

**GREAT NECK LIBRARY  
MINUTES OF THE  
SPECIAL BOARD OF TRUSTEES MEETING  
AUGUST 27, 2013 AT 7:00 P.M.**

A Special Meeting of the Great Neck Library Board of Trustees was held on Tuesday, August 27, 2013, in the Community Room of the Great Neck Library, 159 Bayview Avenue, Great Neck, NY 11023. [Agenda attached]

The following Trustees were present constituting a quorum:

Marietta DiCamillo – President  
Francine Ferrante Krupski – Vice President  
Varda Solomon – Secretary  
Josie Pizer – Treasurer  
Joel Marcus – Assistant Treasurer  
Michael Fuller – Assistant Treasurer [Arrived at 8:00 p.m.]  
Janet Nina Esagoff

Also present:                    Laura Weir – Interim Director  
Absent:                            Neil Zitofsky – Business Manager

**Executive Session**

On motion by Josie Pizer and seconded by Joel Marcus, the Board voted to go into Executive Session at 7:00 p.m. in the Multi-Purpose Room of the Main Library to discuss additional administrative temporary personnel and other staff related matters.

On motion by Josie Pizer and seconded by Francine Ferrante Krupski, the Board came out of Executive Session at 7:45 p.m.

**Call To Order**

President DiCamillo called the public meeting to order at 7:55 p.m.

**Appointment of Construction Attorney**

**Upon motion by Janet Nina Esagoff, seconded by Varda Solomon, and after discussion, it was,**

**RESOLVED**, that the Great Neck Library Board of Trustees authorize the engagement of Charles W. Segal of the firm of Jaspan Schlesinger, LLP, as Construction Attorney for the Main Building renovation project at the firm’s “municipal rate” of \$295 per hour for Partners of Counsel, \$250 per hour for Associates and \$125 per hour for Law Clerks and Paralegal Assistants to be charged to the Main Building and Special Services fund.

**VOTE:** Yes – 6 (DiCamillo, Nina Esagoff, Ferrante Krupski, Marcus, Pizer, Solomon)  
**MOTION CARRIED UNANIMOUSLY**

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## **Financial Advisor Contract**

**Upon motion by Josie Pizer, seconded by Joel Marcus, and after discussion, it was,**

**RESOLVED**, that the Great Neck Library Board of Trustees renew the contract between the Great Neck Library and Munistat Services, approved at the June 23, 2009 Board of Trustees meeting, for the firm to serve as the Library's financial advisor for the renovation of the Great Neck Library Main Building project for a fee not to exceed the lesser of \$22,500 or .25% of \$10.4 million the par amount of the bonds. Such fees to be charged to the Main Building and Special Services fund.

*Trustee Michael Fuller entered at this point.*

**VOTE:** Yes – 7 (DiCamillo, Nina Esagoff, Fuller, Ferrante Krupski, Marcus, Pizer, Solomon)  
**MOTION CARRIED UNANIMOUSLY**

**President DiCamillo introduced Attorney Charles Segal and Financial Advisor Noah Nadelson.**

## **Presentation of Cost Estimates**

Dominick Calgi of Calgi Construction Management and the Library's Owner's Representative for the project explained that his role is to look at the project with a fresh set of eyes from a standpoint of materials and labor estimates based on his experiences with the numerous library projects he has done over the years. He was provided Option 7 Plan and, based on these along with his visual inspection, he determined the cost estimates.

The project is broken down into Infrastructure, Site Development, Renovation and Construction keeping in line with the way the architect had broken it down originally. Mr. Calgi's preliminary estimates came in at \$600,000 above the original cost estimates for those four line items. One of the biggest increases is in the infrastructure line item for pointing and pressure washing from \$75,000 to \$100,000. There is a possibility that joints can become loose during this process and an amount should be in the budget in the eventuality that this should happen. Another similar situation is the roof. When the roof replacement was originally budgeted, there was no asbestos report. When he came on board, there was an asbestos report so the unit price for the removal of the roof was increased by another \$90,000.

In the renovation, the project was broken down into unit prices for light, medium, heavy and super renovation. For the most part he is in agreement with the unit prices but felt that the heavy renovation should be increased by another \$25 per sq ft. These are the main reasons for the increase over the original budget. In addition, there are also the normal contingencies.

Based on \$600,000 plus the construction contingencies he added an escalation of 3% per year for professional fees, architect fees, owner's representative fees, consultant fees, budgeting for permits, library relocation and storage. His budget came up to \$11.6 million. He met with the Building Advisory Committee (BAC) last week and walked them through the numbers. He is committed to hold to the \$10.4 million bond referendum and his role is to work with the architect

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and the BAC to get this project to \$10.4 million. It may be a change of scope, or more investigation to verify some of his assumptions.

**Public Comment:**

**Carol Frank – What contingency percentage is being recommended?**

*The BAC had done a lot of pre-work and based on the architect's original estimates, he is confident 5% is workable.*

*President DiCamillo also stated that there is over \$900,000 in the Main Building and Special Services fund as well as an additional \$200,000 in surplus after the audit for fiscal year ended June 30, 2013 was done that could be utilized. Also, several members of the public have committed to a fundraising campaign and there are also grants available. With this in mind, the decision was not to raise the bond amount.*

**Ralene Adler – One of the overriding principles is the united community effort to restore the library and to recognize the efforts of the Board. She is optimistic there will be resources and careful accounting for every penny. The architects have been outstanding and hopefully this will put an end to the 15-year journey.**

Mr. Calgi also stated that another factor is that although this is a public project, the Board does not have to abide by the Wicks Law in dealing with multiple contractors but a single contractor which will result in cost savings.

**Margery Binder – If everything goes smoothly and the construction begins in March or April, what are the legal constraints with what you can do with any savings incurred on a budget that has already been adopted and passed?**

*President DiCamillo responded that with the audit for the fiscal year ended June 30, 2013, there is a surplus and funds will be reallocated to different lines of the budget but with emphasis on the Main Building and Special Services line. She pointed out that the construction is expected to start in November 2014 and not in the Spring.*

**Margery Binder – How would this affect the proposed line-item budget for next Spring knowing that the library will not be open for a part of the year?**

*President DiCamillo stated that she was not sure but the professionals, staff and Finance Committee will make recommendations.*

*Trustee Pizer added that as we get closer we will get a better idea. When the building is closed, savings will be generated from utilities, etc.*

Mr. Calgi stated that once the bond is approved and the architect is given the go ahead to do preconstruction work, the schematic design stage will start and then a complete itemize budget is done to see if still they are on target with the budget and adjust accordingly. The next phase is the design development and at that time a final construction budget is done before going out to bid. There is a series of checks along the way to make sure the budget stays on target.

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## **BAC Recommendation**

**Upon motion by Joel Marcus, seconded by Varda Solomon, and after discussion, it was,**

**RESOLVED**, that the Great Neck Library Board of Trustees accept the revisions to the July 23, 2013, resolution to approve Option 7 Plan wherein KG&D Architects and other professionals under contract with the Library were directed to complete the necessary work to prepare for the referendum on November 19, 2013, by changing the words *with an estimated budget of \$10.4 million* to *with a bond amount of \$10.4 million*.

**VOTE:** Yes – 7 (DiCamillo, Nina Esagoff, Fuller, Ferrante Krupski, Marcus, Pizer, Solomon)  
**MOTION CARRIED UNANIMOUSLY**

## **Bond Process**

Noah Nadelson, Vice President of Munistat Services and the Library's financial advisor, was invited to discuss the bond process.

He stated that it is a little premature to go into the entire process for the average cost to the household before the referendum but he agreed with the numbers that Business Manager Zitofsky provided.

He gave a general overview as to what is expected post referendum. The Library can't issue bonds itself. The Library Board has options for financing by either the Dormitory Authority of the State of New York (DASNY), Town of North Hempstead's Business, Tourism & Development Corporation (BTDC) or local banks. The best option is DASNY or BTDC over bank loans which are taxable. DASNY will not approve an application pre-referendum. The BTDC is happy to entertain any application but there is no work to be done until after the referendum has passed. After the referendum, applications are sent to the conduits as the library does not have the ability to issue tax exempt bonds on its own. He will assist in finding a lender, working with conduits in preparing official statements. The Library will need to apply for rating from one of the rating agencies.

As we get closer to the referendum, he will propose an actual timeline of events of the whole process from the time the referendum is passed. When the bonds are actually issued will depend on the cash flow needs of the project. Hypothetically, if construction starts in November 2014, bonds might be issued in June or July. We will have to work around Board schedules for DASNY and the BTDC for approving the financing and they have their own notices they have to do. The process takes about three months from start to finish. The Board would have to authorize someone to execute documents on their behalf and not have to wait for a Board meeting. He offered to sit with the Board one evening to discuss the process.

Trustee Solomon added that the last time around Mr. Nadelson had pointed out that the actual interest rate will not be known until the bond is actually sold. But the number in the referendum language is the maximum interest rate – worst case scenario.

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**Public Comment:**

Marianna Wohlgemuth – **could the Library bond under the domain of the Great Neck School District? Is there a difference in fees between the DASNY and the BTDC?**

*It cannot because the Library is a Free Association and not a School District Library. There is a difference in fees.*

Carol Frank – **The Town of North Hempstead had recently received their status as a conduit prior to the Library’s previous referendum, do they now have the experience?** *They do have the experience. Mr. Nadelson will do a cost comparison by sending out a request for proposal to the various underwriters in order to get the best rate for the library. DASNY and the BTDC were shown the language of the referendum and they all want to help the Library.*

Carol Frank – **the Library needs an agency with the cash flow so the Library does not get into problem with its vendors.**

**Policy Matter**

President DiCamillo handed out a sample policy for safety during construction obtained from BOCES that she asked the Policy Committee to work on so the Library can have a policy in place. This policy would authorize an individual to execute documents on behalf of the Board of Trustees instead of waiting for the Board to meet to take action.

**Referendum Language**

**Upon motion by Varda Solomon, seconded by Michael Fuller, and after discussion, it was,**

**RESOLVED**, that the Great Neck Library Board of Trustees hereby authorize the improvements and alterations to the Great Neck Library main building located at 159 Bayview Avenue, Great Neck, New York (the “Project”) substantially as described in the Option 7 Scope of Work by KG&D Architects, adopted by the Great Neck Library Board of Trustees on July 23, 2013, which is available for public inspection at the office of the Director of the Library, and on the Library’s website, such project consisting of; roof, window and door replacements; interior space reconfiguration; and update to the infrastructure - mechanical, plumbing, electrical system, and masonry improvements; all of the foregoing to include the original equipment, furnishings, machinery, apparatus and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated maximum cost of \$10,400,000.00 plus any additional amounts received by the Library in connection with the financing of the project, including but not limited to bond sale premiums, investment income on bond proceeds and any amount necessary from the Library’s Main Building and Special Services Fund to complete the Project and to so advise the Great Neck Public School District to insert the foregoing language of this resolution into the Proposition language that

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will be submitted to a vote by the qualified voters at a Special District Meeting of the Great Neck Public School Board of Education on November 19, 2013.

“I further move that the Great Neck Library Board of Trustees is hereby authorized to finance such cost by borrowing an amount not to exceed \$10,400,000.00 from the Dormitory Authority of the State of New York, (the “Dormitory Authority”), or the Town of North Hempstead Business and Tourism Development Corporation, in either case consisting of proceeds of tax-exempt or taxable bonds issued by such issuers, or by borrowing such amount from other lending institutions and to so advise the Great Neck Public School District to insert such amount into the Proposition language that will be submitted to a vote by the qualified voters at a Special District Meeting of the Great Neck Public School Board of Education on November 19, 2013.”

I further move that the Great Neck Library Board of Trustees (i) hereby authorize and direct the Great Neck Public School District as the appropriate taxing authority to levy therefor a tax payable in annual installments not to exceed \$875,000 per year, which annual installment of the tax shall be in addition to the amount presently raised annually by tax for the Library’s annual appropriations, over a maximum period of twenty (20) years for the payment of all principal, interest, redemption premiums, if any, and expenses relating to the financing of the cost of the Project; (ii) to assign and pledge all of said tax to the Dormitory Authority, the Town of North Hempstead Business and Tourism Development Corporation or other lending institution(s); and (iii) to enter into mortgages, loan agreements and any other agreements and/or to take any and all other actions incidental or necessary to the completion of the Project and the financing thereof, and to so advise the Great Neck Public School District to insert the foregoing language of this resolution into the Proposition language that will be submitted to a vote by the qualified voters at a Special District Meeting of the Great Neck Public School Board of Education on November 19, 2013.

**VOTE:** Yes – 7 (DiCamillo, Nina Esagoff, Fuller, Ferrante Krupski, Marcus, Pizer, Solomon)  
**MOTION CARRIED UNANIMOUSLY**

## **Creation of a New Fund – Patio Garden**

**Upon motion by Michael Fuller, seconded by Francine Ferrante Krupski, and after discussion, it was,**

**RESOLVED,** that the Great Neck Library Board of Trustees hereby authorize the creation of a new fund within the Restricted Gift fund group to be called the ‘Patio Garden’ for the purpose of creating a patio garden during the renovation of the Main Building; such funds will come from public donations solely for this purpose.

### **Public Comment:**

Marianna Wohlgemuth – **will donations be specific to the patio garden,; and why not make it a general fund; and what are the plans to publicize this fund. A part from public**

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**acknowledgment, will there be plaques?**

*At this point the contributions are specific to the Patio Garden and we will continue general fundraising. The fund started with specific donations from individuals who asked for these donations to be earmarked for the Patio Garden.*

*The committee will meet and will have an outreach program and use some of the same mechanics as email blasts currently being utilized as well as other media to advertise the fundraising. President DiCamillo pointed out that one more trustee is needed for the fundraising committee. A member of the public – Norman Rutta – has volunteered to be on the committee. As soon as all the members are in place, the committee will begin meeting.*

President DiCamillo then read the following statement: *“On behalf of Maxine and Joel Marcus, in recognition of their 50<sup>th</sup> wedding anniversary, this donation of \$400, which is the first donation to the new Patio Garden Fund, is being given by Varda Solomon, Josie Pizer, Marietta DiCamillo and Fran Krupski in their honor. Congratulations to Joel and Maxine again – may you have many, many more years of happiness.”*

The previous Library Director Jane Marino had done some research on naming rights which the Board President has in her possession and she asked the Policy Committee to look into it.

**VOTE:** Yes – 7 (DiCamillo, Nina Esagoff, Fuller, Ferrante Krupski, Marcus, Pizer, Solomon)  
**MOTION CARRIED UNANIMOUSLY**

**Temporary Staff**

**Upon motion by Francine Ferrante Krupski, seconded by Joel Marcus, and after discussion, it was,**

**RESOLVED**, that the Great Neck Library Board of Trustees appoint Technical Services Librarian Christine Johnson as temporary Assistant Director with a \$7,000 annualized salary increase effective September 2, 2013. Ms. Johnson’s temporary status shall be for a one year period or until the appointment of a Library Director, at which time she will revert to her former position as Senior Librarian in the Technical Services Department at her regular salary as was negotiated under the Collective Bargaining Agreement. This will also authorize the Interim Director to review and execute a letter of agreement including the approved job descriptions upon review by legal counsel.

The original motion was amended to include “up to a year or until the appointment of a Library Director, whichever is sooner.” The amended motion now reads:

**RESOLVED**, that the Great Neck Library Board of Trustees appoint Technical Services Librarian Christine Johnson as temporary Interim Assistant Director with a \$7,000 annualized salary increase effective September 2, 2013. Ms. Johnson temporary status shall be up to a year or until the appointment of a Library Director whichever is sooner, at which time she will revert to her former position as Senior Librarian in the Technical Services Department at her regular salary as

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was negotiated under the Collective Bargaining Agreement. This will also authorize the Interim Director to review and execute a letter of agreement including the approved job descriptions upon review by legal counsel.

Public Comment: Ralene Adler, Daniel Nachmanoff, Justin Crossfox, Margery Binder

**VOTE:** Yes – 7 (DiCamillo, Nina Esagoff, Fuller, Ferrante Krupski, Marcus, Pizer, Solomon)  
*MOTION CARRIED UNANIMOUSLY*

## Open Time

Margery Binder – **asked for clarification on the criterion for a Special Board meeting versus a regular Board meeting. She wrote a letter to the Board which will be placed on the September agenda. In that letter, she wanted to know if the Board had finalized its decision regarding the physical relocation of the Library and the cost and would this be made known before the referendum vote. She is concerned about the uncertainty of the cost which to her understanding were not included in the \$10.4 million.**

*President DiCamillo stated that relocation is not yet final. There are some expenses for relocation included in the \$10.4 million, but some of the costs can come from the Main Building and Special Services fund. The Board will not be renting a storefront but will use the resources of the School District, the Park District, the Villages and our branches.*

*Trustee Solomon pointed out that after the referendum vote, if passed, there will be six to twelve months before the construction actually begins and the Board will have a better estimate of the cost. Weeding will be completed and material has to be accessible to the community. The Relocation Committee is working on this.*

Daniel Nachmanoff – **curious to know if the Board received any feedback from the public on the design plans and were there any suggestions for changes. He also said that the Park District is glad to help in any way it can within its framework. Some of the Library’s programs can be held at Great Neck House. He suggested renting a store front on Middle Neck Road with a lot of parking in the back of the store. The commissioners had a good discussion with Trustees Marcus and Solomon.**

*President DiCamillo responded that there was feedback. One gentleman at last night’s public meeting had concerns about the safety of the parking lot.*

*Trustee Solomon thanked Commissioner Nachmanoff and the other Park Commissioners for meeting with them even changing the time of their meeting from the day time to the evening to accommodate them.*

Trustee Ferrante Krupski announced the next Relocation Committee meeting as Thursday, September 19 at 7:15 p.m. at the Station Branch.

Marianna Wohlgenuth – thanked Ethan Mann for the delightful production of Levels performance of “The Producers”.

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## **Adjournment**

The meeting was adjourned at 9:15 p.m. on motion by Josie Pizer and seconded by Francine Ferrante Krupski.

Respectfully submitted,

Varda Solomon  
Secretary, Board of Trustees