

Approved 9/19/19

1 Guilderland Public Library
2 Annual Business Meeting
3 6:30 p.m.
4 July 18, 2019
5

6 **Trustees Present:** Catherine Barber, Bryan Best, Kaitlin Downey, Barbara Fraterrigo,
7 Herb Hennings, Peter Hubbard, Philip Metzger, Barry Nelson, Nareen Rivas, Jason Wright
8 (arrival 6:40 p.m.)
9

10 **Absent:** Mike Marcantonio
11

12 **Also Present:** Christopher Aldrich (Appointed Treasurer), Margaret Garrett,
13 David Gilliom, Carol Kott, Jenna Schmonsky, Sean Silvernail
14

15 **Absent:** Tim Wiles (Director)
16

17 A. Meeting called to Order at 6:35 p.m.
18

19 B. Oath of Office issued to Catherine Barber, Barbara Fraterrigo, and Barry
20 Nelson, Trustees for 5 year terms, expiring June 2024
21

22 C. Election of New Board Officers 23

24 MOTION: To Elect the slate of Board Officers - President, Vice President,
25 and Secretary:

26 President – Bryan Best

27 Vice President – Herb Hennings

28 Secretary – Kaitlin Downey

29 Motion by: B. Fraterrigo

30 Seconded by: P. Hubbard

31 Action: Motion carried unanimously (6:38 p.m.)
32

33 MOTION: To Appoint Philip Metzger to fill board vacancy

34 Motion by: B. Best

35 Seconded by: B. Nelson

36 Action: Motion carried unanimously (6:40 p.m.)
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38 Oath of Office issued to Philip Metzger, Trustee for 1 year term, expiring June
39 2020
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D. Oath of Office – Appointed Treasurer

MOTION: To Appoint Christopher Aldrich as Treasurer
Motion by: B. Best
Seconded by: K. Downey
Action: Motion carried unanimously (6:42 p.m.)

Oath of Office issued to Christopher Aldrich, Board Appointed Treasurer, 1 year term, expiring June 2020

MOTION: To Elect B. Fraterrigo, P. Hubbard, and J. Wright as the 2019-2020 Nominating committee
Motion by: B. Best
Seconded by: P. Hubbard
Action: Motion carried unanimously (6:44 p.m.)

E. Annual Authorizations and Resolutions (see attached)

MOTION: To Approve the following 2019-2020 Annual Board Authorizations:

Retainer for Legal Services (see attached) and Library Attorneys, Girvin & Ferlazzo

Motion by: B. Fraterrigo
Seconded by: K. Downey
Opposed: B. Nelson
Action: Motion passed (6:49 p.m.)

Library Insurance Brokers, Ten Eyck Insurance and Marshall & Sterling

Motion by: K. Downey
Seconded by: P. Hubbard
Action: Motion carried unanimously (6:50 p.m.)

Library Auditors, Marvin & Company

Motion by: B. Nelson
Seconded by: B. Fraterrigo
Action: Motion carried unanimously (6:50 p.m.)

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Official Newspaper, Altamont Enterprise

Motion by: B. Nelson

Seconded by: K. Downey

Action: Motion carried unanimously (6:51 p.m.)

Board Meeting Dates

Trustees will be polled to decide future Board Meeting Dates for 2019-2020

Special meetings – as needed

Authorizations

- A petty cash fund of \$535.00 is established

Motion by: K. Downey

Seconded by: N. Rivas

Action: Motion carried unanimously (6:55 p.m.)

- The Fiscal Officer and the Library Director are authorized to enter into an agreement with NBT Bank and/or Cap Com Federal Credit Union for electronic transfers of funds between library accounts

Motion by: B. Fraterrigo

Seconded by: B. Nelson

Action: Motion carried unanimously (6:56 p.m.)

- The Board authorizes payment of some time-sensitive bills by hand drawn check or electronic payment between board meetings

Motion by: P. Hubbard

Seconded by: H. Hennings

Action: Motion carried unanimously (6:56 p.m.)

MOTION: To Accept the following 2019 Annual Resolutions:

Motion to accept the resolution that the Board shall approve claims prior to payment in accordance with the claims approval procedure of the Library and that such approval shall be documented in the Board minutes. Claims for public utility services, freight and express, payroll, postage and associated expenses, and certain other expenses may be paid upon the approval of the Director or Assistant Director, prior to the approval by the Board. All such claims shall be presented at the next regularly scheduled Board meeting for audit and approval by the Board. This Resolution shall be effective immediately.

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135 Motion by: K. Downey
136 Seconded by: C. Barber
137 Action: Motion carried unanimously (6:57 p.m.)
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139 MOTION: Motion to accept the resolution that, to the extent permitted by
140 law and regulation, for any month in which no meeting of the Trustees is
141 scheduled to occur, the Board delegates its authority to the President or
142 other Officer to audit and approve payment of those claims for which costs
143 will be incurred as a result of payment in an untimely manner. All such
144 claims shall be presented at the next regularly scheduled Board meeting for
145 audit and approval by the Board. This Resolution shall be effective
146 immediately.

147
148 Motion by: P. Hubbard
149 Seconded by: H. Hennings
150 Action: Motion carried unanimously (6:58 p.m.)
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152 F. Each Trustee reviewed and signed policies relating to Code of Ethics, Conflict
153 of Interest, and Whistleblower
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155 G. Annual Committee Reports given by Committee Chairpersons for 2018-2019
156 Fiscal Year (**see attached**):
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- 158 • Finance
- 159 • Personnel Labor Management
- 160 • Policy
- 161 • UHLS

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163 MOTION: To Adjourn
164 Motion by: P. Hubbard
165 Seconded by: B. Fraterrigo
166 Action: Motion carried unanimously (7:06 p.m.)
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168 Transcribed by J. Schmonsky, Administrative Assistant
169 Submitted by K. Downey, Secretary

BOARD AUTHORIZATIONS 2019-2020

Library Attorneys

Girvin & Ferlazzo

Library Insurance Brokers

Ten Eyck Insurance and Marshall & Sterling

Library Auditors

Marvin & Company

Official Newspaper

The Altamont Enterprise

Board Meeting Dates

- Regular Board Meetings – TBD
- Special meetings – as needed

Authorizations

- A petty cash fund of \$535.00 is established
- The Fiscal Officer and the Library Director are authorized to enter into an agreement with NBT Bank and/or Cap Com Federal Credit Union for electronic transfers of funds between library accounts
- The Board authorizes payment of some time-sensitive bills by hand drawn check or electronic payment between board meetings

Guilderland Public Library Legal Counsel Agreement

This agreement was made and entered into this 18 day of July, 2019, by and between the **GUILDERLAND PUBLIC LIBRARY** located at 2228 Western Avenue, Guilderland, New York, 12084, hereinafter referred to as the "LIBRARY," and **GIRVIN & FERLAZZO P.C.**, with its offices located at 20 Corporate Woods Blvd, Albany, New York 12211, hereinafter referred to as the "FIRM".

The Library hereby retains and employs the Firm as its general legal counsel to provide the Library comprehensive legal advice and consultation regarding all legal matters which might arise in the course of the Library's operations and as requested by the Library and as are more specifically set forth below.

1. The Firm will provide the Library legal services under an annual retainer agreement on the following basis:

- Contract negotiations including at the table bargaining, mediation and fact finding.
- One arbitration (excluding just cause) per unit, per year.
- One improper practice proceeding (including conferences, hearings, but not appeals to the PERB Board) per unit.
- Limited brief consultation and advice regarding the Library's rights and liabilities in connection with Civil Service Law, Taylor Law, Fair Labor Standards Act, Unemployment Insurance Law, Workers' Compensation Law, Human Rights/Discrimination, Disability Benefits, Grievances Filed Against Employer, Employee Discipline Matters, Work Rules, Layoff Procedures, General Municipal Law, American with Disabilities Act, Family and Medical Leave Act.
- Attendance at relevant labor/management meetings and meetings of the legislative and committees thereof.
- Legal Services in regard to real estate, specifically the review of contracts, leases and relevant property issues, review of relevant policies(not to include a review and revision of an entire policy manual), advice on constitutional issues, contract issues, and liability issues.
- Day to day advice meaning either brief telephone advice or brief written advice.

2. In consideration of the foregoing, the Library hereby agrees to compensate the Firm as follows:

- An annual retainer of \$16,000.00 or \$1,333.33 per month, billed over the course of the Fiscal year (e.g. July 1st to June 30th) for legal services as outlined above.
- All work not covered by the retainer will be billed separately as non-retainer work at the Firm's current hourly rates, with the exception of litigation, hearings, and construction.
- Services not covered under this retainer arrangement will be billed at \$160.00 per hour for general matters.
- Legal services for litigation and hearings will be billed separately at the Firm's current hourly rate of \$180.00. "Litigation" refers to matters under the jurisdiction of the state and federal courts. "Hearings" are defined as any proceeding in which witnesses will be called, sworn, examined, and cross-examined before an independent finder of fact who will decide the outcome of the case

3. Other Billable/Reimbursable items:

- Only significant costs or expenses which are incurred by the Firm on behalf of the Library will be billed to the Library. Such costs are large photocopying projects, large postage fees, stenographic reporters' fees, witness fees and court costs.

4. The Library will have access to all attorneys and professional staff employed by the Firm. The attorney assigned as the Library's primary attorney contact is Kristine A. Lanchantin, Esq.

5. The term of this Agreement shall be from July 1, 2019, through June 30, 2020. The Library may, in its sole discretion, for any reason, terminate this Agreement earlier than June 30, 2020, upon thirty (30) days' written notice from the Library to the Firm, subject only to payment of earned fees, including a pro rata determination of the paid retainer, and disbursements as of the date of termination. The Firm shall also have the right to terminate this Agreement upon thirty (30) days written notice.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

GUILDERLAND PUBLIC LIBRARY

By: 

Timothy Wiles, Director

8/8/19

GIRVIN & FERLAZZO, P.C.

By: 

Kristine A. Lanchantin, Esq.
Shareholder

GPL 2019 Annual Resolutions

MOTION: Motion to accept the resolution that the Board shall approve claims prior to payment in accordance with the claims approval procedure of the Library and that such approval shall be documented in the Board minutes. Claims for public utility services, freight and express, payroll, postage and associated expenses, and certain other expenses may be paid upon the approval of the Director or Assistant Director, prior to the approval by the Board. All such claims shall be presented at the next regularly scheduled Board meeting for audit and approval by the Board. This Resolution shall be effective immediately.

MOTION: Motion to accept the resolution that, to the extent permitted by law and regulation, for any month in which no meeting of the Trustees is scheduled to occur, the Board delegates its authority to the President or other Officer to audit and approve payment of those claims for which costs will be incurred as a result of payment in an untimely manner. All such claims shall be presented at the next regularly scheduled Board meeting for audit and approval by the Board. This Resolution shall be effective immediately.

2018-2019
Finance Committee Annual Report
Guilderland Public Library

The Finance Committee worked hard to develop a 2019/2020 operating budget of \$3,987,713, based on a tax levy of \$3,892,813. This tax levy continues our commitment to staying under the State's Tax Cap.

For the second year in a row, we have put a modest increase into our programming budget, to provide even more great classes, speakers, concerts and other programs. There is an increase in the library materials line, based partly on growing consumer demand for e-content, and partly on the strong preference patrons showed for expanding the collection on our survey last year.

Professional services primarily reflect architect and attorney fees related to the referendum. The large drop in this line indicates the funds we spent last year on architectural, legal, and engineering fees to develop the Library Renewal Project. Now that the project is finished, we have far less need in these areas this year.

The capital improvements figure reflects our plan to continue refurbishing existing spaces in our building including skylight repair, restroom remodeling, and updates to doors and windows to ensure energy efficiency.

Finally, our interest income has risen dramatically because of higher interest rates on the operating funds which we hold in short-term CDs until money is needed for operations.

Adopted 2019-2020 BUDGET

| | <u>2018-2019</u> | <u>2019-2020</u> |
|---|------------------|------------------|
| Library Materials | \$375,000 | \$395,000 |
| Salaries and Benefits: | \$2,659,150 | \$2,811,870 |
| Operations: | | |
| <i>utilities</i> | \$45,000 | \$50,000 |
| <i>photocopiers</i> | \$6,000 | \$6,000 |
| <i>office and custodial supplies</i> | \$37,500 | \$38,500 |
| <i>postage</i> | \$5,000 | \$5,000 |
| <i>insurance</i> | \$17,500 | \$18,800 |
| <i>taxes (water and sewer)</i> | \$13,000 | \$10,000 |
| <i>conference and travel</i> | \$18,100 | \$15,500 |
| <i>memberships</i> | \$2,500 | \$3,000 |
| <i>special programs</i> | \$40,500 | \$42,000 |
| <i>building and equipment maintenance</i> | \$73,274 | \$89,000 |
| <i>financial services and auditing</i> | \$15,000 | \$15,000 |
| <i>printing - business operations</i> | \$40,000 | \$42,500 |
| <i>professional services</i> | \$307,752 | \$83,000 |

| | | |
|--|--------------------|--------------------|
| <i>miscellaneous</i> | \$20,000 | \$27,500 |
| <i>online catalog/circulation system</i> | \$40,000 | \$45,000 |
| <i>IT/ hardware and software</i> | \$63,000 | \$56,000 |
| <i>refund of real property taxes</i> | \$4,000 | \$0 |
| <i>capital improvements</i> | \$100,000 | \$234,043 |
| Total operations | \$848,126 | \$780,843 |
| TOTAL EXPENSES | \$3,882,276 | \$3,987,713 |
| Income: | | |
| <i>finer and fees</i> | \$36,000 | \$37,900 |
| <i>interest</i> | \$9,000 | \$24,000 |
| <i>book sales</i> | \$18,000 | \$20,000 |
| <i>gifts, grants, and donations</i> | \$1,500 | \$1,500 |
| <i>photocopiers</i> | \$9,000 | \$9,000 |
| <i>non-resident fees</i> | \$2,500 | \$2,500 |
| TOTAL INCOME | \$76,000 | \$94,900 |
| BUDGET (expenses) | \$3,882,276 | \$3,987,713 |
| minus income | -\$76,000 | -\$94,900 |
| equals LEVY | \$3,806,276 | \$3,892,813 |

Respectfully submitted by

Bryan Best
Finance Committee Chair

GUILDERLAND PUBLIC LIBRARY PERSONNEL AND LABOR-MANAGEMENT COMMITTEE

The 2018-2019 Guilderland Public Library Personnel and Labor-Management Committee consisted of Herb Hennings, chairperson, Karen Carpenter-Palumbo, Nareen Rivas, Barry Nelson and Barbara Fraterrigo. As President of the Library Board, Bryan Best was ex-officio and Library Director Tim Wiles was a resource person.

At this juncture, the committee is involved in negotiations with CSEA on a contract serving units 1&2, those units represented by the bargaining agent Civil Service Employees Association, Local 1000, ASCME. This would be a successor agreement to the contract recently expired. Several negotiating sessions have been held and it appears that progress is being made. We are aided by our attorney Chris Lanchantin.

The committee had previously met during the past year and ironed out contracts with management employees and the Director. Even though management employees are not represented by a bargaining agent, those employees set forth guidelines on issues on which they wanted to provide input and contracts were worked out with those employees for a period of one year, ending December 31, 2019.

There were labor-management meetings held during the last year at intervals requested by CSEA so that personnel issues could be addressed in a timely fashion.

Submitted by Herb Hennings, chairperson, Personnel and Labor-Management Committee

Policy Committee Annual Report

July 2018 – June 2019 Fiscal Year

The Policy meeting met just twice last year but was able to accomplish a great deal thanks to the Library Staff, mainly Jenna, Margaret, and Tim.

We updated the following policies:

Anti-Harassment

- Code of Ethics for Employees
- Code of Ethics for Trustees
- Disposition
- Naming Rights
- Procedure for Complaints Regarding Library Materials
- Rules of Public Behavior
- Smoking

Submitted by Kaitlin Downey on behalf of Policy Chair Karen Carpenter Palumbo
7/15/2019

GUILDERLAND PUBLIC LIBRARY

UPPER HUDSON LIBRARY SYSTEM REPRESENTATIVE'S REPORT

As a trustee of the Upper Hudson Library System representing the Guilderland Public Library, I work with the representatives of other libraries in Albany and Rensselaer Counties on policy and practice relating to all of the libraries in both counties. Tim Burke is the Upper Hudson Executive Director who works with both the Board of Trustees and the Directors Association, of which our Director, Tim Wiles, is Vice-Chair. The concerns of the Upper Hudson Library system are Adult and Outreach Services, Youth and Family Services, Community Access and Community Buildings.

Programs included in Adult and Outreach Services included the Library Moon Walk, encouraging health awareness and logging exercise to encourage participants to collectively walk the 238,900 miles which would be the distance between the earth and the moon. Adult literacy grants and jail outreach are other programs and UHLS recently spent over \$1800 on books for the Rensselaer County jail.

Connecting to technology was also important and there are now 540 internet computers available to patrons systemwide. Grants have been made to several libraries for desktop computers and free outgoing fax machines have been made available to the public. New York State construction grants are also important and grants have been allocated to many of the libraries within the system. The Services Committee is working on changes in construction grant criteria and rules for different levels of matching funds, particularly as concerns libraries in areas designated as poverty areas.

Upper Hudson joins the other library systems in New York State every year for a lobby day at the State Legislature to ask for greater funding for libraries and library systems. This is important since Governor Cuomo has cut library grants and the legislature can put the funds back into the budget. We are lucky to have good friends of our library in the legislature in Senator Amadore and Assemblymember Fahy.

The Upper Hudson Director and staff are working on a new draft of the UHLAN agreement, which represents the service agreement between each member library and the Upper Hudson Library System. This will be focused upon services that the system provides, including but not limited to automation services.

One of the more interesting projects of Upper Hudson was the 2018 Upper Hudson Expedition, encouraging library users to visit as many of the 36 library locations in Albany and Rensselaer Counties. This was intended to build support for the libraries and was very successful in that 375 individuals visited all 36 of the libraries. I now know where the Cohoes, Watervliet and Rensselaer libraries are located. There will be a library expedition party connected to this at the Crossings of Colonie on Tuesday September 10th between 4-7 PM.

Saving the best for last, the Guilderland Public Library was honored in the selection of outgoing trustee Chris Aldrich as system trustee of the year at a ceremony last month during the Upper Hudson Library System gala in Latham, New York. Chris received a plaque and briefly spoke. The dinner was attended

by library management and trustees. Chris was chosen from a number of trustees who had been nominated by their libraries for this honor. A strong letter from Director Tim Wiles was very helpful in the deliberations.

Submitted by UHLS Representative Herb Hennings