

**Montville Township Public Library
Board of Trustees Meeting
FEBRUARY 14, 2011
Montville Township Public Library
90 Horseneck Road
Montville, New Jersey 07045**

The meeting was called to order by President, Howard Chesler at 7:32 p.m.

**Timothy Braden Howard Chesler David Dalia Dr. Paul Fried Peter King
Donald Kostka Robert Lefkowitz Lisa LoBiondo Thomas Mazzaccaro**

**Allan Kleiman – Interim Library Director
Ann Grossi, Esq. – Attorney for Board
Elaine Wood – Recording Secretary**

Meeting was opened at 7:32 p.m.

I. OPEN PUBLIC MEETINGS ACT STATEMENT

The president stated that prior notice of this meeting has been published in accordance with the requirements of the Open Public Meetings Act. Meetings will be taped-recorded. Minutes will be available to the public on the Library's website once they have been officially approved.

II. PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

III. ADOPTION OF MINUTES

(A) Adoption of the January 10, 2011 Open Session Minutes

David made a motion to discuss the January 10, 2011 Open Session Minutes
Peter second

It was suggested that comments (or changes) to the minutes should be proposed to the trustees as a separate document noting the changes.

Robert noted the following changes to the Open Session Minutes of January 10, 2011:

Page 1: "Robert questioned the bolded paragraph on the top of page 2"; should read: "Robert said that the bolded paragraph should be removed.

Page 7: Insert the following at the end of "New Business": "The agenda item is added to the February meeting to conclude the issue brought up in the November meeting about his conduct. He also asked that the bylaws be placed on the agenda and the topic of controlling attorney costs."

Howard asked for a motion to accept the Open Session Minutes as amended.

Timothy moved
David second

Montville Township Library
Open Session Minutes
February 14, 2011

All were in favor

(B) Adoption of the January 10, 2011 Reorganization Meeting Minutes.

Thomas moved
Donald second

Amendments:

Page 4: Discussion: “Robert reiterated that the information was already included in the board members’ packets”; should read: “Robert stated that he was against renewing the attorney contract because he felt that for the past year she had done things that were a disservice to the board and misleading to the board”.

Howard asked for a motion to accept the Reorganization Meeting Minutes as amended.

Lisa moved
Donald second

Voted Yes; Timothy Braden, David Dalia, Dr. Fried, Peter King, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo, Thomas Mazzaccaro

Abstained: Howard Chesler

IV. PUBLIC COMMENTS – GENERAL

No Comments

V. REPORTS OF OFFICERS

A. President – Howard Chesler

There was a meeting with Captain Rosellini and Detective Caggiano, who made some suggestions as to how the situation should be handled.

Recent Event at Library in Conjunction with Interim Director

The following incidents were reported, which occurred on February 8, 2011:

1. The alarm was pulled in the Pio Costa room, calling for evacuation. The Fire Department and Police responded.
2. Someone called using the library’s phone number for a food order and delivery to the library for two consecutive days. The total amount due was over \$100.00 each day.
3. On Monday evening a person(s) toilet-papered the children’s bathroom. The same thing occurred on Tuesday evening, along with food thrown about as well as swastika symbols drawn on the wall with magic marker. The bathroom is currently locked and the symbols have not been removed from the wall so it can be viewed by any board members who wish to see it. The police are pursuing the matter and the incident and the State has been notified as there is a process on a bias crime. The State will evaluate the incident and will send it back to the County Prosecutor with a charge.

The police made the following suggestions:

1. An evaluation should be made if cameras are needed in the library. It was suggested that someone reach out to Art Daughtry asking what he felt was needed and what the cost would be.
2. The library should reach out to whoever handles the phone system and see how much it costs to get access codes.
3. The library should contact the Chamber of Commerce and put out an alert to the merchants that the number of deliveries be monitored for suspicious orders.
4. The library should be more proactive, especially during busier times. The employees should walk around the building monitoring different areas. They suggested outside security if the library did not have sufficient manpower.

The interim director added they are looking into what the library can do in the meantime. He noted the bathrooms did not have locks, but they have since had locks installed. The bathroom that is out of sight will be the bathroom intended for staff. The interim director also noted that he would be meeting with Sandy this week and they are going to have to get the staff in the habit of closing the outside Pio Costa doors after a group is finished using the room. He said the staff has been instructed to walk around the library but they are really not complying; however, now that the police have suggested they need to do this, the interim director said he would be working with Sandy and Karen and all the afternoon staff will come out from the back and they will be on the floor. Jeanne called the phone company to see if access codes can be added for local calls.

Bad Weather Procedures

A procedure has been set up with the interim director where he will call the town and the police officers in charge of traffic as well as looking at the website to see what the schools are doing, and make the suggestion as to what the library will be doing based on the above. It will then be the library board president's and interim director's joint decision as to whether the library will be closed or not.

Non-Trustees on Committees

The president asked that Patron Services Committee look into having non-trustees on committees. He suggested the following:

1. How their input would be weighed.
2. How the selection process would work.
3. What form needs to be filled out and filed with the township?
4. Do they need to provide people who sit on those committees with legal coverage?

B. Vice President – Lisa LoBiondo

No report.

C. Treasurer – Thomas Mazzaccaro

It was reported that the December 31, 2010 Statement of Expenditures and Revenues was revised and is dated February 7, 2011 and that is the most up to date December Statement of Expenditures and Revenues. The reason for the adjustment to December 31, 2010 was a bill was added that came in late (attorney's bill for December came in January 2011) after the financials were prepared.

Total encumbered gross budget surplus originally was approximately \$457,000.00, now the total encumbered gross budget surplus \$456,000.

Bank Signature Cards

There will be a resolution presented this evening in order to allow the banks to change the signature cards and make the treasurer and the president the signatories on any checks that have to be signed, which are approved by the board.

D. Assistant Treasurer – Donald Kostka

No Report

The president asked that the assistant treasurer have an update on the status of the 10% reductions for professionals by the next meeting.

The treasurer reported he had spoken with Mr. Fredericks and he stated that instead of raising his rate this year he held his rate steady and was doing more work in the last year. He stated that in order for him to take a 10% cut he would have to adjust his rate up to account for more work and then roll back 10%. He said it would be in the library's best interest to just leave it where it is.

E. Secretary – David Dalia

No report

VI. REPORT OF BOARD ATTORNEY – Ann Grossi

No report

VII. COMMITTEE REPORTS

A. Patron Services – Peter King

There were verbal and e-mail meetings. It was suggested that Alexa prepare a brief explanation of the survey and include it in the monthly paper that is put out, (hopefully by the next issue), posting it on the library's website as well as having copies of the survey results available at the library so that the patrons could see it.

It was also reported that they discussed existing policies at the county library and various local libraries similar to Montville, and have the interim director chose the best practices to create a policy and include that policy in the packets for review.

It was noted that the library does have an existing Rules of Conduct policy that is posted in the library, and it states that leaving a child under the age of 8 unattended is prohibited. Also, playing games, cards, chess, etc. was prohibited. It was recommended that the former be removed and "no gambling" be inserted.

B. Buildings and Grounds – Lisa LoBiondo

There was a meeting February 3, and some of the items discussed were as follows:

1. Long-term building and grounds maintenance plan to include a painting schedule.
2. Any items that should be included in the Capital Budget will be forwarded to the Finance Committee.
3. Consideration of going to RFP for cleaning services, and security and fire monitor, which is currently on a month-to-month basis.
4. Looking to move the outside sign project along to which Timothy is getting proposals. The committee will hopefully have a recommendation by next meeting.
5. Addressed the space issues in the library for a more effective utilization of the space.

C. Finance – Thomas Mazzaccaro

No report.

D. Strategic Plan – Allan Kleiman

The committee met to get things moving on the Strategic Plan. The three co-chairs are David, Donald and Thomas. They looked at what the deficiencies were in the last plan and they also looked at some of the plans that other libraries in New Jersey have used. It was reported there is a need for a public and staff participation event. The suggestion was to have it some time within the next three weeks as they need that time to get the word out. There would be a public presentation of the survey results and have the Montville residents talk about what they think the library's strengths and weaknesses are as part of the potential plan. The interim director volunteered to hold a session in the day and in the evening for the library staff so they could participate as well. The recommended date is Thursday, March 10, 2011, 7:30 p.m.

The president noted there is a need for a Technology Committee Plan, Updated Capital Budget, Three Year Financial Plan, Physical Space Committee Report, an Environmental Statement, a History of the Library, and Goals and Objectives.

E. Technology – Robert Lefkowitz

Minutes of the meetings were included in each board members' packet. It was reported they need to get information collected from the Town Technology Committee, which would allow them to do things such as voice-over ID.

Some of the items discussed were:

- The library's software assets
- Recommendation stating that everyone needed to use the library's e-mail server instead of their own personal e-mail addresses
- Having a cc address
- New automation system
- Connectivity to the High School
- Met with Town Technology Committee

Robert made a motion that the board adopts a policy that all members use e-mail addresses hosted by the library rather than their personnel e-mail addresses for library business.

Thomas seconded

Voted Yes: Timothy Braden, David Dalia, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo, Thomas Mazzaccaro, Howard Chesler

Abstain: Dr. Fried, Peter King

Robert added that the library should adopt a policy that board members are never to e-mail other board members from their personal e-mail addresses.

Robert reported he had researched a recording system for the board meetings and stated that an 8 station system could be purchased for under \$300.00. He requested that it be added to the budget.

E. Personnel – Donald Kostka

It was noted the two people that were being referenced in the discussion were riced and had asked that it be discussed in Open Session.

Donald reported that the Personnel Committee met and they discussed the following:

Contact the state to have a desk audit conducted on the five (5) librarians. Once the results are received, that may dictate other opportunities with the Personnel Committee. (At this time Donald thought that perhaps it would be best to discuss this further in Executive Session to which Ms. Grossi stated that it would be okay to discuss it in Open Session).

The interim director stated one of the discussions that occurred at the Personnel Committee was that they had a reorganization last year in which they combined the Reference Department and the Children's Department and over the course of the last year they had done a minimum to moderate amount of cross-training, but not to the point where the entire staff feels comfortable working at both desks and both departments. It was suggested they needed to better utilize their full-time and part-time staff. Currently there are approximately 8 to 10 hours a week where both full-time librarians are here and better use could be made of their time by having them assist and/or directly provide more services to children and youth than they had before. Basically there are two full-time librarians in the Reference Department and since March they have had no full-time staff in the Children's Department. Therefore, the suggestion was that they needed to better utilize their staff. The two staff members who are most directly concerned with this were told last Thursday that they would have a more active part in the children's services, and not only would they be sitting at the desk in which they have been now, but they would be going through a training period so they could have real skills when people come to the desk to ask for help. The training would include the part-time librarian assistants that are in the Children's Department.

IX. RESOLUTIONS

A. Resolution to approve the check register dated January 1 to January 31, 2011 in the amount of \$98,507.78.

Thomas moved
Donald second
All were in favor

Thomas withdrew the motion as Robert had a question for the interim director regarding "E-Books".

Robert asked if the interim director would like to move in the direction of E-Books. The interim director said they have already moved in that direction as all the libraries in the entire state of New Jersey participate in different consortium. Montville's is called: "Listen NJNW", which is downloadable audio books and e-books. Montville staff is also working with Barnes and Noble and has one training session on the Nook so that they can do programs with the public. The interim director suggested that Robert look at "Listen NJNW" and stated that he would be pleased to give Robert a tour of that.

Thomas moved to approve the check register
Donald seconded

Thomas wanted it noted he had gone through all the checks and it appears that all the signatures are appropriate. He said he did get two questions regarding: 1) the attorney's fees; and 2) the recording secretary's fees. It was noted both parties' fees reflect two (2) meetings – the Regular Session Meeting for January 2011, and the Reorganization Meeting in January 2011.

All were in favor

B. Resolution for Bank Signatures and Authorized Contacts. (Attached)

Timothy moved
Thomas second

Voted Yes: Timothy Braden, David Dalia, Dr. Fried, Peter King, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo, Thomas Mazzaccaro, Howard Chesler

X. OLD BUSINESS

A. Library/Township Agreement – Peter King, Allan Kleiman

There was a meeting with the Administrator of the Township regarding the Agreement and it was agreed that it would stay the same with subsequent 5% annual increases and the increase will be negotiated every three (3) years. The cost for a call-out for 3 ½ hours at time and a half would come to \$115.00.

It was suggested that Peter should go back to the Administrator stating there were concerns as to how the numbers were derived.

Peter made a motion to approve and renew the existing Agreement with a 5% increase and approximately \$115.00 for a call out charge, if necessary, with no charge for sewer.

Thomas seconded

Ms. Grossi was asked her opinion, for the record, as to whether the Township Committee members could vote on this resolution. Ms. Grossi stated if they are members of both boards and not benefiting in any way, there would be no conflict of interest.

The president requested the interim director get a new Agreement with numbers that would pertain to 2011 for the next meeting.

Thomas made a motion to table
Donald second

All were in favor

B. By-Laws

The president requested a straw poll asking that the Board determine whether they wanted to discuss the By-Laws this evening or have a separate meeting in that regard.

All were in favor of a separate meeting.

Thomas reported they did meet as a By-Laws Committee. He stated they had done 99% of the work on the By-Laws document but they did not consider the document completed but as a “jumping off” point. He suggested they have a separate meeting.

The president requested that the interim director contact each board member and find out when it is most convenient for everyone to get together.

OLD BUSINESS – (Cont’d)

Robert requested an emergency meeting about the comments made regarding his conduct at the November 2010 meeting as he felt it was impacting him personally and professionally.

The president stated it was his job to move the board forward but Robert could make a motion this evening for a vote, however, there has been a lot of time spent in this regard and they really needed to move forward.

It was suggested that Robert make his request known to the board this evening so they could deal with it and finally put this issue to rest. Robert stated he wanted this board to say that, in summary, the allegations that were made were not supported by any evidence and to the contrary, his position was supported by evidence, which he presented, therefore, the item should be dropped because there was nothing to substantiate the claims that were made.

Robert was asked to make his statement in the form of a motion.

Robert asked that this board make the following resolution:

That given the fact that the allegations that were raised against Robert Lefkowitz were presented with no supporting evidence and that Robert Lefkowitz’ response to all of the allegations were fully supported by documentation or other evidence that the issue be concluded stating that the charges were without merit.

Thomas second

Ms. Grossi stated her concern was that to make a decision without looking at all of the facts leaves the board open to liability. She stated that “charges” were never made against Robert. If Robert is going to say there were “charges” brought against Robert, then they need to have a formal trial. She stated that there was never a trial conducted in this matter.

David said he was concerned about the word “all” allegations as well as the word “fully” supported by documentation. He said he was not prepared to vote in favor of this.

Lisa asked if Robert could amend the resolution to perhaps say something along the lines of the allegations do not merit censure or further action and that he would be exonerated.

David called the question
Donald second

Voted No: Timothy Braden, David Dalia, Peter King, Donald Kostka, Thomas Mazzaccaro, Howard Chesler

Abstained: Dr. Fried, Lisa LoBiondo,

Voted Yes: Robert Lefkowitz

Timothy stated if the reason to call the question was to stop discussion on the matter, then he would not be in favor of calling the question.

It was stated the reason for calling a question was to take a vote on the resolution, however, if there was confusion then they should do it again.

Timothy made a proposal to Robert, asking that he amend his motion to make it more palatable.

David called the question
Donald second

(Agreeing to call the question means that there needs to be a vote taken on the resolution, as stated)

Voted Yes: Timothy Braden, David Dalia, Dr. Fried, Peter King, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo,

Abstained: Thomas Mazzaccaro, Howard Chesler

At this time there was a vote taken on Roberts motion:

That given the fact that the allegations that were raised against Robert Lefkowitz were presented with no supporting evidence and that Robert Lefkowitz' response to all of the allegations were fully supported by documentation or other evidence that the issue be concluded stating that the charges were without merit.

Thomas second

Voted No: Timothy Braden, David Dalia, Peter King, Donald Kostka, Howard Chesler

Abstain: Dr. Fried, Lisa LoBiondo

Voted Yes: Robert Lefkowitz, Thomas Mazzaccaro

Timothy made a motion for a resolution stating that the board finds no misconduct by board member Lefkowitz and will take no action regarding the accusations against him.

Thomas second

There was a friendly amendment to change "accusations" to allegations.

Donald stated that since the way the amendment was proposed, "the board found no allegations

of misconduct, therefore, they will not take any actions”, he would like a friendly amendment saying that Trustee Lefkowitz also agree not to take any future actions against the board concerning this matter.

Lisa second

Voted Yes: Timothy Braden, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo, Thomas Mazzaccaro

Voted No: David Dalia, Peter King,

Abstain: Dr. Fried, Howard Chesler

C. Budget

It was asked if they were proceeding with the same committee to work on the budget and would there be a committee meeting. The president stated there would be a budget meeting before the next meeting.

XI. NEW BUSINESS

No New Business

XII. PUBLIC COMMENTS ON AGENDA ITEMS

No Comments

XIII. EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act 1975, Chapter 231 permits the exclusion of the public for a meeting in certain circumstance; and

WHEREAS, the Board of Trustees is of the opinion that such circumstances presently exist; and

WHEREAS, the Board of Trustees wishes to discuss personnel issues and the minutes, and

WHEREAS, the minutes be kept once the matter involving in confidentiality of the above no longer requires confidentiality the minutes to be made public.

NOW, THEREFORE, being resolved by the Board of Trustees, the Montville Township Public Library that the public be excluded from this meeting.

Voted Yes: Timothy Braden, David Dalia, Dr. Fried, Donald Kostka, Robert Lefkowitz, Lisa LoBiondo
Thomas Mazzaccaro, Howard Chesler

(9:43 p.m.) Absent: Peter King

(9:45 p.m.) Peter King returned

9:45 p.m. Open Session ended for the purpose of going into Executive Session

9:52 p.m. Open Session reconvened

The president asked for a motion to approve the Executive Session Minutes of January 10, 2011

Donald moved
Timothy second

Voted Yes: Timothy Braden, David Dalia, Dr. Fried, Peter King, Donald Kostka, Robert Lefkowitz, Lisa LoBionda, Thomas Mazzaccaro, Howard Chesler

The president asked for a motion to adjourn

Donald moved
David second

All were in favor

9:53 p.m. Open Session adjourned