

**GREAT NECK LIBRARY
MINUTES OF THE
SPECIAL BOARD OF TRUSTEES MEETING
AUGUST 9, 2011, AT 8:00 P.M.**

A special meeting of the Great Neck Library Board of Trustees was held on Tuesday, August 9, 2011, in the Community Room of the Great Neck Library, 159 Bayview Avenue, Great Neck, NY 11023, for the purpose of approving the language for the referendum for the Main Building renovation/expansion project. [Agenda attached]

The following Trustees were present constituting a quorum:

Janet Nina Esagoff – President
Anna Kaplan – Vice President
Joel Marcus – Secretary
Varda Solomon – Treasurer
Josie Pizer, Assistant Treasurer
Marietta DiCamillo – Assistant Treasurer
Martin Sokol

Also present:

Jane B. Marino – Director
Laura Weir – Assistant Director
Neil Zitofsky – Business Manager
Bob Goldberg – Legal Counsel (Farrell Fritz, P.C.)
Noah Nadelson – Bond Counsel (Munistat Servces)
Frank Messano & James Wojcik – Park East Construction Corp.

CALL TO ORDER

President Janet Esagoff called the meeting to order at 8:05 p.m. and thanked everyone for coming.

PRESENTATION OF COST ESTIMATES

In December 2009, Park East Construction had presented the Board with a \$22.5 million cost estimates based on Plan D, approved by the Board. At the last special Board meeting, Park East was asked by the Board to rework the numbers in preparation for the referendum vote. The revised number without the ad-alternatives is \$20,754,000. [cost estimates attached]

The reduction was achieved based on several factors – the downward trend of current market conditions, and construction costs, minimal escalation period, as well as reducing some of the contingency amounts. The market is also favorable for bidding and they anticipated that moving forward would be the same.

Built in the budget is a 10% contingency – 5% for design and 5% for construction for unforeseen conditions and also an additional 3% for inflation. The contingency was reduced from 15% to 10% as a result of inflation and construction costs coming down. Expenditure for the project cannot exceed the bond vote, and the design drawings will keep the budget in check.

The Director informed the Board that Dattner would have preferred a 7% instead of a 5% contingency for the design aspect for unknown elements. Park East still felt that 5% was adequate. The Board did not take any action on this.

There were no changes in the soft costs which are part of the project and are reimbursable once the Library starts drawing down on the bond proceeds. The Board can choose not to be reimbursed from the proceeds and this would reduce the amount of the bond.

The project will be Leed Certified. Once the referendum passes, the level of Leed Certification – platinum the highest, gold, and silver being the lowest – will be determined and the kind used will affect the overall cost of the project.

Trustee DiCamillo stated that she had written to the Building Commissioner Mike Levine who informed her that the site plan approval was contingent on the building having a certain kind of glass to reduce bird strikes, and that the Library continue to work with the Fire Department on modifying some of the turning isles and horizontal clearances in the parking lot and also to put in a hydrant.

Park East stated that if a hydrant already exists on the property, it will be a lot cheaper to install the additional hydrant. The installation price for the additional hydrant will be emailed to the Director. There is money in the budget to cover this expense.

The Director in response stated that she received a transcript of the Minutes of the Site Plan Approval. The Town asked for the site to be compliant with fire regulations as specified by the Fire Chief who was present at the Hearing. Since then, RMS Engineering has redrawn the site plan showing the reduced size of the island, the fire zone, and location of the additional fire hydrant on the south west corner of the property. The plans will be submitted to the Town Building Department. She also clarified that the glass to prevent bird strikes was not one of the contingencies.

Mention was made of different kinds of glass – one being ornilux, a spider web design glass which has a special UV coating that is invisible to people but easy for the birds to see. The construction manager stated that money is in the budget for some kind of glass that the architect will come up with.

The Board does not rule out a sloped floor for the Community Room which would cost approximately \$60,000. Although not in the budget now, this along with other items will be considered later in design phase two. Adding a sloped floor would not change the ceiling height but it will be a matter of digging down maybe approximately five feet.

After a lengthy discussion, the Board moved on to the ad-alternatives to be included in the bond vote. To move the discussion along, President Esagoff took a poll to eliminate any of the ad-alternatives the Trustees were not interested in. Any ad-alternative, that had more than one Trustee who indicated interest in it, would be discussed further and voted on.

AD-ALTERNATIVES POLL

Ad-alternate 2 – Sub Grade retention tank for roof irrigation (\$79,920)

Rain water collected from the roof drainage and stored in tank would be used for irrigation on site as well as the green roof instead of using water from the Town. This qualifies for points towards Leed Certification. The Library water bill is currently under \$7,000 annually.

*In Favor – Trustee DiCamillo.
(Ad-Alternative 2 eliminated)*

Ad-alternate 3 – 4’ Extensive green roof (\$298,368)

*In Favor – Trustee DiCamillo
(Ad-Alternative 3 eliminated)*

Ad-alternate 4 – HVAC Outdoor cooling tower

This was not an option as the cooling tower must be in place before the start of next summer.

Ad-alternate 5 – HVAC open loop Geo Thermal System (\$1,123,084)

Carol Frank of the Great Neck Record apprised the Board that the Great Neck Water Authority North does not allow geo-thermal cooling in this area to protect the aquifer. This was eliminated.

Ad-alternate 6 – Solar panels

In Favor – DiCamillo, Marcus, Pizer, Solomon

Ad-alternate 8 – Radiant slabs

In Favor – DiCamillo, Esagoff, Kaplan, Marcus, Sokol

Ad-alternate 10 – Skylights

In Favor – DiCamillo, Sokol

Ad-alternate 11 – Helical pile

In Favor – DiCamillo, Pizer, Marcus, Sokol

AD-ALTERNATIVES DISCUSSION & VOTE

Ad-alternate 4 – HVAC Outdoor cooling tower ((\$485,657)

The outdoor cooling tower would give additional Leed points. The Director reported that the engineer from Dattner inspected the cooling tower and it was determined that the load-bearing is sufficient to install a 170-ton outdoor cooling tower on the roof in advance of next summer. It will be square, thinner and taller than the current one. Using the existing duct work and fans, the new cooling tower will be reusable in the new building.

Since the interior of the building will be gutted, this will not affect the cooling tower although a new roof will be installed. \$500,000 would be taken from the Main Building and Special Services fund for the cooling tower which would reduce the bond by that amount without seeking reimbursement from the bond proceeds.

Vote: Yes – 6 (Esagoff, Kaplan, Marcus, Pizer, Sokol, Solomon);
Abstention – 1 (DiCamillo)

Ad-alternate 6 – Solar panels (\$90,576)

The pay-back on this is 15-20 years depending on the system and the rebate. There are many programs that LIPA offers. An example of South Country School District getting a \$1.7 million rebate for a project costing \$6 million was cited.

Vote: Yes – 2 (Pizer, Solomon); No – 4 (Esagoff, Kaplan, Sokol, Marcus);
Abstention – 1 (DiCamillo)

Recall Vote: Yes – 5 (Marcus, Solomon, Sokol, Kaplan, Pizer); No – 1 (Esagoff);
Abstention – 1 (DiCamillo)

Ad-alternate 8 – Radiant slabs (\$121,159)

For the children's programming room floors

Vote: Yes – 2 (Sokol, Marcus); No – 3 (Esagoff, Kaplan, Pizer);
Abstention – 2 (DiCamillo, Solomon)

Recall Vote: 5 (Kaplan, Sokol, Solomon, Marcus, Pizer); No – 1 (Esagoff);
Abstention – 1 (DiCamillo)

Ad-alternate 10 – Skylights (\$186,480)

Vote: Yes – 2 (Marcus, Solomon); No – 4 (Esagoff, Kaplan, Pizer, Sokol)
Abstention – 1 (DiCamillo)

Ad-alternate 11 – Helical pile (\$86,314)

One benefit is that it reduces noise level of drilling and works better since the property is close to the wetlands and cannot be encroached on.

Vote: Yes 3 (Marcus, Solomon, Sokol); No – 3 (Esagoff, Kaplan, Pizer);
Abstention – 1 (DiCamillo)

Recall Vote: Yes – 5 (Kaplan, Marcus, Solomon, Sokol, Pizer); No – 1 (Esagoff);
Abstention – 1 (DiCamillo)

The three ad-alternatives approved by a majority vote of the Trustees are the solar panels, the radiant slabs and the Helical Piles. By adding the cost of these three ad-alternatives, and

removing the \$500,000 for the new cooling tower from the revised cost estimates provided the final cost estimates for a total of \$21,300,000 for the project.

REFERENDUM PROCESS

Bond Counsel Noah Nadelson spoke about the referendum process. According to Mr. Nadelson, historically bonds for libraries were sold at between 4 1/2 – 5% but today a 20-year bond would be sold at 3 1/2%. His recommendation to calculate the annual tax levy figure is to use 5.75% but not all the Trustees were in agreement with this number.

If the referendum passes in October then the bonds can be sold in the Spring of 2012. Six weeks before the start of construction, the Project Manager will come up with the construction cash flow and how the money will be spent. During this time, the architect will continue working on the design development. This requires money which can be paid upfront and then reimbursed from the bond proceeds.

Business Manager Zitofsky had put together a proposal which he shared with the Trustees. He stated that during the construction phase there will be a surplus of \$1 million and this amount could be used to reduce the bond principal. He had gone over the 2013 budget line by line and has seen areas – utilities, fewer book purchases, etc. – where savings could be realized. Tax would be held flat for 2013 and even if the public voted the budget down, the Library would revert to the 2012 budget.

Trustee DiCamillo asked the Business Manger to provide her with schedules of this as well as operating costs of the branches and the Main Building separated out to get a true picture of how much it costs to run each location. If the savings from the 2013 budget will be used to offset the bond amount, all documents will show this information so the public will be able to see.

A member of the public asked for the square footage of the various departments in the new design. The Director will have these numbers on the website before the referendum vote.

Public Comments: Carol Frank, Dan Nachmanoff, Karen Rubin, Elizabeth Allen, Jean Pierce, Norman Rutta, Ralene Adler, Marianna Wohlgemuth, Mike Currie

The question was then called for the Board to vote on the numbers for the referendum.

Upon motion by Martin Sokol and seconded by Anna Kaplan, and after discussion, it was,

RESOLVED, that the Great Neck Library Board of Trustees hereby authorize the construction of improvements and alterations to the Library building located at 159 Bayview Avenue, Great Neck, New York substantially as described in a report [originally]dated August 11, 2009, [and as amended from time to time]prepared by DattnerArchitects, which report is on file and available for public inspection at the office of the Director of the Library, such project consisting of the construction of an addition to provide for meeting and other space; roof, window and door replacements; interior reconstruction and space reconfiguration; and mechanical, plumbing, electrical system, and

masonry improvements; all of the foregoing to include the original equipment, furnishings, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, and to reimburse any prior expenditures made by the Library for the project, an amount not to exceed the estimated maximum cost of \$500,000, plus any additional amounts received by the Library in connection with the financing of the project, including but not limited to bond sale ~~premiums~~ ^{proceeds} and investment income on bond proceeds, 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 October 25, 2011.

I further move that the Great Neck Library Board of Trustees hereby authorize the borrowing of an amount not to exceed \$20,800,000 from the Dormitory Authority of the State of New York, a qualified industrial agency or other lending institution to finance the cost of the improvements and alterations to the Library building located at 159 Bayview Avenue, Great Neck 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 October 25, 2011.

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 \$1,760,000 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 improvements and alterations to the Library building located at 159 Bayview Avenue, Great Neck; (ii) to assign and pledge all of said tax to the Dormitory Authority 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 this 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 October 25, 2011.

Amendment to Above Resolution:

Varda Solomon motioned and Anna Kaplan seconded for the amendment of the resolution to add the word *originally* after the word "report" in the third line of the first paragraph, and also to add the words *and as may be amended from time to time* to be inserted after the words August 11, 2009.

VOTE: Yes – 5 (Esagoff, Kaplan, Marcus, Sokol, Solomon); No – 2 (DiCamillo, Pizer)
MOTION CARRIED

ADJOURNMENT

The meeting was adjourned at 11:45 p.m. on motion by Martin Sokol

Respectfully submitted,

Joel Marcus
Secretary of the Board of Trustees