

The Nyack Library
Minutes of the Regular
Board of Trustees Meeting
Monday, July 18, 2022
REVISED

Present:

Ellyse Okin Berg, **Vice President**
Steven Cea
Peter Danish
Tracy Dressner
Michael Penn
Roger Seiler

Absent:

*E. Michael Growney, **President**-telephone conference
*Wayne Henry, **Secretary**
*Brian Murrell, **Treasurer**
*Bebb Wheeler Stone
*Valerie Williams-Sanchez

*=Excused

Staff: Ed Falcone, Interim Library Director
Sharon Alfano, Business Manager
Minerva Parker, Board Clerk

Call to Order:

The Board Vice-President Ms. Berg called the Regular Monthly Meeting of July 19, 2022, to order at 7:00 p.m., in the Community Meeting Room.

Agenda Approval:

Upon motion by Mr. Danish, seconded by Ms. Berg, it was resolved to amend the agenda to add Mr. Danish, who will read a letter, before the Director's Report. There were 6 yes votes.

Review of the Minutes:

The March 21, 2022 Minutes were tabled until next month, there was no quorum. The June 21, 2022 Minutes were tabled until next month, there was no quorum.

Public Comments: (full comments may be heard here <https://soundcloud.com/nyacklibrary/july-18-2022-board-meetingwma>)

Public comment was given by Michelle McCarthy, Upper Nyack resident. Mrs. McCarthy asks about the progress of the Bylaws revisions and if they would consider a Black, Indigenous People of Color candidate for Director. Audio recording may be heard at <https://soundcloud.com/nyacklibrary/july-18-2022-board-meetingwma>.

Public comment was given by Gerald McCarthy, Upper Nyack resident. Mr. McCarthy wants the Board to be more encouraging so Black Indigenous People of Color want to apply for Director. Audio recording may be heard at <https://soundcloud.com/nyacklibrary/july-18-2022-board-meetingwma>

Mr. Danish read a letter from RCLS, which read - On behalf of the RCLS Annual Meeting and Awards Committee, I am pleased to inform you that Michael Grownney was selected winner of the 2022 RCLS Anthony Knipp Library Trustee of the Year Award. Congratulations, Mike! Mr. Grownney will be awarded a plaque and a check in the amount of \$250, that could be given to the library of his choosing. A formal announcement will be made at the 63rd RCLS Annual Meeting, to be held via Zoom on Friday, September 16, 2022.

Director's Report:

Mr. Falcone reported the first month here has been pleasant, interesting and has been made to feel very welcome. The repaving of the parking lot was completed. Some spaces in the DePew House had floors refinished and walls painted. Mr. Falcone will be working with the Building Committee with pursuing construction grants, for possible projects for the Library.

Anne Shaw and the Department Heads are working to fill the vacant positions. Former employee, Mike Grella, has reapplied for his library job.

Mr. Falcone reported that RCLS is changing the structure of its IT Support program, and decisions need to be made by September 30, by the Board. Mr. Falcone will have recommendations for the Board at the next Board Meeting.

Mr. Falcone noted on the monthly Statistic Report, comparing June 2022 to June 2019, he was pleased to see the numbers rising to or even exceeding their pre-COVID levels.

Upon motion by Mr. Cea, seconded by Ms. Dressner, the Board approved the Personnel Actions Report. There were 6 yes votes.

Inventory Report: None.

Committee Reports:

Development Committee:

Upon motion by Mr. Danish to accept the Gifts & Grants Report for June 2022, and seconded by Ms. Dressner, the Board resolved to accept with appreciation \$1,811 in Designated support to the Annual Appeal and \$5,000 in Designated support from the Friends of the Nyack Library. The 2022 Annual Development Appeal total to date has brought in \$20,526 in donations. There were 6 yes votes.

Policy Development & Long-Range Planning Committee:

Ms. Berg reported for the Committee the following proposed changes to the By-laws:

Proposed Changes to By-law section 2(c) [Election of Trustees] Regarding Timing of the Annual Trustee Election and the Annual Association Meeting

The annual election of Trustees will be held in February on the same date and time as the Library budget vote. In any year where no Library budget vote is held or if the Budget Vote is held later than in February, the election of Trustees will take place on the second Tuesday of February.

The Annual Association Meeting will take place immediately prior to the first regularly scheduled Board meeting after the annual Trustee election. Newly elected Trustees will take office at the Annual Association Meeting and shall hold office until a successor is appointed or elected.

Proposed [Temporary] Clarification Regarding By-law sections 6(c) & 6(d) [Annual Association and Annual Board Meeting]

Any changes made to the By-laws regarding the date and time of the annual Trustee election and/or the Annual Association Meeting will supersede current By-laws sections 6(c) & 6(d) [Annual Association Meeting and Annual Board Meeting] to the extent the newer provisions conflict with the current provisions.

Ms. Berg and the Board discussed the proposed changes to the By-laws section 2(c) Election of Trustees, in detail. The Board will have an official vote of the changes at the September 2022 Board Meeting.

Ms. Dressner reported the Policy Committee has started reviewing the process to develop Trustee term limits. The Board discussed different avenues it could take and are still researching this subject. Ms. Dressner spoke about not serving more than three consecutive three-year terms, for a total of nine years, with a one-year break between reapplying, if no new applicants the term may be extended. During the Committee Meeting the question was asked about term limits for Board President, and officers' positions. Should the Trustees terms be counted with the Officers terms, or counted separately or added together, these are the details the Committee is currently discussing. Ms. Dressner discussed the position of Board President and Vice-President. Mr. Growney has expressed that he is not interested in running for election again and the Vice President has stated she is not interested in being the President, so Ms. Dressner has explained to the Board it is important to discuss this matter now, not wait until the Trustee Election 2023.

Building & Property Committee:

Mr. Seiler reported the Committee will meet next week and speak with Mr. Falcone about options for Construction Grants. They also discussed the recurring leaks the Library has been experiencing after heavy rains.

Personnel Committee:

Mr. Danish reported the Committee met last week. Mr. Falcone went over the several staff updates. Mr. Danish read a statement from a legal document – The Nyack Library, along with the former Director, and two current Trustees have been served with a statement of complaint by a former employee, Donna Cooper. The complaint was filed with the Division of Human Rights. The complaint alleges unlawful discriminatory practices related to employment because of race in violation of the NYS Human Rights Law. The case is being investigated by the Rockland County Commission of Human Rights for the Division of Human Rights. The Respondents, including the Nyack Library former Director and the named Trustees deny the allegations in the complaint and intend to vigorously defend against such. Mr. Danish gave an update on Mandatory Trustee Training.

Nominating Committee:

No report.

Audit Committee:

No report

Finance Committee:

No report

Financial Reports:

Treasurer's Report:

Mr. Penn reviewed the Treasurer's Report in detail with the Board. Cash balances at the end of June totaled \$1,414,943. Current Bond Status, \$6,851,125 in long term debt remaining on the 2017 tax-exempt bond with TD Bank. Mr. Penn discussed the details of the monthly disbursements, which require Board approval. Current fiscal year-to-date the Library operated at a \$182,022 surplus and the DePew House operated at a \$4,822 surplus.

Upon motion by Mr. Penn, seconded by Mr. Cea, the Library Board unanimously accepted the Financial Statements as presented including the Summary of Key Balance Sheet Amounts as of June 30, 2022 and the June 2022 Performance Report. There were 6 yes votes.

Upon motion by Mr. Penn and seconded by Mr. Danish, it was resolved that the Nyack Library Board of Trustees approve the following disbursements reported for June 2022 which have been reviewed by the President and/or the Vice President, Secretary and the Treasurer: General Fund Expenses of \$70,845.37, Rental Fund Expenses of \$5,956.85, Debt Fund Expenses for \$36,322.93, Payroll Disbursement for pay date June 3, 2022 for \$55,681.62 and Payroll Disbursement for pay date June 17, 2022 for \$51,477.01 for a total of \$220,283.78. There were 6 yes votes.

Old Business:

None.

New Business:

Mr. Falcone will be away the week of September 19, and would like to reschedule the September board meeting. The Board discussed the possibility with no resolution. They will continue to discuss the best date for the next meeting via phone and email.

Adjournment:

Upon motion by Ms. Dressner, seconded by Mr. Cea, the Board unanimously agreed to adjourn at 8:29 pm. There were 6 yes votes.

Respectfully submitted,

Minerva Parker

Board Clerk