

Joint County,
Borough Library

Sept, 9, 1939
Library

A G R E E M E N T

THIS AGREEMENT made this 9th day of September, A. D., 1939, by and between the County Commissioners of the County of Cameron, Commonwealth of Pennsylvania, hereinafter called Commissioners, and the Borough Council of the Borough of Emporium, County of Cameron aforesaid, hereinafter called Borough, witnesseth:

That whereas, the matter of the creation and maintenance of a county library district within the County of Cameron, Commonwealth of Pennsylvania, is to be put to a vote of the people in the manner required by law at the municipal election in the month of November, 1939; and whereas an agreement between the said Council and the said Commissioners is required by law;

NOW THEREFORE, it is mutually agreed that in consideration of the sum of one (1.00) dollar to each in hand paid by the other, receipt whereof is hereby acknowledged, and in further consideration of the mutual covenants and agreements hereinafter set forth it is mutually covenanted and agreed as follows:

1. That a county library district for the County of Cameron aforesaid, shall be created, formed and maintained by the Commissioners in due form according to law within a reasonable time after and in the event of the approval thereof by a vote of the people at the municipal election held in the said county in the month of November, A. D., 1939.

2. That the said Cameron County Library District shall be housed, conducted and maintained in those certain premises situate on the southeast corner of Broad and Fourth Streets in the Borough of Emporium aforesaid, known as the First National Bank Bldg.

3. That title to the aforesaid premises and the aforesaid First National Bank Bldg. shall be and remain at all times vested in the said Council and there shall be and remain at all times

* note that the election, by the people, was after Sept 9, 1939
from mfg'er

County Library District immediately upon the aforesaid affirmative vote of the people. Thereafter each of such tenants including the said Cameron County Library District shall pay for its own gas, water and electricity.

8. That the said Council shall lease to the said Cameron County Library District all of its books, magazines and other literature and all of its records, furniture, shelves and other equipment on a bailment lease for such term as the said Cameron County Library District shall continue in existence. The said lease shall be in the form of a mutual benefit bailment lease and shall include inter alia the following terms and provisions:

(a) A complete inventory of all of the books, records, equipment, etc., therein leased, which inventory shall be made immediately upon the aforesaid affirmative vote of the people.

(b) That the sole rental therefor shall be the faithful performance of the said Cameron County Library District of all of the terms, provisions and conditions and covenants of the said bailment lease.

(c) That the term of the said lease shall be the same as the aforesaid lease of the said premises to the Cameron County Library District.

(d) That all of the aforesaid books, records, equipment, etc. shall at all times be kept and maintained in the said building and the said premises shall be and remain earmarked as the property of the said Council.

(e) All of the other terms, provisions, conditions and covenants of the said lease may be changed from time to time during the term thereof by agreement by and between the said Council and the said Cameron County Library District.

A form of mutual benefit bailment lease shall be prepared by the Solicitor for the said County and approved and agreed to by and between the said Council and the Commissioners immediately after the aforesaid affirmative vote of the people.

9. The said county shall annually levy a tax throughout the County of Cameron including the Borough of Emporium of no more than permitted by law and in such form as required by law for the maintenance and continuance of the said Cameron County Library District. That the borough shall no longer levy any library tax beginning with the year 1940. Any and all library tax collected by the said Council and unexpended at the time of the taking effect of this agreement shall be paid over by them to the said Commissioners and by the said Commissioners appropriated for the purposes of the said Cameron County Library District.

10. That the Cameron County Library District shall at all times be managed by a board of seven (7) directors appointed jointly by the said Council and the said Commissioners. The said Commissioners and the said Council shall each have the right to appoint one of its own members to the said Board. All of such appointments shall be made annually on or before the second Monday of January beginning in the year 1940. In the event of the failure of the said Council and the said Commissioners to appoint such Library Board within ten days after the second Monday of January of each year the said Commissioners and the said Borough shall each have the right to appoint three of their own members to the said board, the additional member to be appointed by a majority of the six so appointed by the said Commissioners and the said Borough. In the event of the failure of the said County and the said Borough to make such appointments within twenty days after the second Monday of January of each year the entire board shall be appointed by the County Superintendent of Schools of the County of Cameron aforesaid. The said Library Board shall have control of the receipts and disbursements of the funds of the said Cameron County Library District as trustees, whether such funds may be taxes or contributions received from the Commonwealth of Pennsylvania or otherwise; and the said Board shall account to the Commonwealth

1. Councilman
2. Commissioner
3. County Treasurer (by Commissioners)
4. Down County (by Commissioners)
5. Borough School Districts (by Council)
6. Borough out debt? (by Council)
7. At large (short term) by Council

Does not give Borough the right to appoint

3 Councilman or 3 Commissioners?