

**MINUTES
BOARD OF TRUSTEES
THE SMITHTOWN LIBRARY
April 16, 2019**

A regular meeting of the Board of Trustees of The Smithtown Library was held at the Kings Park building, Kings Park, New York on the 16th day of April, 2019 at 6:30 p.m.

The following Library Trustees were present and participating at the meeting: Brianna Baker-Stines, Gerard Cairns, Anita Dowd-Neufeld, Annette Galarza, Theresa M. Stabile, Joseph Vallone (arrived late at 7:02 pm) and William Zimmerman.

Also present were Library Director Robert Lusak, Treasurer Joanne T. Grove, Clerk Lauren Gunderson and Secretary Linda Taurassi.

Anita Dowd-Neufeld, President of the Board of Trustees, acted as Chairman of the meeting.

READING AND APPROVAL OF MINUTES

1. Trustee Gerard Cairns moved to accept adoption of the following resolution:

RESOLVED: That the REGULAR MEETING MINUTES of March 19, 2019 be approved as presented.

The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 6-0 vote.

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

2. Due to the late arrival of Budget and Finance Committee Liaison Joseph Vallone, the BUDGET AND FINANCE COMMITTEE report was presented by Trustee Annette Galarza.

Trustee William Zimmerman moved to accept adoption of resolutions "a-e":

- a. *RESOLVED, that the TREASURER'S REPORT for the month ended March 31, 2019 be approved for filing.*
- b. *RESOLVED, That the following WARRANTS be approved for payment:*
 - i. Warrant #19-April ("L" fund) PREPAYS \$ 22,944.00
 - ii. Warrant #19-April ("L" fund) WARRANT \$ 285,559.41
 - iii. Warrant #19-April ("M" fund) WARRANT \$ 2,515.50
 - iv. Warrant #19-April (PAYROLL #6 – 3/22/19) \$ 259,647.03
 - v. Warrant #19-April (PAYROLL #7 – 4/5/19) \$ 282,559.49
- c. *RESOLVED, that the Board of Trustees of The Smithtown Library does hereby approve the transfer of \$5,000.00 from budgetary code L.2000 (Computer Equipment) to budgetary code L.4151 (Other Non-Book Materials) for the purpose of establishing and purchasing the lending of the "Library of Things".*

d. *FIXED ASSET INVENTORY*

RESOLVED: That the Library Director be authorized to remove the following FIXED ASSET obsolete computer items from the inventory of the Smithtown, Commack, Kings Park and Nesconset buildings for the year ending December 31, 2018 – Inventory numbers: 135, 314, 315, 316, 317, 318, 319, 320, 321, 322, 343, 367, 368, 383, 384, 385, 392, 393, 394, 395, 396, 397, 420, 421, 555, 556, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 623, 624, 625, 626, 627, 628, 629, 630, 631, 638, 639, 645, 646, 647, 648, 649, 661, 751, 752, 791, 792, 805, 806, 808, 809, 856, 870, 965, 966, 967, 968, 969, 970, 971, 983, 984, 985, 986, 1047, 1048, 1049, 1055, 1056, 1057, 1116, 1117, 1143.

e. *RESOLVED: that the Treasurer be authorized to execute the following budget transfers in the dollar amounts and expenditure lines set forth as appended, per the 2018 audit.*

Expense Code	Expense	Budget	(From)/To	Adjusted Budget
L.1410	Librarian F/T Salaries	2,957,000	59,000	3,016,000
L.1411	Librarian P/T Salaries	620,600	(59,000)	561,600
L.8600	CSEA Benefit Fund	130,000	500	130,500
L.4110	Lost and Paid	0	1,500	1,500
L.4100	Books	273,300	(1,500)	271,800
L.8500	Hospital/Medical Insurance	1,900,000	(500)	1,899,500
	TOTAL	5,880,900	-	5,880,900

The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 6-0 vote.

3. The PERSONNEL COMMITTEE report was presented by Personnel Committee Liaison Brianna Baker-Stines.

Trustee Theresa Stabile moved to accept adoption of resolutions "a-b":

a. *SEASONAL EMPLOYMENT*

RESOLVED: That the Board of Trustees of The Smithtown Library approves increased seasonal hours for staff, approved by the Suffolk County Department of Civil Service, due to increased volume at circulation desks, in addition to increased volume as a result of high participation in the summer reading programs in the Children's and Reference Departments, during the period May 13, 2019 through September 16, 2019, not to exceed \$32,000.00.

b. *RESOLVED, that the following PERSONNEL changes be approved as presented:*

Full Time Appointment:

- i. *Permanent full-time promotional appointment of **Margaret Lopez** to the position of Librarian II, Reference Department, Commack building, at an annual rate of pay of \$76,620.00, subject to a 12-week probationary period, effective April 17, 2019 (to fill the vacancy created by the passing of Karen Baudouin; Note: Ms. Lopez is currently filling this position as a temporary appointment).*

Call-In Appointment:

- ii. *Temporary appointment of **Gail Rengstl** to the position of Account Clerk on a call-in basis, at a rate of pay of \$21.50 per hour, effective April 17, 2019.*

Retirement:

- iii. *Retirement of **Manmohan Chawla**, Library Clerk, Kings Park building, effective May 2, 2019 (last day of employment is May 1, 2019).*

Leave Requests:

- iv. *Work related (Worker's Compensation) medical leave of absence without pay for **Kathleen Florio**, Library Clerk, Circulation Department, Commack building, effective April 4, 2019 through April 30, 2019.*
- v. *Leave of absence without pay, nunc pro tunc, for **Victoria McLaughlin**, Page, Reference/Circulation Departments, Smithtown building, effective March 26, 2019 through April 4, 2019.*
- vi. *Leave of absence without pay for **Stephanie Metzler**, Page, Commack building, effective April 23, 2019, April 25, 2019, April 26, 2019, April 29, 2019, and April 30, 2019.*

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

Trustee William Zimmerman moved to accept adoption of resolution "c":

c. *RESOLVED, that the following CONFERENCE/WORKSHOP ATTENDANCE requests set forth hereinafter are hereby approved:*

- i. *That Teen Services Librarian I **Kaitlin Brand**, Reference Department, Smithtown building, be authorized to attend, on paid release time, the "Libraries and Autism: We're Connected" project sponsored by the Young Adult Services Division (YASD) of the Suffolk County Library Association, to be held at the West Babylon Public Library, West Babylon, NY, on April 18, 2019, with reimbursement for actual and necessary expenses not to exceed \$36.00.*
- ii. *That Teen Services Librarian I **Colleen Navins**, Reference Department, Nesconset building, be authorized to attend, on paid release time, the "Libraries and Autism: We're Connected" project sponsored by the Young Adult Services Division (YASD) of the Suffolk County Library Association, to be held at the West Babylon Public Library, West Babylon, NY, on April 18, 2019, with reimbursement for actual and necessary expenses not to exceed \$36.00.*

- iii. That Children's Services Librarian I **Nicole Rossano**, Children's Department, Kings Park building, be authorized to attend, on paid release time, the "Libraries and Autism: We're Connected" project sponsored by the Young Adult Services Division (YASD) of the Suffolk County Library Association, to be held at the West Babylon Public Library, West Babylon, NY, on April 18, 2019, with reimbursement for actual and necessary expenses not to exceed \$15.00.
- iv. That Assistant Library Director **Patricia Thomson**, Administration Department, Nesconset building, be authorized to attend, on paid release time, the "American Library Association 2019 Annual Conference", sponsored by the American Library Association (ALA), to be held in Washington, DC., from June 22, 2019 through June 25, 2019, with reimbursement for actual and necessary expenses not to exceed \$1,650.00.

The motion was seconded by Trustee Theresa Stabile and adopted by a unanimous 6-0 vote.

- 4. The BUILDINGS AND GROUNDS COMMITTEE report was presented by Buildings and Grounds Committee Liaison Gerard Cairns.

Trustee Brianna Baker-Stines moved to accept adoption of resolution "a":

- a. RESOLVED, that the following banner requests set forth hereinafter are hereby approved:
 - i. RESOLVED, that the Board of Trustees of The Smithtown Library approves the request of the **Kings Park Youth Athletics Association**, to place a banner on the corner of the property of the Kings Park building from May 1, 2019 through May 31, 2019 advertising their "Youth Football and Cheerleading Registration".
 - ii. RESOLVED, that the Board of Trustees of The Smithtown Library approves the request of the **Smithtown Children's Foundation**, to place a banner on the corner of the property of the Commack building from May 4, 2019 through May 17, 2019 advertising the 9th annual Mike's Hike and Fitness Festival" (5K Run/2K Family Walk & Kids Fun Run) to be held on June 1, 2019.
 - iii. RESOLVED, that the Board of Trustees of The Smithtown Library approves the request of the **Smithtown Children's Foundation**, to place a banner on the corner of the property of the Smithtown building from May 18, 2019 through June 1, 2019 advertising their 9th Annual Mike's Hike and Fitness Festival" (5K Run/2K Family Walk & Kids Fun Run) to be held on June 1, 2019.

The motion was seconded by Trustee William Zimmerman and adopted by a unanimous 6-0 vote.

b. LIBRARY GUARDS

The Library Director reported that consultants Charles and Joseph Cornetta had informed him they were unable to adequately staff our library buildings with qualified guards and their services have been terminated. The Director noted that we are currently looking into hiring an independent agency for the guards. This would be beneficial to the Library in terms of insurance and limiting our liability.

5. There was no report of the COMMUNICATIONS COMMITTEE. Library Board President Anita Dowd-Neufeld appointed Trustee Theresa Stabile as Liaison to the Friends of the Smithtown Library.
6. The Director's Report was submitted previously to the Library Board (copy of report appended to the original of these minutes).

UNFINISHED BUSINESS

7. APPROVAL OF PAYMENT - DJJ Technologies

Trustee Theresa Stabile moved to accept adoption of the following resolution:

RESOLVED, that the Board of Trustees of The Smithtown Library confirms its approval of the additional amount of \$2,750.00 payable to DJJ Technologies for the completion and transfer of telecommunication services from Verizon to Windstream Enterprise for the purpose of additional work required at the Smithtown building (note: previous resolution dated 6/19/18).

The motion was seconded by Trustee William Zimmerman and adopted by a unanimous 6-0 vote.

8. Trustee Brianna Baker-Stines moved to waive the reading of the following revised policy. The motion was seconded by Trustee Gerard Cairns and adopted by a unanimous 6-0 vote.

Trustee Theresa Stabile moved to accept adoption of the following revised policy:

REVISED POLICY — Circulation of Materials - Policy 800-10 (2nd Reading)
 (Note: revisions are noted in underlined bold font; deletions are noted with a strikethrough)

(G) DAMAGED AND LOST MATERIALS

5. Charges for lost or damaged audio visual cases will be charged accordingly.

a. Audio Books

- **Extra Small (1-6 discs) \$5.00**
- Small ~~(7-12 discs) - \$5.00~~ **\$7.00**
- Medium ~~(13-22 discs) - \$6.00~~ **\$8.00**
- Large ~~(23-44 discs) - \$12.00~~ **\$13.00**

b. BluRay/DVD - ~~\$5.00~~ **\$4.00**

c. Music CD - ~~\$3.00~~ **\$4.00**

d. Plastic Inserts \$0.45

The library reserves the right to change these fees without notice.

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

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

9. DONATION – Nan Seraydar

Trustee Brianna Baker-Stines moved to accept adoption of the following resolution:

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept and thank patron Nan Seraydar, of Commack, NY, for her generous donation of fifty dollars (\$50.00), to be used as necessary at the Library's discretion.

The motion was seconded by Trustee William Zimmerman and adopted by a unanimous 6-0 vote.

10. RETIREMENT – Resolution of Appreciation – Gail Rengstl

Trustee William Zimmerman moved to accept adoption of the following resolution:

Whereas, Gail Rengstl has announced her retirement as of March 30, 2019, and

Whereas, having begun her tenure with The Smithtown Library on March 23, 2009, as an Account Clerk in the Business Office, she was promoted on April 17, 2013 to a Senior Account Clerk in the Business Office; and

Whereas, her kindness and dedicated service has earned the admiration and respect of her colleagues and co-workers; now therefore be it

Resolved, that the Board of Trustees of The Smithtown Library does hereby express its appreciation to Gail Rengstl for her ten years of dedicated service and contributions to the Library; and be it

Further resolved, that the Board of Trustees of The Smithtown Library extends to Gail Rengstl their best wishes for many years of health and happiness during her retirement.

The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 6-0 vote.

11. REVISED POLICY – **Sexual Harrassment – Policy 500-90** (1st reading)

[Note: revisions are noted in underlined bold font; deletions are noted with a strikethrough]

Trustee Brianna Baker-Stines moved to waive the reading of the following revised policy. The motion was seconded by Trustee Gerard Cairns and adopted by a unanimous 6-0 vote. The policy will be reviewed and voted on at the May board meeting.

1. *Statement of Policy*

*The Board of Trustees of The Smithtown Library is steadfastly committed to safeguarding the right of all of its employees to a working environment that is free from sexual harassment. **The Board requires all Library staff to view an interactive sexual harassment training video within the first week of their employment and annually thereafter for the duration of their***

employment. *The Board recognizes that sexual harassment may originate from a person of either sex against a person of the opposite or same sex and from peers as well as supervisory personnel. The Board further recognizes that sexual harassment does not only emanate from the intention of the one who harasses an employee, but also upon how the person who is the victim of harassment perceives the behavior or is affected by it.*

12. REVISED POLICY – **Banner Display – Policy 700-190** (1st reading)

[Note: revisions are noted in underlined bold font; deletions are noted with a strikethrough]

Trustee Brianna Baker-Stines moved to waive the reading of the following revised policy. The motion was seconded by Trustee William Zimmerman and adopted by a unanimous 6-0 vote. The policy will be reviewed and voted on at the May board meeting.

*The Smithtown Library prohibits the displaying of any banner on Library property without the prior approval of the ~~Library's Board of Trustees~~ **Library Director**. The Smithtown Library provides PVC vinyl posts for the proper display of Library-sponsored programs and events, as well as community-related events. First priority will be given to Library-sponsored programs and events; based on availability, second priority will be given to non-profit organizations based within the Town of Smithtown.*

4. *Scheduling availability will be determined solely by the Library and implementation and enforcement are delegated to the Library Director. ~~Final approval of all applications rests with the Library's Board of Trustees~~; No application is authorized until ~~approved by the Board of Trustees and signed by the Library Director~~.*

13. REVISED POLICY – **Banner Display Application – Policy 700-190a** (1st reading)

Trustee Theresa Stabile moved to waive the reading of the following revised policy. The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 6-0 vote. The policy will be reviewed and voted on at the May board meeting.

- *This application must be complete and the dates confirmed as available by the Administration Office in order **for it to be approved by the Library Director to be presented to the Library's Board of Trustees for approval.***
- *Scheduling availability will be determined solely by the Library and implementation and enforcement are delegated to the Library Director. ~~Final approval of all applications rests with the Library's Board of Trustees~~. No application is authorized until approved by the ~~Board of Trustees and signed by the Library Director~~.*
- *I have read and agree to The Smithtown Library's Signage **Banner Display Policy** and do hereby agree to adhere to this policy and the specifications as denoted above.*

14. NEW POLICY – **Equal Employment Opportunity – Policy 500-05** (1st reading)

Trustee William Zimmerman moved to waive the reading of the following revised policy. The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 6-0 vote. The policy will be reviewed and voted on at the May board meeting.

It is the policy of The Smithtown Library to provide equal opportunities for all employees and job applicants. The Library will follow this policy and the rules and regulations of the Suffolk County Department of Civil Service in implementing all employment practices, policies, and procedures.

The Smithtown Library will recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, national origin, sex, age, or physical or mental disability.

The Smithtown Library will provide reasonable accommodations to employees with a disability or physical condition to perform the essential functions of their job and to those seeking employment with the Library.

The Library will not be able to make an accommodation that would impose undue hardship on the operations of the Library. The Americans with Disabilities Act defines an undue hardship as an action that requires significant difficulty or expense. Each accommodation request will be handled on a case-by-case basis, taking the individual needs of the employee and the Library into consideration.

15. **NEW POLICY – Service Animals – Policy 700-10a** (1st reading)

Trustee Gerard Cairns moved to waive the reading of the following revised policy. The motion was seconded by Trustee Theresa Stabile and adopted by a unanimous 6-0 vote. The policy will be reviewed and voted on at the May board meeting.

It is the policy of The Smithtown Library to permit "service animals" (not pets or "comfort" animals) within the Library in accordance with federal and state law.

Service Animals are to be defined as working animals that are individually trained to do work or perform tasks/duties for people with disabilities. The work/task/duties a service animal has been trained to provide must be directly related to the person's disability.

The animal must be under the handler's control at all times. Library staff may require that the animal be removed from the premises if the animal is out of control, agitated, aggressive, or otherwise threatens the health, safety and welfare of staff or patrons and the animal's handler does not take effective immediate measures to control the animal.

The service animal must be restrained with a harness, leash or tether unless such restraint interferes with the animal's performance of its work or tasks. When a restraint is not used, the service animal must be within the control of the handler through such measures as voice control, signals, or other effective controls.

Service animals are not permitted to sit on Library furniture, indoor or out.

The animal must be housebroken and limit relief to outdoor areas. The animal's handler is responsible for prompt removal and disposal of waste.

When it is not obvious that an animal is a service animal, Library staff may ask only two specific questions: (1) is the dog a service animal required because of a disability? and (2) what work or task has the animal been trained to perform? Staff are not permitted to request any documentation regarding the animal; require that the animal demonstrate its task; or inquire about the nature of the person's disability.

Attorney Kevin Seaman explained the difference between a “service” animal and a “comfort” animal, and noted that a dog was the only animal under New York State law that was considered a “service” animal.

NOTE: Trustee Joseph Vallone arrived at 7:02 p.m.

16. At 7:03 p.m. Trustee Theresa Stabile moved to enter executive session pursuant to Article 7, Section 105 "F" of the Public Officer's Law to discuss the medical and employment history of a particular person. The motion was seconded by Trustee Brianna Baker-Stines and adopted by a unanimous 7-0 vote.

The following trustees were present and participating in executive session: Brianna Baker-Stines, Anita Dowd-Neufeld, Gerard J. Cairns, Annette Galarza, Theresa Stabile, Joseph Vallone and William Zimmerman.

Also present were Library Director Robert Lusak, Assistant Library Director Patricia Thomson, Attorney Kevin Seaman, Treasurer Joanne T. Grove, Clerk Lauren Gunderson, and Secretary Linda Taurassi.


17. Upon a motion by Trustee Joseph Vallone, seconded by Trustee Gerard Cairns, and adopted by a unanimous 7-0 vote, the meeting reconvened in open public session at 8:10 p.m.
18. Trustee Theresa Stabile moved to accept adoption of the following resolution:

RESOLVED: That the Board of Trustees of The Smithtown Library determines to pursue a Civil Service Law Section 72 Proceeding against a Librarian I on the basis of a non-occupational related disability preventing the performance of carrying out the duties of the position.


The motion was seconded by Trustee Annette Galarza and adopted by a unanimous 7-0 vote.

19. Library Board President Anita Dowd-Neufeld noted that the next “regular” meeting of the Board of Trustees would be held Tuesday, May 21, 2019 at 6:30 p.m. at the Smithtown building.
20. There being no further business, Trustee Joseph Vallone moved to adjourn the meeting at 8:17 p.m. The motion was seconded by Trustee William Zimmerman and adopted by a unanimous 7-0 vote.

Minutes approved this 21st day of May, 2019.



Anita Dowd-Neufeld, President
Smithtown Library Board of Trustees



Linda Taurassi
Secretary to the Board of Trustees