

## Gifts to the Library Policy

### 1. Policy

- a. The Plumb Memorial Library and the Board of Library Trustees, within referenced as “the Board”, welcomes proposals for gifts of money and materials, consistent with its policies and the goals and objectives of the library. All donations are subject to M.G.L. c. 78 section 11 which states, “The Board shall have the custody and management of the library and reading room and of all property owned by the town relating thereto. All money raised or appropriated by the town for its support and maintenance shall be expended by the Board, and all money or property which the town may receive by gift or bequest for said library and reading room shall be administered by the Board in accordance with the provisions of such gift or bequest.” The Library Director is responsible for applicable documentation related to gifts provided to the library.
- b. Upon request, the library will provide a receipt for donation but cannot assess the value of any item.
- c. Memorial or honorary gifts, where deemed appropriate by the Library Director, will have a gift plate naming the donor/ honoree and acknowledgment will be sent to the honoree or family of the deceased.

### 2. Unrestricted Gifts

- a. The Library Director has the discretion from the Board to determine the disposition, declination, or allowance of unconditional or unrestricted proposed donations. The Board may be consulted by the Library Director as needed.
- b. Donated materials, not subject to restrictions, may be sold and the proceeds used for the benefit of the library (e.g., Friends of the Library’s Book Sales).

### 3. Restricted Gifts

- a. To comply with M.G.L. c. 78 section 11 all gifts are considered unconditional and unrestricted. Restricted gifts must have agreed upon terms and conditions in a written agreement between the donor and the Board. Prior to full execution of the written agreement, the restrictions must be discussed at a Board of Trustee meeting to allow for discussion as required by the Massachusetts Open Meeting Law. The donor is recommended to be in attendance for discussion with the Board. It will be determined by the Board if there is an ad hoc need for inclusion of other Rochester Town Officials (e.g., Board of Selectmen or Town Administrator). After discussion and following the Open Meeting Law requirements, the restricted gift can then be voted upon by the Board and must obtain a passing vote to move forward with full execution of the written agreement.
- b. Verbal agreements do not comply with this policy.
- c. The Library Director, individual Library Trustees, nor other Town Officials have the authority to agree to Restricted Gift terms and conditions made to the library.

#### 4. Gift Categories

**a. *Books and Other Materials***

Books, periodicals, audio-visual, computer, and other materials in good condition. Acceptance and utilization of donated materials is at the discretion of the library. The library does not accept textbooks, or encyclopedias.

**b. *Art and Decorative Objects***

Gifts of art, furnishings and other decorative objects may be accepted for use in the library if such gifts are compatible with the library's needs, facilities and purpose. The acceptance of a gift does not imply that the object will be retained by or displayed at the library.

**c. *Monetary Gifts***

The library is pleased to receive monetary gifts which will be used to further the purposes of the library. All monetary gifts will be documented appropriately in the library's financial records. See section on Restricted Gifts for information related to terms and conditions around monetary gifts.

**d. *Permanent Structures***

According to M.G.L. c. 78 section 11, the Board is responsible for the property related to library grounds that is owned by the town. Any structure permanently affixed to the grounds becomes the responsibility of and owned by the library. The library can use, remove, or alter the structure as they see fit. Any potential content within a structure is required to be maintained by the library, unless otherwise documented in a written agreement approved by the Board. See section on Restricted Gifts.

The Board of Library Trustees reserves the right to amend this policy at any time.

Adopted by the Joseph H. Plumb Memorial Library Board of Trustees on March 8, 2008

Reaffirmed on September 28, 2023

Revised on December 12, 2023