

**Montville Township Public Library
Board of Trustees Meeting
OCTOBER 18, 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 Paul Fried Peter King
Donald Kostka 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: Dr. Paul Fried
Donald Kostka
(Mr. Kostka arrived at 7:55 p.m.)

Alternate for Dr. Fried: Dr. Beth Godett

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

ADOPTION OF MINUTES

Peter asked for a motion to adopt the September 13, 2010 Minutes.

Thomas moved
Robert seconded

Corrections:

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

Abstained: Beth Godett

REPORTS OF OFFICERS:

President – Peter King

There has been some interest shown by the town at their meeting in the library parking lot drop-off situation. It will be further reviewed.

Vice President – Edward Ernstrom

No Report

Treasurer – Thomas Mazzaccao

There was a Finance Committee Meeting and the following was discussed:

- 990 (Federal Tax Report) was completed by Ralph Fredericks
- Audit was presented – there were minor problems, such as signatures needed

Assistant Treasurer – Donald Kostka

No Report

Secretary – David Dalia

No Report

Report of Board Attorney – Ann Grossi, Esq.

No Report

REPORTS OF COMMITTEES

Finance – Thomas Mazzaccao

The Finance Committee met to discuss the following:

- 990
- Audit
- General Operating Expenses for 2010
 - The library is well under their budget at this point in time
- Legal Fees are currently over budget
 - Possibly using our attorney for issues that can be handled in-house; i.e., Trustees’ Manual

- “Controlling Attorney Costs” guidelines was prepared by Robert Lefkowitz, and distributed to board members

Ms. Grossi stated that in the beginning of the year, everyone was directed to pass everything to the President of the Board and this has not happened, instead there are members coming to her. She said when she tried to instruct board members to go through the proper chain of command she was presented with a memo that it is her duty to respond to them. She asked for direction from the board as to how she is to proceed in the future.

(Donald Kostka arrived 7:55 p.m.)

Buildings and Grounds – David Dalia

No Report

Personnel – Edward Ernstrom

No Report

Patron Services – Howard Chesler

- Looking into “unattended persons” policy as it pertains to:
 - Children
 - ElderlyWaiting for a determination from DYFS as to what is allowable and what the guidelines are. Howard will have more information by the next board meeting.
- Front Parking Lot parking
 - Morning is not a problem as signs have been posted and it has been communicated with students and teachers that the library is not a parking lot for school
 - Chief Cook said that afternoons are not problematic, but Howard made observations one afternoon and believes that there is still a problem as he felt the parking lot was very congested.

It was suggested that Chief Cook be invited to a Patron Services or Building and Grounds meeting to discuss whatever problems there might be with the parking lot/traffic situation.

Technology Implementation Report – David Dalia

No Report.

Interim Library Director’s Report – Allan Kleiman

Front Sign:

- It has been very difficult to have people come and take a look at the sign; the reason being is that the companies realize that they would have to go out to bid, therefore coming to give an estimate still means that the library has to go out to bid. However, there have been some estimates – the low being \$17,000.000 for the actual replacement of the sign; the high was \$34,000.00 for a digital sign. One company gave an estimate of approximately \$10,000 for the replacement of the sign in a non-digital format, including covers. There are two other companies who have promised to send quotes.

- As of October 12, Jeanne Ivy received a call from a former vendor (from 2008) with an estimate of \$3,400.00 saying that he is still working on an estimate.
- The Director is requesting, from each vendor, a quote on repair as well as replacement.

The Director stated he would have more to report at the next meeting. He further stated that he would need a resolution should the board choose either one of the above mentioned decisions in order to move forward to go out to bid.

Library Doors:

- Morris County Community Development accepted a bid; the next step is for it to go to the Township Committee next Tuesday (10/26) evening to approve the project for the front door. It includes the outside doors for the main library, and the inside doors will be replaced. The front door and the entrance to the foyer are included for the Pio Costa building.

Centralpack:

- A proposal was sent to the library to proceed with the controls upgrade. The Director did not move further on it because there is a possibility that they may have some help with this project from the school.

Dictaphone:

- The Dictaphone that is currently being used for the Board Meetings is in ill repair. It is approximately five (5) years old. The Director has reached out to the township for a recommendation for the company that they have been using. A presentation to the Director and Ms. Ivy was given to show them how to use a variety of different digital recording devices. The Director hopes to bring something to present to the board next month. The price range is from \$1,500 to \$2,000, which would include the software, microphone and the foot pedal.

The Director noted he attended the Trustees' Institute with Thomas and Robert. He stated he would discuss during the Old Business portion of tonight's meeting.

E-mail Accounts:

- E-mail accounts can be set up for any board member who chooses to have one. They will be available, free of charge, from the New Jersey State Library. All the staff will be moving over to the new e-mail system by the middle of November. By December they will drop the GTI service that they currently have.

Repair of Computers:

- Currently, the budget does not allow for the purchase of new computers; there is only enough money to repair existing computers. The Director said that if it is the board's sense that they would rather not repair ten year old computers, but begin replacing them with new ones it would have to be discussed and approved by the board to move in that direction. The Director said he would have a recommendation for the rotation of the replacement of the old computers by the next board meeting.

PUBLIC COMMENTS

No comments from the public. (A reporter from the Patch was present).

RESOLUTIONS/MOTIONS

(a) Resolution to accept check register dated September 1 to September 30, 2010 in the amount of \$145,602.65.

David moved
Donald seconded

Discussion: It was noted that BroDart Co. is a library supply company. Hess Corporation is the company that the library purchases their electricity from, which is delivered to them by JCP&L. There should be a 20% savings per year on their electric bill.

Thomas, as well as the Director, contested check #7398, in the amount of \$3,050.00 to James P. Cutillo & Associates. The Director found that there was a substantial error on the bill and a new check was issued for \$950.00 to correct the error.

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

Abstained: Beth Godett

(b) Resolution to approve the Board of Trustees' Policy Manual.

James moved
Edward seconded

Discussion: It was noted that the blue type is what came out and the red type is what was put in its place.

Robert called for a point of order, stating that in July this was tabled. He had asked, at that time, to make a motion to make amendments. He said at the time it was recommended that the resolution be tabled and suggested that the changes be included in the next month's packet so the board could review them and then be voted on at the next meeting. He said those amendments were never presented to the board. Robert asked that this be tabled until the amendments are received.

It was noted that there was discussion on certain items in the Policy Manual that needed to be changed and they are still in the manual.

David made a motion to reconsider tabling Resolution (b).
Edward seconded

Passed: Howard Chesler

Voted Yes: David Dalia, Edward Ernstrom,

Voted No: Donald Kostka, Robert Lefkowitz, Thomas Mazzaccaro, James Sandham

Abstained: Peter King, Beth Godett, Howard Chesler

Thomas made a motion to remand the Trustee Policy Manual back to the Personnel Committee and have everyone send their recommendations directly to the Personnel Committee within the next five (5) business days.

James seconded

Thomas withdrew his motion to send the Trustee Policy Manual to the Personnel Committee.
James seconded

Thomas made a new motion to meet as a committee between now and Monday, November 29th, at 7:30 p.m. to discuss specifically the business of working on the Trustee Policy Manual.

James seconded

All were in favor

OLD BUSINESS

Township Technology Report – Robert Lefkowitz

No Report

By-Laws – Review and Discussion – Robert Lefkowitz

Robert stated he did not receive any comments back from the board therefore he had nothing to report. Peter passed out a draft of Changes/Revision/Deletions/Additions to proposed By-Laws.

Robert called a motion of “no confidence in the President” and stated “there was a decision motion to table it with action at the last meeting”. He asked “why wasn’t the action decided by the board”? He wanted to know why the Director did not send it out. Peter said he was waiting for other comments, but found out he was the only person who had any comments, therefore he advised the Director not to include them in the packet.

There was no second

Robert made a motion to accept the By-Laws as they were presented to everyone at the last meeting.

Seconded by Thomas

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

Abstained: Beth Godett

James said he would like to see this as an Agenda item at the next meeting with comments submitted to the Library Director.

New Jersey State Library Trustees Institute – Robert Lefkowitz, Thomas Mazzaccaro and Allan Kleiman

Allan, Robert and Thomas attended the session on Saturday, September 25 representing the Library Trustees Institute. It was divided into three sessions.

- The morning session was supposed to be a talk but ended up as a Q & A by council member, Jimmy Van Bramer, who previously had been the head of external affairs for approximately 10 years at the Queens Library. It was basically to make people feel the value of libraries.
- The second session was the opportunity for people to split up and go into individual sessions. Robert or Thomas attended the session on hiring a new director. Allan attended the session on strategic planning as the State Library suggested they need to make changes in their strategic plan before they move forward in the next case of giving money back to the taxpayers.
- There was a session on Library Law followed by Q &A. Allan thought the Library Law session would be useful to all the board and he will photocopy as an insert for the State Trustees' Manual.

Robert noted the following:

- Committees could have non-trustees on it and felt this is an option that is open to them
- There was a review of the different policies that libraries should have (it was suggested that the Director make a list of items that they should include in their policies)
 - The Director noted that they do operate with a contract but they do not have a Personnel Manual, however, he does have a copy of the township's Personnel Manual that he refers to as a resource.

Ms. Grossi stated that Morris County Joint Insurance Fund has many recommendations and requirements that they must comply with in a Personnel Manual. Ms. Grossi said that if the library were to have their own manual, they would have to let the Joint Insurance Fund review it and give them the policies that they require be included in the library's manual.

It was noted that the library does have a Purchasing Manual but it has not been approved. It was given to the auditor and he did not have any comments. It was suggested that the library ask for his opinion and then be given to the Finance Committee and if it appears to be reasonable, then approve it. The Director said he would feel comfortable if they also had their accountant look at it.

Robert made a motion to have the Library Director review the Purchasing Manual to see if there are any changes he would make and submit it to the Finance Committee.

David seconded

Robert amended his motion, stating that the Library Director should submit it to the Finance Committee by November 30, 2010.

David seconded.

All were in favor.

NEW BUSINESS

The By-Laws Committee will re-address all the changes that are being recommended as well as consider any additional changes.

Controlling Attorney Costs (submitted by Robert Lefkowitz)

To be reviewed and discussed at the next meeting.

The Director asked that it be placed on the record that he did not receive a copy.

OPRA Requests

Robert said an OPRA request was filed, asking for information on him, and it was his understanding that the response did not mention the board packets for the Executive Session Minutes. He said he checked with the GRC (Government Records Council) and they said in a response to an OPRA request, if you are not including something, then it needs to be stated that you are not including something. Robert asked if he could send a response to Mr. King and say they did not include the Executive Session Minutes. Ms. Grossi said the Executive Session Minutes would not be sent to him as they are "Executive Session"! Robert said the GRC said they need to be mentioned as an item not included and Ms. Grossi would have to review them to see if anything in there is available for publication – if nothing else – a roll call of who was in attendance. He asked if perhaps they could send a response, amending it, saying they are not including those things and ask if they really want them.

The Director stated that should this come up again, all of the minutes should be sent to Ms. Grossi for review and to have them redacted so they could be sent off in a packet.

Ms. Grossi said she would like to call the GRC and ask about Executive Session minutes and what their recommendation is as to how it should be handled.

(Howard Chesler left Open Session meeting at 9:40 p.m.)

(Howard Chesler returned to Open Session meeting at 9:45 p.m.)

Peter asked for a motion to go into Executive Session for the discussion and approval of the Executive Session Minutes of September 13, 2010. The public was excused at this time.

Robert seconded

All were in favor

9:50 p.m. Open Session closed for the purpose of going into Executive Session for the discussion and approval of the Executive Session Minutes of September 13, 2010.

9:51 p.m. Open Session reconvened

James moved to approve Executive Session Minutes

Howard seconded

All were in favor

Donald moved to adjourn

Peter seconded

All were in favor

9:53 p.m. Open Session adjourned

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