

**GREAT NECK LIBRARY
MINUTES OF THE
BOARD OF TRUSTEES MEETING
Tuesday, June 21, 2005 at 8:00 p.m.**

The regular meeting of the Great Neck Library Board of Trustees was held on Tuesday, June 21, 2005, in the Community Room of the Great Neck Library, 159 Bayview Avenue, Great Neck, New York 11023. [Agenda attached]

The following Trustees were present constituting a quorum:

Linda Cohen – President
David Kahn – Vice President
Joyce Klein – Secretary
William Morrill – Treasurer
Alice Nayer – Assistant Treasurer
Bette Weidman – Assistant Treasurer
Norman Rutta

Also present: Arlene Nevens – Library Director
Laura Weir – Assistant Library Director
Neil Zitofsky – Business Manager

CALL TO ORDER

President Linda Cohen called the meeting to order at 8:02 p.m.

Trustee Nayer informed the Board that she was asked to do consulting work on a part-time basis for a Library of which she had previously been a director. She has accepted this position which will not conflict with her duties as a trustee at the Great Neck Library.

MINUTES

Upon motion by Joyce Klein, seconded by Bette Weidman, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library approve the Minutes of the Regular Meeting of May 17, 2005, as presented.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

TREASURER'S REPORT – PERSONNEL REPORT

During the month of May 2005, revenue received was \$1,062,307. Total expenses were \$547,749.

At the close of business, May 31, 2005, total operating fund holdings were \$2,703,758. Of these funds \$2,699,438 was on deposit at HSBC and The Bank of New York, and \$4,320 was on hand in Petty Cash funds at Main and the Branches. This compares to a May 31, 2004, balance of \$2,796,696.

Additionally, the balance of the Main Building and Special Services fund was \$1,184,941; the Automated Library fund was \$132,506; the Restricted Gift fund was \$45,959; the Branch and Special Services fund was \$132,237. These funds totaled \$1,495,643 on May 31, 2005. The May 31, 2004, total was \$1,583,187.

Upon motion by William Morrill, seconded by Joyce Klein, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the June 21, 2005, Treasurer's Report with the Personnel Changes of May 14, 2005, through June 16, 2005.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

Upon motion by William Morrill, seconded by Bette Weidman, 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 Check Register dated May 14, 2005, through June 16, 2005, Paid-Checks numbered 0020847 through 0020851, 0020913 through 0020918, 1143 through 1150, and 31700 through 31757 and To-Be-Paid checks numbered 31758 through 31885, the sums set against their respective names, amounting in the aggregate to \$263,091.16.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

Audit

Henry Graber and Don Fischer of Graber & Co. presented the audit for the year which ended December 31, 2004. The Library, which was in full compliance with GASB 34, came within \$5,000 of the budget projection. The numbers represented the excellent financial condition of the Great Neck Library for that year.

Upon motion by Alice Nayer, seconded by Joyce Klein, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the Auditor's report for the year ended December 31, 2004.

Public Comments: Karen Rubin, unidentified gentleman

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)
MOTION CARRIED UNANIMOUSLY.

Budget Reallocation

Upon motion by Bette Weidman, seconded by William Morrill, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the line-item changes to the 2005 Operating Budget as detailed in the 2005 Budget Revision analysis dated June 21, 2005, a copy of which is to be appended to the Minutes of this meeting, as well as to the copy of the 2005 Budget maintained on file for the public at Main and the Branches.

Public Comments: Ralene Adler, Stanley Dacher, Rebecca Gilliar

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)
MOTION CARRIED UNANIMOUSLY.

REPORTS

Director (report attached)

The USA Patriot Act is up for renewal. However, there was legislation that was introduced that would exempt libraries from that act in that law enforcement officers would have to bring in a search warrant or a subpoena before they could come in for an inspection. This was passed by the House and is in the Legislature for finalizing.

For the second time in two years the Great Neck Library has won a grant from the American Library Association to do a series on Mind of Her Own: Fathers and Daughters in a Changing World. Five books will be discussed and a scholar has been arranged to participate. This series will be held in the evenings in the hopes of drawing out the younger population.

The Director spoke to the Landlord of the strip mall where the Lakeville Branch is located and he assured her that he had no intentions of emptying the mall but he is looking to rent where Rite Aid was located. The space where Party Giant was located has already been rented and they are awaiting Town approvals.

There was concern about security of library documents and email. This was the result of a piece of correspondence received at the Library that made reference to an email that was sent to the Director. The Director is concerned about how this email got out, if there was a hacker or some unauthorized person having access to the emails. She is going to look for a consultant to analyze how this happened and to track it. During this discussion, Rebecca Gilliar brought to the attention of the Board that that particular email was found by her and another person in one of

the files in the Local History Collection Room while doing research. She then passed a copy of this email to the letter writer of the correspondence in question. Trustee Morrill directed Ms. Nevens and the Business Manager to check out the cost and report back to the Board to see how email can be made more secure. [amended 9/20/05 - Expert advice was no longer necessary as the document had handwriting and signature.]

Public Comment: Neil Lieberman, Rebecca Gilliar, Stanley Dacher

Policy/Bylaws Committee

Committee Chair David Kahn reported on the Policy Committee meeting of June 6th.

- Book donation policy – the committee agreed to retain the present section 1200 of the policy manual dealing with gifts.
- The Director will, prior to the winter book sale, seek volunteers from the community to assist staff in sorting through all the donations.
- Email policy – the committee in general agreed to add a new section to the policy manual, 200-70, use of email.
- Adoption of a Freedom of Information (FOIL) policy. This was further discussed at the next meeting of the Policy/Bylaws committee on June 21st. Report of the June 21st meeting will be presented to the Board at the next regular meeting.

Public Comments: Ralene Adler

OLD BUSINESS

Main Building Expansion

Upon motion by Linda Cohen, seconded by Joyce Klein, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library take from the table the motion to abandon Plan III as the plan for the renovation and expansion of the Main Building.

Public Comments: Stanley Dacher

VOTE: Yes – 5 (Cohen, Klein, Morrill, Nayer, Rutta); No – 2 (Kahn, Weidman)

MOTION CARRIED.

Upon motion by Linda Cohen, seconded by Norman Rutta, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library abandon Plan III as the plan for the renovation and expansion of the Main Building.

Public Comments: Karen Rubin, Stanley Romaine, Jay Confino, Jo Ann Farley

VOTE: Yes – 4 (Cohen, Klein, Morrill, Rutta); No – 2 (Kahn, Weidman);

Abstention – 1 (Nayer). *MOTION CARRIED.*

Proposed Bylaw Change – Record Date

Upon motion by David Kahn, seconded by Norman Rutta, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library place the following Bylaw amendment to change the Record Date for voting eligibility before the Great Neck Library Association membership for consideration at the October 31, 2005 Annual Meeting/Voting:

Change the Record Date for the Annual Meeting to the 1st Monday of October (Article V,E)

Article V, Section E – All members of the Association on the record date shall be eligible to vote at the Annual Meeting and at any special meeting. The record date for the Annual Meeting shall be 5:00 p.m. of the 1st ~~Tuesday of September~~ **Monday of October** immediately preceding the Annual Meeting. The record date for any special meeting shall be 5:00 p.m. on the 30th day immediately preceding the special meeting.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)
MOTION CARRIED UNANIMOUSLY.

Email Policy

Upon motion by Norman Rutta, seconded by Linda Cohen and after discussion, it was,

RESOLVED that the Board of Trustees of the Great Neck Library add a new section 200-70 to its Policy Manual as outlined below:

The Open Meetings Law is intended to provide the public with the right to observe the performance of public officials in their deliberations. That intent cannot be realized if members of a public body conduct public business as a body or vote by email or phone.

There is nothing in the Open Meetings law that would preclude members of a public body from conferring individually, by e-mail or telephone. However, a series of communications between individual members of telephone calls among the members which results in a collective decision, a meeting held by means of a telephone conference or a vote taken by e-mail would be inconsistent with law. Voting and action by a public body may only occur at a meeting during which a quorum has physically convened.

Allowable uses of email include:

- Communication from the Library Director/President of the Board to Trustees to set up and confirm committee meetings and then to reconfirm the date;
- Periodic updates between Board/Committee meetings from the Library Director/President of the Board to Trustees;
- Background information for committee meetings/discussions from the Library Director/President of the Board to Trustees;
- Follow-up email meetings from the Library Director/President of the Board to Trustees about outstanding issues.

Email between Trustees to discuss outstanding issues is not appropriate.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

Holiday & Sunday Schedule

Christmas and New Year fall on a Sunday. Therefore, the Library will be closed on the Monday in observance of these holidays.

Upon motion by Joyce Klein, seconded by David Kahn and after discussion, it was,

RESOLVED that the Board of Trustees of the Great Neck Library approve the revisions to the Holiday and Sunday Schedule [for September 2005 to August 2006] as attached.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

New York Library Association (NYLA) Conference

Upon motion by Alice Nayer, seconded by David Kahn and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library approve the attendance of two members of the professional staff at the New York Library Association Conference to be held in Buffalo, New York, from October 26-29, 2005, at a cost not to exceed \$2,280 to be charged to the Travel/Conference line of the operating budget.

VOTE: Yes –7(Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)

MOTION CARRIED UNANIMOUSLY.

Trustee Workshop

Upon motion by Bette Weidman, seconded by Alice Nayer and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the Library Director to arrange a Trustee Workshop in September, led by Gerald Nichols, at a cost not to exceed \$350 to be charged to the Trustee Development line of the operating budget.

Public Comments: Ralene Adler

VOTE: Yes – 6 (Cohen, Kahn, Klein, Morrill, Nayer, Weidman); Opposed – 1 (Rutta)
MOTION CARRIED.

Legal Retainer

Upon motion by David Kahn, seconded by Linda Cohen and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library approve the Legal Services Retainer Agreement with Behrens, Loew and Cullen at an annual fee of \$4,000, and an hourly rate of \$175 to be charged to the Legal fees line of the operating budget.

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)
MOTION CARRIED UNANIMOUSLY.

Foil Denial Appeals

Upon motion by Norman Rutta, seconded by Linda Cohen and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the appeal of Ralene Adler for access to certain Library records as outlined in her FOIL request dated April 20, 2005, and the Library's response of May 9, 2005.

Public Comments: Ralene Adler

VOTE: Yes – 6 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta); Opposed – 1 (Weidman)
MOTION CARRIED.

Upon motion by Norman Rutta, seconded by Linda Cohen and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the appeal of Marianna Wohlgemuth for access to certain Library records as outlined in her FOIL request dated April 21, 2005, and the Library's response of May 9, 2005.

Public Comments: Marianna Wohlgemuth

VOTE: Yes – 4 (Cohen, Kahn, Klein, Rutta); Opposed – 2 (Nayer, Weidman);
Abstention – 1 (Morrill). *MOTION CARRIED.*

Excess Equipment

Upon motion by Bette Weidman, seconded by Joyce Klein and after discussion, it was,

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

VOTE: Yes – 7 (Cohen, Kahn, Klein, Morrill, Nayer, Rutta, Weidman)
MOTION CARRIED UNANIMOUSLY.

CORRESPONDENCE (attached)

Rebecca Rosenblatt Gilliar spoke only to her letter of May 12, 2005.

Ralene Adler spoke only to her letter of June 6, 2005.

OPEN TIME

No comments from the public.

ADJOURNMENT

On a motion by David Kahn, the meeting was adjourned at 11:03 p.m.

Respectfully submitted,

Joyce Klein
Secretary