

## BOARD OF TRUSTEES MEETING

April 20, 2011

6:30 PM

MINUTES

Millie Burns who presided called the meeting to order at 6:32 pm.

Present were: Julie Mills Worthey, Rodney Reynolds, Winston Maharaj and Na'im Tyson, Trustees.

Also present: Chris Hansen, WLS Trustee; Don Partrick, CSEA Labor Relations Specialist; Gary Newman, CSEA Unit President; Robin Meyers, Community Renewal Task Force; Marc Stuckey, Mount Vernon City School District; Robert McDonald, Deborah Ramsey, Geraldo Soares, Rebecca Steere, Tamara Stewart, library patrons; Debra Bracey Harris, Robert Copeland, Maxine Grandison, Scott Griffith, Doris Hackett, Leroy Lea, Nishan Stepak, Cheryl Thomas, Cathy Webb, library staff; Opal Brown Lindsay, Director; Patricia Hansen, Interim Business Manager and Mary Harper, Administrative Assistant.

### PERIOD OF PUBLIC EXPRESSION:

CSEA Labor Relations Specialist, Don Partrick inquired about a certified letter regarding the appeal of a FOIL request that was sent to the board president on October 12, 2010. He said that he would like to know what happened to the letter.

Board President Burns said she did not recall receiving the letter. It was established that certified mail was received in the administrative office. Administrative Assistant, Mary Harper will check her scan file to determine if the letter was received and forwarded to the board.

Don Partrick will check the return receipt card for a signature.

Gary Newman said that Mr. Partrick made the point that a legal document had been sent to the Board of Trustees by certified mail. He said that at the last meeting, the Friends had advised that they sent a letter to the board president which also had not been received. Mr. Newman said that interference with the U.S. mail is a federal offense.

He said that the board should be wondering what else has been sent to them in the last five years that they have not received.

Tamara Stewart discussed her email correspondence with Mrs. Lindsay following up on her inquiry at the last meeting regarding patron holds.

She said that Mrs. Lindsay's answer to her question was that eventually the hold cancels out of the system.

Ms. Stewart asked if the library had a system for informing patrons. If so, when. If not, why not.

Ms. Stewart also said that the library web site should have a place to enable new patrons to inquire.

Tamara Stewart said she felt it would be helpful to replace the library survey page and apologize to patrons since there is no feedback.

Ms. Stewart asked if there was a date when new material ordering would begin.

20, April 11 – 2 –  
EARTH WEEK:

Robin Meyers informed the Board that a ground breaking ceremony for the Earth Week landscaping project at the library would take place on Friday, April 29, 2011. She said that there had been adjustments to the timeline.

TURSTEE OATH OF OFFICE:

Millie Burns introduced new trustee, Winston S. Maharaj. She said that the library had four stellar applicants for the trustee position. Mr. Maharaj was chosen to fill the unexpired term vacated by the resignation of former trustee, Danna Wood Webb.

President Burns administered the Oath of Office to trustee, Winston S. Maharaj.

COMMUNICATIONS:

Millie Burns read a letter from former trustee and patron Debra Stern regarding her approval of the new direction the library has taken over the past five years and her hope that the library remains on course.

Millie Burns said that she has joined several library organizations including the American Library Association, New York Library Association and the Public Library Association.

She said she felt people interested in supporting the library should know about these organizations.

GRIEVANCE STEP II: (Out of Title Pay)

The Step II grievance (Out of Title Pay) was presented to the board.

It was suggested that this grievance be put on hold like the last six grievances that were presented at the March board meeting.

Julie Mills Worthey asked if the board would have to formally accept whether the grievances can be put on hold without prejudging the union's rights under the contract.

PRESIDENT'S REPORT:

Board President Millie Burns attended the School Board budget meeting on April 13<sup>th</sup> and the School Board Trustee meeting on April 14<sup>th</sup>.

The school board supports the library and its trustee choices. Ms. Burns said that she was quite moved by the level of support for the library.

Ms. Burns said that she is trying to get the summit brochure on the library web site. She is also working on getting the translations.

Millie Burns said that she had spoken to four people at the school district and is looking forward to the school children translating the brochure.

Millie Burns said that she joined NYLA in order to participate in the webinars presented by library consultant Libby Post. She said that the information is good, but no different than what was presented to the library.

She said that she has not changed her mind about contracting Ms. Post.

Ms. Burns said that she attended the March 25<sup>th</sup> legislative Summit. It was lower key than the first one. Other attendees included Maureen Walker, Elias Gootzeit and Assistant Superintendent, Mr. Costello among others.

The press also attended the event and it was pointed out that the reporter for the Journal News left as soon as the library business was completed.

20, April 11 – 3 –

The comptroller's office is interested in what's going on at the library. Maureen Walker stated that she had asked three times for a meeting with the library administration and had not gotten it. She said she was concerned about the library's record keeping and how we do business. Ms. Burns said that the library has agreed to meet with the comptroller on a regular basis and keep a set of books according to city guidelines.

Millie Burns had an additional meeting with comptroller and City Council president, Karen Watts.

#### WLS TRUSTEE REPORT:

Chris Hansen stated that he was the trustee on the WLS board that represents Mount Vernon. He said that the board meets once a month, mostly to approve the minutes of the last meeting.

There is some movement on the board and a change in the manner that some reports are given to the trustees.

The WLS trustee board has just started its long range planning process.

There is discussion about rules from the publishers regarding eBooks.

There are changes to a number of policies included on the WLS web site.

During one long range planning session, there was discussion concerning the role of Mount Vernon as the central library. There were questions from other libraries about what they are gaining from Mount Vernon being the central library.

Julie Mills Worthey asked was there any recommendation on how we can support Mount Vernon being the central library.

Mr. Hansen said that he did not see a short term threat; the discussion is regarding the long term plan. He said that we should be conscious of our role and conscious of how we demonstrate it.

He has been stressing to Terry Kirchner how essential it is that we remain the central library.

Millie Burns asked how we could be more proactive in contacting other libraries.

Mr. Hansen said that he thinks this would lend more seriousness to it. You don't want to be defensive.

Julie Mills Worthey said that the concept of having a central library is something that came out of Mount Vernon. We should become more aware of that history.

Chris Hansen said that Mount Vernon has the largest collection in the county. It is a little tricky since Yonkers and White Plains now also have large collections.

Nishan Stepak said that Mount Vernon is still the last copy repository and has the largest foreign language collection. People still send Mount Vernon the last copies of books. Mount Vernon decides whether or not the book is important.

#### FINANCIAL REPORT:

Patricia Hansen said that new signature cards are required for all of the board. There was an inquiry about \$700.00 for membership fees. The amount was budgeted to carry over, but only \$50.00 had been spent for PLDA.

20, April. 11 – 4 –

Millie Burns said that she wanted to be absolutely clear on the 2011 budget status.

Patricia Hansen said that the library budget is on a cash basis and it is going to depend on whether 2010 expenses are paid out of the 2011 budget.

Winston Maharaj asked if there were any other outstanding 2010 expenses.

Mrs. Hansen said not that she knows of. It is possible that a few book invoices may be outstanding.

Mr. Maharaj asked was the amount anything material. Are we talking about hundreds of thousands?

Mrs. Hansen said the amount maybe \$2,500 which is a huge estimate.

Julie Mills Worthey asked what the impact of moving towards the comptroller's request was.

Patricia Hansen said that the Board of Regents wants the financial reports on a cash basis; the city also wants the report on a cash basis. The comptroller wants the report on a cash and accrual basis.

Millie Burns said just to be clear, in a one on one with Maureen Walker and in the meeting; Mrs. Walker stressed that the library should be calculating its finances on an accrual basis.

Patricia Hansen has said that the state wants them on a cash basis. Maureen Walker has said then the library needs to keep two sets of books.

Patricia Hansen said that she was told at the end of the year that she did not have to worry about it. When the city does the reports at the end of the year they are on an accrual basis.

Rodney Reynolds asked if the library had a balance sheet.

Mrs. Hansen said that we do, but there is nothing much on it. Mr. Reynolds asked, not even the building.

Patricia Hansen said that it was not there when she came to the job. The value of the building probably is depreciated to zero. There were no fixed assets when she took over the position from Mrs. Gayles.

Mr. Maharaj said he believes there must be some residual value to the building or to the land.

Julie Mills Worthey said the library has value for insurance purposes.

Winston Maharaj said that we need to put together a balance sheet to the extent that we can, even if it is in draft form.

Patricia Hansen said that a starting place would be to get the realtor to evaluate and to evaluate the life span of the computers.

Mr. Maharaj said that the report does not have to be 100% accurately audited. Start the discussion on a financial basis outside of cash. What would Mrs. Hansen consider the significant difference between accrual and cash?

Patricia Hansen said that the retro salary and benefit expenses for 2010 were a little over \$400,000. The city pays its New York State Retirement bill in December, the library pays in January.

There is a significant increase in the retirement contribution, even more than 2011. There will be a 15.8% contribution increase.

Mrs. Hansen was asked if the expense reports were for three quarters or three months. Patricia Hansen said that she ran the report monthly. One report shows what has been spent for the month. The other shows the expenses compared to the budget.

Winston Maharaj asked what about a March to date budget report. He said he felt it would be helpful.

Mrs. Hansen said that is not the way the report is run.

20, April 11 – 5 –

She said that she did not design the report and must speak to the consultant.

It was felt that if you could look at the actual budget for March and look at the expenses, you could see where you are trending.

Millie Burns said that this is some of the help the comptroller is trying to give. Mrs. Hansen said that this is something they had asked her to create. Ms. Burns said with the intent of helping.

Mr. Maharaj asked if there could be a check run every month with the intention of seeing what we have every month and what can be produced.

Mrs. Hansen said that the system is very screwy and if you don't print the report it cannot be reproduced.

Julie Mills Worthey said that it is illuminating to learn that there is another way of reviewing the documents. The board is happy to have that level of expertise.

Mrs. Mills Worthey asked about the cost of getting software that was more responsive to the needs of the library. She asked was it something Mrs. Hansen could use.

Mrs. Hansen said that the cost was not in the budget right now.

Millie Burns said at the meeting with the comptroller she asked about the MUNIS accounting system. She was told what was needed could be provided on an Excel spreadsheet. She said the city said they would look into adding the library to MUNIS

Patricia Hansen said that the Sage software the library is using is sufficient for now. When the library becomes a stand alone entity and does not have the support of the city; we may want to look at something else.

Millie Burns said that we could have the support of the city. The city is going to look at the cost of adding us to MUNIS.

Patricia Hansen was asked how flexible MUNIS was. She said that it was a government accounting system and it works on an accrual basis.

Winston Maharaj asked what if we are required to do both accrual and cash. Mrs. Hansen said that moving forward we may need a system that does both. Mr. Maharaj said that moving forward we need to find out if the system does both. Patricia Hansen said that the version of Sage we are using is an older one and is beginning to breakdown.

Julie Mills Worthey said that there are upgrades of Sage available. She asked if Patricia Hansen was suggesting we not upgrade. She asked was it possible for Mrs. Hansen to find out the cost to acquire the upgrades.

Mrs. Hansen said that she would ask the consultant that works with the library, who has been able to fix the system.

Mrs. Mills Worthey asked what kind of service contract we have with Sage.

Mrs. Hansen said that it was an annual contract with licensing to use the software.

Patricia Hansen was asked for an update on Westlaw.

Mrs. Hansen said that there was a tentative agreement with Westlaw at a cost of \$1,750 a month. The cost would be \$21,000 annually; down from the \$78,000 annually the library was paying.

Mrs. Mills Worthey said that there were significant expenditures this year for Westlaw. Patricia Hansen said that there was a \$6,000 payment in January. She said there is another payment prepared, but it is not going out.

20, April. 11 – 6-

Julie Mills Worthey asked if the contract is renegotiated what is going to happen. Patricia Hansen said that the library would receive a full credit.

Mrs. Mills Worthey asked if we were continuing a contract with West Law that has not been cancelled.

Mrs. Hansen said that West Law came in at \$1,750 a month.

Winston Maharaj asked if this only included the services we used. Patricia Hansen said that they monitor the statistics. They have determined on a 2 ½ year history what was most frequently used.

Gary Newman said that in the month of February only one person used Westlaw. He said that he just heard that there was no payment in February, but there is a payment listed in the general ledger report.

Mrs. Hansen said that the check was voided. Mr. Newman asked why it was there.

Gary Newman said the even with the reduction in the Westlaw cost; it comes out to more than all of the other acquisitions. Mr. Newman said it is \$1,750 a month and there is no ordering.

Mr. Newman said that he received an email that there was a five hundred dollar a month expenditure on DVD's; things that are important.

Gary Newman said that people who need legal access have the Supreme Court in White Plains as well as Pace Law School which has Lexis; which is equal to if not superior to Westlaw and allows people to download.

With Westlaw, people have to print pages at \$.10 per page.

Mr. Newman said that Westlaw was an unjustifiable expense.

Winston Maharaj said that he would like to go through every document line by line.

The March 2011 Bills and Payrolls totaling \$ 187,468.81 properly certified

by the Director and reviewed by Millie Burns and Rodney Reynolds were approved by the Board of Trustees and requested paid.

The checks are numbered #020611-020640 (payrolls), #056619-056649 (payrolls, petty cash), and #031295-031342 (bills).

#### TRUSTEE OATH OF OFFICE:

Millie Burns introduced new trustee, Na'im Tyson. Mr. Tyson was appointed to fill the unexpired term vacated by the resignation of former trustee, Susan M. Capeci. President Burns administered the Oath of Office to trustee, Na'im Tyson.

Millie Burns said that she appreciated the level of scrutiny to the financial report and Winston Maharaj's decision to jump in immediately. She said at the end of the evening; she feels that good trustee selections were made for the library.

#### CHRIS HANSEN'S STATEMENT:

Chris Hansen stated that he was a former member of the board and former President of the Board of Trustees.

Mr. Hansen said that he was on the board before Opal Brown Lindsay arrived and was one of the people responsible for hiring her.

He said that he and at least three other members are aware of the controversies surrounding the library.

Mr. Hansen stated that when pressed on what the issues with the library are; there are problems with grievances, problems with the budget and difficulties between management and the horrible staff. 20, April, 11. – 7 –

Mr. Hansen said that people indicated that the staff was the problem. He said that these problems predate Opal Brown Lindsay.

Mr. Hansen said that when he asks his Westchester colleagues what they think about the library board and director; there is always praise for Opal Brown Lindsay and her leadership at the library and what she has done.

Mr. Hansen continued that when he hired Mrs. Brown Lindsay there was a terrible problem with circulation. The library was spending more than 3 times the cost of any other library in the county for circulation. He said that he instructed Opal Brown Lindsay to get circulation up.

The costs have dropped tremendously since Mrs. Lindsay's tenure.

Chris Hansen said that people have been bragging about programming and the Local History Room. He said that the Local History Room was a mess and unusable and it was entirely under Mrs. Lindsay's leadership that it was brought back.

Mr. Hansen said that in his view Opal Brown Lindsay's leadership has been enormously positive. This is what he is telling the other WLS trustees.

Gary Newman said that outside the library, people's perception may be the staff. There is no history of bad relations with the staff and the director. There were problems during the last year of the previous director's tenure' but it was later found out that he was very ill.

Mr. Newman continued that no one can understand except the people that work here. For the past five years, the staff has lived a nightmare.

Winston Maharaj asked if it were known what the most recent WLS stats were.

Chris Hansen said that they were going down and going down considerably. Mr. Maharaj asked if Mr. Hansen would argue that this was a widely recognized metric.

Gary Newman asked would the decrease not be effective because the budget went down and the metrics of circulation went up.

#### DIRECTOR'S REPORT:

Opal Brown Lindsay reported that the "Salaga Traveling Slave Exhibit" was widely accepted.

The Friends of the Library held its second annual "Draw your Library" competition.

The Westchester Jewish Community Services organization sponsored a pajama story time to commemorate the Week of the Young Child.

Opal Brown Lindsay served as a judge for the Mount Vernon School district Spelling Bee.

Westchester Library System is searching for a new development director.

The library will co-facilitate a "Together Book Talk Grant" with Sarah Lawrence College.

Opal Brown Lindsay said that she has spoken with Jim Farrell who conducted the programs with the Greenburgh Library. Mr. Farrell informed her that the libraries who handled their own governance transition were considerably smaller than Mount Vernon. Mr. Farrell shared with her that the Board of Elections did not charge to use their machines.

Mr. Farrell said he recommended that the library use a consultant.

20, April 11 – 8 –

#### TRUSTEE REMARKS:

Julie Mills Worthey said that regarding the issue of whether or not we use a consultant she would like the board and the community to consider having a special meeting to see what resources we have and what the community can share.

Given the library's limited resources and what appears to be diminishing funds.

She said she wants to move forward in a cost efficient way and utilize resources.

Mrs. Mills Worthey said that she hopes the board, staff and community agree to call a special meeting.

Rodney Reynolds said that he thinks it's a good idea to involve the staff, but the library needs a professional PR person.

Julie Mills Worthey indicated that she thinks resources exist and may come to the library through outreach and without expense.



Winston Maharaj said that the library may be able to make an assessment of how much the expenditures would be and whether or not we can self fund or find resources in house. We may be able to negotiate a lower contract.

In respect to what the library has, there is much to offer and we should take advantage of the resources.

Na'im Tyson said for PR and social media, you need a dedicated person. With the budget that is not possible. The library already has a web presence and there is sufficient computing power and staff to do so.

Mr. Tyson asked about the line item for electronic services. Patricia Hansen said that electronic services were the library databases.

Julie Mills Worthey asked if there were sufficient photographs from the last exhibit to use for publicity. Mrs. Lindsay said yes.

The Board moved to formally accept the resignation of former trustee Danna Wood Webb, upon a motion by Rodney Reynolds, seconded by Julie Mills Worthey.

#### OLD BUSINESS:

Millie Burns said that she had a conversation with Ruth Shire regarding the importance of having the Friends Book Sale on a weekend in early June. It is a tradition at the library. She suggested that the board figure out a strategy to allow for the sale.

These discussions lead to a conversation about opening on weekends.

Julie Mills Worthey said that she agreed, but we should not rely on the Friends to make the event huge. There should be a commitment to put on programs and other events.

Millie Burns said that in her conversation with Mrs. Shire, she is accustomed to having the event on a Friday and Saturday. She said that we should see what we can do to make it happen.

The idea is if we have to open on that Saturday, then it has to be huge and ways should be found to showcase the library.

Cheryl Thomas suggested if the library were open on that Saturday ways should be found to educate the public about voting.

20, April. 11 – 9 –

Millie Burns said we will look at every opportunity to educate the public. The issue is how we get the doors open on Saturdays.

It was suggested that the weekday hours be shifted to the weekend.

Gary Newman said that the union has no objection. Every Saturday would be a violation of the contract. He has no problem with staff working every other Saturday.

Millie Burns asked how we would look at the process of coming to an agreement to open on Saturdays.

Gary Newman said someone suggested opening every other Saturday; the downside is that the hours would be confusing to the public.

Mr. Maharaj inquired about shortening the hours every day and how that would effect Saturdays. Na'im Tyson asked could hours be shifted.

Gary Newman said that it works to the extent of maintaining library minimum hours; the problem is what days of the week people are working. A person cannot work three quarters of a day. People work a seven hour day; it's contractual.

Mr. Newman said if people volunteer we don't mind. Much of what is going on is volunteer.

Patricia Hansen said that it would cost \$2,000 to \$2,500 per week to open on a 6<sup>th</sup> day. With electricity, utilities and security

Mr. Tyson asked could the expenses be carried over from the unused portion of the day.

Patricia Hansen said that you would still have some additional costs.

Gary Newman said that it could be doable if the library were open Monday through Thursday from 9 am to 8:30 pm. If the library were open from 10 am to 6:00 pm it eliminates the need for a double shift. This somewhat reduces the need to maintain staffing during the week.

Mr. Newman said that he thinks the two sides need to sit at the table to determine.

Winston Maharaj said that it sounds like a couple of different options; budget and personnel. It sounds like we can somehow get there.

Julie Mills Worthey said if we are able to put Saturdays back in the schedule it would be the best thing done all year. The community is begging.

Millie Burns said that the community is demanding.

Gary Newman said that you are dealing with people who work full days that cannot be cut in half unless they agree. They cannot be spread over six days.

Ms. Burns asked would it be possible to tell Mrs. Shire that the friends' book sale can take place on a Friday and Saturday.

Mr. Maharaj said that minimally we would like one Saturday commitment. Hopefully it will get to the point of more

20, April. 11 -10 –

Julie Mills Worthey said it would be beneficial to get an idea of scheduling. We are asking to change the schedule beyond what is in the contract. Having the scenario and knowing the cost would be beneficial.

Gary Newman suggested that the parties get together to brainstorm, while not coming in with any proposals to change the contract. The first issue will be the day for the book sale.

It was agreed that Millie Burns and Gary Newman would meet to discuss the library resuming Saturday openings.

**BOARD RESOLUTIONS:**

Board President Millie Burns read the following resolutions:

*Be it resolved: At the March 16, 2011 meeting the Board of Trustees of the Mount Vernon Public Library the following appointment to the Trustee Board was approved:*

*Na'im R. Tyson, Mount Vernon Public Library Board Trustee for the term of April 20, 2011 through March 31, 2012.*

*Be it resolved: At the March 16, 2011 meeting the Board of Trustees of the Mount Vernon Public Library the following appointment to the Trustee Board was approved:*

*Winston S. Maharaj, Mount Vernon Public Library Board Trustee, for the term of April 20, 2011 through April 30, 2013.*

**EXECUTIVE SESSION:**

The Board entered Executive Session at 8:57 pm. The Board returned to Public Session at 11:25 pm and recorded these decisions:

*Agreed to adopt a process to evaluate all staff members and utilize the instrument distributed to all Board members to adopt a time frame for which the process of performance evaluations for managerial staff would be completed.*

*The Board also agreed to adopt a system by which the process of staff skills evaluations will be utilized to benefit the library*

**ADJOURNMENT:**

The meeting was adjourned at 11:30 pm.

Respectfully submitted

Secretary