

**GREAT NECK LIBRARY
MINUTES OF THE
BOARD OF TRUSTEES MEETING
Wednesday, September 23, 2009, at 8:00 p.m.**

A regular meeting of the Great Neck Library Board of Trustees was held on Wednesday, September 23, 2009, 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:

Martin Sokol – President
Andrew Greene – Vice President
Janet Eshaghoff – Secretary
Marietta DiCamillo – Treasurer
Anna Kaplan – Assistant Treasurer
Varda Solomon – Assistant Treasurer
Josie Pizer

Also present:

Jane B. Marino – Director
Laura Weir – Assistant Director
Neil Zitofsky – Business Manager

CALL TO ORDER

The meeting was called to order at 8:15 p.m. by President Sokol, who apologized for the late start.

MINUTES

Upon motion by Janet Eshaghoff, seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees approve the Minutes of the regular meeting of June 23, 2009, and the special meetings of July 16, 2009, and September 9, 2009, as presented.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

TREASURER'S REPORT – PERSONNEL REPORT

During the month of June 2009, revenue received was \$999,803. Total expenses were \$641,711. During the month of July 2009, revenue received was \$9,028. Total expenses were \$892,494. During the month of August 2009, revenue received was \$7,939. Total expenses were \$514,256.

At the close of business, August 31, 2009, total operating fund holdings were \$2,953,408. Of these funds, \$1,903,452 was on deposit at HSBC, \$1,047,176 was on deposit at Chase Bank, and \$2,780 was on hand in Petty Cash funds at Main and the Branches. This compares to an August 31, 2008, balance of \$2,398,481.

Additionally, the cash balance of the Main Building and Special Services fund was \$981,601; the Automated Library fund was \$162,311; the Restricted Gift fund was \$375,254; the Branch and Special Services fund was \$165,418. These funds totaled \$1,684,583.89 on August 31, 2009. The August 31, 2008, total was \$2,264,357.

Upon motion by Marietta DiCamillo, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees accept the September 22, 2009, Treasurer's Report with the Personnel Changes of June 11, 2009, through September 18, 2009.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Warrants

Upon motion by Marietta DiCamillo, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the Treasurer, who has reviewed all checks and supporting documentation, to pay the persons named in the Warrant dated June 11, 2009, through July 21, 2009, Paid Checks numbered 0027312 through 0027317, 0027363 through 0027367, 0027423 through 0027427, 39298 through 39327, and To-Be-Paid Checks numbered 39328 through 39457, the sums set against their respective names, amounting in the aggregate to \$420,879.89.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Upon motion by Marietta DiCamillo, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the Treasurer, who has reviewed all checks and supporting documentation, to pay the persons named in the Warrant dated July 22, 2009, through August 26, 2009, Paid Checks numbered 0027477 through 0027483, 0027529 through 0027533, and 39458 through 39480, and To-Be-Paid Checks numbered 39481 through 39630, the sums set against their respective names, amounting in the aggregate to \$759,423.83.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Upon motion by Marietta DiCamillo, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the Treasurer, who has reviewed all checks and supporting documentation, to pay the persons named in the Warrant dated August 27, 2009, through September 18, 2009, Paid Checks numbered 0027579 through 0027584, 0027628 through 0027634, 39631 through 39638; and To-Be-Paid Checks numbered 39639 through 39753, the sums set against their respective names, amounting in the aggregate to \$298,142.53.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Payroll Warrants

Upon motion by Marietta DiCamillo, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees accept the Payroll Warrants for pay dates August 13 and August 27, 2009, which have been reviewed by the Treasurer, in the amounts of \$172,299.51 and \$175,817.52 respectively, for a total of \$348,117.03.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

REPORTS

Secretary

Below is the text of the report of Trustee Eshaghoff, Secretary of the Board of Trustees:

The Nominating Committee released the names of its candidates to fill two seats on the Board of Trustees and two seats on the Nominating Committee.

For the Board of Trustees, they have endorsed Marietta DiCamillo to fill the seat currently encumbered by Marietta DiCamillo, and Martin Sokol to fill the seat currently encumbered by Martin Sokol.

For the Nominating Committee, they have endorsed Naomi Feldheim to fill the seat currently encumbered by Naomi Feldheim and Michael Fuller to fill the seat currently encumbered by Barton Sobel. However, Naomi Feldheim has withdrawn her candidacy because the Library's bylaws state that "members of the a

Nominating Committee shall not be eligible to hold elective office for consecutive terms.” Therefore, the Board of Trustees will make an appointment to fill her seat for a one-year term which will expire January 2011.

This election is uncontested. Biographical information for all the candidates can be found on the Library’s website at www.greatnecklibrary.org or in the September/October issue of the Library’s newsletter. Copies are available at all four library locations.

Building Committee

The reports of the Building Committee meetings of June 25, 2009 and August 11, 2009, are appended to these Minutes.

In addition to his written report, Trustee Greene stated that the Building Committee, from now going forward, is taking a back seat to special meetings of the full Board with respect to the building project.

The Board then scheduled tentative building related meeting dates for 7:30 p.m. on October 19, October 29 and November 10. Parkville will host the November 10 meeting (Parkville School auditorium should be requested), and the other two meetings will be held in the downtown Great Neck area serving the Lakeville and Station Branches, and at the Main Library. Post cards listing all three dates will be mailed to residents informing them of these meetings.

A fact sheet with frequently asked questions to provide basic facts regarding the building program is being prepared by the Library Director, the architect, and the construction manager. The architect and construction manager, and hopefully the environmental consultant, will be present at these meetings.

Trustee Greene called for motion to vote on the fact sheet. Trustee DiCamillo objected on the grounds that there were questions she had at the last Board meeting concerning the size and cost which were not answered. The Director informed her that the numbers have now been reconciled and the discrepancy was the result of the mezzanine being measured where it did not exist. The number is now 60,000 sq ft. She apologized for not providing Trustee DiCamillo with these revisions before but she would do so and also the site plan document on the website will be revised to reflect these changes.

Director Marino asked that Trustees send their revisions for the fact sheet to her no later than October 9 since it had to be printed and be ready for the special building related board meetings.

Upon motion by Andrew Greene, seconded by Varda Solomon, and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees approve the Frequently Asked Questions fact sheet prepared by the Library Director for distribution for the public subject to future revisions.

Public Comments: Norman Rutta, Shirley Samansky, David Kahn, Ralene Adler, Leslie Kahn

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Trustee Greene requested a Building Committee meeting at 7:00 p.m. on October 19 prior to the special Board meeting. The purpose of this meeting is to discuss zoning counsel. The Committee will then make a recommendation to the Board. He instructed the Director to obtain a third proposal if possible. He also informed the Board that based on research and discussions he has had with other attorneys, there is a possibility to circumvent the formal process of going for a variance through a waiver process that would not require the Library to adhere to the strict requirements to present its case to the Board of Zoning and Appeals at the Town of North Hempstead. So, it is important for the attorney to be on board to provide direction on whether we can go ‘waiver’ or full application.

There was discussion on whether or not the proposed plans will be renamed as was suggested by a member of the public at the last Board meeting. Trustee Solomon indicated that the Board had talked about this, but renaming them now in the communication process might cause confusion for some people. Going forward, the plans will be referred to as Plan A: Gut Renovation, Plan B: Largest Option, Plan C: Smaller Version of Plan B.

Trustee Greene promised he will raise the issue with the architect.

Long Range Planning Committee

Report is attached.

In addition, Trustee Pizer, Chair of the committee, reported that the committee met twice. It is a requirement of the State that every five years the Library put together a long range plan to take a look at the processes and procedures to find out if they are still relevant or they need changing. The Director convened an ‘Ad Hoc’ committee comprised of members of staff and the Director. Trustee Pizer was invited as an ex-officio member. The committee looked at the old long range planning document and made many revisions. That document was presented to the Long Range Planning Committee which subsequently made more revisions to that document. Each objective in that document must have some kind of measurement and hopefully a draft will be ready between 6-8 weeks for public discussion and suggestions. This has to be submitted to the State by the end of the year.

President Sokol, on behalf of the Trustees, thanked Trustee Pizer for her part in arranging meetings with the new school superintendent.

Assistant Director

Report is appended to these Minutes:

Assistant Library Director Laura Weir added that the new sign is now in place in the window at the Lakeville Branch Library and the word “Library” is written in various languages.

Director

The Director’s Report is attached to these Minutes.

Trustee DiCamillo requested of the Director to get more information from Jackie Thresher, Director of the Nassau Library System, concerning legislation on consolidation of governments as mentioned in her July 27, 2009 Director’s Report. The Director promised to get her more details.

Director Marino attended CPLA Course given by the Public Library Association, a division of the American Library Association. The subject was planning and maintaining library buildings. A lot of it was about renovation of buildings and she learned some very useful information about maintaining building – maintenance checklist and budget – which she is happy to share with the Board.

She also, along with Laura Weir, attended the Legislative Breakfast, and Senator Craig Johnson was there. One of the things Jackie Thresher brought up was that the State was not forthcoming with the funds to Nassau Library System. However, they have now learned that the first funds would be released on October 1, another on November 1, and the third on December 1. NLS will be getting all the money due to them by the end of the year as a result of the concerted efforts of librarians and advocates in the County who contacted their legislators to release the money they had promised.

OLD BUSINESS

FOIL Denial Appeal

Upon motion by Anna Kaplan and seconded by Andrew Greene and after discussion, it was,

RESOLVED, move that the Board of Trustees of the Great Neck Library take from the table Ralene Adler’s request for the Board to postpone their vote pending a response from the New York State Committee on Open Government.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Upon motion by Janet Eshaghoff and seconded by Josie Pizer and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library deny the appeal of Ralene Adler for access to certain library records as outlined in her letters dated May 25, 2009, and July 8, 2009, and the Library's responses dated June 16, 2009, and August 12, 2009 respectively.

Trustee DiCamillo stated that she has given the matter a good deal of thought and that the Public Officers Law and Freedom of Information Law are very near and dear to her. When she read the correspondence back and forth between the individual and the Board, the reasons for denial as intra-agency and inter-agency documentation gave her great concerns. She emailed the Board for clarification on their position of intra-agency and inter-agency, and did not receive a response. She then called the Committee on Open Government and asked what constitutes inter-agency and intra-agency. She was directed to an article within the Freedom of Information Law which addresses this. She read that portion as follows:

Statistical or factual tabulations of data; Instructions to staff that affect the public; Final agency policy determinations; or external audits, including but not limited to audits performed by the comptroller and the federal government; and other items and these are pertinent exceptions.

She alleged that one of those documents denied is not an exception and would be deemed foible. She was uncomfortable with voting to deny these documents as intra-agency and inter-agency records since she has not seen the documents that were denied. She asked to provided with a list of those documents that were denied as well as the documents requested in the September 2 FOIL application [September 2 FOIL request denial is not on tonight's agenda but will appear on the October 20 Agenda].

Trustee Varda Solomon asked if there were any members on the Board who felt that they were making decision without being provided with sufficient information in light of the fact that such documents were discussed by the Board and legal opinion was sought.

Director Marino said that the denial was based on legal opinion and that she would be happy to provide documents for the September 2 FOIL.

Ralene Adler in speaking to her denial said that there are other venues available to address this matter – the Legislature and the Court of Public Opinion.

Trustee Greene called the question and a vote was taken

Public Comments: Norman Rutta, Elizabeth Allen, Ralene Adler, Barbara Zeller

VOTE: Yes – 6 (Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
No – 1 (DiCamillo). *MOTION CARRIED*

Environmental Consultant

Upon motion by Andrew Greene and seconded by Varda Solomon and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees approve that Kim Gennaro of VHB Engineering, Surveying and Landscape Architecture, P.C., begin the process of environmental work for the building expansion and renovation project as soon as possible in order to obtain the necessary environmental clearances from the State of New York.

The Director explained that the Environmental Consultant is reluctant to go forward as she is waiting for the Board of Trustees to make a decision concerning the size of the footprint which would directly impact on her work. Whatever work the environmental consultant would be doing would be applicable to whatever schematic the Board chooses. If she does her work based on the big scheme, then it would be easier for her to scale back rather than getting permission on smaller footprint and then have to expand after Board makes the decision. The environmental process takes a long time.

There were questions regarding whether this would cost more money going with the larger plan and if so how much, and what is the final product she will be providing. Her contract involves getting a letter of non jurisdiction from the DEC, zoning work and traffic study. After much discussion, Trustee Greene suggested modifying the motion to limit her activities to matters that would be utilized in all of the proposed schemes. The suggestion was favorable to the Trustees.

Upon motion by Andrew Greene and seconded by Varda Solomon and after discussion, it was,

RESOLVED, that the motion on the table be amended to add the following proviso at the end: *That such services be such as to be applicable to all of the proposed schemes for renovation or expansion.*

There were discussions that square footage is required for filing the application with the DEC. Director Marino explained that the Environmental Consultant described that if larger square footage is attached to the application, it does not necessarily mean a commitment to that square footage. Trustee Greene reinforced that the Environmental Consultant is only being authorized to begin the work which does not include filing the application. The Director was instructed to direct Ms. Gennaro that the Board is to be advised prior to any filing of application with the DEC.

Public Comments: Marianna Wohlgemuth, David Kahn, Leslie Kahn, Ralene Adler, Norman Rutta, Mike Zarin, Jean Pierce, Mike Currie, Unidentified Lady

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Building Meetings Mailing

Upon motion by Anna Kaplan and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, the Great Neck Library Board of Trustees authorize the Library Director to print and mail information to the public about upcoming building meetings in October and November. These funds will be taken from the Main Building and Special Services fund in an amount not to exceed \$4,000.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

At this point, President Sokol asked for the changing of the date of the November 24 Board meeting but after a date convenient for all the Trustees could not be reached, it was agreed to let the November 24 date stand. President Sokol will not be at this meeting.

NEW BUSINESS

Excess Equipment

Upon motion by Varda Solomon and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees declare the items listed on the appended schedule dated September 3, 2009, excessed and authorize the Director to dispose of same in an appropriate manner.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Upon motion by Janet Eshaghoff and seconded by Andrew Greene and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees declare the Minolta RP605Z, serial No 3611452, microfilm reader/printer excessed and authorize the Director to dispose of same in an appropriate manner.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Donation Acceptance

Upon motion by Josie Pizer and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees accept the donation in the amount of \$100 from Ina Lane in memory of Harriet Bernstein.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Zoning Counsel

This was discussed under the Building Committee Report [see page 5].

Model Cover

The director sought permission from the Board to purchase a frame and acrylic cover for the model of the proposed schematic of the renovation/expansion project for public view. The cost would be \$950 plus \$250 for delivery, totaling \$1,200. The Board was uncomfortable in spending so much money for this. Trustee Kaplan volunteered to call a few places and get some bids.

Purchase of Public Computers

Upon motion by Andrew Greene and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees approve the purchase of 55 public use computers at a total cost of \$20,900 to be charged to the Computer Hardware line of the 2009 operating budget.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Ad Hoc Committee

Upon motion by Josie Pizer and seconded by Andrew Greene and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees grant permission to Josie Pizer to investigate creating an “Ad Hoc” committee to assist in the review

and the creation of a final long range plan document; and the members of this “Ad Hoc” committee are to be 7-11 members of the public.

A release would be placed in the library newsletter inviting anyone who is interested in being a part of this committee.

VOTE: Yes – 7 (DiCamillo, Eshaghoff, Greene, Kaplan, Pizer, Sokol, Solomon)
MOTION CARRIED UNANIMOUSLY

Station Branch

Trustee Eshaghoff reported that the lease of the Station Branch is up for renewal in January 2010. The landlord appears to be unwilling to negotiate rent notwithstanding depressed real estate market conditions. She, along with the Director, and the Branch Committee, have been investigating a new space for the Branch, located on Middle Neck Road in Great Neck Estates, several blocks north from the present location. This property, which has 500 square feet more public space and 500 square feet for storage downstairs, will cost approximately 50% less in rent than the current space now occupied by the Station Branch. There is municipal parking in the back which is metered. She suggested offering vouchers paid for from the savings from the rent as well as negotiating with the mayor. The next step would be for the Board to move forward and the Library attorney start negotiating with the prospective landlord.

In responding to a member of the public cautioning about conflict of interest, Trustee Eshaghoff disclosed that she is a licensed realtor, and she had already emailed the Director and the Branch Committee prior to their investigating and or pursuing the new site that she was renouncing any role in procuring the site, getting any type of compensation, i.e. commission, as a broker, and that a particular commercial broker was consulted to inform the Board as to comparable properties in the area. That third-party broker has the signed exclusive listing on the prospective new property, and would be handling any and all prospective transactions with the Library via its attorney.

At the request of the Committee, the Director had done a two-week survey of the Station Branch users. Of the responses returned, approximately one-third walk, two-thirds drive, and 54% of those who drive also use the Main Library. Trustee Eshaghoff informed the Board that any decision to move the Station branch was only in the very preliminary stages, but the timing and opportunity to make such a move appeared to be optimal.

Public Comments: Ralene Adler

CORRESPONDENCE

Margery Chodosch was not present to speak to her letter of August 12, 2009. Copy of letter and Library’s response are attached to these Minutes.

OPEN TIME

Speaking: Marianna Wohlgemuth, Mike Currie

ADJOURNMENT

The meeting was adjourned at 10:25 p.m. on motion by President Sokol and seconded by Trustee DiCamillo.

Respectfully submitted,

Janet Eshaghoff
Secretary of the Board of Trustees