

**The Nyack Library**  
**Minutes of the Regular**  
**Board of Trustees Meeting**  
**Monday, May 16, 2022**

**Present:**

E. Michael Growney, **President**  
Ellyse Okin Berg, **Vice President**  
Brian Murrell, **Treasurer**  
Wayne Henry, **Secretary**  
Steven Cea-*phoned into mtg.*  
Tracy Dressner  
Michael Penn  
Roger Seiler  
Bebb Wheeler Stone  
Valerie Williams-Sanchez

**Absent:**

\*Peter Danish

\*=**Excused**

**Staff:** Angela Strong, Library Director  
Minerva Parker, Board Clerk

***Call to Order:***

The Board President Mr. Growney called the Regular Monthly Meeting of May 16, 2022, to order at 7:00 p.m., in the Community Meeting Room.

***Agenda Approval:***

**Upon motion** by Dr. Stone, seconded by Ms. Berg, it was resolved to approve the agenda. There were 9 yes votes and 1 abstained, not physically present, on phone.

***Review of the Minutes:***

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

**Upon motion** by Dr. Stone, seconded by Ms. Dressner, the Minutes of the Regular Meeting, April 18, 2022 were approved with 8 yes votes, and 3 abstentions, Dr. Williams-Sanchez, Mr. Cea, and Mr. Growney.

***Director's Report:***

Mrs. Strong reviewed the highlights of the month with the Board. The Village of Nyack sidewalk renovation project in front of the Library is complete. The Staff and deliveries were re-routed to enter the building from the parking lot entry. The Landscaper cut back some of the Virginia Creeper growing on the Library building. Mrs. Strong would also like the Landscaper to remove two shrubs on the North side and to re-grade that area.

Unexpectedly, three part-time employees left the library, due to their work schedules; in April two full time employees left the library for career opportunities. A new part-time employee, Madison Taibi was hired April 21, to help with logistics and AV support for programs. Mrs. Strong continues to work with Anne Shaw, HR, and Supervisors on filling

those vacant positions. The Library renewed membership to the New York Library Association (NYLA) for Staff and Board members. Mrs. Strong worked with Senator Reichlin Melnick to replace expired Naloxone kits for staff who have taken the training. The Parking lot revenue issue was settled with the Village Administrator, the check is in the mail.

In April the Library celebrated National Library Week, with a week of events, including a Scholastic Book Sale. Mrs. Strong read a letter from Celeste Green praising the event and employee's Paula Sabul and Belinda Cash for their extraordinary service.

Mrs. Strong met with Hayden roofing to address the leaks in the Administration Office. They found several cracks and tears and sealed them up. She also met with Nyack School Superintendent Eudes Budhai and gave a tour of the Library. Mrs. Strong attended the RCLS Director's Association meeting, where Grace Riario, Director, reported RCLS is working with colleagues across the State to develop documents to assist Library Boards with Trustee training.

Mrs. Strong would like to recognize Carol Weiss, Information Specialist Local History, and Myra Starr, Business Office Assistant for tracking down information about an oil painting donated to the Library.

**Upon motion** by Ms. Berg, seconded by Mr. Seiler, the Board approved the Personnel Actions Report. There were 9 yes votes, 1 abstention, not physically present, Mr. Cea.

#### **Inventory Report: none**

Mrs. Strong pointed out the article by Morgan Strand, Teen Specialist, published in the Young Adult Library Services digital journal, which is included with the Teen Room Report. It was done in collaboration with Joanna Goldfarb and Jen Park from RCLS.

#### ***Committee Reports:***

##### *Development Committee:*

**Upon motion** by Dr. Williams-Sanchez to accept the Gifts & Grants Report for April 2022, and seconded by Ms. Berg, the Board resolved to accept with appreciation \$1,687 in Designated support to the Annual Appeal. The 2022 Annual Development Appeal total to date has brought in \$18,610 in donations. There were 9 yes votes, 1 abstention, not physically present, Mr. Cea.

##### *Policy Development & Long-Range Planning Committee:*

Ms. Berg reported the Committee has been reviewing the powers and duties of Trustees. As mentioned by Mrs. Strong the Trustees are required to complete 2 hours of continuing education credits, annually, and this information will be added to the By-laws, as well as the mandated Sexual Harassment Prevention training.

##### *Building & Property Committee:*

Mr. Seiler reported the Committee met on April 25 and reviewed the Condition Study report from the consultant. There are priorities from the report which should be implemented within the next five years.

##### *Personnel Committee:*

No report.

##### *Nominating Committee:*

No report.

Audit Committee:

Mr. Henry reported for the Committee, they have engaged the Auditor and informed them of Mrs. Strong's retirement date, June 30, if they need to gather information from her it should be done before that date.

Finance Committee:

Mr. Murrell reported the Committee met on Friday and they are monitoring the interest rate environment. Property taxes are usually disbursed to the Library in two payments, one large payment in November and the balance in the month of April, which has to last the rest of the year.

**Financial Reports:**

*Treasurer's Report:*

Mr. Murrell reviewed the Treasurer's Report in detail with the Board. Cash balances at the end of April totaled \$1,835,764. Property tax revenue in the amount of \$341,402 was received April 29. In November Property Tax payment included \$5,609.66 for the PILOT (payment in lieu of taxes) payment. Current Bond Status, \$6,893,798 in long term debt remaining on the 2017 tax-exempt bond with TD Bank. Mr. Murrell discussed the details of the monthly disbursements, which require Board approval. Current fiscal year-to-date the Library operated at a \$106,811 surplus and the DePew House operated at a \$8,585 surplus.

**Upon motion** by Mr. Murrell, seconded by Dr. Stone, the Library Board unanimously accepted the Financial Statements as presented including the Summary of Key Balance Sheet Amounts as of April 30, 2022 and the April 2022 Performance Report. There were 9 yes votes, Mr. Cea abstained.

**Upon motion** by Mr. Murrell and seconded by Ms. Dressner, it was resolved that the Nyack Library Board of Trustees approve the following disbursements reported for April 2022 which have been reviewed by the President and/or the Vice President, Secretary and the Treasurer: General Fund Expenses of \$43,556.72, Rental Fund Expenses of \$2,787.42, Debt Fund Expenses for \$36,322.90, Payroll Disbursement for pay date April 8, 2022 for \$55,494.77 and Payroll Disbursement for pay date April 22, 2022 for \$54,003.10 for a total of \$192,164.91. There were 9 yes votes, Mr. Cea abstained.

Mr. Seiler noted the Monthly Statistics are close to the pre-COVID numbers. Mrs. Strong has concerns about building usage during the evening hours and will continue to monitor this.

**Old Business:**

Ms. Berg presented the proposed changes to the By-laws, held over from the last meeting, so Board Members could review it before voting on the changes tonight.

**Upon motion** by Ms. Berg, seconded by Mr. Murrell the Board unanimously accepted the changes to the By-laws under section 1. Organizational Structure & Chartered Service Area to read as follows, *b. Service Area. As defined in its current charter, the library's Chartered Service Area consists of the three incorporated villages of Nyack, Upper Nyack and Grand View-on-Hudson; the two unincorporated hamlets known as South Nyack and Upper Grandview, in the town of Orangetown, as far as they are located in the Nyack Union Free School District; and part of the unincorporated hamlet known as Central Nyack in the town of Clarkstown, as far as it is located in the Nyack Union Free School District.* There were 9 yes votes, 1 abstained, not physically present.

**New Business:**

Ms. Berg announced the Friends Book Sale June 4 & 5, looking for volunteers. Set up is June 3 and breakdown is June 6. FONL are selling note cards by Tappenden at the check-out desk. Ms. Berg mentioned that she likes the new library

cards designed for children and teens. Ms. Berg thanked Terri Evans for writing thank you letters to Assemblymen Zebrowski and Lawler, and Senator Reichlin Melnick for receiving COVID test kits for distribution to the public.

Dr. Stone, thanked Mrs. Strong for allowing the Garden Club to have a plant sale on the lawn of the DePew House.

**Public Comments:** (full comments may be heard here <https://soundcloud.com/nyacklibrary/may-16-2022-board-meetingwma>)

I, Mark Dery, resident of South Nyack, read the following statement on Ms. Barnett's behalf:

**From:** Amy Barnett <asbarnett3@me.com>  
**Date:** Monday, May 16, 2022 at 6:09 PM  
**To:** 'Mark Dery' <markdery@gmail.com>  
**Subject:** BOARD MEETING STATEMENT

Mark,

Here's my statement for the public comments section of the meeting tonight:

Good evening. My name is Amy Barnett, and unfortunately, I'm unable to be present at tonight's board meeting due to work obligations. I've asked that my comments below be read into and made part of the public record in my absence.

I see from the meeting agenda that the issue of bylaw revisions will be discussed, and my comments relate to that agenda item. I look forward to hearing about the status and content of any proposed revisions. I have the following comments and questions for the Board, some of which I hope will be answered in the course of the meeting:

1. At the April board meeting the Board directed the Policy Committee to come back with recommendations regarding term limits. When will the Committee make a recommendation to the Board? I heard during the Board discussion some sentiment for grandfathering or exemption of current Board members, and I strongly urge you not to include any grandfathering of current Board members as it would absolutely defeat the purpose of the limits.
2. I also ask that you share with the public your timeline for bylaws revisions, as many of the discussed changes are quite time sensitive and would affect the next Trustee and Budget votes procedures and the number of vacancies on the Board.
3. I'd suggested to the Policy Committee that the Board engage pro bono attorney's expert in New York nonprofit law through ProBono Partnership, to ensure that the bylaws are brought into full compliance with NYS nonprofit law both more speedily and without much expense. Pro bono counsel would also be very helpful with the other changes that are being considered, such as term limits and researching combining the Trustee election with the Budget vote. Has the Board followed up on this?

Thank you for your time, and I look forward to hearing your responses.

Amy Barnett  
South Nyack

Michele McCarthy, a resident of Upper Nyack and former member of several Upper Nyack boards, read the following statement:

**Search committee for the interim director:** "It's our understanding that the board is well underway with its search for an interim director and that it intends to hire an outside consultant to assist with the hiring of a permanent director. It is imperative that this process be transparent, and that members of the staff who are part of the union sit on the search committee for the permanent director, that members of the public sit on that committee as well, and that their opinions be taken seriously. The board should make every effort to hire a director sympathetic to staff and trade unions, preferably a person of color (in keeping with the growing movement for diversity, equity, and inclusion, and to ensure that the Nyacks' communities of color see themselves represented at the highest levels of management and feel a sense of "ownership" of our library)."

**How long will the interim director serve? How, precisely, will the consultant and board interact? Who is the consultant and does it have a progressive, pro-union record? What will the board do to ensure that the process is transparent? Will the board commit to including unionized staff and community stakeholders on the search committee?**

As well, Ms. McCarthy read the following prefatory remarks, and asked that our collectively authored rebuttal to the board's "statement of clarification" (attached to this e-mail; SEE "REBUTTAL") be entered into the public record via inclusion in the minutes:

Rather than acknowledge reversing the election results, the board continues to double down on its decision to disregard the clear message sent by tax-paying residents. The election was not close. At 39 votes, Growney received around a third of the votes received by the other trustees (Cea: 155, Jhashi: 146, Dressner: 141). Nullifying the results of an election violates the democratic process and board norms, yet the board blames public outrage on what it patronizingly calls "confusion about our most recent Board election process" and "misunderstandings around these events."

Gerald McCarthy, also of Upper Nyack, read the following statement:

**Moving election date:** Will the board commit to moving the board election date to the same day as the library budget vote to ensure greater turnout for both? If so, when will it implement this change?

I, Mark Dery, resident of South Nyack, read this statement:

**Board norms:** Will the board commit to amending the bylaws to mandate that any trustee who repeatedly interrupts, over talks or shouts down, and otherwise verbally abuses speakers during the public comment period *must* be censured by the board and warned that a second offense will result in immediate removal from the board?

Again, the board did not respond to *any* of the questions posed by the public.

The Community Stakeholders are still waiting for a response from the Board to their questions presented at prior board meetings.

Mrs. McCarthy would like the following statement, authored by a group of community members be permanently archived as part of the minutes of this meeting, so it's freely available as part of the public record. A copy of the statement was sent to three state representatives, Assemblymen Zebrowski and Lawler, and Senator Melnick. The statement is a point by point response to the Boards statement of clarification. It corrects numerous errors of fact in the Boards statement as well. The Board refers to "confusion about the most recent Board election process" and "misunderstandings around these events." The Public is not at all confused, nor do they misunderstand anything about the overturning of the recent election and is greatly outraged by this Boards decision to disregard the will of the majority and re-appoint a trustee decisively rejected by the voters of this community.

**8:03 pm Upon motion** by Ms. Berg, seconded by Dr. Stone, the Board unanimously agreed to go into Executive Session to discuss Personnel related matters, hiring the Interim Director. There were 9 yes votes, 1 abstained.

**8:32 pm Upon motion** by Ms. Berg, seconded by Ms. Dressner, the Board unanimously agreed to come out of Executive Session. There were 9 yes votes, 1 abstained.

**Upon motion** by Ms. Berg, seconded by Mr. Henry, the Board unanimously agreed to hire Edward Falcone as Interim Library Director starting July 1, 2022. There were 9 yes votes, 1 abstained.

***Adjournment:***

**Upon motion** by Ms. Berg, seconded by Mr. Murrell, the Board unanimously agreed to adjourn at 8:40 pm. There were 9 yes votes, 1 abstained.

Respectfully submitted,

*Minerva Parker*

Board Clerk