

**Montville Township Public Library**  
**Board of Trustees Meeting**  
**NOVEMBER 9, 2009**  
**Montville Township Public Library**  
**90 Horseneck Road**  
**Montville, New Jersey 07045**

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**The meeting was called to order by President, David Dalia at 7:30 p.m.**

**Howard Chesler   Julie Cohan   David Dalia   Edward Ernstrom**  
**Peter King   Donald Kostka   Thomas Mazzaccaro   Deborah Nielson**

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

**Absent: Gary Bowen**

David Dalia 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 7:30 p.m.

**ADOPTION OF MINUTES**

David asked for a motion to adopt the October 19, 2009 Meeting.

Julie moved.  
Peter seconded.

All were in favor of the Minutes as amended, with the exception of Donald Kostka, who abstained.

David asked for a Roll Call.

All were in favor.

**PUBLIC COMMENTS**

Robert Levkowitz, 81 Windsor Drive, Pine Brook, NJ. addressed the Board at this time. Mr. Levkowitz stated that he e-mailed the Township Clerk as he had some questions regarding the

Board. At that time the Township Clerk forwarded the e-mail Mr. Allan Kleiman and suggested that Mr. Levkowitz contact Allan directly. Mr. Levkowitz requested a copy of the Library Board of Trustees Bylaws and whatever governing documentation that may be available. He was advised to fill out an OPRA request. Mr. Levkowitz felt that OPRA was being used as an obstacle on a minimum level that the public must overcome in order to get their information. He further stated that e-mail cc: David Dalia, President and Ann Grossi, Esq. and could not understand the necessity of copying the President or the Board Attorney.

David Dalia responded that when it's a library matter it would serve him better by coming directly to the library rather than the town. Edward stated that the Library does not have Bylaws but are governed by State Statute and State Regulations. He further stated that they do have a Charter that is filed with the Secretary of State.

Ms. Grossi stated that the reason an OPRA request is required is for protection of the library; that things are getting done within a certain period of time, and that correct information is being provided and that we have a record. She further stated that OPRA required that written documentation is required from the library to the party who is requesting information.

Mr. Levkowitz felt he was being asked to fill out an OPRA request for a document that does not exist.

It was stated that the OPRA form is available on the Township Website. It was suggested that it be placed on the Library's website and that the library keep a stack of hard copies available at the library as well.

Ms. Grossi also stated that there is a fee schedule and the library is using the same fee schedule as the township is using.

Mr. Levkowitz asked if there was a difference in the structure of the Library Board from the State Statute. Ms. Grossi stated that it does not differ but is exactly what is in the State Statute.

Lastly, Mr. Levkowitz thought that it should be noted that the Library is run by Robert's Rules of Order. David said he would take that under advisement.

## **REPORTS OF OFFICERS**

### **President – (David Dalia)**

David stated that November is the month to put together the Nominating Committee. They are as follows: Julie Cohan, Peter King and Edward Ernstrom were appointed to the Nominating Committee for the 2010 slate.

### **Vice President – (Peter King)**

With regards to Phase I of the front door project, Peter stated that they were hoping that at this month's meeting there would be a resolution to be able to go out to bid and have the architect see it through. However, they have not received all the necessary documents but anticipated having them by either December's or January's meeting.

**Treasurer – (Donald Kostka)**

At this time Donald passed out packets of the Statements of Expenditures and Revenues to the Board members. He stated that they continue to operate under budget in salaries. It was felt that for the year 2009 they would be under budget by \$400,000 and \$500,000, possibly a bit higher. Currently there is a bit more than \$1,231,000.00 in cash assets. The budget goal of giving 50% of 2009's surplus is easily attainable based on the preliminary numbers. However, Donald stated he would rather wait for the audit to be finalized.

Julie questioned line item 60154 – Staff Awards, \$(48,000) Total Encumbered. At this time, David stated that this needed to be discussed in Executive Session.

60101 – Books – Adult Non-Fiction - \$138,231 Total Encumbered; Year to Date \$138,231. Donald noted that the library was slightly behind in spending but after speaking with Allan, he felt they would be right on target. Allan stated that he and the staff were putting in their last orders this week.

Thomas asked if there were any changes in the check register and the cash disbursements journal. Donald noted that on the cash disbursements journal there was a voiding of a check from September and a replacement of the check, #6939 in October – the net effect is “0”.

It was asked why the audit process takes 11 months to complete to which Donald stated that he sent out requests to Ralph Frederick, Metis and J.H. Cohn to give them some quotes. To date he has not heard anything.

**Secretary – (Edward Ernstrom)**

**No Report**

**REPORTS OF COMMITTEES**

**Finance – (Julie Cohan)**

Julie stated that there are two (2) CDs that are coming due: one November 24, 2009 and December 30, 2009; each one close to \$250,000.00. At this time CD rates are very low but Boiling Springs still seems to be the best, at 2%. Julie requested that the \$321,000.00 in Sovereign, which is giving ½% currently be taken out of there and buy a \$240,000.00 CD to be placed in Boiling Springs and there will still be significant money left that is liquid. There is \$240,000.00 in Hudson Savings, leaving \$75,000.00 in Sovereign. Julie said she would get the account started with David being the secondary signature. The rate will be in effect through this week.

**Buildings and Grounds – (Edward Ernstrom)**

Edward noted that Peter had summarized what would be happening in terms of the architect and the door project. Also, the public bidding process was going to be started.

**Personnel – (Peter King)**

**No Report**

**Patron Services – (Howard Chesler)**

It was noted that we are in possession of a document from the Christian Trinity School. Ms. Grossi put an addendum on it. It was further noted that it must be executed, sent back to Christian Trinity School at which point we will receive the Certificate of Insurance. Howard said that he would scan the document and distribute it to the Board members.

**Interim Library Director’s Report – Allan Kleiman**

Allan pointed out paragraph 1 of page 2: The Library would have to commit to \$5,000 in the 2010 Budget to the project of the New Jersey State Library offering to transform the physical interior space of the library. A resolution would have to be made at the December 2009 meeting so that there is Board approval for the project to move forward. The deadline is January 4, 2010.

The Rain Garden, which will be done by the Rutgers Extension, would like to use an area in front of the library. There would be no cost to the town or the library board. On November 18, they will be having a meeting at the Montville Environmental Commission to discuss it further. They have offered to come and do a presentation for the Board.

Deborah noted that she was not aware that the Library was one of the potential sites for the Rain Garden and did not know the specifics of the project but assumed it would be further discussed at the Environmental Commission meeting.

**Associate Operating Director’s Report – (Vincent Sacco)**

No Report

**RESOLUTIONS/MOTIONS**

RESOLUTION R-2009-11-01

Date Passed: November 9, 2009

(a) Resolution to approve the October 1 to October 31, 2009 check register in the amount of \$84,627.59.

Peter Moved  
Deborah Seconded

Discussion: Howard questioned check #6042 – Allan stated that it was for Lyon Corp. Alliance, for audiovisual material. Also in question was check #6961, Excellent Building Services, \$1,780.00. Allan stated that was for their cleaning service.

It was noted that account 60118 was for extra copies of popular materials and extra DVDs.

All were in favor

**OLD BUSINESS**

A. Library Trustee Training Workshop at Montville Twp. Public Library on October 28, 2009.

Peter and Howard attended. Peter noted that the board members must spend at least 3 hours in training and this would satisfy that, as it maxed out their minimum training. He felt it was interesting. Howard said it was well done.

Julie asked how Allan formulated his "Responsibilities of" chart. Allan stated that it came from the New Jersey Library Trustees Association. He felt that they were good guidelines.

Deborah noted that the minutes have not been posted on the Web Site, after April 2009 due to not having a Webmaster. Allan stated that Lena is now on board and she is updating the website.

Deborah made an inquiry as to the returning of monies to the municipality as they are anticipating that income for the year 2010. She further stated that it must be completed by the time that the municipal budget is introduced in 2010. According to the state statute the state librarian has to approve of this plan. Ms. Grossi stated that Donald has been working on it and a sample resolution could be put together. Donald stated that the audit had to be completed and there are some minor things that he, Vince and Allan are working on.

Deborah stated that one of the items is a Capital Plan, however, there has been no reports submitted by the committee on the progress of the Capital Plan.

David noted that the budget had been passed for the year 2009 in the February meeting and as part of the budget they had allocated half of any 2009 surplus to go back to the town. A total of \$280,000 was anticipated with a total of approximately \$140,000 going back to the town. It was further stated that there would be a final accounting, to be conducted in February.

Deborah's noted that the Township Committee had adopted a resolution urging the Library Board to get the paperwork in order this calendar year. Her concern was that the town cannot utilize that money before the municipal budget is introduced, typically in February. Peter stated that the Capital Plan is being drafted now. Donald said that when they know what the surplus is, they could vote on the Capital Plan at that time. Deborah stated that this money would be used as tax relief.

David stated that it was never anticipated that the library would be writing out a check to the township in 2009. His concern was that the 2009 Board passes a resolution of intent but the 2010 board votes against it – what would they do then?

Lastly, Vincent noted that the 10 x 14 screen was placed in the Pio Costa area with the intention of placing a rear screen projector but soon after it was built they determined that they did not have adequate space as the projector used at that time could not give them the image they wanted. However, they have come to find out that it can be done – having two demonstrations: one, showing 90% of the screen, the other showing 50% of the screen. An RFQ has been developed, as well as an RFI which was sent out to approximately 10 possible responders. Three responded. Vincent said that he is still making calls to potential users and users as well to be certain that they are moving in the right direction. Vincent stated that he did speak with someone who suggested that they use a front projector. He further stated that he spoke with two responders and asked them to come in a give a ballpark figure as to the cost. He felt that if it could be done, it would probably be cheaper than they anticipated. He stated that he would hold off on the RFQ. He stated that they could get a pull down screen or a motorized screen. Vincent stated that by the next meeting he would have more information.

## **NEW BUSINESS**

Deborah stated that she had received a call from a member of the Valhalla Garden Club requesting permission to expand the perennial gardens by taking out shrubs and relocating them. They requested that the DPW to do this work for them, however, she stated that she did not have jurisdiction as it is a library function.

There seemed to be a question as to who is responsible and who has jurisdiction. Allan asked for guidance in this matter. David suggested that the Garden Club go through Allan.

Deborah noted that Allan was hired as a Interim Director and asked what are the plans for him and is there a time frame. Allan stated that when he was interviewed by the Personnel Committee, the agreement was that he would stay for a year or at least until the Personnel Committee came up with a permanent Director. The Organization Chart is currently being worked on and should be available by December 2009.

Edward requested to go into Executive Session for the purpose of seeking the advice of counsel on previous litigation matter.

Ms. Grossi stated that she wanted to give an update on potential litigation that was discussed at the last meeting.

David asked for a motion  
Julie moved  
Peter Seconded

All were in favor

Open Session closed to go into Executive Session 8:44 p.m.

Open Session reconvened 9:03 p.m.

David asked for a motion to adjourn Open Session  
Peter moved  
All were in favor  
Open Session adjourned 9:03 p.m

**AMENDMENTS/CORRECTIONS FOR: NOVEMBER 9, 2009 MEETING:**

Julie requested that the following correction be made on page 3, under:

**REPORTS OF COMMITTEES**

**Finance – (Julie Cohan)** – beginning with the third sentence:

“Julie requested that from the \$321,000.00 in Sovereign, which is giving ½ % currently, \$240,000.00 be withdrawn to purchase a \$240,000.00 CD in Boiling Springs. There will still be significant money that is liquid: \$240,000.00 in Hudson Savings and \$75,000.00 in Sovereign.

**APPROVAL DATE (FOR OCTOBER 19, 2009 MEETING).**