

India Rodgers

From: Ava Biffer <avabiffer@yahoo.com>
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To: Town Charter Revision Commission
Subject: Comment from Ava Biffer, Chairperson, Library Board of Trustees

Comments for the Charter Revision Commission
Submitted by Ava Biffer, Chairperson, Library Board of Trustees

Thank you, Chairperson Suggs and Members of the Charter Revision Commission, for the opportunity to provide input in this critical process. My comments are specific to the portions of the Charter related to the Library Board as well as addressing misunderstandings related to the Library Board and the library's status as a Town Department.

Section 201. Elections. 4. Board of Library Directors

I applaud the decision of this Commission to retain this section as written.

With the ever-broadening role of the library in the community and the increasing role of technology in library functions, the staggered terms of the Trustees bring balance to the Board, ensuring that the specialized knowledge and experience gained by Trustees is maintained as well as providing the opportunity for the addition of new Trustees to bring new ideas and fresh perspectives.

Public libraries are considered government actors bound by the First Amendment, protecting speech as well as the corollary rights to listen and to receive information, a requirement that renders the library unique among the town departments. The library board provides a specific body dedicated to protecting and maintaining this right for Bloomfield residents.

This provision also guarantees Bloomfield residents the right to direct representation by Trustees of their choice. In considering the provisions of this section, I searched the Connecticut State Library data on elected and appointed Library Boards reported by the 127 libraries that provided data on the selection of their library boards. 63% reported elected boards vs. 37% reporting appointed boards, indicating that Bloomfield is aligned with the majority of Connecticut towns in this regard.

I would recommend one change to be applied across the entire Charter to align with State Statutes: Effective July 1, 2007, P.A. 07-227 replaced "board of directors" with "board of trustees" throughout the General Statutes and Public Acts, Chapter 190 Public Libraries.

I would also like to address some misconceptions regarding the role of the Trustees with respect to the library's status as a town department. The role of the Trustees with respect to the function of the library is similar to that of the Town Council's role in relation to the Town Manager. The Council functions as the legislative and policy arm of town government, delegating the day-to-day oversight of the operation of the town's departments to the Town Manager. In addition, the Charter provides guidance on additional responsibilities of the Town Manager, including, for example, the budget process.

The Trustees work with the director to develop and actualize a mission statement, a strategic plan, goals for the library, and policies specific to the library, such as intellectual freedom, reconsideration of materials, privacy, programming, collection development, etc. The mission statement, full policy list, etc. are available at all times on the library website. We do not, however, involve ourselves in the day to day operation of the library: that is the job of the Director. The Director keeps us fully informed on the library's operation. We evaluate the Director based on the goals we develop together for the library.

The Trustees have no role whatsoever in the development of the budget. This year, as chairperson of the Trustees, I provided a public comment at a Finance Subcommittee meeting, simply providing extremely brief information and asking the Subcommittee to consider ameliorating a specific issue affecting the library in a comment lasting less than three minutes, obeying the same rules for that comment as any other resident of the town. I have, occasionally, similarly provided a public comment at a Council meeting. That represents the entire "involvement" of the Trustees in the budget. The Director formulates, submits, and presents a budget request following the process established by the Town Manager and working closely with the Town Manager, in the same manner as every director of every department of the town. She keeps the Trustees fully informed on the budget in the same way that she keeps us informed of all other matters affecting the operation of the library system.

The Trustees and the Town Managers we have worked with are cognizant that we share responsibility for the library. We have always worked to maintain a professional, collegial relationship with the Town Manager, recognizing that our roles are complementary but distinct. Our goal is at all times maximizing the library's provision of excellent, caring, and respectful service to every town resident.

Section 604. Department of Library Services.

The Trustees have noted that our role in appointing the Library Director has been the subject of commentary, in particular suggesting that, in most other towns, the Town Manager or other chief administrative officer, appoints the Director. Again, I have engaged in extensive research, consulting state data, town websites and charters, and polling of Library Directors in the LCI consortium (BPL is a member of that geographical consortium). Initially, it appeared that the proportion of Library Directors appointed by CEOs and Library Boards were similar, with slightly more appointed by the CEO. However, further investigation revealed that the process is more complex. A variety of methods are used in the towns that at first glance appeared to delegate this responsibility to the Town Manager. In many towns, the selection is made through a joint process involving the cooperative effort of both the Town Manager/CEO and the Library Board. Our neighbors in Simsbury, for example, use a joint process. In other towns, the Library Board conducts all interviews and submits a limited number of candidates (e.g., two candidates) to the Town Manager/CEO who then makes the final choice from the candidates submitted. In still other towns, the Town Manager/CEO makes the selection. The joint processes have worked reasonably well since the Board was fully involved and their expertise and extensive knowledge of library operations and qualities of a successful Director was brought to bear.

However, in a great many towns, including Bloomfield, the Board of Trustees interviews a wide range of candidates, then selects and appoints the most qualified candidate. In addition, the Bloomfield Trustees select the candidate who is also clearly the best fit specifically for Bloomfield. The Town Manager then works with HR to set the terms of the hire and sends the offer letter to the candidate the Board has selected. This has resulted in an unbroken chain of highly qualified, community-centered, dedicated Library Directors. Consequently, Bloomfield Public Library is highly respected both in Connecticut and throughout New England. Director Lane has led the successful effort to partner with more than seventy state and community entities and organizations. This allows BPL to provide the highest level of service to every Bloomfield resident.

A caveat is necessary here. There are towns in which the oversight of the library and hiring of the Director by the CEO has had disastrous results. In Suffield, the Selectman overrode the Library Commissioners and interfered in the reconsideration process as well as the ability to provide materials to patrons, resulting in the resignations of the Director, her assistant director, and a number of the staff, as well as half the Commissioners. Although this happened last year, the Selectman has been unable to hire a director and other senior staff despite extensive searches; the library and the residents they serve have suffered from this. It has also created a large volume of negative publicity for the town.

The framers of the current Bloomfield Charter were careful to provide a balanced relationship between the Town Manager and the Trustees. The model has worked well. Successive Boards of Library Trustees have exercised great care in limiting their function to the selection of Directors and the role described above. The library has functioned as a Town Department in all aspects under the day-to-day supervision of the Town Manager. Although the Charter specifies that the Library Director selects library employees using her expertise to choose well, this is not dissimilar to the process described in 504 d of the Charter which makes clear that, in other town departments, "appointments to positions in the classified service within the department...shall be made by the director in charge of that department with the approval of the Town Manager". This is not dissimilar to the appointments of staff for the library, particularly because HR is completely

involved in the hiring process for library employees. The Town Manager, working with HR and with recommendations from the Trustees, also has decided the terms of the offer letter, salary, etc. for the Library Directors that the Trustees have appointed. Section 502 d. also establishes that the Town Manager may remove directors created by the Charter. Section 604 b. also uses the term "may" when establishing that the Trustees "shall" appoint the Director, but "may" remove the Director for established cause. These clauses are not mutually exclusive regarding removal. Happily, it appears that removal has not been an issue in the history of Bloomfield's library.

Again, my fellow Trustees and I greatly appreciate the opportunity to provide commentary and information as part of your Commission's revision process. If you have any questions or wish to request any further research, please know that we will be more than happy to provide information. Thank you.

Ava Biffer
Chairperson,
Bloomfield Public Library Board of Trustees