

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

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

The following Library Trustees were present and participating at the meeting: Gerard J. Cairns, Anita Dowd-Neufeld, Annette Galarza (arrived at 6:40 p.m.), Theresa M. Stabile, Joseph Vallone and William Zimmerman. Trustee Brianna Baker-Stines was absent with prior notice.

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

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

At the beginning of the meeting a moment of silence was observed in memory of the sudden untimely death of Secretary Linda Taurassi's son-in-law Michael S. McDermott.

READING AND APPROVAL OF MINUTES

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

RESOLVED: That the REGULAR MEETING MINUTES of June 18, 2019 be approved as presented.

The motion was seconded by Trustee Joseph Vallone and adopted by a unanimous 5-0 vote.

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

2. The BUDGET AND FINANCE COMMITTEE report was presented by Budget and Finance Committee Liaison Joseph Vallone.

- a. TREASURER'S REPORT

Trustee Gerard Cairns moved to accept adoption of resolution "a":

RESOLVED, that the TREASURER'S REPORT for the month ended June 30, 2019 be approved for filing (copy of report appended to the original of these minutes).

The motion was seconded by Trustee Theresa Stabile and adopted by a unanimous 5-0 vote.

- b. WARRANTS

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

<i>i. Warrant #19-July ("L" fund) PREPAYS</i>	<i>\$ 21,240.50</i>
<i>ii. Warrant #19-July ("L" fund) WARRANT</i>	<i>\$ 353,781.68</i>
<i>iii. Warrant #19-July (PAYROLL #13 - 6/28/19)</i>	<i>\$ 253,091.76</i>
<i>iv. Warrant #19-July (PAYROLL #14- 7/12/19)</i>	<i>\$ 253,641.73</i>

The motion was seconded by Trustee Theresa Stabile and adopted by a unanimous 5-0 vote.

7/16/19

NOTE: Trustee Annette Galarza entered the meeting at 6:40 p.m.

c. BUDGET TRANSFERS

Trustee Gerard Cairns moved to accept adoption of resolution “c”:

RESOLVED, that the Treasurer be authorized to execute the budget transfers in the dollar amounts and expenditure lines set forth as appended:

		Budget	(From)/To	Adjusted Budget
L.4150	Online Materials	308,200	15,000	323,200
L.2100	Other Capital Outlay	24,200	10,000	34,200
L.2030	Building Equipment	260,000	(10,000)	250,000
L.4360	SCLS Member Supt.	170,000	(15,000)	155,000
	TOTAL	762,400	-	762,400

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

3. In the absence of Personnel Committee Liaison Brianna Baker-Stines, the PERSONNEL COMMITTEE report was presented by Trustee Gerard Cairns.

Trustee William Zimmerman moved to accept adoption of resolution “a”:

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

Full-time Appointments:

- i. Appointment of **Sean Walls** from a part-time Librarian I position into a permanent full-time Librarian I position, Reference Department, Kings Park building, at an annual rate of pay of \$57,958.00, subject to a 26-week probationary period, effective date TBD (to fill the vacancy created by the full-time appointment and reassignment of Rachel Cecchini to the Smithtown building).
- ii. Appointment of **Rachel Cecchini** from a part-time Librarian I position into a permanent full-time Librarian I position, Reference Department, Smithtown building, at an annual rate of pay of \$56,822.00, subject to a 26-week probationary period, effective date TBD (to fill the vacancy created by the resignation of Librarian Trainee Casey Grant, effective 6/13/19).

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

Trustee Theresa Stabile moved to accept adoption of item “iii”:

Resignations:

- iii. Resignation of **Madeline Dluginski**, Page, Nesconset building, effective July 13, 2019.

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

Trustee Theresa Stabile moved to accept adoption of items “iv-vi”:

Leave Requests:

- iv. Leave of absence without pay for **Florence Lucker**, Page, Kings Park building, for the month of July, 2019.
- v. Leave of absence without pay for **Jules Wexler**, Page, Kings Park building, effective September 9, 2019 through September 23, 2019.
- vi. Leave of absence without pay for **Roy Kindelmann**, Page, Commack building, effective August 31, 2019 through September 6, 2019.

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

Trustee Gerard Cairns presented the Conference/Workshop Attendance Requests;

Trustee Theresa Stabile moved to accept adoption of item “b”:

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

- i. *That Library Director **Robert Lusak**, Administration Department, Nesconset building, be authorized to attend, on paid release time, the "2019 New York Library Conference", sponsored by the New York Library Association (NYLA), to be held in Saratoga Springs, NY, from November 13, 2019 through November 16, 2019, with reimbursement for reasonable expenses incurred with the display of certified receipts.*
- ii. *That Librarian II **Christine Alexander**, Teen Services, Commack building, be authorized to attend, on paid release time, "Lit-Fest 2019", sponsored by the Nassau Library System, to be held at the Long Island Marriott—Uniondale, located in Uniondale, NY, on September 20, 2019, with reimbursement for actual and necessary expenses not to exceed \$119.00.*
- iii. *That Children's Services Librarian **Wendy Johnson**, Children's Department, Commack building, be authorized to attend, on paid release time, "Lit-Fest 2019", sponsored by the Nassau Library System, to be held at the Long Island Marriott—Uniondale, located in Uniondale, NY, on September 20, 2019, with reimbursement for actual and necessary expenses not to exceed \$100.00.*
- iv. *That Librarian II **Peggy Lopez**, Adult Reference Department, Commack building, be authorized to participate in a webinar titled "N.Y.S. Notary Licensing Exam Prep Online", sponsored by Notary Public New York, with reimbursement for actual and necessary expenses not to exceed \$77.00, at a time to be determined.*
- v. *That Children's Services Librarian **Nicole Rossano**, Children's Department, Kings Park building, be authorized to attend, on paid release time, "Lit-Fest 2019", sponsored by the Nassau Library System, to be held at the Long Island Marriott—Uniondale, located in Uniondale, NY, on September 20, 2019, with reimbursement for actual and necessary expenses not to exceed \$95.00.*

The motion was seconded by Trustee William Zimmerman 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 Theresa Stabile moved to accept adoption of item “a”:

- a. Burglar Alarm Monitoring - all Library buildings

RESOLVED, That the Board of Trustees of The Smithtown Library does hereby authorize the Library Director to enter into a contract with Electronix Systems, to begin August 1, 2019 for the third year (3) of a five (5) year contract, for the purpose of providing central station burglar alarm monitoring and panic button monitoring for all Library buildings, at a total annual cost not to exceed \$1,056.00 (\$264.00 per building). Subsequent annual renewals will be considered pending board approval.

Assistant Library Director Patricia Thomson noted that rates had not increased and recommended Electronix Systems.

The motion was seconded by Trustee Annette Galarza and adopted by a unanimous 6-0 vote.

Buildings and Grounds Committee Liaison Gerard Cairns reported that he had recently visited the Nesconset and Smithtown buildings for a building tour with the Library Director and observed that there were some capital improvements that needed to be addressed in the near future. He noted that the Board would need to make some decisions regarding which capital projects will be necessary.

5. COMMUNICATIONS COMMITTEE

- a. Trustee William Zimmerman reported on the letter received from the GI GO Fund thanking the Library for our participation in the Jeans for Troops drive in honor of Memorial Day.
- b. Friends of the Smithtown Library Liaison Theresa Stabile gave a summary of the recent Friends meeting she had attended. The next Friends meeting will take place September 17, 2019.

6. The DIRECTOR'S REPORT was given verbally by Library Director Robert Lusak. The following items were covered:

- a. Christine Alexander reported that the third annual cleanup of the Kings Park Bluff will take place on a Sunday in September (date to be determined).
- b. Commack parking lot cost should be less than \$15,000.00.
- c. Bids have gone out for security guards and are due back July 26th. A walk-through of all the buildings is taking place on Wednesday, July 17th.
- d. The Library is considering HOOPLA, a streaming digital service with a platform offering a variety of media—ebooks, audio books, video, music. Commack building head Cynthia Guzzo will be providing a presentation at the August board meeting.
- e. Several problems have occurred with Windstream in conjunction with DJJ Technologies pertaining to our telephone system service and unexpected costs.
- f. Posts for the fences that will encircle the generators have been installed.
- g. Kings Park building head Sheila Worlow reported on an incident that had occurred with the Kings Park elevator.

UNFINISHED BUSINESS

7. SECURITY GUARDS

Trustee Joseph Vallone moved to accept adoption of the following policy:

RESOLVED, that the Board of Trustees of The Smithtown Library authorizes the Library Director, nunc pro tunc, to solicit bids for the purpose of Security Guard services for all library buildings.

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

8. REVISED POLICY - **Circulation of Materials - Policy 800-10** (2nd reading)

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

Library Board President Anita Dowd-Neufeld moved to waive the reading of the Circulation of Materials Policy (#800-10). The motion was seconded by Trustee Theresa Stabile and adopted by a unanimous 6-0 vote.

Trustee Theresa Stabile moved to accept adoption of the Circulation of Materials Policy (#800-10). The motion was seconded by Trustee Gerard Cairns and adopted by a unanimous 6-0 vote.

In order to make library materials available to all library users on an equal basis, The Smithtown Library will set policies for length of loan period, renewals, reserves, and fees. The Library will determine who is eligible to borrow materials and establish procedures for the return or replacement of such materials.

A. LIBRARY CARDS

1. *The Smithtown Library issues a full-access library card without charge to any resident of The Smithtown Library; however a \$1 replacement fee will be charged if the card has been lost or stolen.*
 - a. *The Library reserves the right to stop a patron's Smithtown card if monies are owed by that patron to other libraries within the Suffolk Cooperative Library System.*
2. *Proof of residence is required at the time of initial application and renewal. Acceptable forms of proof must include the applicant's name and current address, and must be presented in person. For the purposes of this section, a post office box is not sufficient proof of residency.*
3. *Library cards are issued for a period of three (3) years.*
4. *Library cardholders are responsible for all materials borrowed with their library cards.*
5. *The Smithtown Library issues a full-access library card without charge to nonresidents who:*
 - a. *Are owners of a business located in The Smithtown Library. Proof of ownership is required at the time of initial application and renewal.*
 - b. *Own assessable property in The Smithtown Library. Proof of property ownership in the Town of Smithtown is required at the time of initial application and renewal.*
 - c. *Are current employees of The Smithtown Library. Proof of employment with The Smithtown Library is required at the time of initial application and renewal.*

6. *Library cards are issued to minors without charge who reside in The Smithtown Library. For the purposes of this section, a minor's residency shall be presumed to be that of his or her parents or legal guardian. Where a minor's parents are divorced the Library will allow each parent that resides within The Smithtown Library to obtain a library card for the child. A parent or legal guardian must be present with their minor child through grade five (5) at the time of initial application.*
7. *The Smithtown Library provides Homebound Mail Service to those eligible for Smithtown Special Library District cards who are eligible for National Library Service for the Blind and Physically Handicapped services and/or who meet the criteria of having a permanent or temporary disability that prevents them from leaving their home and do not have a representative who can go to the Library for them. Disabilities may require professional verification. Residents of nursing homes within The Smithtown Library that apply for our Homebound Mail Service can use the nursing home in which they reside as their address. A special application must be filled out to get these services. A library card will be issued to the individual whose name is on the Homebound Mail Service application. That individual will be responsible for all material checked out on that library card.*
8. *In order to check-out library material, Smithtown Library cardholders must present either their library card or acceptable identification that includes their name and current address. Students in grades six (6) through twelve (12) that have a Smithtown library card may present their school ID as an acceptable form of identification.*
9. *At its sole discretion, the Library may limit the number of items that may be charged out on one library card.*

B. CONFIDENTIALITY OF CIRCULATION RECORDS

1. *Pursuant to Section 4509 of New York State Civil Practice and Rules, all circulation records identifying the names of library users with specific materials are confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of the Library and upon request or consent of the library user.*
2. *Circulation records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to federal, state, or local law.*

C. LOAN PERIODS

1. *Fiction and nonfiction books, children's magazines, and audiobooks owned by the Library shall have a loan period of twenty-eight (28) days.*
2. *New fiction books (300 pages or more in length), new nonfiction books, new large print books, compact disc recordings, DVDs or Blu-Ray discs of television series with multiple episodes that circulate together in one case owned by the Library, **mobile hotspots* (or wireless communication system)** and hand held devices* such as e-readers shall have a loan period of fourteen (14) days.*
3. *New fiction (less than 300 pages), automotive repair manuals, study notes, children's holiday books, adult and young adult magazines, test preparation books, and video recordings (excluding those indicated in section C-2) owned by the library shall have a loan period of seven (7) days.*
4. *Museum passes* owned by the Library shall have a loan period of three (3) days.*

5. The “Library of Things”* collection owned by the Library shall have a loan period of seven (7) days. A maximum of two (2) “Library of Things” items may be borrowed at one time for a maximum of twelve (12) items a year.
6. Reference material may not be checked out of the Library.
7. The Library is not responsible for damages that may occur to equipment in the playing of library audio/visual materials.
8. At its sole discretion, the Library reserves the right to change the loan periods of materials owned by the Library, or to restrict items to in-house use only.

*Patrons who borrow any item from the “Library of Things” collection, a hand held device or a museum pass must be 18 years of age or older and sign a borrower’s agreement.

D. RENEWALS

1. Circulating materials owned by the Library with loan periods of twenty-eight (28) days may be renewed for up to six (6) additional loan periods of twenty-eight (28) days.
2. Circulation materials owned by the Library with loan periods of fourteen (14) days may be renewed for up to six (6) additional loan periods of fourteen (14) days.
3. Circulating materials owned by the Library with loan periods of seven (7) days may be renewed for up to six (6) additional periods of seven (7) days.
4. Museum passes owned by the Library will have zero (0) renewals.
5. Hand held devices such as e-readers and the “Library of Things” collection owned by the Library will have zero (0) renewals.
6. The loan periods of materials borrowed from other libraries are controlled by the policies of the lending libraries.
7. Materials with holds may not be renewed.

E. HOLDS AND RESERVES

1. Items which may be placed on hold in the online catalog include new fiction and nonfiction books, automotive repair manuals, study notes, children’s holiday books, adult magazines, young adult magazines, children’s magazines, test preparation books, mobile hotspots (or wireless communication systems), audio recordings, and video recordings.
2. Reference materials, ~~museum passes~~ and hand held devices such as e-readers cannot be placed on hold.
3. Museum Passes may be reserved in the Children’s Department at the Smithtown building or through the Museum Pass links on the Library’s webpage, dates are subject to availability.
4. “Library of Things” collection may be reserved at a Reference desk in any Smithtown Library building or through the “Library of Things” links on the Library’s webpage, dates are subject to availability.
5. Cardholders shall have a reasonable period of time to claim reserved items after being notified that such items are available.

F. EXTENDED USE

1. On the day after the due date indicated on the date due receipt, all library materials shall be considered past due if such materials have not been either renewed or returned.
2. Cardholders with past due materials shall accrue an extended use charge per item until such materials are either renewed or returned.
 - a. Fiction and nonfiction books, automotive repair manuals, study notes, test books, audio recordings, and children's holiday books owned by the Library shall accrue an extended use fee of 10 cents per day. The maximum fee for such materials shall not exceed \$5.00 per item.
 - b. Video recordings and **mobile hotspots (or wireless communication system)** owned by the Library shall accrue an extended use fee of \$1.00 per day. The maximum fee for such materials shall not exceed \$10.00 per item.
 - c. Hand held devices such as e-readers owned by the Library shall accrue an extended use fee of \$5.00 per day. The maximum fee for such materials shall not exceed \$50.00 per item.
 - d. Magazines owned by the Library shall accrue an extended use fee of 10 cents per day. The maximum fee for such materials shall not exceed \$3.00 per item.
 - e. Museum passes owned by the Library shall accrue an extended use fee of \$20.00 per day. The maximum fee for such materials shall not exceed \$200.00 per item. **(Must be returned in person to the Smithtown Building Children's Department.)**
 - f. **The "Library of Things" collection owned by the Library shall have an extended use fee based on the value of the item up to the replacement cost of the item as listed on the borrower's agreement.**

<u>Value</u>	<u>Extended Use Fee</u>
<u>Less than \$200.00</u>	<u>\$1.00 per day</u>
<u>\$200.00 - \$499.00</u>	<u>\$10.00 per day</u>
<u>\$500.00 - \$999.00</u>	<u>\$20.00 per day</u>
<u>\$1,000.00 or more</u>	<u>\$30.00 per day</u>

(Must be returned in person to the Service desk at the Library building in which the item was borrowed.)

3. At its sole discretion, the Library may ask cardholders with extended use charges to clear all or a portion of all such charges before being allowed to borrow any additional library materials.
4. The extended use fees of materials borrowed from other libraries are controlled by the policies of the lending libraries.
5. Items can be returned in person or via the drop box located outside each Smithtown Library building, as well as at any public library in Suffolk County. An item returned in the drop box during hours the Library is closed will be processed the next morning that the Library is open, and will be considered returned as of the previous day that the Library was open.
 - a. Drop boxes are maintained as a convenience for the patron, and the patron remains liable for all materials deposited in drop boxes until such items are checked in by library staff. The library cannot guarantee the security of items deposited in drop boxes and will not waive charges on items claimed to have been returned in the drop boxes.

G. DAMAGED AND LOST MATERIALS

1. Borrowers are liable for all lost and damaged library materials charged out on their library cards.
2. The Library will notify the cardholder of payment due for the replacement of all lost and damaged items.
3. For the purpose of ISBN integrity and re-processing cost, replacement material for lost or damaged items cannot be accepted in lieu of payment due.
4. Once payment has been received for lost items, no refunds will be issued by the library for items subsequently found by the cardholder.
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) \$7.00
 - Medium (13-22 discs) \$8.00
 - Large (23-44 discs) \$13.00
 - b. Blu Ray/DVD \$4.00
 - c. Music CD \$4.00
 - d. Plastic Inserts \$0.45

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

6. **Items in the "Library of Things" collection that are damaged or lost will be charged at the value listed in the borrower's agreement.**

H. DIRECT ACCESS

1. For purposes of this section:
 - a. Direct access shall mean the ability of an individual, who resides within the boundaries of the Suffolk Cooperative Library System (SCLS) and who has a valid borrower's card issued by SCLS or any member library in SCLS, to borrow materials for home use directly from the premises of The Smithtown Library.
 - b. Non-resident borrower shall mean an individual who resides outside the boundaries of the chartered service area of The Smithtown Library and who is a library cardholder at another SCLS member library or who has a borrower's card issued by SCLS.
2. Non-resident borrowers are prohibited from borrowing by direct access certain materials and equipment. Such materials shall include but not be limited to:
 - a. Materials in heavy local demand.
 - b. Handheld devices.
 - c. New magazines.
 - d. All newspapers.
 - e. **Mobile Hotspots or other wireless communication system.**
 - f. Museum passes.
 - g. **The "Library of Things" collection**
 - h. Microform material.
 - i. Reference material.
 - j. Special collections as determined by the Library.

I. NON-RESIDENT INTERLIBRARY LOAN

1. For purposes of this section:
 - a. *Interlibrary loan shall mean the ability of an individual, who resides within the boundaries of the Suffolk Cooperative Library System (SCLS) and who has a valid borrower's card issued by SCLS or any member library in SCLS, to borrow The Smithtown Library's materials indirectly through another library.*
 - b. *Non-resident borrower shall mean an individual who resides outside the boundaries of the chartered service area of The Smithtown Library and who is a library cardholder at another SCLS member library or who has a borrower's card issued by SCLS.*
2. *Non-resident borrowers are prohibited from borrowing through interlibrary loan certain materials and equipment. Such materials shall include but not be limited to:*
 - a. *Materials in heavy local demand.*
 - b. *New fiction and nonfiction books less than 4 months old.*
 - c. *New release Digital Video Discs less than 4 months old.*
 - d. *New release Blu-ray Discs less than 4 months old.*
 - e. *New magazines.*
 - f. *All newspapers.*
 - g. **Mobile hotspots or other wireless communication system.**
 - h. *Museum passes.*
 - i. **The "Library of Things" collection.**
 - j. *Hand held devices.*
 - k. *Microform material.*
 - l. *Reference material.*
 - m. *Special collections as determined by the Library.*

J. INTERLIBRARY LOAN FOR SMITHTOWN CARD HOLDERS

The Library will make reasonable efforts to locate material in other libraries when we do not own the material. Upon a patron's request, the library will try to borrow the material for the patron's use. The selection of the lending library will be at the sole discretion of the Library. The borrowing patron is responsible to abide by the usage policies and procedures of the lending library. Any fee's incurred by The Smithtown Library (including but not limited to shipping, patron damage and late fees) for the use of material borrowed from another library are the responsibility of the patron.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

9. LIBRARY BUDGET VOTE AND TRUSTEE ELECTION:

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

RESOLVED: That the Board of Trustees of the Smithtown Special Library District does hereby authorize Clerk Lauren Gunderson to undertake all actions necessary pursuant to Chapter 193 of the Laws of New York to conduct the Library's 2020 Budget Vote and Trustee Election to take place on October 15, 2019, including:

- i. The hiring of the Suffolk County Board of Elections to serve as a sole source vendor for a total of eight (8) voting machines, machine delivery and set-up, full voting hours machine maintenance by official Board of Elections technicians, full voting hours switchboard assistance, next day pick-up of machines; and to coordinate the printing of the official ballots with Fort Orange Press at a cost not to exceed \$3,000.00,*
- ii. Administering the selection and appointment of not more than 20 persons to serve in the capacity of election inspector for the 2020 Budget Vote and Trustee Election at a rate of pay per inspector of \$12.50 per hour.*

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

10. FRIENDS OF THE SMITHTOWN LIBRARY - Museum Passes

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

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept and thank, nunc pro tunc, the Friends of the Smithtown Library for the purchase of one-year memberships to ten (10) local museums/venues, for use by Library patrons, at a total value of \$6,830.00, and be it

FURTHER RESOLVED, that the Board of Trustees is grateful for the continuing support of the Friends of the Smithtown Library.

The motion was seconded by Trustee Annette Galarza and adopted by a unanimous 6-0 vote.

11. DONATION - Long Island History Room – Charles E. Lawrence Collection

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

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept and thank W. Jeffrey Lawrence of New York, NY, for his most generous donation of five thousand dollars (\$5,000.00) to The Smithtown Library's Long Island Room, and be it

FURTHER RESOLVED, that the funds will be used to preserve and conserve the Charles E. Lawrence Collection.

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

12. REVISED POLICY – **Maintenance of Public Order on Library Property – Policy 700-10** (1st reading)

Trustee Gerard Cairns moved to waive the reading of the Maintenance of Public Order on Library Property policy (#800-10). 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 August board meeting.

STATUTORY AUTHORITY

The Board of Trustees of The Smithtown Library ~~is required to~~ **hereby** adopts rules and regulations for the maintenance of order on Library property and to ~~assign~~ promulgate penalties for violations **under the authority of NY Education Law § (Section 260 et. seq., Education Law)**.

RULES AND REGULATIONS

The Board of Trustees of The Smithtown Library has adopted the following rules and regulations:

1. **Behavior and Conduct:** No person, either singly or in concert with others, shall:
 - a. Fail to comply with the lawful directives of Library ~~officials or their representatives~~ supervisors or staff.
 - b. Make unreasonable noise, use abusive or obscene language, make ~~an~~ obscene gestures, or ~~become involved in~~ **undertake** an act of violence or breach of the peace on Library property.
 - c. Possess or use an alcoholic substance, an illicit narcotic substance, or a dangerous weapon or substance **instrumentality** on Library property.
 - d. Willfully misuse, mar, deface, damage or destroy Library property or equipment.
 - e. Disrupt, interfere with, or attempt to prevent the orderly conduct of lectures, **patrons**, meetings, and other **or** public events ~~authorized by~~ **conducted at** the Library.
 - ~~f.~~ Make excessive noise or **undertake acts that are distracting or disruptive to an environment conducive to reading and study**. ~~Noise will be maintained at levels that ensure a quiet environment for reading and study.~~
 - i. Normal conversational noise levels are permitted for reference and circulation services only. Headphones and laptop computers may be used in the Library; however, noise from headphones and laptop computers must not be audible to others.
 - ii. No talking or whispering is allowed in areas of the Library designated as “silent” study spaces.
 - iii. Cellular telephones may not be used anywhere in the Library except in cases of police or fire emergency.
 - iv. **No running, dancing or physical exercise is permitted within the Library unless undertaken in conjunction with a Library sponsored program.**
2. **Proper Dress, Foods and Beverages; Animals:** The Board of Trustees of The Smithtown Library prohibits the following:
 - a. ~~**Bare Feet.**~~ **Dress/Hygiene.** Entry into the Library shall, at all times, require regularly-accepted foot **and bodily** coverings; **hygiene that is not disturbing to patrons or staff is to be observed.**
 - b. **Foods and Beverages.** The eating of foods and/or drinking of beverages is not permitted in the public service areas.
 - c. **Animals.** Except for ~~trained guide dogs~~ **service animals**, no animals shall be brought into the Library.
 - d. **Smoking.** ~~In compliance with New York State Public Health Law Article 13-E §1399-0.~~ No smoking of any kind **nature** is allowed **permitted** in **Library buildings** ~~public libraries~~ **or on Library grounds.** This includes but is not limited to, e-cigarettes, i.e., vaping.

- 3. Loitering; Trespassing:** The Board of Trustees of The Smithtown Library prohibits:
- Loitering.** Section 240.35 Penal Law provides in relevant part that any person who loiters ~~on~~ in or about ~~the~~ a building in violation of rules and regulations is guilty of disorderly conduct. **It is expected that all patrons will engage in activity that are related to Library functions.**
 - Trespassing.** Section 140.05 Penal Law provides in relevant part that any person who unlawfully enters into or remains unlawfully in or upon the premises is guilty of trespass.
- 4. Punitive Action:** Violation of any of the Rules and Regulations, as adopted by the Trustees of The Smithtown Library, may result in the following:
- Immediate** ejection from the Library's property.
 - Prohibition of entry upon Library property **for a stated term.**
 - Civil and/or criminal prosecution.
 - Impositions of those penalties ~~within the jurisdiction of~~ **deemed appropriate by** the Library Board of Trustees.
- 5. Distribution of non-library materials, gathering of signatures for petitions, etc.:**

The following activities are permitted only when authorized by the Library's Board of Trustees or Library Director:

- Distribution of non-Library related leaflets/fliers/materials.
 - Solicitation of opinions through interviews or surveys on Library property.
 - Solicitation **of** or the gathering of signatures for petitions on Library property.
 - Solicitation of donations.
 - Selling products or services.
13. Library Board President Anita Dowd-Neufeld noted that the next "regular" meeting of the Board of Trustees would be held Tuesday, August 20, 2019 at 6:30 p.m. at the Kings Park building.
14. There being no further business, Trustee Joseph Vallone moved to adjourn the meeting at 7:45 p.m. The motion was seconded by Trustee Gerard Cairns and adopted by a unanimous 6-0 vote.

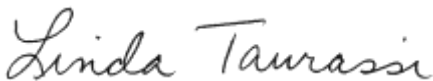
Minutes approved this 20th day of August, 2019.



Anita Dowd-Neufeld, President
Smithtown Library Board of Trustees



Lauren Gunderson
Secretary Pro-Tempore



Linda Taurassi
Secretary to the Board of Trustees