

RFPL Board of Trustees Meeting Minutes
Tuesday, April 8, 2014
6:00 PM
Meeting Room, RFPL, Bellows Falls, VT

Present: Doreen Aldrich, Carol Blackwood, Hope Brissette, Patricia Fowler, Carolyn Frisa, David Gould, L. Raymond Massucco, Janice Mitchell-Love, Trustees; Samantha Maskell, Mary VanHartesveldt & Emily Zervas, Library; Chris Garofolo, Eagle Times, Domenic Poli, Brattleboro Reformer, Press; Arnold & Elayne Clift, David DeRusha, Betty Haggerty and Celina Houlne; Others

Call to Order: The chair called the meeting to order at 6:01 p.m.

Announcements from the Chair: Gould advised that he received a letter of resignation from board member, Paige Pietrzak and he accepted with regrets. The Trustees will now make a recommendation to the Select Board on an appointment to fill her position. Mitchell-Love asked us to consider a younger person. After the committee appointments, he would like the chairs of the committees to work out times with their committee members as to when they can meet, etc.

Gould said he tried to appoint people to committees and was informed by a citizen that he was in violation of the open meeting law so appointments will be taken up later this evening. He addressed the issue of public comments asking that people hold their public comments to three minutes and if what they want to speak to is an agenda item, would they wait until we get to that item on the agenda to make comments.

The chair advised that the board has warrants that need signing and asked the folks on the finance committee to do that at the end of the meeting.

Public Comments: David DeRusha said there has been a lot of talk about public trust of the board, etc. The Select Board takes an oath of allegiance and an oath of office by law. This board is not required to do so; but he questioned whether the board would be interested in considering an oath of office to say they take the job seriously. Frisa responded that Fowler talked about our By-Laws and that was one of the issues. They felt it was a good thing to pass.

Approval of Minutes of March 18 and March 11, 2014: Brissette asked if Aldrich would put the date when she completes and submits the draft minutes after her signature. Frisa pointed out that on page 2, it refers to Garrett as her husband and he is her partner. Blackwood moved to accept the minutes as amended, seconded by Frisa. The motion carried. No abstentions. Massucco moved to approve the minutes of March 11th as printed, seconded by Frisa. The motion carried. There were two abstentions.

Directors' Monthly Reports and Financial Reports: Emily & Sam passed out their report. The new copier is working very well and is networked to all their computers. The E-rate filing has been completed. That is the filing that subsidizes our telephone and internet. There is an item not in their budget; it is an unforeseen expense for a floor machine. This library has far

more hard floor than the last and they have been struggling this past winter. She had a person give a quote for cleaning. He gave the opinion that he didn't think it could be done without a floor machine and if he was hired, would purchase one and leave it in the building. They looked at pricing and decided that the most cost effective thing would be for us to buy our own floor machine and have Bob operate it. Zervas advised that she has been looking at different models. It's not in the "Fixtures" budget so it would be over-spending that budget and taking it out of other areas. There are a few different models, all under \$4,000. They feel it is the best thing going forward and would save money in the long run. She added that technically they don't need board approval; but she wanted to bring it to the board because it is not in the budget. She added that Mary has looked at cutting back in other areas to accommodate this need. Blackwood said she knows they talked about landscaping; but taking care of the floors is a higher priority. That might be an area to look at. Zervas explained that as much as the landscaping sounds like it would be nice, it is actually required by zoning so that is not optional. Arnold Clift referred to Ms. Zervas' comment about not needing to come to the trustees for approval although it is not in the budget. He would have thought if something is not in the budget, she would have to come to the trustees. VanHartesveldt explained that they are not spending a lot of money out of the repairs and maintenance line this year so that is where the money would come from; but it will be posted to fixtures. Blackwood moved to make a change to the budget to allow up to \$4,000 for the purchase of a floor machine, seconded by Frisa. Massucco said he's guessing the cost per square footage for the marmoleum and hardwood floors is pretty significant; probably a couple hundred thousand dollars. We're talking about \$4,000 to protect that. Mitchell-Love asked if Bob would have time to take care of the floors. Zervas said she feels he would because it would save him a lot of time. Mr. Clift requested that the trustees consider having a discussion with the director as to what the delegated authorities are and the extent to which the director may switch budgetary digits from one subject to another. The motion to spend up to \$4,000 passed. Sam went over her report. The "Friends of the Library" just donated two new folding tables. VanHartesveldt went over her report paying particular attention to the projections report. Fowler reported that she met with Linda Walker and she would like to meet with the Finance Committee to go over what to do with the other potential investments we have. We also renamed the annuity to be Rockingham Free Public Library, Town of Rockingham so it is clear that it is our fund and not the town's because we are using their tax number.

Old Business:

Historical Collection Committee – Library Grand Opening Celebration May 8, 9, & 10
Frisa reported that they have had two special meetings in the last two weeks, the purpose of which has been to talk about the library's grand opening celebration. She passed out a Calendar of Events that the committee has proposed for the celebration. They are working with the library staff and Friends of the Library. She has a sign-up sheet for people who would like to help. She was also hoping that we trustees would make some kind of monetary donation to cover the cost of the sheet cake. Massucco said he would sponsor the cake. A box was passed around for cash donations for paper plates, etc. Gould said he was impressed and thanked the committee for all the work they've done thus far.

Search Committee: Mitchell-Love said she doesn't have a report because it is her understanding they will not be doing anything until after Friday the 11th. After that, the search committee will be doing something. Gould asked where we stand on the ad with the Vermont Library Association. Fowler said it is the American Library Association (ALA). Mitchell-Love advised that we have to pay it. They are telling her we should have a membership for \$300 per year because we would have saved \$116 on the ad. She asked why we don't have the membership with ALA. Zervas wasn't sure, it probably was an oversight. VanHartesveldt said as long as she has been doing the books, we have not been a member of ALA. We are members of Vermont Library Association. Fowler said we are being charged for the ad from March 11th through May 11th. Mitchell-Love said they charge two months no matter what. Fowler asked why we are only running the ad for the week. Mitchell-Love asked if they want her to run it for the full time. Massucco asked if there is a cost to edit it. Mitchell-Love didn't know. Gould said at this point he has received one resume on the second go-around and it is somebody who applied on the first go-around that we chose not to pursue. Mitchell-Love said she got a call from someone that we are going to be really excited about who wants to re-apply. Arnold Clift said he is confused. Here we have a situation where the search committee has looked at the resumes and interviewed three candidates and came to the conclusion that there was no one they could recommend to the board "at this time". Either a person is or is not worth pursuing. It seemed to him that the search committee came to the conclusion there was no one suitable. Common sense would say no, you've been through that. If there are new people, that is a different matter. We do have mediation with the former director scheduled for the 30th and he felt the trustees need to take that into account before asking a search committee to do more work on something that may or may not have a useful purpose. Brissette explained that what the search committee said was they didn't feel they could recommend anyone at that point and time. They did not say they didn't find anyone suitable. Fowler said the difficulty is that some people had taken other temporary jobs and might be available now. We were in a situation at that point that they were not ready to commit and we might be more able to see what's going on at this point. We're not really going to be doing anything until after the first part of the mediation. Elayne Clift reiterated that it makes no sense to her to even consider people until the situation under litigation is resolved. She feels the whole search committee needs to be put to rest until we know our former director is going to be reinstated. Mitchell-Love asked if we want the ad even though the due date would say April 11th. Would somebody submit their application and hope they would be considered? Brissette asked if we change the date, would we get charged. Frisa said her guess is that we would be. Elayne Clift said she'd like to understand to what end would the ad be running. She understands it's a money issue but the money has been spent. To what end is the ad going to run given the circumstances that we're in; that there is litigation that is not resolved. Arnold Clift suggested letting the ad run for what it's worth. It's hardly fair to people who are writing in. He suggests the trustees consider deferring any action on further searching for a director until at least April 30th and the mediation process is complete because that will be very important in determining to what extent you will need to recruit another director or not. Mitchell-Love was on the search committee. You are not going to get a committee together, people identified, the series of interviews, people hired by April 30th. For lack of a motion, the chair ruled that the search committee will meet after April 11th and proceed with

whatever they need to be doing at that point with the understanding that the search committee will not even make any recommendations until after the mediation date of April 30th. We've paid for the ad, let it run.

Buildings and Grounds Committee:

Outside Lights: Zervas reported that Kevin Keefe said there is no shade available for the outside lights that we have and he gave her a quote for \$165 to darken the lenses on three lights. She is going to move forward with it.

Outside Sign: Zervas advised that Pepper from the Town Highway Dept. took a look at it today. He says it's in really bad shape which they know. She asked him if he could just make the bottom of the molding better in time for the grand opening and go forward from there until we have a new sign. They were planning on having Frank Hawkins do the new sign; but he is no longer going to be doing signs.

Roof Snow Concerns: Gould said his concern is the snow coming off the roof and blocking the fire escape. The building and grounds committee needs to look into that with some roofing people on how that might be diverted or stopped. He put it on the agenda so it doesn't get forgotten when the nice weather comes.

Landscaping: Zervas reported that the staff will be the ones raising the money for the landscaping that we had talked about as being part of the grand opening. There are some issues with that. She looked at the plan that was approved by zoning and there are things we're required to do now. It is in conflict with what's back there now. We have crab apple trees that were planted; but not approved by zoning. We now have a planting list with certain things prioritized that need to go in this spring and certain things that can go in as needed. In the interest of fundraising, we're not going to be having people adopt specific plants; but rather say if you donate at this level, it pays for a tree, etc. The committee needs to meet and bring a new plan to the zoning board.

Mediation Meeting April 22, 2014 – 6:00 p.m. Blackwood suggested we leave this until the end and pick up with "New Business". Arnold Clift said it was not clear to him that what we intend to discuss about the mediation is necessarily to be taken in executive session. He feels the public is entitled to know what the general arrangements are. There is nothing which prejudices the public interest by explaining the mechanism of the mediation and who is going to represent the trustees. Gould said after the executive session, we may make an announcement as to who will represent the board; but because mediation is part of the legal lawsuit, we can go into executive session. Clift asked if he was saying that the public was not entitled to know how the procedure works? Gould asked to hold off until they get to the executive session and deal with the library logo and committee assignments now.

Zervas added that VanHartesveldt had been waiting. She thought there was going to be a finance committee section where she could ask a question about the legal bills that need to be paid. Fowler explained what the bills were for. There was a question on the bill concerning "Massucco Suit". The other bills they expected. Mary will hold the bill concerning Massucco. Gould felt we should pay the others. Fowler signed the warrant; but said others would have to sign after the meeting.

New Business:

Library Logo: Maskell passed out two samples prepared by Carolyn's partner, Garrett. Frisa moved to approve the square open book design, seconded by Mitchell-Love. The motion carried. There was one abstention.

Committee Assignments: See attached sheet. Frisa suggested, under Historical Collection Committee, that we not have a separate committee for the Grand Opening. Gould asked the trustees to cross out "Grand Opening Committee" and all the comments with it. Elayne Clift asked if the By-Laws called for at least three people. Gould said "yes". It was brought up to him; however, he is ruling that we can change that because precedence has already been established that some committees have more than three. We need to address this in the By-Laws. Fowler said Paige has resigned so whoever fills her position, we can put in where we have only two. Brissette said the Search Committee is not a long term committee; it's an ad hoc committee. Elayne Clift suggested a Community Relations Committee or community outreach. These would be folks to engage the community. Gould asked her to put something in writing for him.

Executive Session: David DeRusha said it is his understanding that executive session is to discuss mediation and to discuss nominating an additional board member. Gould responded that it is. Brissette asked how can we nominate another board member when we don't know who wants to be another member. We may not be ready to nominate someone; but will discuss it. Arnold Clift asked if there was a process for advertising before one can take the position and one has to remember that this committee does not have the power of appointment; it has the power to recommend. His second point was if the trustees are going into executive session, they must state specifically, the subject and not discuss anything else. Brissette said we can discuss the process in open session. Frisa said if we want to throw out some names, we would do that in executive session. Before going into executive session, Gould explained how mediation works. Elayne Clift said she doesn't understand why everybody seems to dance around the issue that there is probably a majority on the board now that would reinstate Celina. That needs to come up for discussion prior to April 30th because it will hugely facilitate the resolution of all this. She suggested that the board revisit the evidence; but meet and vote prior to the April 30th date because it may be that is simply a negotiation for terms of reinstatement and then it's done.

At 8:04 p.m., Massucco moved to go into executive session to discuss pending litigation where premature general public knowledge would clearly place the RFPL at a substantial disadvantage. Blackwood seconded the motion and the motion carried. The board came out of executive session at 8:38 p.m. We will warn a special meeting for April 15, 2014 at 6:15 p.m.

Blackwood moved to adjourn at 8:45 p.m., seconded by Mitchell-Love. The motion carried.

Respectfully submitted by Doreen Aldrich on April 11, 2014