

**MINUTES
BOARD OF TRUSTEES
SMITHTOWN SPECIAL LIBRARY DISTRICT
April 15, 2014**

A regular meeting of the Board of Trustees of the Smithtown Special Library District was held at the Kings Park Branch of the Smithtown Library in Kings Park, New York on the 15th day of April, 2014 at 7:00 p.m.

The following trustees were present and participating at the meeting: Gerard J. Cairns, Suzanne Mohr, Anthony J. Monteleone, Diana Schilling-Held, Otis M. Thornhill and Joseph Vallone. Trustee John C. Martins was absent with prior notice.

Also present were Library Director Robert Lusak, Attorney Kevin Seaman, Assistant Library Director Sue McManus, Treasurer Joanne T. Grove, Business Manager Amy Scholl and Clerk Linda Taurassi.

Anthony Monteleone, President of the Board of Trustees, acted as Chairman of the meeting and Linda Taurassi, Clerk of the District, acted as Secretary of the meeting.

READING AND APPROVAL OF MINUTES

1. Board President Anthony Monteleone moved the following resolution:

RESOLVED: That the REGULAR MEETING MINUTES of March 21, 2014 be approved as presented.

The motion was seconded by Trustee Otis Thornhill and adopted by a unanimous 6-0 vote.

REPORTS OF OFFICERS, BOARDS, STANDING COMMITTEES & DIRECTOR'S REPORT

2. The BUDGET AND FINANCE COMMITTEE report was presented by Trustee Suzanne Mohr, who moved adoption of resolution "a":

- a. *RESOLVED: That the TREASURER'S REPORT for the month ended March 31, 2014 be approved for filing (copy of report appended to the original of these minutes).*

The motion was adopted by a unanimous 6-0 vote.

Trustee Suzanne Mohr moved adoption of resolution "b":

- b. *RESOLVED: That the following WARRANTS be approved for payment.*

<i>i. Warrant #14-April ("L" fund) PREPAYS</i>	<i>\$ 39,935.37</i>
<i>ii. Warrant #14-April ("L" fund) WARRANT</i>	<i>\$ 258,442.97</i>
<i>iii. Warrant #14-62L ("H" fund) CONSTRUCTION WARRANT</i>	<i>\$ 4,562.58</i>

The motion was adopted by a unanimous 6-0 vote.

Trustee Suzanne Mohr moved adoption of resolution "c":

- c. RESOLVED: *That the Board of Trustees of the Smithtown Special Library District does hereby authorize the use of "best value" (competitive offering) for awarding purchase contracts exceeding the NYS contract threshold; and to further authorize the award by "best value" for non-bid procurement as allowed under GML § 103 (General Municipal Law, Section 103).*

The motion was adopted by a unanimous 6-0 vote.

Trustee Suzanne Mohr moved adoption of resolution "d":

- d. RESOLVED: *That the Board of Trustees of the Smithtown Special Library District does hereby adopt the newly amended GML § 103 (16) to allow the Library District to engage in the use of contracts that are below the statutory thresholds let by the U.S. or any agency thereof, any state, or any other political subdivision or district therein; otherwise known as piggybacking.*

The motion was adopted by a unanimous 6-0 vote.

3. The PERSONNEL COMMITTEE report was presented by Chairperson Otis Thornhill, who moved adoption of resolution "a":

- a. RESOLVED: *That the following PERSONNEL items be approved as amended:*
 - i. *Resignation of **Lisa Ferzola**, Librarian I, Adult Reference Department, Commack Branch, effective April 5, 2014.*
 - ii. *Part-time appointment of **Emma Soper** to the position of Librarian Trainee, Adult Reference Department, Commack Branch, at an hourly rate of pay of \$26.11, effective April 21, 2014 (to fill the vacancy created by the resignation of Lisa Ferzola).*
 - iii. *Temporary appointment of **Lisa Ferzola** to the position of Librarian I on a call-in basis, at a rate of pay of \$28.70 per hour, effective May 1, 2014.*
 - iv. *Part-time appointment of **Gabrielle Hidalgo** to the position of Page, Administration Department, Nesconset Branch, at a rate of pay of \$8.00 per hour, effective April 30, 2014.*

The motion was adopted by a unanimous 6-0 vote.

Trustee Otis Thornhill moved adoption of resolution "b":

- b. RESOLVED: *That the following CONFERENCE/WORKSHOP ATTENDANCE requests set forth hereinafter are hereby approved:*
 - i. *That the following member of the Board of Trustees of the Smithtown Special Library District be authorized to attend the "2014 Annual Long Island Library Conference" to be held at the Melville Marriot, located at 1350 Old Walt Whitman Road, Melville, NY on May 1, 2014: **Otis Thornhill**, (Note: \$50 registration fee per person to be paid for by the Library District).*
 - ii. *That the following staff members be authorized to attend on paid release time the "2014 Annual Long Island Library Conference" to be held at the Melville Marriot, located at 1350 Old Walt Whitman Road, Melville, NY on May 1, 2014, with*

reimbursement for conference registration not to exceed \$60.00 (\$40-\$60 contingent upon membership status): **Christine Alexander, Chris Bell, Lisa Bitran, Serena Brooks, Jennifer Catrano, Eileen Caulfield, Elizabeth Coleman, Jennifer Colleluori, Julie DeLaney, Sheila Doherty, Joanne Grove, Emily Lazio, Jesse Lemke, Robert Lusak, Jessica Newmark, Laura Poppe, Jessica Quenzer, Andrew Salomon, Amy Scholl** (NOTE: amount noted above does not include mileage costs).

- iii. That Librarian II **Lisa Bitran**, Technical Services Department, Nesconset Branch, be authorized to attend on paid release time the "Introduction to Resource Description and Access (RDA) for Catalogers" workshop sponsored by Long Island Library Resources Council (LILRC), on May 19, 2014, to be held at Stony Brook University, Stony Brook, NY, with reimbursement for actual and necessary expenses not to exceed \$10.00.
- iv. That Librarian I **Emily Lazio**, Children's Department, Smithtown Main building, be authorized to attend on paid release time the CLASC (Children's Librarians Association of Suffolk County) Annual Membership Meeting and Dinner to be held at the Three Village Inn, Stony Brook, NY, on April 24, 2014, with reimbursement for actual and necessary expenses not to exceed \$53.00.
- v. That Librarian I **Peggy Lopez**, Children's Department, Smithtown Main building, be authorized to attend on paid release time the CLASC (Children's Librarians Association of Suffolk County) Annual Membership Meeting and Dinner to be held at the Three Village Inn, Stony Brook, NY, on April 24, 2014, with reimbursement for actual and necessary expenses not to exceed \$54.00.
- vi. That Librarian II **Maggie Moloney**, Children's Department, Nesconset Branch, be authorized to attend on paid release time the "Lead the Change Leadership Event Series," sponsored by Library Journal, on June 3, 2014, to be held at the Hartford Public Library, Hartford, CT, with reimbursement for actual and necessary expenses not to exceed \$80.00.
- vii. That Librarian II **Patti Thomson**, Adult Reference Department, Nesconset Branch, be authorized to attend on paid release time the "Lead the Change Leadership Event Series," sponsored by Library Journal, on June 3, 2014, to be held at the Hartford Public Library, Hartford, CT, with reimbursement for actual and necessary expenses not to exceed \$80.00.

The motion was adopted by a unanimous 6-0 vote.

4. The BUILDINGS AND GROUNDS COMMITTEE report was presented by Chairperson Joseph Vallone, who moved adoption of the following resolution:

RESOLVED: That the request of the Sweetbriar Nature Center, to place a banner on the property of the Smithtown Main Library from May 16, 2014 through June 16, 2014, advertising their annual "Nature Fair", be approved.

The motion was adopted by a unanimous 6-0 vote.

5. The DIRECTOR'S REPORT was presented by Library Director Robert Lusak (copy of report appended to the original of these minutes).
6. The BUSINESS MANAGER'S report was presented by Business Manager Amy Scholl (copy of report appended to the original of these minutes).

UNFINISHED BUSINESS

7. Smithtown Library Foundation – After discussion, Library attorney Kevin Seaman noted that, since the Library is not getting appropriate responses from the Foundation, and there is no contact or information forthcoming, at this point we have no other alternative other than to move to the higher level of the Attorney General's office to have them conduct a due diligence investigation and take appropriate action.

Trustee Joseph Vallone moved adoption of the following resolution:

RESOLVED: That the Board of Trustees of the Smithtown Special Library District authorizes counselor Kevin Seaman to undertake whatever legal measures are necessary on the matter of continuing lack of accountability response from the Smithtown Library Foundation.

The motion was seconded by Trustee Gerard Cairns and adopted by a unanimous 6-0 vote.

8. New York State Annual Report

Board President Anthony Monteleone moved adoption of the following resolution:

RESOLVED: That the New York State Annual Report for Public and Association Libraries, for the year ending December 31, 2013 be accepted for filing as presented.

The motion was adopted by a unanimous 6-0 vote.

9. Proposed Revised Policy – Procurement – Policy 900-30 – (2nd reading)

Board President Anthony Monteleone moved to waive the reading of the proposed policy. The motion was adopted by a unanimous 6-0 vote.

Board President Anthony Monteleone moved that the proposed revised Procurement Policy (900-30) be adopted as presented.

This policy sets forth the principles and procedures of the Smithtown Special Library District to meet the requirements of General Municipal Law, Section 104-b.

1. Purpose

Purchase contracts and Public work contracts which are not required by law to be obtained pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Board of Trustees of the Smithtown Special Library District is adopting internal procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103, or of any other general, special or local law. The term of all executed contracts (one year or greater) will be determined by the nature of the contract and defined as proprietary or governmental and in compliance with New York State Law.

2. Determining Whether Procurements are Subject to Formal Bidding

- a. *All purchase contracts for commodities which can reasonably be expected to exceed TWENTY-THOUSAND DOLLARS (\$20,000) during a given fiscal year shall be subject to competitive bidding pursuant to Section 103 of General Municipal Law and awarded by competitive offering in consideration of "best value" (NYS Finance Law 163 (l) (j) or to the lowest responsible bidder.*
- b. *All contracts for public works expenditures including services, labor, or construction, which can reasonably be expected to exceed THIRTY-FIVE THOUSAND DOLLARS (\$35,000), shall be subject to competitive bidding pursuant to Section 103 of General Municipal Law and awarded to the lowest responsible bidder.*
- c. *There are several exceptions to the competitive bidding and competitive offering ("best value") requirements under Section 103 of General Municipal Law.*
 - i. *Qualifying purchases made through the NYS office of General Services, purchases made through certain county and federal contracts, purchases made through the use of certain contracts let by other states or political subdivisions, emergency purchases, professional services and purchases from a legitimate sole source or preferred sources are excluded. For the purposes of this section, professional services shall mean those services involving a relationship of trust and confidence that require specialized skills, use of expert judgment and/or a high degree of creativity. Although professional services are not subject to bidding requirements, it is the Library's policy to issue a Request for Proposals (RFPs) on a periodic basis but not exceeding five (5) years for such services.*
 - ii. *Operating Leases are excluded. Documentation shall include written quotations and a cost-benefit analysis of leasing versus purchasing.*
 - iii. *Insurance is excluded. However, documentation shall include specifications, awarding resolution, and documented quotations.*
 - iv. *Surplus and second-hand supplies, materials or equipment may be purchased without competitive bidding or competitive offering from the federal government, New York State or from any other political subdivision, district or public benefit corporation.*

3. Statutory Exceptions from These Policies and Procedures

Except for procurements made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veteran's workshops), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items excepted herein, alternative proposals or quotations for purchase contracts or public work contracts shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

4. Non-Bid Procurements

- a. *The Library Director, or such designee as may be appointed, is authorized to enter into purchase contracts and public work contracts on behalf of the Library valued at TWENTY-FIVE HUNDRED DOLLARS (\$2,500) or less without prior approval from the Board of Trustees and without the solicitation of alternative proposals or quotations.*
- b. *The Library Director, or such designee as may be appointed, is authorized to enter into purchase contracts and public work contracts on behalf of the Library in excess of TWENTY-FIVE HUNDRED DOLLARS (\$2,500) but less than FIVE THOUSAND DOLLARS (\$5,000) without prior approval from the Board of Trustees, from the lowest dollar offerer or best value offerer provided at least one (1) other documented quotation is received.*

- c. *The Library Director, or such designee as may be appointed, is authorized to enter into purchase contracts and public work contracts on behalf of the Library valued at FIVE THOUSAND DOLLARS (\$5,000) but less than TEN THOUSAND DOLLARS (\$10,000) with the prior approval of the Board of Trustees, from the lowest dollar offerer or best value offerer provided at least two (2) other documented quotations are received.*
- d. *The Library Director, or such designee as may be appointed, is authorized to enter into purchase contracts and public work contracts on behalf of the Library valued at TEN THOUSAND DOLLARS (\$10,000) or more with the prior approval of the Board of Trustees, from the lowest responsible dollar offerer (as to public work contracts) or best value offerer (as to commodity purchases) provided at least three (3) other documented quotations are received.*
- e. *The Library Director is authorized to make purchases on behalf of the library for commodities and services related to the library expansion and renovation project, valued no greater than TWENTY THOUSAND DOLLARS (\$20,000), without the prior approval of the Board of Trustees of the Smithtown Special Library District; however, said authorization will require two (2) signatures, one being that of the Library Director or Assistant Library Director and one being that of the Chairperson of the Buildings and Grounds Committee or Library Board President; said addendum to terminate at completion of project (Sunsets 12/31/2013).*

5. Documentation For Non-Bid Procurements

- a. *Verbal Quotations: The record should include at a minimum the date of the quotation, item or work desired, price quoted, name of vendor, and name of vendor's representative.*
- b. *Written Quotations: Vendors should provide at minimum the date of the quotation, description of items or details of work to be provided, price quotation, and name of contact. Quotations transmitted by telefacsimile are acceptable provided such transmissions include the aforementioned information.*
- c. *Requests For Proposals: The Library shall award contracts for professional services only after an appropriate number of professionals are contacted directly asking for the submission of written proposals. Requests for proposals and evaluations of proposals can consider price and other factors such as experience, staffing, and suitability for needs and may include negotiations on a fair and equal basis.*

6. Awards on Bids and Non-Bid Procurements to Other Than Lowest Dollar Offerer

- a. *Whenever any award is made to other than the lowest dollar offerer, the reasons such an award is made should be documented as follows:*
 - i. *A memorandum to the file that details the manner in which the award comports with the statutory criteria permitting awards to other than the lowest dollar offerer.*
 - ii. *Record of vendors contacted and price quotations received.*
- b. *Any purchase of FIVE THOUSAND DOLLARS (\$5,000) or more of commodities awarded to other than the lowest dollar offerer shall be made on the basis of "best value" or "lowest responsible bid" with the prior approval of the Board of Trustees.*

7. Items Excepted From Policies and Procedures by Board of Trustees

The Board of Trustees sets forth the following conditions when, in its sole discretion, the solicitation of alternative proposals or quotations will not be in the best interest of the Smithtown Special Library District.

- a. *An emergency compromising the safety and welfare of staff and patrons or endangering the library's physical plant.*
- b. *Procurements for which there is no possibility of competition, as in a sole provider source.*

8. Input From Officers

Comments concerning the regulations and procedures shall be solicited from officers of the Library involved in the procurement process prior to the enactment of the regulations and procedures, and will be solicited from time to time hereafter.

9. Annual Review

The Board of Trustees shall annually review these policies and regulations. The Library Director shall be responsible for conducting an annual review of the Procurement Policy and for an evaluation of the internal control structure established to ensure compliance with the Policy.

10. Unintentional Failure to Comply

The unintentional failure to comply with the provisions of General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Smithtown Special Library District or any officer or employee thereof.

The motion was adopted by a unanimous 6-0 vote.

10. Amended Retirement Resolution – Linda Taurassi

Board President Anthony Monteleone moved adoption of the following amended resolution to clarify the original resolution of February 18, 2014 as per the request of the Business Office:

RESOLVED, That in consideration of Linda Taurassi remaining in the employ of the Library through December 30, 2014 and her tendering of a letter of resignation/retirement/separation of service effective on that date, which is hereby accepted, her 2014 salary will be adjusted by way of an increase of \$10,000.00; said amount to be retroactive to January 1, 2014; further she will be entitled to the retirement incentive offered to similarly situated personnel in the amount of \$19,000.00, together with those accruals earned by her under the terms of the contract entered into by her with the Library.

The motion was adopted by a unanimous 6-0 vote.

NEW BUSINESS

11. New Policy – Surveillance Camera Policy – 600-50 (1st reading)

Board President Anthony Monteleone read the Surveillance Camera Policy for the first time and noted it would be read again and voted on at the May board meeting.

The Smithtown Special Library District utilizes surveillance cameras to enhance the safety and security of library patrons, staff and property. The primary use of surveillance cameras is to discourage inappropriate and illegal behavior and, when necessary, recorded images from the Library's cameras will be utilized to provide assistance to law enforcement officials for the purpose of prosecuting criminal activity. Tapes will not be released absent a court-ordered subpoena directing that such tapes be turned over to the cited entity or individual.

Cameras are installed in selected interior and exterior locations where library patrons and staff should not have an expectation of privacy. Examples include common areas of the Library such as entrances, book and audio-visual collections, reference and circulation desks, public seating, and Library grounds. Cameras will not be installed in areas where members of the public and staff would possess an expectation of privacy, such as restrooms.

Signage is posted at all Library building entrances informing the public and staff that surveillance cameras are in use.

Selected staff is to have access to real time monitoring. Only the Library Director or his/her designee will have access to the archival material in pursuit of incidents of criminal activity or violation of the Library's Maintenance of Public Order on Library Property (Policy 700-10).

12. At 8:16 p.m. Board President Anthony Monteleone moved that the Board enter executive session pursuant to Article 7, §105 (F) of the Public Officers Law, to discuss the medical, financial, credit, or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

The motion was seconded by Trustee Joseph Vallone and adopted by a unanimous 6-0 vote.

The following trustees were present and participating in executive session: Gerard J. Cairns, Suzanne Mohr, Anthony J. Monteleone, Diana Schilling-Held, Otis M. Thornhill and Joseph Vallone.

Also present were Library Director Robert Lusak, Library Attorney Kevin Seaman, Assistant Library Director Sue McManus, Treasurer Joanne T. Grove, Business Manager Amy Scholl and Clerk Linda Taurassi.

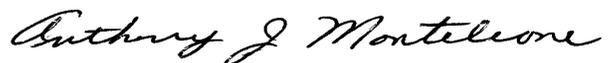
13. Upon a motion by Trustee Otis Thornhill, seconded by Trustee Joseph Vallone, and adopted by a unanimous 6-0 vote, the meeting reconvened in open public session at 8:34 p.m.
14. Board President Anthony Monteleone reported that the next regular meeting of the Board of Trustees would be held at the Smithtown Main building on May 20, 2014 at 7:00 p.m.

ADJOURNMENT

15. There being no further business, upon a motion by Board President Anthony Monteleone and adopted by unanimous consent, the meeting adjourned at 8:35 p.m.

Linda Taurassi
Secretary

Minutes approved this 20th day of May, 2014.



Anthony J. Monteleone, Vice-President



Linda Taurassi, Clerk