

**GREAT NECK LIBRARY
MINUTES OF THE
BOARD OF TRUSTEES MEETING
Tuesday, November 27, 2007, at 8:00 p.m.**

A regular meeting of the Great Neck Library Board of Trustees was held on Tuesday, November 27, 2007, in the Parkville Branch of the Great Neck Library, 10 Campbell Street, New Hyde Park, NY 11040. [Agenda attached]

The following Trustees were present constituting a quorum:

David Kahn – President
Linda Cohen – Vice President
Andrew Greene – Secretary
Norman Rutta – Treasurer
Marietta DiCamillo – Assistant Treasurer
Janet Eshaghoff – Asst. Treasurer
Martin Sokol

Also present: Laura Weir – Interim Library Director

Absent: Neil Zitofsky – Business Manager

CALL TO ORDER

President Kahn called the meeting to order at 8:05 p.m.

MINUTES

Upon motion by Linda Cohen, seconded by Marietta DiCamillo, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library approve the Minutes of the Regular Meeting of October 23, 2007, as presented.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

TREASURER'S REPORT – PERSONNEL REPORT

During the month of October 2007, revenue received was \$26,442. Total expenses were \$609,055.

At the close of business, October 31, 2007, total operating fund holdings were \$1,385,258. Of these funds, \$1,382,478 was on deposit at HSBC and Chase Bank, and \$2,780 was on hand in Petty Cash funds at Main and the Branches. This compares to an October 31, 2006, balance of \$880,739.

Additionally, the cash balance of the Main Building and Special Services fund was \$1,257,532; the Automated Library fund was \$59,127; the Restricted Gift fund was \$372,726; the Branch and Special Services fund was \$107,125. These funds totaled \$1,796,510 on October 31, 2007. The October 31, 2006, total was \$1,416,881.

Upon motion by Norman Rutta, seconded by Marietta DiCamillo, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the November 27, 2007, Treasurer's Report with the Personnel Changes of October 20, 2007, through November 20, 2007.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

Upon motion by Norman Rutta, seconded by Marietta DiCamillo, 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 October 20, 2007, through November 20, 2007, Paid Checks numbered 0024756 through 0024760, 0024815 through 0024820, 1195 and 36236 through 36247 and Checks To-Be-Paid numbered 36248 through 36404, the sums set against their respective names, amounting in the aggregate to \$560,383.03.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

Upon motion by Norman Rutta, seconded by Marietta DiCamillo, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the Payroll Warrants for pay dates October 11 and October 25, 2007, which have been reviewed by the Treasurer, in the amounts of \$160,007.19 and \$161,157.89 respectively, for a total of \$321,165.08.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

REPORTS

SECRETARY

Secretary Greene reported on the results of the October 29, 2007, Library election as follows:

Board of Trustees

Allegra Goldberg – 162 votes
Anna M. Kaplan – 978 votes

Nominating Committee

Hadassa Legatt – 363 votes

Anna M. Kaplan and Hadassa Legatt were welcomed in absentia to the Board of Trustees and the Nominating Committee respectively. Allegra Goldberg was thanked for her willingness to be involved in the Library.

Amendments to the Bylaws

The below proposed amendments to the bylaws were defeated.

Change from voting by proxies to voting by absentee ballots

Yes – 177; No – 740

Hiring of the Business Manager by the Board of Trustees instead of the Director

Yes – 158; No – 748

POLICY COMMITTEE

Trustee Cohen, Chair of the Policy Committee, reported on the October 24, 2007, Policy Committee meeting, the Minutes of which are appended.

Interim Director Weir stated that the Computer Department was unable to conduct computer classes because they were down by one member of staff. An outside agency will be hired to conduct some computer classes on a trial basis starting in the winter. Expenditures will come from the Programming budget.

Since there was no urgent issue facing the Policy Committee, the next meeting will take place perhaps in February.

The Interim Director is to look into whether the senior centers would like any of our discarded books.

Public Comments: Stanley Romaine

INTERIM DIRECTOR [Report appended]

In addition to her written report, Interim Director Weir indicated that at the meeting on Library Consolidation, State Senator Craig Johnson disclosed that last year when there was a \$15 million excess in the sewer budget, the money was used by the County to pay other bills. He was afraid that if there was excess money in the library budget, it would be used for other bills if the consolidation went through. Trustee DiCamillo brought out that this was a serious charge since the sewer district budget is public funds from a specific area. She asked the Director to check the facts and if not accurate, they should be corrected for the record.

Trustee DiCamillo reviewed Levels highlights and expressed her delight in reading the report of Levels Director Ethan Mann and she asked that this be conveyed to him.

Trustee Cohen will try to attend the NLS Annual Meeting on December 6th.

An update was requested of the Building Committee. Kevin Seaman, the Library's attorney, had contacted the architect's attorney and a response is being awaited. Trustees DiCamillo and Greene requested copies of the correspondence between both attorneys. Copies will be provided for all the Trustees. Trustee Sokol, Chair of the Building Committee, expressed displeasure with the process as it is moving very slowly. He felt

that some things which could have been handled verbally are being done by writing letters and it is taking an inordinate amount of time.

Public Comments: Marilyn Bliok, Michael Currie

OLD BUSINESS

SEPTEMBER 25, 2007 MINUTES

Upon motion by Marietta DiCamillo and seconded by Linda Cohen and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library take from the table the Minutes of the September 25, 2007, Board Meeting.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

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

RESOLVED, that the Board of Trustees of the Great Neck Library approve the Minutes of the September 25, 2007, regular Board Meeting as presented.

There was a question at the October 23rd Board meeting on whether or not the Minutes of the September 25th meeting were accurate. The acceptance of the Minutes was then tabled until after Trustee DiCamillo listened to the audio recording of the meeting. She did not listen to the recording but had read the excerpt of the transcript of the meeting that was provided to her.

Corrections: page 6, paragraph 2, line 2 – delete *H2L2* and replace it with *The Director*.

Upon motion by Marietta DiCamillo and seconded by Linda Cohen and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library accept the Minutes of the

September 25, 2007, regular Board Meeting as amended.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

SNOW REMOVAL CONTRACT

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

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the acceptance of the snow removal contract for the period November 1, 2007, through April 30, 2008, with EPG Construction Corp. at a base price of \$9,435 plus \$220 per sanding of accumulations under two (2) inches, and snow plow charges for accumulation over eight (8) inches to be charged to the Landscaping/Snow Removal budget line.

EPG Construction (Galvin Brothers) submitted a proposal with a base price of \$9,425 for accumulations of two to eight inches. No details were provided for the Board with respects to the cost for sanding and salting. It was felt that, although highly recommended, the quote from EPG was too high.

Shield Snow Plowing's proposal was at a base price of \$6,000 for accumulations of two to six inches and \$550 per sanding/salting.

The lowest bid came from Melville Snow Contractors. Their base price was \$2,800 for accumulations under six inches plus \$200 for six to nine inches and \$225 for sanding and salting. The Library had used Melville Snow Contractors in the past and was highly dissatisfied with their performance and it was felt that a bid should not have been solicited from them if they would not be considered in the selection process. Trustee DiCamillo requested of the Director to ask the Business Manager why he had selected and accepted a bid from a vendor who did not have a good track record with the Library and regardless she would also like the details of the contracts.

Trustee Rutta asked the Board's indulgence to assist the Business Manager in making up a bid document which would specify the Library's requirements for snow removal. The

other suggestion offered was to give the lowest bid, Melville Snow Contractors, another chance.

Comparison could not be made as details regarding the price of sanding and salting were not provided in all the bids. With the winter season almost here and not enough time to seek other proposals, the Board had to make a decision at this Board meeting. It was therefore decided to give the lowest bid, Melville Snow Contractors, another chance and their contract should have a proviso that if service was not provided according to the contract, there would be forfeiture. The motion on the table was therefore voted down and amended to go with the lowest bidder.

Public Comments: Michael Currie, Marilyn Bliok, Jonathan Aubrey

VOTE: Yes – 0; No – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION DEFEATED

The resolution was amended as follows:

Upon motion by Norman Rutta and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the acceptance of the snow removal contract for the period November 1, 2007, through April 30, 2008, with Melville Snow Contractors at a base price of \$2,800 per accumulations under six (6) inches plus \$200 for six (6) to nine (9) inches and \$225 for sanding and salting to be charged to the Landscaping/Snow Removal budget line.

Public Comments: Varda Solomon, Stanley Romaine

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

COMPUTER CONSULTANT

Interim Director Weir reported that the Business Manager had been in contact with two other companies but responses were not yet received.

NEW BUSINESS

AUDIT ENGAGEMENT

Upon motion by Norman Rutta and seconded by Marietta DiCamillo and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the execution of a letter of engagement with Baldessari and Coster, LLP, for the performance of a certified audit of the Library's financial statements for the year ending December 31, 2007, at a cost not to exceed \$16,200, to be charged to the Audit Fees line of the operating budget.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

POLICY MANUAL CHANGES

Ethics Statement for Public Library Trustees

Upon motion by Linda Cohen, seconded by Marietta DiCamillo, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library add a new section, 200-25, Ethics Statement for Public Library Trustees, to its Policy Manual as follows:

- Trustees in the capacity of trust upon them shall observe ethical standards with absolute truth, integrity and honor.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the situation.
- It is incumbent upon any trustee to disqualify himself/herself immediately whenever the appearance or a conflict of interest exists.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the Board even if they personally disagree.

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- A Trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.
 - Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
 - Trustees who accept the library board responsibilities are expected to perform all of the functions of library trustees

(Adapted from the Association for Library Trustees and Advocates (ALTA), a division of the American Library Association)

Trustee Sokol would like an open discussion on the meaning of “*Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution...*”. President Kahn directed that this be brought up at the Policy Committee.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

Conflict of Interest

Upon motion by Linda Cohen, [not seconded], and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library add a new section, 500-85, Conflict of Interest, to its Policy Manual as follows:

I. Obligations of Trustees and Employees

Trustees and employees of the Library have an obligation to conduct business within guidelines that prohibit actual, potential or perceived conflicts of interest. This policy establishes the framework within which the Library is to be governed and is to operate. The purpose of these guidelines is to provide both general and specific direction so that employees and trustees can be made aware of the acceptable standards of operation adopted by the Board of Trustees; the guidelines, further, are to serve as a promulgation of the required observances necessary to avoid conflicts of interest or the appearance of conflicts of interest.

II. Duties to Disclose

If an employee or trustee believes he or she may possess any influence regarding transactions involving purchases, contracts or leases such that he/she (or a family member) may directly or indirectly gain financially, he/she possesses a duty to disclose to

the President or other Officer of the Board, the existence of any such actual or potential conflict of interest.

III. Conflict of Interest

An actual or potential conflict of interest occurs when an employee or trustee is in a position to influence a decision that may result in a personal gain for the employee or trustee or for a family member (spouse, children, siblings, parents or in-laws) of the employee or trustee as a result of an actual or intended transaction of the Library that may result in personal gain. A trustee or employee is to be deemed to have an interest in an actual or proposed transaction if he/she has a financial interest in it, or has a financial interest in any organization involved in the proposed transaction, or holds a position as trustee, director, majority shareholder, or principal officer in any such organization or receives any direct or indirect remuneration, gifts or favors in conjunction with the actual or proposed transaction.

IV. Existence of a Conflict of Interest

a) A prospective trustee or employee shall complete an "Affirmation of Compliance" which solicits information regarding past or present business dealings with the Library. If the applicant responds in the affirmative, the Board shall be notified by the Nominating Committee or Director prior to appointment of the trustee or employee.

b) Following disclosure by a current trustee or employee of an interest in a proposed transaction, the interested person shall absent himself from the Board or Committee meeting while the nature and the amount of the financial interest is discussed. The remaining disinterested Board or Committee members shall determine by a majority vote if a conflict of interest is deemed to exist.

V. Procedures for Addressing a Conflict of Interest

a) If it is determined that a conflict of interest exists, the Board shall determine by a majority vote of the disinterested directors whether the transaction is in the Library's best interest and is fair and reasonable to the Library. The Board shall also make its determination as to whether to enter into the subject transaction or arrangement notwithstanding the found conflict of interest.

b) If the Board determines that the transaction is not in the Library's best interest, members of the Board either annul the transaction or explore an alternative remedy which would not give rise to the conflict of interest.

VI. Violation of the Conflict of Interest Policy

If the Board has reasonable cause to believe that a trustee, officer or employee has failed to disclose an actual or potential conflict of interest, it shall inform the individual of the basis for its belief and allow the person an opportunity to explain the alleged failure to disclose. If the Board is not satisfied with the explanation posited, it is to be permitted to undertake whatever action deemed warranted by it to include, by the adoption of a resolution, the dismissal of the trustee from the Board or a dismissal of the staff member found to have failed to disclose an actual or potential conflict of interest.

VII. Annual Statement

a) Each trustee and employee shall annually sign a statement which affirms that such person has received a copy of the conflict of interest policy, has read the policy and has agreed to comply with the policy.

b) Each trustee shall sign a disclosure statement at year-end as provided by the Library's certified public accountants.

Although not opposed to a conflict of interest policy, some Trustees felt that this policy required more than one public airing. There were questions on who would prepare the disclosure statement and what is to be disclosed. At this point, Trustee Sokol asked for the proposed "Airing Policy Change" which was tabled at the February 27, 2007, Board meeting to be resurrected. It will be placed on the agenda for the December Board meeting.

Public Comments: Marianna Wohlgemuth

Upon motion by Andrew Greene, seconded by Norman Rutta, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library table the Conflict of Interest policy for further discussion.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

Gifts

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

RESOLVED, that the Board of Trustees of the Great Neck Library amend its Policy Manual, Section 1200, Gifts, to include: "All donations to the Library with a value of \$100 or more are accepted publicly by the Library Board at a Board meeting by resolution."

Trustee Greene, member of the Policy Committee, indicated that publicly accepting a gift would be expressing gratitude in a formal way and as a legal matter when someone tenders a gift, it is not a gift unless it is accepted. The Library should publicly accept any gift that is tendered or else it could be revocable.

Public Comments: Marianna Wohlgemuth

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

PUBLIC LIBRARY ASSOCIATION (PLA) CONFERENCE

Upon motion by Martin Sokol, seconded by Linda Cohen, and after discussion, it was,

RESOLVED, that the Board of Trustees of the Great Neck Library authorize the attendance of three members of the professional staff at the Public Library Association Conference to be held in Minneapolis from March 25-29, 2008, at a cost not to exceed \$5,301 to be charged to the Travel/Conference line of the operating budget.

VOTE: Yes – 7 (Cohen, DiCamillo, Eshaghoff, Greene, Kahn, Rutta, Sokol)
MOTION CARRIED UNANIMOUSLY

COLLECTION OF OVERDUE MATERIALS

At a past Finance Committee meeting, Trustee Rutta had asked Interim Director Weir to collect information on using a collection agency to recover money for fines and unreturned library materials. Information was obtained on Unique Management Services, a collection agency that specializes in securing library material return or payment for lost material.

Over the past seven years, it has cost the Library \$100,000 for unreturned library materials and fines which have not been paid.

Trustee Eshaghoff suggested that the library generates a friendly but more personal letter reminding them that their account will be suspended.

Trustee Cohen was concerned that having a policy of using a collection agency would be a major change in policy for the Library and the Committee and the Board should think this through very carefully.

Director Weir was instructed to find out if our neighboring libraries of Port Washington, Manhasset and Roslyn use collection agencies.

The Policy Committee was charged with discussing the idea of using a collection agency as well as offering periodic amnesty and with bringing back a recommendation to the Board.

PARKVILLE BRANCH HOURS

The hours of the Parkville Branch will be extended beginning January 2008. New hours will be 10:00 a.m. – 9:00 p.m. on Wednesdays.

CORRESPONDENCE (attached)

Norman Roland was not present to speak to his letter of October 21, 2007.

OPEN TIME

Frank Phillips inquired about the status of the Main Building renovation. President Kahn explained that progress is being made behind the scene – negotiations between lawyers of the Library and the Sewer District to acquire additional parking spaces, and negotiations with the architects to settle old debt.

Building Chair Sokol reiterated that the process was moving too slow and, as Chair, has not been told in details what is going on.

ADJOURNMENT

On motion by Norman Rutta and seconded by Marietta DiCamillo, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Andrew Greene
Secretary