

**Montville Township Public Library
Board of Trustees Meeting
JANUARY 11, 2010
Montville Township Public Library
90 Horseneck Road
Montville, New Jersey 07045**

The meeting was called to order by President, Peter King at 8:20 p.m.

**Howard Chesler David Dalia Edward Ernstrom Peter King
Donald Kostak Robert Lefkowitz Thomas Mazzaccaro James Sandham**

**Allan Kleiman – Interim Library Director
Vincent Sacco – Associate Director for Operations & Technology
Ann Grossi, Esq. – Attorney for Board
Elaine Wood – Recording Secretary**

Absent: Gary Bowen

Peter King stated that prior notice of the Meeting had been published in accordance with the requirements of the Open Public Meetings act.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES OF MEETING

Meeting was opened at 8:20 p.m.

ADOPTION OF MINUTES

Peter asked for a motion to adopt the December 14, 2009 Meeting.

Thomas moved
Howard seconded

Peter asked for a roll call.

Voted Yes: Howard Chesler, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, James Sandham, Peter King

Abstained: Robert Lefkowitz

PUBLIC COMMENTS

At this time Sue Lasalandra Goldblatt of Montville Pet Parents addressed the Board of Trustees. Ms. Goldblatt stated that she had submitted two (2) requests to the Interim Library Director to hold book sales again this year. Ms. Goldblatt requested a week's worth of time where they would have the three rooms and be able to get all the books in. There is approximately 30,000 to 40,000 books donated. Some of the

benefits of the books sale is that they take some of the library books that the library no longer want or need rather than have them recycled and they use them as part of the book sale. The proceeds from the book sale will be used for the new Montville Animal Shelter. Also, the Kiwanis benefits from the book sale, as all left over books will be donated to them, which is used by them for their annual book drive. These books get sent to schools in less fortunate areas.

Allan stated that there are no conflicts with the dates that Ms. Goldblatt requested and since she started the process early, the library made certain that they did not schedule any events that would conflict with Ms. Goldblatt's dates. There will be one week in the Spring and one week in the Fall.

Allan stated that any organizations that use the library could be accommodated in the Biography Room. Pathways would have to be informed of the four days that the library would not be able to host them.

Peter stated that he would like to discuss this further with Allan to be certain that there would be no major conflicts and get back to Ms. Goldblatt some time in the middle of February. Ms. Goldblatt said that the week they wanted was the second week in March.

REPORTS OF OFFICERS

President – Peter King

Peter stated that as the new President, he was looking forward to a busy year and was looking forward to cooperation from all board members as well as the library staff.

Vice President – Edward Ernstrom

No Report

Treasurer – Donald Kostka

Donald stated that as of December 31, 2009 there would be some adjustments on the Statement of Expenditures and Revenues. Currently there is a budget surplus of \$387,185.00. The following items are going to cause this number to be adjusted:

- A bill from the town is expected on an insurance matter, in the amount of \$55,000.00
- The outside accountants have not billed the library for two months, totaling \$2,500.00, as an expense.
- The Township income of \$154,900.00 arrived the first week in January 2010 and has been deposited.
- There are accruals for salaries, estimated to be \$21,700.00 with additional payroll tax expenses.

Donald stated that he anticipated that the adjusted 2009 Surplus would be approximately \$461,225.00. He further stated that he would go over this within the next week. Based on the resolution done in November/December 2009, approximately \$230,000.00 + would be going back to the town.

Secondly, with regards to the Cash Accounts, Donald noted that they had finished the year, December 31, 2009 with combined cash of \$1,187,877.03. There are some accounts that have been reconciled and should have been included in the December 9, 2009 reports. The Operating Account Reconciliation - \$69,000.00 – when there are non-check adjustments, i.e., direct deposits, charges to the account that occurred as a result of non-checks, these adjustments come through, therefore the reconciliation that we

have for the accounts are correct. Donald stated that if anyone needed further details, to please see him after the meeting.

Lastly, there are a number of initiatives that can be pushed forward in the year 2010, where spending could be cut. Donald believed that between \$50,000 - \$75,000 is a doable number.

Secretary – Thomas Mazzsaccaro

No Report

REPORTS OF COMMITTEES

Finance - Donald Kostka

No Report

Buildings and Grounds – Edward Ernstrom

No Report

Howard asked who is responsible for plowing and salting on the sidewalk at the front door of the library. Peter stated that he believed it was the town's responsibility. Howard's concern was that he was at the library New Year's Eve day, approximately 1:30 p.m., and the parking lot was plowed, salt was down, but nothing at all was shoveled from the sidewalk. Howard stated that he had someone from the library call the town as it needed to be dealt with immediately. Allan stated that he did receive an apology from the town and it needed to be handled better in the future. Allan further stated that he and Frank Bastone were going to try and meet with Tom Mazzaccaro, Sr. to possibly elevating the library on their priority list for such situations, especially on days that the library is open to the public.

Personnel – Peter King

Peter stated that a patron had left a large sum of money by the computers and one of the staff members (Jill Otto) saw the money and promptly handled the situation by inquiring about the ownership of the money and then turned it into the office. Peter said she was a credit to the staff as she exhibited outstanding integrity. Peter requested that perhaps the deed be recognized.

Patron Services – Howard Chesler

No Report

Interim Library Director's Report – Allan Kleiman

Allan stated that he would do a follow with the Buildings and Grounds Committee regarding the Montville Pet Parents request. He stated that he did not have any issues regarding this project. James asked that we give them any consideration that we could and suggested a "Facility Use Form". Allan stated that by January 25, 2010 he would get back to the Montville Pet Parents.

Secondly, Allan asked if either Peter or Edward cared to comment on the proposal regarding the Montville Garden Club.

Edward summarized by stating that the Montville Garden Club asked that the Library post the Rain Garden project. Edward said that it is a garden constructed of plants that have a very low water use after the first two years. The Garden Club would purchase all the materials. They would also take on the responsibility of education, tours any expenses of the project, signage and a kiosk, therefore, it would be of no cost to the library. Rutgers would be running these courses.

Allan stated that he wanted to bring the Board up to date on the hand scanner for the staff. The scanner was in use when he arrived at the Montville the last week of July 2009, therefore it has been in use approximately 8-9 months. In general the scanner has been a minus, from a performance point of view in that there are some days, it just don't not function properly. Some staff has had continual problems. The scanner is being used for in and out, and lunch times for part time staff and full time staff, Saturdays included. Many of the staff continues to forget to use the scanner, therefore there will be a more rigorous way of monitoring will be instituted. Staff will be required to fill out a form stating that they have forgotten to scan in, with the day and time and then execute the document. Allan stated that he would be working on the development of a lateness policy and his hoping for a personnel manual in place for the staff. Donald felt that perhaps the scanner has not lived up to its expectations.

Associate Director for Operations & Technology - Vincent Sacco

No Report

RESOLUTIONS/MOTIONS

(a) Resolution to accept check register dated December 1, to December 31, 2009 in the amount of \$41,104.55.

Edward moved
Donald seconded

Discussion: James stated that he had some concerns, as there were no descriptions on what the money is being spent on. James also noted that there was no description for the \$69,000.00 item in the Bank Account Reconciliation statement they were going to accept this as part of the Treasurer's report and that the \$69,000.00 item was a disbursement for the month. James was asking for a better description in the future. Donald noted that there were notes to the December 2009 reports giving details. James said he did not receive these notes. Donald said he would get copies for the all the board members.

Allan suggested printing out a vendor's list for the board members. Robert suggested a PDF.

Voted Yes: Howard Chesler, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, Robert Lefkowitz, Peter King

Voted No: James Sandham

(b) Resolution to approve the contract of R.A. Frederick & Company, LLP for monthly accounting for the year 2010, (general ledger, account reconciliation, etc.) The fee will be \$1,650 per month for January – December 2010.

Peter handed out an updated contract changing the amount of \$1,650 to \$1,250 per month.

Edward moved
Thomas seconded

Discussion: Donald noted that Frederick & Company would prepare the financials and work papers for whoever is going to do the audit. It was suggested that date be changed to August.

Voted Yes: Howard Chesler, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, James Sandham, Robert Lefkowitz, Peter King

(c) Resolution to accept temporary holiday schedule for 2010:

Friday, January 1	New Year's Day
Monday, February 15	Presidents' Day
Friday, April 2	Good Friday
*Monday, May 31	Memorial Day
Sunday, July 4	Independence Day
Monday, September 6	Labor Day
Thursday, November 25	Thanksgiving Day
Friday, November 26	Thanksgiving Friday
Friday, December 24	Christmas Eve
Saturday, December 25	Christmas Day
Monday, December 27	
Saturday, January 1, 2011	New Year's Day

Peter stated that they would only be voting on the dates up to Monday, May 31, Memorial Day and the remainder of the schedule would be voted on at a later date. Easter Sunday is a separate motion because it is a closing, not a holiday. Edward said that July 4, Sunday is an error as it should be Monday.

David asked that they look into Montville Day

Howard moved
Donald Seconded

Voted Yes: Howard Chesler, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, James Sandham, Robert Lefkowitz, Peter King

(d) Resolution to adopt closing schedule for 2010:

April 4	Easter Sunday
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Edward moved Resolution (d) up to June 30 for a cutoff due to future discussion concerning Montville Day and there may be additional closings.

Peter said they would address this at a future date

Edward moved
Donald seconded

Voted Yes: Howard Chesler, Robert Lefkowitz, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, James Sandham, Peter King

(e) Emergent Resolution to extend 2009 Budget into 2010 for up to two months (February 28, 2010).

Edward moved
Donald seconded

Discussion: Donald suggested extending it to March 31, 2010.
Edward accepted the friendly month.

Voted Yes: Howard Chesler, Robert Lefkowitz, David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro, James Sandham, Peter King

(f) Resolution to approve an agreement by and between the Township of Montville and the Montville Township Library Board of Trustees concerning shared funding of a capital improvement project for the purchase and installation of automated doors and construction and remodeling of the Montville Township Public Library's main entrance lobby.

Edward moved
Peter seconded

Discussion: James stated that he was not in agreement as he felt this only said that the town was going to contribute \$38,000.00, received as a grant from a Community Development Block Grant toward this project. James said it does not give any bidding processor or power to the town. Peter noted that the only thing the town would pay for would be the \$38,000 received as grant money, which would then be given to the library. Any other costs incurred would be taken care of by the library.

Voted Yes: Howard Chesler, Robert Lefkowitz, Edward Ernstrom, Donald Kostka, Thomas Mazzaccaro,
Voted No: David Dalia
Abstained: James Sandham

(g) Resolution to approve an agreement between Montville Township and the Montville Township Public Library to provided shared services.

Allan stated that they did not receive a copy of that and hopefully it will be on next month's Agenda.

Resolution (g) was tabled until the February 2010 meeting.

OLD BUSINESS

Robert noted that there were a number of items, such as website maintenance, land consulting fees, a computer fee – and asked if the library had approached the town to see if they would be interested in doing this rather than paying an outside contractor. Allan said that the public relations person does the website maintenance, which is a built in cost. Currently the library is in the process of moving the website to the New Jersey State Library which will result in zero cost to the library. Technology cost is an outside contractor who comes on a weekly basis. The other technology costs are transmission costs: T1 line that goes to the Morris County area – a network and the other is Cablevision, which supports the other internet access. Allan stated that they would be getting rid of the cost for the site maintenance and the e-mails within the next month or two. Allan stated that PR consultant is someone that was hired to do the PR through Pro Libra.

Robert stated that the Library did not have any Bylaws. He further stated that Robert's Rule and the State Library Trustees Association recommend Bylaws. Robert said he would like to make a motion for the Board to appoint four members to a committee for the sole purpose of creating Bylaws. Peter said he would refer that to one of the committees already established. Peter said that he would also have the

committees look into some of the other issues that Robert had brought forward in his email that was sent to the Library Director last week.

Robert made a motion to send to a Special Committee of four trustees to be appointed by the Board to create a set of Bylaws for the Board of Trustees.

Thomas seconded

Edward noted Montville was one of the three libraries in New Jersey that had the 501 3-C status in the IRS filing that gave them that status. Edward stated that they did not want to jeopardize that status as it allowed them to apply for grants. Donald stated that he would like to expand the committee, as there were other issues besides the Bylaws that needed to be looked in to.

Thomas requested that perhaps this new committee could look into whether they needed bylaws or not.

James noted that he has sat on a number of 501 3-Cs and they all had bylaws. James stated that the Township has a charter and their bylaws do exist, but are called Municipal Ordinances.

Peter asked for an amendment or a restatement of the motion as there were two different statements made: one asking for a motion to create bylaws, then the question was raised by Thomas as to whether or not bylaws were needed.

Robert requested a motion to send to a committee the issue of whether we need bylaws and if so, proposing those bylaws to the Board, a committee of four (4) people to be nominated by the board.

Ann clarified that Robert was requesting that the Board select a committee rather than the President pick a committee.

Robert stated the board would appoint that committee. Nominations would be taken from the floor.

David stated that the Board operated for many years that you could not have any motions that were not on the agenda at all unless they were given 72 hours notice to the public.

Ann stated that emergency items can be voted on, but on issues such as this, there should be notice to the public as well as the board.

Ann repeated Robert's motion stating that:

To form a special committee of four members of the board to look into the viability of bylaws for the library and to look into grafting library bylaws and then present bylaws that the board would vote on.

Thomas seconded

Voted Yes: Robert Lefkowitz, Donald Kostka, Thomas Mazzaccaro, James Sandham,

Voted No: David Dalia, Edward Ernstrom, Peter King

Passed: Howard Chesler

Abstained: Howard Chesler

James made a motion that the following board members be appointed to this committee:

Peter King	Thomas Mazzaccaro
Donald Kostka	Robert Lefkowitz

Peter declined.
Donald Kostka declined.
Robert nominated James Sandham, who declined.
Howard declined.
David declined
Edward declined.

Peter stated that at this time they could not form a committee. Robert said he would put it on the next month's agenda so the public has appropriate amount of time to review.

Robert suggested that all board members use a Montville Library e-mail address and not personal or work e-mails because if someone filed an OPRA request, they would be able to access these personal e-mails.

Robert began addressing some issues from his e-mail list to which Peter suggested that he submit them to the board for review and be presented at a later time. Robert had some concerns with the OPRA rules and stated that OPRA should not be used as a shield to knock down requests. Ms. Grossi noted that Robert's requests were not for records, they were interrogatories. She further stated that OPRA does not require any public entity to create records. It was noted that Robert was opposed to putting his requests in writing but Ms. Grossi stated that that request in writing is required by law, NJSA 47:1A-5G, and NJSA 47:1A-5S stipulates what specifically has to be put in that request.

David Dalia and Edward Ernstrom excused themselves from the meeting at 9:58 p.m.

Robert requested the status on some outstanding items from previous meetings, i.e., Long Term Capital Plan, Library Usage Plan and Organization Chart. He stated that Robert's Rules requires that committees present at the annual meeting the work that they have done during the year and these are still outstanding items. Peter stated he would ask the committees to look into this. Allan said the Reorganization Chart is being redone as part of the new organization plan, which is being presented to the Personnel Committee by the end of the month.

Robert also inquired about the Mission Statement. Peter said the Mission Statement is on the website and has always been there. Robert said he looked but it was not there. Allan said it has always been there.

Peter suggested that Robert give him his list of concerns at which time Peter would distribute these concerns to the appropriate committees and they would be addressed at another meeting.

Robert noted that since the Library Director had been released a number of programs have been functioning on their own. He suggested that our attorney draw up a policy for these groups with guidelines that say this is the framework that you need to act within, in order to protect them. Robert's concerns were discrimination.

NEW BUSINESS

James noted that he had received the reports on Service Trends and U.S. Public Libraries. He stated that there are significant points about the differences between urban libraries and rural libraries and the trends. James stated that he felt they needed a synopsis of this and how it affects the library.

Peter gave Robert a Mission Statement that he had printed out a few weeks ago.

Allan stated that at the request of Donald the board was supplied with copies of a draft of the Technologies Plan and Strategic Plan that needs to be addressed as soon as possible. He further stated that he would like these addressed at the February meeting.

Peter stated that due to the lateness of the hour he was going to postpone the Executive Session.

Peter asked for a motion to adjourn.

Donald moved
Thomas seconded

All were in favor.

10:08 p.m. Open Session Adjourned