting of the board of trustees where they should have an opportunity to give a brief report to the board about their current activities. These mutual interactions will go far to keep the library and the Friends aware of all that is going on in each others' work.

Sally Gardner Reed
Executive Director, United for Libraries

UNDERSTANDING ROLES

As liaisons attend meetings of the trustees and of the Friends executive board, it is important for them to understand their respective roles. Many conflicts arise because a member of the Friends executive board disagrees with policy or decisions that are made regarding library services and direction. Though Friends are welcome to make their opinions known (and serve a good feedback purpose in doing so), ultimately the policies of the board and the decisions by the librarian are not subject to Friends' approval.

Similarly, the library director should keep the Friends informed on a regular basis about the opportunities and challenges the library is facing and share with the Friends his/her ideas about ways in which the Friends can help. Understanding the respective roles of each entity can go a long way in preventing conflicts that occur when someone "oversteps" his or her bounds.

Library Director

The library director is essentially the library's Chief Operating Officer (CEO). It is his or her responsibility to ensure that policies are carried out and that library operations run smoothly and effectively. The director is responsible for "development" in all its connotations – staff development, collection development, programs and services development, community relations development, and funding development. It is in this last area that the director's relationship with the Friends is typically strongest. While funding development also incorporates developing the case for city or university funding, grant writing, and working with the Foundation (if there is one), it also means working closely with the Friends to ensure they have all the support they need to maximize their effectiveness for the library. The nexus of the various "development" roles gives the library director the knowledge, authority, and the responsibility for decision making with regards to library operations.

In working with Friends, the library director (or his or her appointee) should:

- Attend all Friends' board meetings.
- Attend as many Friends' functions as possible.
- Keep Friends up-to-date with what is happening at the library – its needs, its challenges, and its victories.
- Provide the Friends with a long range view of where the library is heading and how it hopes to get there.
- Provide the Friends with a clear understanding of the library's priorities for services and why these priorities have been selected.
- Provide the Friends with a wish list that the Friends might help to fulfill.
- Provide assistance to the Friends as needed for their own development, including membership and fundraising.

Library Board of Trustees

The powers and duties of library trustees are established by law and, consequently, are not subject to delegation to another body. The basic duties and responsibilities of a "governing" board include the employment of a competent and qualified library director, the formulation of library policy, and the development of both long-range and strategic planning with an

annual adjustment of goals and objectives.¹ In the case of an “Advisory” board, the librarian is directly accountable to the city or county management authority but still plays an important role in planning.

It is within the context of long-range planning that the Friends can and should be brought in. This way, Friends can provide a ready-made focus group for the development of library services and they can gain a greater understanding of the library’s priorities – both what they are and why they are priorities. The board works closely with the library director so that implementation of policy and strategic initiatives take place to advance the library’s services.

In working with the Friends, the trustees should:

- Include an opportunity for a Friends update in every meeting agenda.
- Include the Friends executive board in the library’s planning process.
- Keep the Friends up-to-date on major policy changes – both the “what” and the “why.”
- Work with the Friends in their fundraising initiatives as needed and as possible.
- Attend as many Friends functions as possible.
- Become personal members of the Friends at the highest level they can.

Friends of the Library Executive Board

As a condition of their 501c3 non-profit status, the mission of Friends of Library groups is to support the library. This is typically reflected in the Friends’ mission statement. Because Friends are volunteers, it’s usually the case that they only want what’s best for the library and again, typically, they rely on the director and the trustees to keep them informed of what that is. Then, through volunteer work, fundraising, membership drives, and other activities, the Friends support the library financially for items or programs not normally included in the operating budget, for promotion of the library through public relations and programs, and through advocacy when the library needs additional funding, when a capital campaign is needed, or when a library’s budget is threatened.

In working with the library (administration and trustees), the Friends executive board should:

- Appoint a member of its board as a liaison to the trustees to:
 - Attend their meetings
 - Update the trustees on Friends initiatives and goals
 - Report back to the Friends board.
- Work to support the library’s goals financially (as is reasonable and possible), and publicly through programs and public relations.
- Attend library planning meetings to give feedback and to gain a clearer understanding of the goals and direction for the library.
- Provide volunteer assistance to the library as needed in the realization of its goals.

¹ From *Friends of the Library Sourcebook* by Sandy Dolnick (ALA, 1996).

WHEN CONFLICTS ARISE

Conflicts can come up in any relationship, no matter how good. It's not unusual for a Friends group to feel, for example, that the library is asking them for money for an inappropriate reason – to cover something that they feel should come from the library's operating budget or to pay for staff travel or staff appreciation.

When there is concern in an otherwise good working relationship, the concern can usually be addressed by just talking it through. It's possible that the Friends don't have all the information they need to understand the library's request. Perhaps the budget for the library was cut or frozen mid-year and the library is desperate to ensure a particular service can be maintained for the rest of the fiscal year, for example. This background information will help the Friends make a decision about stepping in to help support what normally is or should be in the operating budget.

Similarly, it's not uncommon for Friends to wonder if they should pay for staff "scholarships" to attend a conference or class. They might wonder if Friends should pay for staff appreciation initiatives (what about Friends' appreciation initiatives?!). Again, a discussion about the importance of staff morale and continuing education may well convince Friends that this is, in fact, a good place to put their money.

On the other side of the coin, the library may feel that the Friends aren't being as supportive as they could be. For example, the Friends might be amassing a large "reserve" fund and giving the library only enough money to fund one or two items on a wish list. If the Friends have been involved in the strategic planning process and have a clear understanding of the library's goals and objectives, it's likely they will be generously funding the wish list. If the Friends decide not to support the wishlist, however, it's a good time to sit down and discuss again the library's plan and see where and how the Friends fit into that plan. It could be the Friends are feeling disenfranchised and don't want to support initiatives they don't understand or agree with. Often, a heart-to-heart is all it will take to resolve these minor and occasional conflicts.

RESOLVING MAJOR CONFLICTS

Unfortunately, some libraries and Friends groups experience a major “falling out.” Typically, these major conflicts involve such things as significant disagreement with the library’s policies or plans (moving out of the existing building to build a new library on a new site, for example), the library’s belief that the Friends are in violation of their 501c3 status and mission (giving their money to other organizations or publicly opposing the library’s plans, for example), and sometimes conflicts are simply the result of a clash of personalities.

Because a good working relationship between the library and the Friends is so important, it is well worth it for either the library (administration or trustees) or the Friends executive board to initiate a plan to bring the two entities back together. It’s time for an intervention!

If a rift between the library and Friends has become so significant as to render the relationship dysfunctional, it may be time to bring in a neutral party who can help you work through your differences and get back on the right footing. Very often, the library can tap someone from the university or city’s human resource department to facilitate a discussion and help you create a plan for your future working relationship. If not, try contacting the state library to see if they have someone on staff who might help. If this doesn’t work, consider bringing in someone from the private sector who has experience in conflict resolution and/or group facilitation.

Impartiality is important, so no member of the library staff, board of trustees, or the Friends’ executive board should be asked to facilitate. Even if you have someone within one of these entities with a lot of expertise and who everyone agrees (initially) will be impartial, in the end there are likely to be charges that the process of working through the conflict was compromised if there is someone who is dissatisfied with the outcome.

Facilitated Discussion and Problem Solving

If the Friends group and library have come to the point where they need a facilitated discussion, it is likely that there are some passionate feelings about who is “right” and who is “wrong.” Because of the nature of this exercise, it’s important that the discussion include some practical ground rules so that it can be productive.

You will want to be sure that the facilitator has an opportunity to understand the issues from all perspectives prior to your discussion and future planning. The facilitator should work with all those present while observing basic principals that facilitate productive discussions. Communication in an emotional situation is difficult. It is very important that all people have an opportunity to speak and perhaps even more important that everyone is committed to actively listen to what others have to say.

Active Listening

Many people take listening for granted. They confuse hearing with listening. You may hear every word but if you’re not listening, you’ll misunderstand the message. Studies show that the average listener typically comprehends about half of what is said. Within 48 hours, the retention drops to about 25%. After a week, only 10% or less is retained. If you are going to the extent of bringing all parties together with a facilitator, you should encourage everyone involved to fully engage their listening so that the work you do sticks!

It is a good idea for the group to consider the typical obstacles that get in the way of active listening. These can include:

- Judging and evaluating what others are saying while they are talking.
- Lack of empathy, not putting yourself in their shoes.
- Feeling that the speaker is taking too much time and that you already know what they're trying to say.
- Thinking ahead about what you are going to say instead of listening.
- Becoming disengaged because you can think faster than the other person can speak.

Respectful Dialog

Respectful dialog assumes that everyone has legitimate concerns and that everyone is interested in the same goal – a productive outcome of the meeting and positive working relations for the future. Respectful dialog:

- Encourages others to express their point of view.
- Establishes an atmosphere of acceptance and interest as opposed to one of interrogation.
- Increases your knowledge of facts as well as others' feelings and opinions.
- Simultaneously gathers information and improves your relationship with those you disagree with.
- Helps the group come up with solutions.

How can the group ensure respectful dialog? Here are some tips that should be shared with the group before you begin your discussion:

- Ask permission questions such as "I'm not sure I'm following you. Can I ask you a couple of questions so that I can get a better understanding of what you are saying?"
- Ask open ended questions instead of "yes" or "no" questions so that the person responding has the opportunity to expound on his or her point of view.
- Practice active listening.
- Be patient with others trying to express their points of view.
- Use relaxed voices to convey that it is safe for others to respond openly, fully, and honestly.
- Pursue one line of thought at a time. Don't jump from topic to topic.

The Session

Once all those in the group and the facilitator have agreed on ground rules for a productive dialog, it is time to move on to understanding the conflict, discussing remedies, and developing a plan to move forward together.

Almost every major conflict between the library and the Friends includes some misunderstanding of each groups respective roles, an overstepping of one's role, and/or a perception that one group is over stepping their role. Conflicts usually center around who has the authority for final decision-making so it is a good idea to start with a discussion of roles. One way to do this in a non-threatening way is for each entity (library administration and Friends board) to write down their role as they see it along with stating how they see the other groups' roles in support of the library.

The facilitator can show on a flip chart, with a vertical line down the center, the role as the particular entity sees it (on the left) and that entity's role as the others see it. It can be very illuminating to see how each group perceives its role and how others do. This toolkit can be used as a guideline to articulate actual roles for each group (see "Understanding Roles" above). Once the library and the Friends have a clear understanding of how each other fits into the overall picture, it is time to move on to articulating and understanding the conflict.

Understanding the Conflict

Understanding and articulating the conflict will be at the heart of the session. This will be the most difficult part (which is why having a facilitator is a good idea) because there will be some passion surrounding the different points of view. If this isn't the case, then you wouldn't be at this point!

It is critical that each side has an uninterrupted opportunity to state their concerns. Why is there conflict? What does each side see as the reason for the breakdown in the relationship? Is there more than one issue that has brought you to this point?

Working Through the Conflict

The most important component in reaching agreement and compromise is understanding exactly what the other party's concerns are. If you can understand *why* another person or party feels so strongly, you can often make great strides in coming together to create a solution that works for everyone.

The Friends of Kansas Libraries (FoKL) along with the Kansas Library Trustee Association (KLTA) have used an ingenious method for helping disparate parties to understand another's point of view. Using "Social Action Theater" (SAT), every "side" gets a chance to play the role of someone with an opposing point of view and work through a problem through a different point of view than their own.

Vignettes (or a parody of a situation) can provide an opportunity to touch on serious issues. Using SAT helps create a safe environment for discussion. Participants and actors talk about the values of clarity, respect, and trust as essential parts of communication between librarians and Friends. SAT can help participants view local experiences with a new perspective.

To engage in SAT, ask three characters to sit at a table. Each has a table tent identifying a character. The facilitator reads the vignette scene. The volunteers improvise and act out the scene, which lasts about four minutes and is completed when the facilitator claps hands once. Actors stay in character and the facilitator asks if there are any questions. While in character, actors answer questions from the facilitator or audience (HINT: write several questions ahead of time for the facilitator to ask.) Questions should spark discussion about the issues presented. The vignettes are designed to be both humorous and satirical.

Sample: How Funds Raised by the Friends Should be Spent

Scene

Board room of Oz Public Library, in a small rural community where the Library Director, and Friends President are meeting to discuss how to spend the \$6000 raised by the Friends at their recent book sale.

Library Director

Fredrica Dingle desperately wants to replace her seven year old PC, loud dot matrix printer, and shabby desk held up by bricks with a state-of-the-art ipad, printer and furniture to bring her into the 21st century – and \$6000 would do it!

Board President

Miss Rosanna Gulch (of the Belmont Gulch family) has two nieces and a nephew at Oz Middle School who use the library's reference collection to do their homework. She is horrified at the low percentage of the library's budget allocated to keep the reference collection current, and strongly feels the money should be used for that purpose.

Friends President

Jane Von Good thinks the word "Carnegie" over the library door does not properly identify the building. She wants to use the money to purchase a large, beautiful marble sign (in pink tones) to be placed near the main entrance. Of course, engraved under the words "OZ PUBLIC LIBRARY" would be "given by the Friends of Oz Public Library."

Samples Questions

1. Was there a prior understanding of who decides how money raised by the Friends is spent?
2. Is it the responsibility of the Friends to raise money for reference books or any part of the library's budget that should be in its annual budget?
3. How can this situation be avoided in the future?

Using this technique, the facilitator could be asked to develop a scenario that reflects the issues involved in the conflict. Those representing the library can step into the role of the Friends while Friends executive members can play the role of trustees and/or library administration. Once the role playing is complete, each group should be asked to talk about whether they feel the exercise helped them better understand the others' point of view and if so, how.

Resolving the Conflict

Once you have worked to understand the disagreements by listening to all sides and even engaging in a side not your own through role playing, it's time to work on a solution. The goal, of course is to come up with a solution that everyone can be happy with. It might be, however, that the solution is one that at least everyone feels he or she can live with if not love.

At this point, everyone should be encouraged to share possible ways to resolve the conflict. Being honest and respectful of others' feelings and opinions will allow a variety of suggestions to come forth. Everyone should be encouraged to remain open minded and creative. There may be solutions offered that will, indeed, resolve the conflicts and disagreements but may entail doing things in a whole new way.

The library administration, for example, may have always had carte blanche over some of all of the Friends revenues. It may be time to change, instead, to providing a wish list allowing the Friends to select from a menu of choices where they would like to put their money.

The Friends may feel that all their money should go to children's books but after discussion, realize that while children's materials are already well funded, there are no after school programs for Teens. The Friends might have to agree as well to a wish list approach rather than automatically designating funds for a specific purpose each year.

If the Friends have been involved in planning and are always kept of to date regarding the state of the library, these choices will be easy to make and in alignment with the library's opportunities and challenges.

Change and compromise can be difficult especially if there is long standing tradition of doing things a certain way. If changing the working relationship will make it better, however, it will be well worth it. Friends are an incredibly valuable support system for the library – not just for the funds they generate but for the goodwill, the public awareness they create for the library, and for the advocacy they can provide when the library is in need of capital funds or significant increases in their operating budget.

Where Will You Go From Here – Putting a Good Structure in Place for the Future

If you are able to work through the conflict – congratulations! Now it's time to put into place a structure to help you avoid any serious conflicts in the future. Some of this organizational structure may already be in place but not adhered to. For example, the Friends should take a fresh look at their mission statement, their constitution and bylaws. Are they being actively employed? Is there an operating agreement between the library and Friends? If not, it's time to establish one. It's amazing how "getting it in writing" can keep conflicts from surfacing. Even if you've found new admiration and respect for one another after a long, heartfelt discussion and resolution of your problems, conflicts can occur again over time with changes in personnel in the library, on the board of trustees and within the Friends executive board, conflicts could occur again.

Operating Agreement

If you have an operating agreement, get it out and look it over. Is it still relevant? Is it reflective of the way you work together or the way you *want* to work together? If you don't have an operating agreement, now is a good time to establish one.

The goal in an operating agreement should be that all Friends' gifts (of money, time, or talent) meet exactly the highest needs of the library. An agreement that requires negotiation for all gifts offered and requested is best. In other words, the agreement might state that the Friends will work with library administration and trustees once each year in a planning session to determine goals for fundraising, advocacy, and volunteer services. A model that works well is for the Library to submit a wish list to the Friends in priority order with strong justification for the request. The Friends may of course determine what areas of the wish list they want to support. If the once a year joint planning session has taken place, there should be no surprises in either the Library's request or the Friends' priorities for funding.

Considerations for the operating agreement should include:

- How will the Friends be incorporated into the library's planning process?
- Are Friends authorized to spend their funds on organizations, agencies, programs or projects that are not directly linked to the library and, if so, under what conditions? This will be included in the mission and bylaws of the Friends group, and it is good to be clear about this upfront, since money spent for other purposes can be a point of contention between the library and the Friends and may even adversely affect the

Friends' 501c3 status if "significant" funds are spent in areas outside the group's mission.

- What support will the Library give the Friends in terms of publicity, mailings, labor for the book sale, space for the book sale, office space, office staff support, etc.?
- Will the Friends engage in advocacy campaigns on behalf of the library and, if so, who will be involved in the design and message of those campaigns?
- What role and authority will the Friends have for developing and implementing programs?
- Will the library administration and a member of the trustees attend all Friends board meetings? Will a member of the Friends executive board attend all trustee meetings? Will there be an opportunity on each other's meeting agendas for a report from the visiting liaison?

You can view a sample formal Operating Agreement between Friends and the library at <http://www.ala.org/united/friends/orgtools>. Take advantage of the hard work you all did in resolving your conflicts by putting in writing the ways in which you'll operate together in the future.

CAN THIS RELATIONSHIP BE SAVED? WHEN ALL ELSE FAILS...

Sadly, there are extreme circumstances where the relationship cannot be saved. The disagreements run too deep or are truly irreconcilable. Sometimes, there are significant differences within the group itself, sometimes it's an inability to support the library's plans and direction (as in the case where the library is moving to a new facility, for example), and sometimes there is a strong clash among key personalities.

Conflicts have been known to occur within a group itself (therefore greatly affecting its ability to support the library) because of one or two very strong personalities. Though sometimes nothing is harder than asking for someone's resignation, it should be done if one or two individuals are causing a dysfunctional situation. Sometimes this occurs when the leadership of the group remains the same year after year giving at least perceived authority to these longtime leaders that they have veto power. Again, the Friends constitution and bylaws may provide for a continuing turn-over of leadership. This is healthy and the group should abide by it. If there is not such a provision, consider amending your bylaws to include one.

Many groups (the longtime leaders to be precise!) feel that if the same leadership isn't kept year after year, the group will dissolve from neglect. If the group's livelihood and ability to function rests with just a few, it may be time to let the group dissolve. On the other hand, there may be a strong perception in the community that this longtime leadership is somehow ordained and that the Friends are, in fact, a closed club. See *United for Libraries Toolkit #1, Creating a Friends Group and Revitalizing the One You Have* for ways to refresh your group and bring in new leaders.

If everything has been tried to bring the library and Friends mission and goals into alignment to no avail, it may well be best to formally dissolve the group.

When a group cannot proceed together because of irreconcilable differences, or when the group cannot support the library – its policies, its direction, its leadership – it is the honorable and ethical thing to dissolve the group. It is not okay for a Friends group to continue when it can no longer support the library or the library's plans and policies. Friends, by mission and purpose, exist to *support* the library.

It is unethical for a "Friends of the Library" group to work autonomously and in conflict with the library. By doing so, such a group is in violation of its mission. In addition, if such a group continues to call itself "Friends of the Library," while opposing the library, it makes it difficult for a group that does support the library to use the "Friends" name. Finally, it is unethical if not illegal to accept membership dues and raise funds when members and donors believe that their gifts support the library rather than an agenda to move the library in a direction not sanctioned by the trustees who have the legal authority to govern the library and set policy.

Whether the library administration, trustees, or Friends are at "fault" for irreconcilable differences, Friends can only be effective if they can support the library's agenda and if they have the full support and approval from the library administration. If these key ingredients are missing, it is time to look for other ways to support worthy organizations in your community. In time, a new group may evolve or library leadership may change allowing a brand new opportunity to support this wonderful institution – the library.

ADDITIONAL RESOURCES

101+ Great Ideas for Libraries and Friends – available, free, through your membership in United for Libraries and accessible in the Friends & Foundations Zone. This book includes an entire chapter on organizational effectiveness for Friends.

Creating a Friends Group and Revitalizing the One You Have – available, free, through your membership in United for Libraries and accessible in the Friends & Foundations Zone.

CRinfo – A Comprehensive Gateway to Conflict Resolution Resources (www.crininfo.org). This website provides all the information you need to understand conflict resolution, find additional materials about conflict resolution, and even find professional mediators to help with conflict resolution.