

As Amended 5/25/22

Niagara Falls Public Library Board of Trustees

Minutes of Regular Board Meeting

Library Conference Room

1425 Main Street, Niagara Falls, NY 14305

Wednesday, April 27, 2022

**CALL TO ORDER.** The regular meeting of the Niagara Falls Public Library Board of Trustees was held in person on Wednesday, April 27, 2022, in the Conference room, 2<sup>nd</sup> Floor Main Library.

The meeting was called to order by Board President Carmen Granto at 3.20 p.m.

**ROLL CALL:**

Present

Absent

Ms. Bailey

Ms. Glaser

Mr. Granto

Mr. King

Dr. Foote (excused from meeting at 3:55pm)

Dr. Rahman (arrived 3:10pm)

Also present were Mr. Jim Roscetti, Library Legal Counsel; Ms. Sarah Potwin, Library Executive Director; Mr. Robert Difrancesco, Friends of the Library; Mr. Pat Brown, PT Account Clerk-Library, Ms. Courtney Geerhart, Local History Librarian.

**OPEN HEARING.**

Mr. Granto noted there were no speakers or other guests

**ADOPTION OF AGENDA.**

The agenda was adopted upon a motion by Mr. Granto was seconded by Mr. King and carried.

**REVIEW OF MINUTES.**

A review of the March 30, 2022 regular meeting summary was presented. The minutes were adopted upon a motion by Mr. King was seconded by Ms. Bailey and carried.

**FINANCIAL REPORTS.**

Mr. Brown reported on the February 2022, financial reports consisting of operating and special revenue fund balance sheets, income and expense reports with comparison to budget and prior year and Dunlap Trust balance sheet. He shared that the cash and financial position of the Library is strong and being 2<sup>nd</sup> month of the year expectation would be for revenues and expenses to be about 16.6% of budget (2/12 of budget). Total revenues are 12.8% of budget with largest revenue from city being 16.2% of budget and other major revenues like state/county is received later in the year so revenues are about on budget. Expenses are running at about 15% of budget so within expectations but employee benefits expenses are about 21.7% of budget running higher than budget expectations but comparable to Feb. 2021. Payroll expenses being lower than budget should help offset the employee benefits. As reported at last meeting, compared to last year (2/21) significant differences in some lines as follows: computer maint/repair is \$6,979 lower due to 3 year subscription renewal last year for Barracuda (internet filter), makerspace.

So in summary, Mr. Brown feels the Library is operating within budget for 2022 but obviously still very early in the year.

Mr. Brown also mentioned that the authorized check signatories for M&T Bank accounts as approved at March 2022 meeting have been completed with all required paperwork on file with M&T Bank. (signors are board members Foote, Glaser, Granto and King). He also briefly mentioned how city funding to Library has to be maintained at least at present level (suggested it be increased at least two percent/year) for maintenance of effort requirements by the state to keep the Library as the central library in the system. Loss of central library status would be costly with result in loss of state aid and that the \$18,000 and \$30,000 transfers from Dunlap Trust funds have to be made yet.

The acceptance of the February 2022 financial reports was adopted as presented upon a motion by Dr. Rahman and seconded by Dr. Foote, motion carried.

#### **EXECUTIVE LIBRARY DIRECTOR'S REPORT.**

Ms. Potwin shared some of the items from her written report which was included in the agenda packet. She thanked the Librarians for their hard work in applying for and obtaining various grants -she is very proud of them. While most of the various grants were reviewed in detail at the March 30, 2022 board meeting and directors report, one additional grant applied for is with the American Library Association (ALA) Covid Relief fund with a maximum amount of \$20,000. Other items reviewed by Ms. Potwin:

##### **Covid-19 Update**

Some staff opt to continue wearing masks and patrons are advised it is optional for them to wear a mask. Staff has been reminded to use PPE and practice social distancing and to remain home and get tested if not feeling well.

##### **Holiday Closures and Director time off**

Library will be closed Monday May 30 (Memorial Day), July 2<sup>nd</sup> and July 4<sup>th</sup>, Saturday Sept. 3<sup>rd</sup> and Monday the 4<sup>th</sup> for Labor Day

Ms. Potwin will be off and away from the Library on vacation from June 13-June 24<sup>th</sup> for annual vacation and July 18<sup>th</sup>. Staff has her contact information.

Ms. Potwin provided updated State budget information for all libraries, state budget adopted April 9<sup>th</sup>, 2022 which reflects a \$5.5 million increase in general aid, no change in construction grant aid (\$34.0 million) and three new sources of funding: release of love your library, digital inclusion and wired broadband act.

#### **Grants**

Updates for the following grants was provided:

- NHPRC submitted October 7, 2021, requested \$119,445 cost share is \$10,555 for a total project cost of \$130,000 to begin after July 2022 if Library is awarded grant
- NYS Preservation grant applied for to rehouse oversized material. Funds cannot be used for inventory project; requested maximum amount of \$40,000 with cost share of \$20,750 total project cost would be \$60,750;
- CLIR grant to digitize the Leon Van Patten Collection would begin in June 2022 if awarded;
- State Farm 25K Neighborhood Assist grant should know by June 7, 2022;

- American Library Association (ALA) Covid Relief fund 2022 applied for in the amount of \$20,000 for a new microfiche machine, 2 ADA desks for public use and website redesign funding. Ms. Potwin is skeptical of the Library receiving any this year since we received grant last year.

### **Trustees Book Club**

Some board members have attended and certificates of attendance are in members folders. Upcoming webinars are May 3 Planning and June 14 PR & Advocacy each webinar counts for 2 hours of professional development required by NYS. Website to visit is <https://midhudson.org/trusteebookclub/>.

### **Local History Inventory**

Contract is being reviewed by Mr. Roscetti, when contract approved the phase 3 inventory work will be conducted in July 2022.

### **Desktop Computer Leasing**

Contract is under review by Mr. Roscetti, when contract is approved installation of new computers should take place in May or early June 2022.

### **Study Pods**

Funded through a National Library of Medicine Grant, expected to be delivered mid April-May. Press release sent out by City Press Officer picked up by a couple of news outlets in Buffalo.

### **Other Grants/programs**

- FCC phase 2 application is pending and we are awaiting final approval;
- Mission Ignite/WNYLRC/Lockport Library Digital Navigator Grant (\$54,000) is underway with applications from participants (individuals interested in becoming employed as digital navigators) due in by April 30, 2022.
- SAM and NYS Construction Grants
  - Ms. Potwin stressed that the Library assumes the debt ("advances the funds") of \$50,000 on the SAM Grant as bills have to be paid first then submitted to state for reimbursement. SAM Grant was for new vehicle, LH 1<sup>st</sup> floor shelving, LaSalle drop box and furniture. Waiting for one vendor invoice before it can be submitted to DASNY for reimbursement.
  - NYS Library Construction Grant of approximately \$166K from state and City contribution of approximately \$74K for total of approximately \$240K project. The Mayor, City Administrator and DPW head have all been notified via a letter in April that City Plumber was approached to do drinking fountain work but refused the work; all work was first offered to city unions to do. The City Administrator and Controller have been notified that Library will be seeking City reimbursement in July. An engineer has been approached as a "clerk of the works" to oversee work for a fee of \$6,800. Watch for weekly updates of construction work in your e-mail.
  - Plan is to meet with the Mayor in July 2022 to discuss what projects he would be interested in seeing completed in the City owned library buildings.

### **Other**

A list of meetings attended or to be attended by the Library Director was provided. Annual independent audit began March 28<sup>th</sup>, requested MD&A from management was submitted to auditors the week of April 11<sup>th</sup> as well as the standard audit legal representation letter. Audit should be completed by the end of April and the auditors will present their audit report to the board at the May meeting. Library records show the city owes the Library approximately \$40K of the 2021 total allotment to the Library as of December 31, 2021. Once verified by the audit, reimbursement claim to the City will be made for these funds.

#### **Vacation Policy**

To be discussed in more detail later in the meeting, during the week of April 4, 2022 the City HR department asked for another copy of the Library's vacation policy. City is not adhering to the Library's vacation policy for Librarians.

#### **Library Treasurer**

Judie Glaser began her official capacity as treasurer by signing checks and bank reconciliations on April 20<sup>th</sup>. M&T Bank has all required paperwork reflecting authorized bank signatories.

#### **Kinder Camp**

Through partnership with the Levesque Institute at Niagara University, the Library will be hosting a free Kinder Camp program to get Pre K children ready for kindergarten providing a school like environment and basic PK skills July 11-14 second floor Main Library. Second floor will be closed to the public for security reasons those days between 9am-4pm

#### **Library Vehicles**

The Library has purchased a new Equinox (SAM grant) which has been licensed and registered as a government vehicle with the help of the city's purchasing department. The 2006 Dodge's title has an issue and is being sorted out to reflect NFPL ownership of it and not Daimler Chrysler. This may take several months to get resolved; it has minimal rust and 54,000 miles on it and the plan is to advertise it for sale accepting sealed bids. Floor mats have been purchased for the new vehicle and it will be taken in to be "wrapped" in May. Proofs of the wrapping to be completed by Streamline Designs were provided.

#### **Other**

Ms. Potwin points out that she has shared a number of links relating to library articles on a number of library industry issues for board members' interest along with next board meeting dates and Library statistics for meeting room, adult services and children's/teens programs for March 2022. Also included is an invitation to attend the annual dinner meeting of the NIOGA board of Trustees to be held May 18<sup>th</sup> 2022.

Mr. DiFrancesco reported that the Friends of the Library have approved and will be purchasing a new refrigerator for the staff room. Ms. Potwin and the board thanked the Friends for this donation.

There were no questions for Ms. Potwin and Directors report was received and filed.

#### **PERSONNEL REPORT.**

Mrs. Potwin pointed out that there remains confusion/misunderstanding and/or just disregard by the City of the Library's approved policy regarding vacation time for Librarians. Vacation allowance given out to librarians hired after Spring 2017 has not been adhered to by the City per the Library board's policy and thus both vacation and personal time is still owed to Bridget Baker, Richard Wade, and Tom Poehnelt from FY 2021. Additionally, the time is given in FY 2022 is not in accordance with the policy. Mr. King asked

per previously approved policy by the Library Board and now city is questioning it. People accepted jobs based on understanding of what they would receive and when as to vacation and personal time. Ms. Powin feels especially bad since she was following a long time policy of the Library Board and made such offers pertaining to vacation time in good faith following the Library policy. She also said during the week of April 4<sup>th</sup>, the City has once again requested a copy of the policy which has been provided in the past.

Mr. Roscetti asked if he should draft a letter from him to the city Corporation Counsel and/or a letter from the Library Board to the Mayor and City Administrator to address this ongoing issue? Ms. Bailey said there isn't much the board can do and that the Librarians and any others impacted need to file a grievance. She asked what is the protocol for taking vacation time per the policy? Ms. Potwin explained the process. Mr. King asked after all these years why is this such an issue now? Ms. Potwin stated it appears this is being closely watched/monitored now more than in the past (new Human Resource director and staff) and told board members a copy of the Library vacation policy is included in the board meeting packet on very last page.

Mr. Granto believes that the Library should just continue following the board approved policy and agrees that Librarians/others impacted must file grievances. He said a letter should be drafted from him to the Mayor and Council explaining Library policy and past practice. Mr. Roscetti feels the City action of not following the Library Board approved policy is violating the contract with Librarians. Mr. King asked if the Library would be breaking law/contract-Mr. Roscetti said yes if vacation time not granted per policy. Board members were in agreement with Mr. Granto that a letter should be sent from the Library Board. Ms. Bailey said the letter should spell out/clarify Library policy, past practice and copy of the policy be included with the letter. Both Mr. Granto and Ms. Bailey suggested that the Library follow existing policy. General consensus was for Mr. Roscetti to draft letter as discussed, Ms. Bailey said she doesn't think the City Human Resource Department dictates what the Library does especially given the policy in place. Mr. Granto said he and Mr. Roscetti could meet with the librarians to explain Board's position and action. Mr. Roscetti was asked to draft letter.

Ms. Potwin also mentioned the retirement of William Faetz effective May 6, 2022 explaining his position with the Library and that Mr. Brown and Mr. Faetz are working out transition.

The acceptance of the personnel report was adopted as presented upon a motion by Mr. King was seconded by Ms. Bailey and carried.

#### **PRESIDENT REPORT.**

Nothing to report at this time.

#### **OLD BUSINESS.**

Ms. Potwin provided an update on the construction project. All is going well with contractors; only issue at present time is regarding the windows replacement (total of 17 windows). Quote was given to the Library

by Twin City Glass who was low bidder. Bid was accepted, purchase order issued but they have not been returning phone calls and since have increased their quote by \$3,000 so that windows are energy efficient. Library was advised windows would not meet building code. Also timing for installation has been changed to "possibly" late May. Ms. Potwin is a bit concerned that possibly they don't want to do the job since they are not responding to phone calls timely if at all and now they are changing the timeframe for installation to a later date. Ms. Bailey asked if code violation was provided or if other companies can do the work and meet code. Mr. Granto and Dr. Rahman suggested at this point the windows are needed to be replaced as they are broken and pose a danger. Board members agreed to go with Twin City at the revised cost of \$17,000 if they respond to requests/calls and can do the work.

## **NEW BUSINESS**

- a) Mr. Brown reported that the review of the 12/31/21 draft audit report with EFPR Group had to be postponed until May meeting due to required revisions to the management discussion and analysis.
- b) Ms. Bailey reported on the annual required financial disclosure forms each board member must complete and file with City Law Department by May 16, 2022. She said hers is filed and encouraged all members to complete and file theirs, Mr. Granto said his was filed also. Any questions should be directed to City Corporation Counsel. Ms. Bailey also reminded board members of the conflict of interest and professional development requirements.

### **Resolutions:**

- c) Elimination of one Full-Time Library Clerk as was vacated by a retirement in August 2021, was adopted on a motion by Mr. Granto and seconded by Dr. Rahman and carried.
- d) Elimination of Full-Time Computer Tech. was adopted on a motion by Mr. Granto and seconded by Dr. Rahman and carried.
- e) P.T. (Part Time) Account Clerk-Library-the formal approval of job classification (created in 2017) for City to create paycode was adopted on a motion by Mr. Granto and seconded by Ms. Bailey and carried.
- f) Annual transfer of \$18,000 from Dunlap Trust to operating fund per budget (approved 4/27/22 Dunlap Mtg) was adopted on a motion by Dr. Rahman and seconded by Mr. King was carried.
- g) \$30,000 transfer from Dunlap Trust to operating fund for Local History Project Phase 3 (approved 2/22 Dunlap Mtg) was adopted on a motion by Dr. Rahman and seconded by Mr. King was carried.

## **EXECUTIVE SESSION**

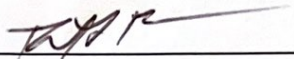
None

**NEXT MEETING AND ADJOURNMENT.**

The next regular meeting of the Library Board is scheduled for May 25, 2022 at 3:00 p.m. in-person Main Library Conference Room

The next Dunlap Meeting is scheduled for July 27, 2022 at 2.30 pm in person, Main Library Conference Room

Meeting adjourned at 4:14 pm on a motion by Mr. Granto, seconded by Mr. King, and carried.

Recorded by: 

Patrick D. Brown, P.T Account Clerk-Library

Approved by: 

Don King, Secretary