

**Montville Township Public Library
Board of Trustees Meeting
JUNE 14, 2010
Montville Township Public Library
90 Horseneck Road
Montville, New Jersey 07045**

The meeting was called to order by President, Peter King at 7:30 p.m.

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

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

Absent: Howard Chesler

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

MINUTES OF MEETING

Meeting was opened at 7:30 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

PUBLIC COMMENTS

Matthew Reinkin of 22 Lenox Court, Montville, NJ addressed the Board. Mr. Reinkin said that he was on the Residence with Disabilities Committee. With regards to the "Front Door Project" he said that he was concerned with some of the accommodations that were being made for the handicapped. He noted that the plan had been sent to upstate New York. Peter said that Carmella was given the plans, and since she is not a registered ADA expert she suggested that the plans be sent to the Cornell University, Disability and Business Technical Assistance Center for review. Allan said they are the northeast regional ADA (American Disability Act) Center. Allan said that Carmella stated that she would look at the plan as a knowledgeable professional but she was not an architect and therefore she did not feel qualified. Allan said that they were waiting for a reply.

Mr. Reinkin asked that when they do return, that Allan please forward them to him so that he could take a look at them. Mr. Reinkin said that he was an Elder Care Attorney and based on experience, he believed that, especially mothers who have children with special needs, tend to be very aggressive and often times hire attorneys to contact Boards such as this to remind them of certain things, by way of example: the American Disabilities Act. Mr. Reinkin asked that the Board factor this in for consideration. Mr. Reinkin asked that the Board be mindful of the fact that there are people with special needs who should have access to the library.

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Peter said the plans that have been developed have been in existence for over two years and there were still some issues that need to be addressed, such as the wind direction. He further stated that there are some people who do not want to spend the money.

Mr. Reinkin said he understood that there will always people opposed but if the Board were not going to take their recommendation, they should not wait for a Federal Judge to tell them do it be fined \$10,000 per day until you do it.

James stated that he is fully supportive of getting ADA compliant doors. He said that from May 24, 2007, they had from the same architect, a plan for fully compliant doors and on his cover letter he stated “both proposals seemed reasonable and also met ADA criteria” ... “in our opinion a proposal unit of sliding doors will open and close quicker than swing doors” – the cost being \$120,000.00. James said it was not the fact that he did not want to spend the money; it was the fact that he did not want to spend \$120,000.00 when he could spend \$50,000.00.

Peter said they had set aside \$91,000.00 for the library’s surplus and they have \$38,000.00 from the town that they had received from the state to provide the doors.

James asked that it be made clear for the record that he is in support of ADA compliant doors but he is not in support of a project that is going to cost \$150,000.

Robert asked for a point of order.

Joan Leib, 21 Rain Drive, Pinebrook, NJ addressed the Board. Ms. Leib said that she has been on the Disability Committee for approximately one year and she has been pushing for library doors for many years. She said she understood the pros and cons, but putting that aside, she said they needed to start thinking about what is going to work best for the disabled people in town. She said that whether they add a vestibule or not, the bottom line is they need the doors to open properly and they should do what is best for the disabled people that need them, and if they keep postponing it and arguing amongst themselves, the project will never get done.

Roseanne Dawer, 6 Peachtree Drive, Montville, NJ addressed the Board. Ms. Dawer said that they need the doors. She acknowledged that Peter has been on the Board for years and he has been working to get these doors approved. She furthers stated that maybe the vestibule was not a necessity nor was the windscreen, but it is time that things got done at a faster rate and the doors be approved. She said if it were her decision, she would have suggested two sliding doors and forget about the windscreen. Ms. Dawer said that presently she couldn’t get into the library on her own.

Robert asked if this committee ever consulted before the plans were drawn. Edward said that Dori Berman was consulted.

David called for a point of order, stating that this discussion would be more appropriate in Old or New Business.

ADOPTION OF MINUTES

Peter asked for a motion to adopt the June 10, 2010 Minutes.

James moved

Robert seconded

Robert made a motion to add Bylaws to Section VI – Reports of Committees and switch D for B in Section IX – Resolutions/Motion.

Thomas seconded

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

Voted No: David Dalia, Edward Ernstrom, Peter King

Peter asked if there were any corrections to the June 10, 2010 Open Session Meeting.

Page 13 – Peter Kign should be King

All were in favor of approving the Minutes of June 10, 2010

REPORT OF OFFICERS

President – Peter King

Peter said this was the last evening that Rita Seipp was going to attend the Board meetings and took this time to thank her on behalf of himself and the Board of Trustees for her contribution to the library and for her assistance in helping the Board of Trustees maintain a good relationship with the Board of Education. Peter said that he looked forward to continuing this relationship when Dr. _____ becomes Superintendent on July 1, 2010 and he will reach out to him with a welcome letter in his introductory packet.

Peter further stated that he wanted to compliment Ms. Grossi on her victory as a future freeholder.

Vice President – Edward Ernstrom

No Report.

Treasurer – Robert Mazzaccaro

Robert said that he had received notification from their accountant that they had filed an extension and they also received notification that they have been granted the extension on their tax return once the audit is performed. At that point, the tax return will be filed.

Allan said he believed the audit company was due to come in on Thursday of this week and he would notify them, via e-mail, when he was certain.

Assistant Treasurer – Donald Kostka

No Report.

Secretary – David Dalia

No Report.

REPORTS OF COMMITTEES

Finance – Robert Mazzaccaro

No Report.

Buildings and Grounds – David Dalia

No Report.

Personnel – Edward Ernstrom

Edward said the Personnel Committee met to discuss their findings in Executive Session and they need some advice from counsel. He said that their direction is to get long-term stability in the delivery of the services through an innovative staffing matrix.

Patron Services – Howard Chesler (absent)

No Report

Allan said that he did have some correspondence with Howard and one of the issues still remaining is the traffic situation with the school. He said that Howard did have some success with less and less students' parking. He was told that Chief Cook would come by and take a look at the situation. Allan said he would write to him again. He asked if perhaps the Mayor could reach out to him on the library's behalf.

With regards to the printer; they have been able to keep costs down below the estimate by piggybacking with the township with their bulk permit.

Donald asked the cost of the movie license, to which Allan stated it was \$440.00, which will be coming out of their programming fund and it would be split between children and adults.

Allan stated that there had been an incident where a babysitter dropped off two young children, age 5 and 6, to go to story time, however, they did not have story time this month, therefore the children were wandering around alone. A staff member was able to get a telephone number from one of the children to call one of the parents, but had no success. He said they did leave a message and the babysitter showed up at the front door; the children ran out and went into the car. Allan said this is not an unusual situation as many parents/caretakers think it is safe leaving children at the library. He said that recently he had a parent call the library requesting if she could leave her 8-year-old child at the library as she was going shopping in the mall. Obviously, he said "no". He said that most libraries have expanded their "unattended children's/persons policy" as it applies to unattended elderly people as well. One of the concerns is that a child may get into a stranger's car and the library would have no way of knowing that they were not with the proper party. Allan said they needed to set a policy on the matter.

Ms. Grossi said that she did not believe there was a law that states you cannot leave your children at a library but she believed that there is a law about abandoning your children, as it is child endangerment. She said that legally they could call the police and have them pick up the children, they would call the parents to come get them and the parents could actually be charged with child endangerment, and those children could possibly wind up in a DYFS situation. The problem lies in the fact that once the child is left here, the library has no way of knowing if the proper party is picking them up or if it's a stranger the child may be going with.

Rita said that if the library knows that a child is left unattended, their responsibility is to call DYFS as that should be reported.

Allan said staff is very hesitant to do that unless they have something in writing. Ms. Grossi said that it could be an anonymous phone call, however, she said she believed calling the police would be sufficient.

Technologies – David Dalia

David said he sent a revised technology plan to the state with regard to the library's application to return funds to the township.

Bylaws – Robert Lefkowitz

Robert said that he and Thomas had a meeting and they got a good start. He said they expected to have something to deliver by the next meeting. The only item he believed to be varying on the norm is the budget and suggested that if anyone had any input in that regard, they were welcomed to attend the meeting. He said they could send an e-mail to the director.

Allan said it would be helpful for him for documentation purposes if Robert could e-mail him saying that he was going to have a meeting. Allan asked how Robert would like people to respond with regards to the budget to which Robert said that if there are people who would like to have input on the process that is followed for coming up with a proposed budget, they should please let him know.

Ms. Grossi said that it is not advisable for Robert to have more than a quorum at his committee because it then becomes a full open Board meeting. She said he should be presenting his recommendations to the Board at an official Board meeting and that is where it should be discussed and that is where it should be notice to the public.

Interim Library Director's Report – Allan Kleiman

Allan said he had nothing to add to his report, but believed there were some unanswered questions from some of the Board members. James asked about Allan's request for a "policy" regarding the children being dropped off at the library. Allan said he couldn't write a procedure. James asked if there is anything that could be done that could avoid the children being dropped off in the first place; perhaps a sign that reads: "Children Should Not Be Left Unattended". Allan said they could do that. Allan said that each library has a different policy. He said that he believed age 11 was the acceptable age, however, some library's state in their policies that an 11 year old is not allowed to be a babysitter for 4 or 5 year old children.

With regards to the survey – Robert asked if they were going to be sending out a self-addressed, stamped envelope with that and what service was selected for that. Allan said that Alexa went through a series of on-line services and she chose one that would be no cost to the library. Allan said that he and Alexa would be collating when they come back to the library. He said the envelope was not a self returned envelope because there was no way to do that, however, it is folded in a way that if someone wanted to turn it inside out, there is an address there and they can either drop it off to the designated areas or they could put a stamp on it and mail it. He said people could respond electronically as well.

Allan said that the SIRSI/DYNIX Automation System is what operates their circulation system, which allows them to keep a count of who has books in and out of the library and where they are on the shelves. He said it allows better recognition for the staff for names.

8:18 p.m. Open Session convened to go into Executive Session

Open Session reconvened 8:43 p.m.

RESOLUTIONS/MOTIONS

(a) Resolution to accept check register dated May 1, to May 31, 2010 in the amount of \$62,060.37.

David moved
Edward seconded

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

Passed: Robert Lefkowitz

(Please note that Resolutions (d) and (b) were switched – requested by Robert Lefkowitz)

(d) Resolution to approve Revised Technology Plan 2010-2013

James moved
Edward second

Discussion: James asked who authored this plan. Allan said he had authored some of it, but some had already been approved. James said he had sent an e-mail with 3 or 4 items and none of them were incorporated, nor did anyone get back to him. James said the biggest concern he had for the web site was how to not just make it for library users but to attract new users to the library. Also, he said he was not certain that they had ever adopted a mission statement. Allan said that it was adopted in March. James said that he had requested that a bullet point be added to the Mission Statement stating that: “Recognize the importance of taxpayer money which fund our operations, we will endeavor to provide the highest level of service in the most cost efficient manner”. He said that he did not recall a discussion in that regard as to whether it was incorporated or denied. James said he had sent two (2) e-mails on February 18. James said that it was his belief that all members’ comments should be addressed.

Peter said that there were two ways they could address this

1. Do not approve this resolution at this time, until the changes are incorporated or;
2. Approve them now and then amend them at a later date.

Robert said they could not approve this tonight, as there were things that they should have more information on, also things that he believed to be wrong. He noted page 3 was incorrect as there is more than one “Linksys wireless 4 port switch router”. He further stated the information noted in the PC INVENTORY list was incorrect.

Donald said they could approve this now and amend it later.

Robert said that he believed that they had already voted on a Technology Plan that already went to the State and then came back for some revisions. Robert said that if they knew what revisions were made to this plan, they would be better able to bring it to a place where they would be able to present to the State.

Allan said that the original plan only included #5, which is the Technology-based service objectives, 2010-2013. The Board approved everything else but question #5, the Vision Value Statement and the

Mission Statement. Numbers 1, 2 and 5 are new. Allan said that Vincent started working on this and spent a considerable amount of time on it. Allan said that the dates of the computer installations were fairly accurate.

David made a motion to amend this document to delete column 5 "Speed".
Donald seconded

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

Robert said that under the caption "Telecommunications Equipment", it should say "Linksys wireless 4 port switch router"s".

Robert made a friendly amendment to revise the following:

1. Page 3 - Under the caption "Telecommunications Equipment", second bullet point, – change the word "router" to "routers".
2. Page 4 – Delete third bullet point.
3. Page 5 – Goal 3 – No conclusion
4. Page 5 Goal 3 – 5th bullet point should read September "2011"

David seconded

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

Allan said that he could not send this out as the Board just voted that there would be no computer training. Allan asked for clear instruction as to how this is to go to the State. Allan said that they are required to tell them how they train staff and public to keep both up with the changes in technology.

Robert said he would like to change his amendment as he said they had discussed starting a program where they might have senior and students – Allan said that is not going to happen.

Allan said it is his name that goes on this report and he needs to have it in writing from the Board so that no one could accuse him of doing something that he should not have done. Peter suggested leaving it as it is. Vincent said that they have a continuing need for computer training to the public as well as the staff.

James asked Allan what level of expense would he think he needed to support training in this plan. Allan noted page 7 of the Plan, under Training, out of \$10,000 listed, \$5,500 has already been spent this year, leaving approximately \$4,000 left for the rest of the year. He stated that they were teaching with an outside contractor at a cost of \$1,200 per month. He said that the \$10,000 could be changed to \$14,000 and the \$63,000 could be changed to \$67,000.

A straw poll was taken "to utilize \$8,000 out of surplus/contingency for purposes of computer training".

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

Voted No: Robert Lefkowitz

James asked for a motion to accept the Technology Plan, as amended.

Rita seconded

Voted Yes: David Dalia, Edward Ernstrom, Donald Kostka, Thomas Mazzacarro, James Sandham, Rita Seipp, Peter King

Voted No: Robert Lefkowitz

(c) Resolution to approve emergency staffing by Pro Libra

Edward moved
David seconded

Discussion: Edward said this resolution was to give Allan authority to call for substitutes when there is no other staff available. Edward further stated that they estimated Allan would not use the service more than 25 hours per month. Allan is currently filling in as a substitute.

Ms. Grossi stated for the benefit of the two union reps that this was being done after they were trying to solicit volunteers from the permanent staff.

Allan said Pro Libra does their own background check.

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

Voted No: Rita Seipp

(b) Resolution to approve the 2010 Trustees Policy Manual

Peter made a motion to table Resolution (b)
David second

Voted Yes: David Dalia, Edward Ernstrom, Donald Kostka, Robert Lefkowitz, Thomas Mazzacarro, James Sandham, Rita Seipp, Peter King

Peter asked for a motion to approve the Executive Session Minutes of June 10, 2010
Edward second

Discussion: Robert felt the Executive Session minutes were incomplete and out of character with all of the other past minutes for the Executive Session. Robert also wanted it noted that our attorney, Ms. Grossi, turned off his video camera.

Ms. Grossi said she wanted the record to reflect that she turned off the videotape and the voice recorder so that the official recorder is only taping the Executive Session Minutes.

Voted Yes: David Dalia, Edward Ernstrom, Peter King

Voted No: Donald Kostka, Robert Lefkowitz, Thomas Mazzacarro, James Sandham, Rita Seipp

It was stated (by the recording secretary) that the tape included Ms. Grossi reading Mr.Lefkowitz' e-mails and there was bickering back and forth and coming to a resolution as to how to solve the matter amicably.

Ms. Grossi said she would go over the Executive Session minutes and see if there was anything further that could be added to the minutes.

Robert asked for a copy of the tape. Ms. Grossi suggested that Robert listen to the tape with her.

PERSONNEL MATTERS

(Vincent had been riced and requested that this be discussed in the Open Session meeting).

Allan said that the reorganization plan that was developed and approved in 2010, Vincent Sacco's position was being phased out. At that time it was suggested that Vincent was actively engaged in the Pio Costa project and that he still be involved. There was a recommendation from the Finance Committee that Vincent be a volunteer, as he had originally started. In November 2008, the Board asked Vincent to be the Acting Director and gave him the title of Associate Director for Operating and eventually changed that to Associate Director for Operations and Technology. In April 2010 he was appointed as a civil service employee and holds the rank of Library Associate. He is now in the New Jersey Pension System; therefore he cannot be phased out of the position unless Vincent decides to resign. Vincent has been with the library since 2002 as the computer instructor and he would more than likely have continued in that role had the Board not reached out to him and asked him to be the Acting Director. Allan said that when he came to the library last July, Vincent took a "behind the scenes" role and he has been phasing his time out. Allan said that it is the Board's desire that Vincent continue as Associate Director of Operations and Technology and thus could use some of his time, as he did previously, to do computer training or to go with this position.

Ms. Grossi said that if this is a civil service title that he holds and he is a permanent civil service employee, they couldn't abolish his position; they must give him at least forty-five (45) days notice as to what they are planning to do.

It was recommended that they turn this over to the Personnel Committee.

Vincent said he is currently working at the library and Ms. Grossi said she would work with the Personnel Committee in order to get this straightened out. Ms. Grossi suggested that since \$8,000 has been put back into the budget, perhaps Vincent could be working on when he is going to be putting the computer programs into effect.

OLD BUSINESS

A. Township Technology Committee Report – Robert Lefkowitz

Robert said that he was close to working out a deal with Verizon and that should give the library access to FIOS. He said that as soon as they take care of that they were hoping to have Fiber Optics between the library and the high school. He said that should yield the library large savings. He said one of the major expenses of the security system is the computer servers and the technology. He said that all the servers currently exist in the high school therefore the library would be able to serve a large portion of the anticipated cost for the security system. It has not been discussed as to whether they are anticipating the Board of Education billing the library for use of their server. Allan asked if the library was having a problem with their computers and the high school was closed, whom would they call. Peter suggested that the Technology Services Integration Committee should look into this.

Thomas stated, for the record, that Robert was reporting as a citizen and a liaison to the committee.

NEW BUSINESS

A. Board Treatment of Public

Robert said that before he became a member of this Board, he attended some meetings as a member of the public. On one particular occasion someone came to the meeting and asked to be heard, however, the public portion of the meeting had already been closed and they were not permitted to speak. Ms. Grossi said that while Robert's point was well taken, it is not common practice for a Board to reopen a portion of the meeting twenty minutes after it has been closed. Robert said that he felt there were inconsistencies as he had seen it done on other occasions for select individuals. It was noted that on that particular occasion, the party was told they could not speak as a Board member, but they could participate during the Public portion of the meeting.

Robert suggested that they have the public portion of meeting conducted during the beginning of the Open Session meeting.

Robert felt that having the public request an OPRA request when they wanted certain information was not being cooperative with the public. Ms. Grossi said that was an inaccurate assumption as when he was the party (as a member of the public) requesting information, he was told he must file an OPRA request because that is the law. She further stated that at the time he wanted certain documents, and he was told that he had to file the OPRA request and it had to come in as a certain written form. She further stated that the reason being it is intended to protect the public entity. There is a seven-day period from the time that it is requested and the request must be made very specific so that the public entity knows what it is they are to be providing. Robert said he was not referring to his request, but there are other people who have been told they must file an OPRA request. Robert said that he had provided Ms. Grossi with an e-mail from the Government Record Council that said "no – a public entity doesn't have to require someone to fill out an OPRA request – they could just provide the information". Robert asked that Ms. Grossi reply to that e-mail.

Robert said that the township posts their agendas on line and he felt it encourages people to participate in their organization. He said that the Library's agendas are not available to which Allan stated that they are available on Thursday afternoon at the same time that the Board members receive them in their e-mails. He said they are also posted on the bulletin Board and they are given to the Union reps on the same day. Robert said it would be nice if they were available on line. Allan said that would have to be a Board decision. Robert said that the State, Assembly and Senate are looking at that right now – to have a certain minimum deadline in having the agenda available. Robert said that it makes the process more open.

Robert said that the library has been much better at greeting guests.

Robert further suggested that Executive Session be conducted either first thing or at the end of the Open Session meeting so as not to make the public leave the room, wait until Executive Session is concluded, and then re-invite them back into the Open Session portion of the meeting. He felt it caused them to just have to "hang out" until they were allowed back into the meeting.

Robert also requested that there be a microphone for public participation. He requested speakers as well.

Robert said he noticed that movie night has been cancelled for the same night that the Library is having their Board meetings and he said he believed they were sending a message that "other people have to share the place – but the Board – they get the place to themselves".

He said he would like to see some of these things changed and enacted upon and eventually add them to their policy manual.

Peter said the Policy Manual would be discussed next month. He suggested Robert give Allan a list of his suggestions.

Robert requested, “redlining” the changes in the manual for better tracking.

Thomas asked Allan if he inferred that the Board must approve everything on the website. Allan said that no, it was Robert’s suggestion that the agenda be placed on the website. Allan said there was a discussion at one of the meetings, that Robert suggested many documents being placed on the website, but it was voted down by the Board. Allan said that he needed direction from the Board as to what documents they wanted placed on the website. Ms. Grossi said that it would have to be a Proposed Agenda. Ms. Grossi recommended voting on the subject.

Thomas made a motion that the Proposed Agenda be posted on the website on the Thursday (when it becomes available) with a disclaimer that it is subject to change.

James seconded.

Voted Yes: Donald Kostka, Robert Lefkowitz, Thomas Mazzaccaro, James Sandham, Rita Seipp, Peter King

Voted No: David Dalia, Edward Ernstrom,

James said that he was in agreement with Robert regarding the Public portion of the meeting and felt that the Board should move it to another part of the agenda so people can participate. He also recommended moving the Executive Session portion of the meeting to the beginning of the agenda.

Edward made a motion to adjourn

David seconded

All were in favor.

10:03 Open Session adjourned

CORRECTIONS TO THE MAY 10, 2010 OPEN SESSION MEETING:

Page 13 – Peter Kign should be King