

AGREEMENT BETWEEN SOLEBURY TOWNSHIP AND THE FREE LIBRARY OF NEW HOPE
AND SOLEBURY REGARDING PROCEDURE FOR SOLEBURY TOWNSHIP BOARD OF
SUPERVISORS TO APPOINT LIBRARY TRUSTEES

This Agreement is made this 20th day of July, 2021 ("Effective Date") by and between SOLEBURY TOWNSHIP, 3092 Sagan Road, Solebury Township, PA 18963 ("Township") and the FREE LIBRARY OF NEW HOPE AND SOLEBURY, 93 W. Ferry Street, New Hope, PA 18938 ("Library").

WHEREAS, the Township is a Second Class Township organized and existing under the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as reenacted and amended;

WHEREAS, the Library is a corporation organized and existing under the Public Library Code, act of Nov. 1, 2012, P.L. 1683, No. 210 Cl. 24, and located in the Borough of New Hope Pennsylvania;

WHEREAS, the Library provides services to the people of the Township, New Hope Borough, and other municipalities that wish to become affiliated with the Library;

WHEREAS, the Township funds an important percentage of the Library's operating expenses, and the two entities have agreed that a written agreement is needed to clarify and specify certain roles and responsibilities of each party;

WHEREAS, Pennsylvania State statute title 24, Part VI, Section 9318 "Local Library Governance," specifies a number of governance roles, responsibilities, fund management criteria and reporting criteria which the Township and the Library desire to follow;

WHEREAS, pursuant to the Library's Bylaws and Section 9318(a)(3) of the Public Library Code, the Township may appoint two Library Board of Trustees members;

NOW THEREFORE the Township and the Library do hereby agree to the following procedure for the Township to appoint two Library Board of Trustees Members:

The Library Board of Trustees shall recommend to the Township Board of Supervisors candidates that the Township Board of Supervisors may appoint to the Library Board of Trustees. The Township Board of Supervisors is responsible for approving these candidates within a reasonable time.

PROCEDURE for APPOINTING LIBRARY BOARD MEMBERS

Library Trustee job responsibilities:

It is recognized by the Township that the Library Board of Trustees is a "working board," and both parties agree that the primary priorities of all Library Trustee's is to promote and support the mission of the Library, serve on or chair one of the Library Board committees, abide by the Library's Bylaws, and participate in Library fund raising activities. (See Library Trustee Commitment Letter**)

The two Library Trustees appointed by the Township must reside in Solebury Township. Their calendar terms should be listed with the final date for renewal or new appointments clearly noted.

For regular turnover at the expiration of a Library Trustee's term:
3 months before the expiration of the second consecutive term of a Library Trustee that was appointed by the Township Board of Supervisors, or whose seat is otherwise to be filled with a Township Board of Supervisors appointee, or in the case of a Trustee appointed by the Township Board of Supervisors to complete the term of another Trustee, 3 months before the expiration of term which the Trustee was appointed to complete, the Library Board of Trustees will inform the Township Manager and Township Secretary of the impending expiration. The Township and the Library will call for volunteers on their respective web sites.

The Library Board President, or representative, will advise the Township Board of Supervisors of the skill set(s)* being sought for the specific upcoming vacancy.

Qualified candidates will be interviewed by the Library Board of Trustees, which will select a final candidate. For each expected vacancy of a Library Trustee to be appointed by the Township Board of Supervisors, the Library Board president will inform the Township Board of Supervisors which candidate the Library Trustees believe is most able to serve the Library's mission. The Township Board of Supervisors, at its discretion, may interview or dialogue with the final candidate before approving the appointment. In the event that the candidate selected by the Library Board of Trustees is not acceptable to the Township Board of Supervisors, and after dialogue between the Boards, new candidates can be called for by either party and the process begun again until a final selection is made.

For resigning Library Trustee turnover:

As soon as a Library Trustee that was appointed by the Township, or whose seat is otherwise to be filled by a Township Board of Supervisors appointee, signals their resignation, the Library Board will inform the Township Manager and Township Secretary. The same system for choosing and interviewing candidates in the event of regular Library Trustee turnover will then be followed.

The Township Board of Supervisors will make the Library Trustee appointment at a public Township Board of Supervisors meeting.

This Agreement may be executed in duplicate counterparts, each of which shall constitute an original but when taken together shall constitute a single contract. Execution shall be deemed to include electronic signatures which shall be of the same legal effect, validity or enforceability as a manually executed signature. This Agreement is intended by the parties as a final expression and a complete and exclusive statement of the understanding of the parties hereto. No course of prior dealing between the parties, no usage of trade, and no parol or extrinsic evidence of any nature shall be used to supplement or modify any term or to indicate any condition to the effectiveness of this Agreement. This Agreement shall be construed and interpreted in accordance with the laws of the Commonwealth of Pennsylvania as if drafted equally by all of the parties hereto. This Agreement may not be amended or in any manner modified except in writing signing by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

FOR SOLEBURY TOWNSHIP

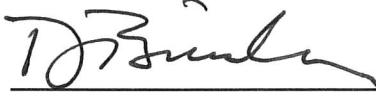
By:



Mark Baum Baicker
Chairman, Board of Supervisors

FOR THE FREE LIBRARY OF NEW HOPE & SOLEBURY

By:



Doug Brindley
President, Board of Trustees

* Skill sets needed for optimum functioning of the Library Board
Fund raising - Development Marketing - Communication
Finance Leadership
Education Governance - Legal

** Attachments:
Library Trustee Commitment Letter.

Free Library of New Hope & Solebury

Trustee Annual Commitment Letter

I, _____, understand that as a member of the Board of Trustees (the “Board”) of the Free Library of New Hope and Solebury (the “Library”), I have a legal and ethical responsibility to ensure that the organization does the best work possible in pursuit of its goals. I believe in the purpose and the mission of the organization, and I will act responsibly and prudently as its steward.

I understand that as part of my responsibilities as a trustee:

1. I will actively assist the Board in securing adequate funding for the Library's future.
2. I will convey the Library's work and values to the community, as well as represent and act as an advocate for the Library.
3. I will never exercise authority as a trustee except when acting in a meeting with the full Board or as a delegate by the Board.
4. I will make a personal financial contribution annually at a level that is meaningful to me and participate in fund development activities.
5. I regularly will attend monthly meetings of the Board, and, in accordance with the Library's bylaws, I will not be absent from three consecutive monthly meetings. Furthermore, I will make a personal contribution of time and effort, and I will actively participate in committee work or comparable endeavors which demonstrate a high level of commitment to the Library and are aligned with the mission of the Library and the objectives of the Board.
6. I will act in the best interest of the Library and recuse myself from discussions and votes where I have, or a family member has, a conflict of interest.
7. I will keep confidential matters confidential.
8. I will stay informed about what is going on in the Library and take responsibility for making decisions on issues, policies and trustees.

9. I will recognize the role of the Board as a governing body and not a management body, and I will work in good faith with the Library director.
10. I will protect community members' freedom to read, view and listen, which might mean setting aside my personal preferences.

If I do not fulfill these commitments, I expect the Board president or his/her delegate to take appropriate action.

In turn, the Library will:

1. provide me with the minutes, the Library director's report and monthly financial statements so that I can meet the "Prudent Person" standards of the law,
2. work in good faith with me toward achievement of our goals,
3. offer me professional development as a trustee, and
4. keep the lines of communication open so that I may stay informed.

The Library has provided me with an orientation with the Library director and the Board president (or his/her delegate) to explain to me the history, mission, values, programs, pressing issues, finances, facilities, bylaws, organizational chart, committees, and key staff members, and I understand my rights and responsibilities under the Library's bylaws and the law of the Commonwealth of Pennsylvania.

Trustee _____

Date _____

Board President _____

Date _____