

Approved 12/26/99

**GREAT NECK LIBRARY**  
**MINUTES OF THE SPECIAL MEETING**  
**BOARD OF TRUSTEES**  
**Thursday, October 14, 1999**  
**8:00 p.m.**

A Special Meeting of the Board of Trustees of the Great Neck Library was held on **Thursday, October 14, 1999**, at the Main Building, Multi-Purpose Room at 159 Bayview Avenue, Great Neck, NY 11023.

The following Trustees were present constituting a quorum:

Mischa Schwartz, President  
Elayne Bernstein, Vice President  
Marietta DiCamillo, Secretary  
Catherine Moore, Treasurer  
Steve Glaser, Assistant Treasurer  
Joyce Klein  
Bette Weidman

Also present: Christine Salita, Library Director  
William Cullen, Legal Counsel

**CALL TO ORDER:**

President Mischa Schwartz called the meeting to order at 8:00 p.m and welcomed those in attendance. This purpose of the special meeting was to discuss the petition submitted on July 28, 1999 with a cover letter from Ralene Adler. The petition calls for a vote to change the date for the election of Library Trustees and members of the Nominating Committee from January to May.

Library counsel William Cullen reviewed the petition and has determined it to be legally deficient and therefore should not be presented to the membership for a vote (see attached memorandum dated October 9, 1999 from William Cullen to the Board of Trustees). Mr. Cullen explained that the Board may not guess the intent or attempt to interpret the meaning of the petition text and therefore the petition must be rejected.

Secretary Marietta DiCamillo asked that counsel identify the legal authorization and procedure for the Board of Trustees to vote to reject this petition. Mr. Cullen stated that the pertinent law is Education Law Section "2008" and Not-for-profit Corporation Law Sections "602" & "618". Secretary DiCamillo expressed concern that this would allow the current and any future Board of Trustees to arbitrarily reject petitions. She made reference to the Board of a similar situation when a petition submitted in 1995 by Association members that, if passed, would have conflicted with the Library's Policy Manual.

Trustee Joyce Klein commented that she wondered if the signers of the petition were aware of the ramifications.

Trustee Bette Weidman added that if the Board acted incorrectly in the past there is no need to perpetuate the error simply because it is precedent.

Trustee Elayne Bernstein stated that if money would be saved by combining the School and Library election she would favor the change in date but the elections may not be combined so no savings would result.

**PUBLIC COMMENT:**

*Rebecca Gilliar* - asked what a School District is able to do. If the school district were not forbidden to do something then wouldn't it have the right to do it? Library counsel responded stating that governmental bodies can only do what the law empowers them to. Ms. Gilliar further commented that the Board could demonstrate its "leadership and wisdom" and let the electorate decide.

*Ralene Adler* - favors the May voting date as a better time of year for college students and seniors to vote. Last year's election cost taxpayers \$26,000 as proxy ballots were mailed to each association member.

*Bobbie Zeller* - confusion would be the result if two elections having both overlapping and mutually exclusive electorates were held on the same day in different locations.

*Sybil Cohen Glaser* - is it possible to find a way to clear up the voting confusion and consolidate the process?

Upon a motion by Steve Glaser, seconded by Elayne Bernstein, it was:

**RESOLVED**, the Board of Trustees hereby rejects the Petition for Amendment of By-laws Articles "V", "VI", and "VIII" upon recommendation of the Library's legal counsel, in that such Petition is deficient in requiring the Association's vote at the January 2000 Annual Meeting, more than one hundred and twenty days (120) days subsequent to the date of submission of the said Petition, and the proposed amendment No. "3" omitting the word "consecutive" renders the intent of Petitioners unclear and ambiguous.

**Vote:** Yes – 6 (Bernstein, Glaser, Klein, Moore, Schwartz, Weidman)  
No – 1 (DiCamillo)

The Board asked that the Library Director mail a letter to all the signers of the petition advising them of the Board's decision to reject the petition and to include an explanation of the Board's action.

**PUBLIC COMMENT:**

*Marianna Wohlgemuth* - regarding timeframe for placing a petition item on the January ballot.

*Rebecca Gilliar* - asked if the Board would consider simply rewording the petition and put it to the voters since what the signers wanted is obvious.

**ADJOURNMENT:**

Upon motion by Steve Glaser, seconded by Elayne Bernstein, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Marietta DiCamillo  
Secretary