

**NANUET PUBLIC LIBRARY**  
**GIFTS and DONATIONS POLICY**

A. Gifts and Donations

The Nanuet Public Library (the “Library”) believes that private giving plays an important role in extending and enriching the services of the Library. The Library accepts gifts (including financial securities), in its sole and exclusive discretion, under the terms and conditions set forth below:

1. Unrestricted gifts may be accepted and used in the sole and exclusive discretion of the Library in accordance with this Policy and/or the Library’s Mission Statement, Collection Development Policy, any other relevant planning document(s), and/or as provided by applicable law.
2. Conditional gifts, if accepted by the Library, will be taken on condition that the specific use or restriction requested by the donor is consistent with the mission, goals and objectives of the Library. A conditional gift must be accepted in accordance with the provisions of New York State Education Law Section 257, including, but not limited to, any required vote of the Library’s Board of Trustees (the “Board”). Gifts that may result in ongoing costs to the institution, such as staffing or special maintenance, may require Library Board approval and may be rejected for any reason whatsoever.
3. Any gift, including, but not limited to memorial gifts, bequests through a Last Will and Testament, and/or gifts made in or through a trust, may be refused if an expenditure of Library funds and/or staff time is necessary to make the gift usable. The Library does not guarantee the purchase of specifically identified titles with monetary gifts. Donors do not have the right of approval of titles before purchase; however, donors are encouraged to recommend subject areas if desired.
4. Gifts of books, magazines, tapes, *etc.*, may be accepted with the express understanding that the Library reserves the sole and exclusive right to add them to its collection, or to distribute, store, process, donate, transfer, sell, and/or discard any such gift. Gift materials shall meet the same selection standards as purchased materials. The Library reserves the right to determine the retention, location, cataloging treatment, and other considerations related to the use, maintenance, and/or removal of any gift. The Library reserves the right to reject or otherwise refuse any gift, in its sole and exclusive discretion.
5. All gifts, upon acceptance and receipt by the Library, become the absolute and unconditional property of the Library and cannot be returned to the donor for any reason whatsoever. All gifts, including, but not limited to art objects, portraits, antiques, and other collectibles, if accepted, are received only on condition that the Library is free to make any and all decisions regarding any such gift, and that any such gift may be sold, kept, retained, transferred, given away, discarded, and/or otherwise disposed of, in the

sole and exclusive discretion of the Library, without notification to the donor. n to the donor. The Library will not automatically replace worn or lost gift items.

6. Donors are granted the same right as other members of the public to access and use materials that they have donated (*i.e.*, materials may be accessed during normal business hours after they have been processed, and in accordance with the Library's then-current rules and regulations). It is the Library's policy not to accept materials "on deposit" or "on loan."

7. With respect to a case where the donor of a gift owns a copyright interest in the donated materials, the donor must assign to the Library their entire copyright interest so that the Library may make broad use of the donated materials to advance its mission. In cases where copyright interests are owned by third-parties and/or are not transferrable to the Library, it is understood that the Library may nonetheless use the materials in accordance with applicable copyright law.

8. Staff and Trustees shall not accept personal gifts of any kind from a member of the public or vendors, except for small items having a *de minimis* value, and in such amounts and of such types as may be permitted by applicable law. All other gifts, including tips, must be refused or returned to the sender with an explanation that acceptance of such other gifts or tips is strictly against Library policy.

#### B. Acknowledgement

The Library attempts to acknowledge each gift. A gift will be formally acknowledged if requested by the donor.

#### C. Recognition of Gifts

Library bookplates will be placed in library materials purchased with gift funds, format permitting. Programs and services made possible by gift funds will include recognition of such benefactors in the supporting literature. Recognition of gifts may also be made through the Library's newsletter and/or social media. A plaque may be made to recognize property purchased with gift funds exceeding ten thousand (\$10,000) dollars.

#### D. Language Accompanying Gifts and Donations

The Board reserves the right, in the exercise of its sole and exclusive discretion, to determine whether the language that accompanies any specific memorial gift or donation is appropriate in a public library setting. In making this determination, the Board shall consider all federal and state laws and regulations, including, specifically, those laws and/or statutes which relate to civil rights and non-discrimination. The Board also shall consider standards of acceptability based upon those generally recognized in the Nanuet and Rockland communities to the extent that the Board is able to gauge or recognize such standards.

#### E. Tax Considerations and Valuation

1. The Library cannot advise prospective donors about legal, tax or financial matters. All prospective donors are encouraged strongly to consult with their own legal, tax and/or financial advisors before making a gift to the Library.
2. Donors are responsible for valuing donated property. The Library will not confirm, appraise, value, and/or estimate the value, of any property that has been donated. The responsibility and cost for any such confirmation, appraisal, valuation, and/or estimate, is the sole responsibility of the donor.
3. Donations of items valued at over five thousand dollars (\$5,000) may require an appraisal by a “Qualified Appraiser.” The Library does not pay for such appraisals, nor does it review, validate, and/or authenticate the validity of such appraisals, or otherwise opine as to the value of the donated property. All such appraisals must be completed before the donor’s transfer of the property to the Library.
4. Nothing stated or contained in this Policy: (a) shall be deemed to constitute financial, tax, and/or legal advice; and (b) is intended to be construed, or shall be deemed to create, any right and/or remedy in any third party, including, but not limited to, any donor or any individual affiliated with the Library.

Approved September 21, 2011

Revised June 25, 2015

(Now incorporates policy on Language Accompanying Donations or Gifts)

Further Revised December 23, 2024