

GREAT NECK LIBRARY
MINUTES OF THE BOARD OF TRUSTEES MEETING
Tuesday, January 16, 1996
8:00 p.m.

A meeting of the Board of Trustees of the Great Neck Library was held on Tuesday, January 16, 1996 at the offices of the Library on Bayview Avenue at Grist Mill Lane, Great Neck, N.Y. 11024.

The following Trustees were present constituting a quorum:

Ralene Adler
Elayne Bernstein
Jo Ann Farley
Steve Glaser
Muriel Kane
Arthur Lerner
Dolly Relkin
Renée Zarin

Also present:

Carol Melnick, Library Counsel
Carol Hoffman, Library Counsel
Henry Graber, Financial Consultant
Don Fischer, Financial Consultant
Ken Weil, Library Director
Arlene Nevens, Assistant Director
Joe Latini, Assistant Director
Attendance sheet attached.

CALL TO ORDER

President Jo Ann Farley called the meeting to order at 8:05 p.m. announcing that as a courtesy to Henry Graber his presentation of the 1994 Financial Statement and the 1995 Operational Review would be heard first.

a. 1994 Financial Statement dated December 6, 1995- Mr. Graber reviewed each page of the report pointing out a number of differences between generally accepted accounting principals and financial statements for libraries which are controlled by the State of N.Y., e.g. a library incurs liability the minute an item is ordered; and library accounting generally does not use depreciation. He recommended the Library conform to the N.Y.S. Statute requiring formal custodial agreements with banks where the banks put up collateral in excess of FDIC insurance. All funds have to be collateralized and there is a list of what is acceptable collateral in the By-Laws.

Mr. Graber provided the Treasurer a list of other suggestions for Board consideration to comply with library accounting procedures, including increasing the unemployment insurance fund balance.

Mr. Fischer and Mr. Graber responded to questions from the Board and the public. In accepting the report the Board thanked the Graber firm for their professional and organized financial review and presentation.

b. Review of Accounting System, Procedures and Controls.

November 6, 1996. - Mr. Graber reviewed his recommendations to the Board, received at the 11/14/95 meeting, for improvement of controls and to enable the Library to operate in a more official and economic manner. After questions from the Board and the public, Mr. Graber and Mr. Fischer were thanked for being generous with their time, instructive, available and helpful. They worked very closely with staff minimizing any disruption in service. The Treasurer also indicated the library and the community is most fortunate in having the Graber firm as a consultant.

At the request of a member of the public the Secretary reported on the chronological history of the implementation of Mr. Graber's recommendations concerning the hiring of a Business Manager; starting with the hiring of Mr. Graber on 9/19/95, listing various Board meetings and discussions, the Board resolution of 12/13/95, and the placing of the advertisement in the N.Y. Times.

MINUTES

President Farley requested clarification from Counsel concerning Renée Zarin's question of the legality of the December 13, 1995 Special Meeting of the Board (which Minutes were adopted on 12/21/95). Mrs. Zarin requested an opinion of law on the matter of going into public session when the meeting notice said "upon convening the trustees will meet for the limited purpose of correcting Board policy O-5I and for conducting an executive session on personnel issues." Attorney Hoffman stated it was perfectly appropriate to go back into public session to vote, and would be a contradiction of law not to go back into public session if the Board were going to take action. Further, there were two actions taken which are required to be taken in open session. As a matter of law it is impossible for the Board to take any action in executive session. The law requires the

Board to come out of executive session and go into public session if you are going to take action. Counsel Hoffman agreed to put her opinion in writing.

Upon motion by Steve Glaser, seconded by Ralene Adler, and after discussion, it was,

RESOLVED, that the Minutes of the Meeting of the Board of Trustees on December 21, 1995 be adopted as presented.

A motion to amend the motion was presented by Renée Zarin and after discussion it was

RESOLVED, that the Minutes of the Meeting of the Board of Trustees on Dec.21, 1995 be adopted as corrected.

VOTE: In favor of motion to amend the motion - 3 (Kane, Bernstein & Zarin)
Against amending - 4 (Adler, Farley, Lerner, Relkin.)
Abstaining - 1 (Glaser)
Motion to amend did not carry.

VOTE: On original motion to adopt the minutes as presented:
In favor - 4 (Adler, Farley, Lerner, Relkin)
Opposed - 3 (Kane,Bernstein, Zarin)
Abstaining - 1 (Glaser)
Motion to adopt the minutes as presented carried.

CORRESPONDENCE

- a. A. M. Tanzman to Board of Trustees 12/27/95 and library response.
A. M. Tanzman was not present.
- b. Julian Kane to Board of Trustees 12/28/95 and library response.
Mr. Kane addressed the questions in his letter and received a response. In addition the Secretary read the voting records on the Board's proposed By-Law changes indicating three were adopted unanimously and one approved by a majority.

TREASURER'S REPORT

Upon motion by Ralene Adler, seconded by Arthur Lerner, and after discussion, it was,

RESOLVED, that the Great Neck Library replace the Fixed Asset Fund with the Fixed Asset Group of Accounts.

VOTE: In favor - 8 (Adler, Bernstein, Farley, Glaser, Kane, Lerner, Relkin, Zarin)

Motion carried unanimously.

Upon motion by Ralene Adler, seconded by Arthur Lerner, after discussion, it was,

RESOLVED, that the Great Neck Library maintain the Automated Library Fund and the Restricted Gift Fund as a separate set of accounts.

VOTE: In favor - 8 (Adler, Bernstein, Farley, Glaser, Kane, Lerner, Relkin & Zarin)

Motion carried unanimously.

Upon motion by Steve Glaser, seconded by Arthur Lerner and after discussion, it was,

RESOLVED, that the Treasurer's Report for November 1995, be adopted as presented with payroll changes for the same period.

VOTE: In favor - 8 (Adler, Bernstein, Farley, Glaser, Kane, Lerner, Relkin, Zarin)
Motion carried unanimously.

LIBRARY DIRECTOR'S REPORT - Appended hereto.

Front Steps (2nd page of Director's Report)

Upon motion by Arthur Lerner, seconded by Ralene Adler, and after discussion, it was,

RESOLVED, that the Board increase the allocation for the services of Patricia Garbutt, P.E., for an amount not to exceed \$1,500 to draw up specifications and oversee the repair of the steps leading from the upper level of the parking lot to the lower level, and that this amount be charged to the Building Repairs and Maintenance budget line.

BE IT FURTHER RESOLVED, that phase 2, Patricia Garbutt's services at the hourly rate of \$70/hr. be allocated, not to exceed \$1,500, to be charged to the Building Repairs and Maintenance budget line.

VOTE: In favor - 8 (Adler, Bernstein, Farley, Glaser, Kane, Lerner, Relkin,
Zarin)

Motion carried unanimously.

Library Budget Vote - May 21, 1996 - Treasurer, Ralene Adler, requested the budgetary process begin in February and be separate from regular Board meetings. The Director will send out several proposed dates to meet everyone's schedule, preferably on Tuesdays.

Blizzard of 1996 - The Director commended the dedicated staff as well as the newly hired contractor for snow removal who did a wonderful job in clearing the parking lot, permitting the extraordinary usage by the public. President Farley added the thanks and appreciation of the Board.

OLD BUSINESS

Point of Order - Items to be Placed on the Agenda

Renée Zarin made reference to her memoranda concerning matters she requested be placed on the Board's Agenda, under New Business. President Farley pointed out that the requests were addressed and discussed at Board meetings, and some tabled or sent to the Policy Committee for review.

Upon motion by Renée Zarin, seconded by Muriel Kane, after discussion, it was,

RESOLVED, that the Board authorize Counsel to write a legal opinion advising Board members on the procedure for having items placed on the agenda.

VOTE: In favor - 4 (Bernstein, Kane, Lerner, Zarin)
Opposed - 2 (Adler, Farley)
Abstaining - 2 (Glaser, Relkin)

Motion carried.

Spector Group

Upon motion by Dolly Relkin, seconded by Arthur Lerner, after discussion, it was,

RESOLVED, that the Board of Trustees authorize and direct the President of the Board to execute a stipulation of settlement resolving the Spector Group matter for \$9,000, and concluding all outstanding contracts.

VOTE: In favor - 6 (Adler, Bernstein, Farley, Glaser, Lerner, Relkin)
Opposed - 2 (Kane, Zarin)

Motion carried.

Search for Business Manager

President Farley reported over 100 applications were received in response to the N.Y. Times advertisement. She stated the Board was implementing one of Mr. Graber's recommendations included in his operational review of November 6, 1995. Mrs. Farley invited Dr. Cynthia Engel and Marietta DiCamillo attend the interviews if they were held prior to the Annual Meeting. The Board was requested to submit dates when they will be available to facilitate the process. A preference was stated for Tuesdays.

EXECUTIVE SESSION

Personnel Issues - Prior to motions being introduced for the renewal of employment contracts, upon motion by Elayne Bernstein, seconded by Renée Zarin and unanimously approved the Board went into Executive Session to discuss personnel issues at 11:50 p.m.

RETURN TO PUBLIC SESSION

The Board reconvened before the public at 12:06 a.m. Arthur Lerner left the meeting. Dolly Relkin announced the Board agreed to discuss the personnel issues at the Special Meeting of January 23, 1996 giving sufficient time to speak to the employees concerned about renewal of their contracts.

Upon motion by Renée Zarin, seconded by Muriel Kane and after discussion it was,

RESOLVED, to table the remainder of the Agenda until the next board meeting with the exception of the item on air quality.

A motion to amend the motion was submitted by Steve Glaser seconded by Ralene Adler and after discussion, it was,

RESOLVED, the following items on the Agenda be addressed tonight because of their importance: Legal Fees, Agenda for Annual Meeting, Director's Request for Payment of 1 Week's vacation, Air Quality - Approval to hire Tientjen Engineers, Approval for attendance at Public Library Convention, and Community Room Application.

VOTE: In favor - 7 (Adler, Bernstein, Farley, Glaser, Kane, Relkin, Zarin)
Motion carried unanimously.

Tabled for the next board meeting was the selection of an Architect for carpeting.

NEW BUSINESS

Proposed Agenda for Annual Meeting - Upon motion by Steve Glaser, seconded by Ralene Adler, and after discussion, it was,

RESOLVED, that the Agenda for the Annual Meeting on January 29 and 30, 1996 be adopted as corrected.

VOTE: In favor 7 -(Adler, Bernstein, Farley, Glaser, Kane, Relkin, Zarin)
Motion carried unanimously.

Approval to Hire Tietjen Engineers - Air Quality - Upon motion by Renée Zarin, seconded by Steve Glaser, and after discussion, it was,

RESOLVED, that the Board engage the services of the Werner E. Tietjen Engineering Firm at a cost not to exceed \$1,500 to explore the HVAC system in order to identify the source of the problem in air quality currently being experienced on the lower level of the main building. This allocation is to be charged to Building Repairs and Maintenance.

VOTE: In favor 7 (Alder, Bernstein, Farley, Glaser, Kane, Relkin, Zarin)
Motion carried unanimously.

Ralene Adler requested the Board be given a copy of the report on testing for asbestos in the boiler room, which tests were requested last Friday; and report what precautions were being taken by the Director to be fully responsible with health issues in the Library. Mr. Weil reported Mr. Kincaid of the School System was being called in.

Public Library Association Convention - Upon motion by Steve Glaser, seconded by Elayne Bernstein and after discussion, it was,

RESOLVED, that the Board approve sending three staff members to the 1996 Public Library Association conference Mar.27-Mar.31 1996 in Portland, Oregon, at a cost not to exceed \$1,390 per person, or a total of \$4,170.

VOTE: In favor - 4 (Bernstein, Glaser, Kane, Zarin)
Opposed - 1 (Adler)
Abstaining - 2 (Farley, Relkin)
Motion Carried

Use of Community Room - Upon motion by Steve Glaser, seconded by Renée Zarin and after discussion it was,

RESOLVED, that the renewal application of the League of Women Voters be approved for use of the Community Room.

VOTE: In favor - 7 (Adler, Bernstein, Glaser, Kane, Farley, Relkin, Zarin)
Motion carried unanimously.

Director's Request for Payment of 1 week's vacation - Upon motion by Renée Zarin, seconded by Steve Glaser and after disucssion, it was,

RESOLVED, that the Board authorize payment of one week's vacation to the Director for the year 1995.

VOTE: In favor 7 - (Adler, Bernstein, Farley, Glaser, Kane, Relkin, Zarin)
Motion carried unanimously.

Treasurer Ralene Adler requested the question of payment for vacation be submitted to the Personnel Committee to assess the need for 5 weeks vacation if staff members are taking it out on a cash basis. She requested an accurate number of people who are doing this annually.

Legal Fees - Upon motion by Ralene Adler, seconded by Steve Glaser and after discussion, it was,

RESOLVED, that the Board approve payment of \$3,759.75 to the Jaspan firm for the bill dated November 1, 1995 through November 30, 1995.

VOTE: In favor - 4 (Adler, Farley, Glaser, Relkin)
Abstaining 3 (Bernstein, Kane, Zarin)
Motion carried.

Renée Zarin requested of Counsel Carol Hoffman, the answer to her question concerning a credit of over \$11,000 on the bill approved last month. Because of the late hour Mrs. Zarin requested a discussion the following day with Counsel. Counsel also recommended the Board consider a retainer which would reduce costs considerably.

Upon motion by Steve Glaser, seconded by Ralene Adler, and after discussion, it was,

RESOLVED, the Board approve payment of \$4,714 to the Jaspian firm for the bill dated December 1, 1995 through December 31, 1995.

VOTE: In Favor - 5 (Adler, Bernstein, Farley, Glaser, Relkin)

Abstaining - 2 (Kane, Zarin)

Motion carried.

ADJOURNMENT

Upon motion by Steve Glaser, seconded by Ralene Adler and unanimously approved the Board adjourned the meeting at 12:35 a.m.

Respectfully submitted

Dolly Relkin, Secretary