

Niagara Falls Public Library Board of Trustees

**Minutes of Regular Board Meeting**

**Library-Conference Room**

**1425 Main Street, Niagara Falls, NY 14305**

**Wednesday, March 29, 2023**

**CALL TO ORDER.** The regular meeting of the Niagara Falls Public Library Board of Trustees was held in person on Wednesday, March 29, 2023, in the Conference Room 2<sup>nd</sup> Floor Main Library. The meeting was called to order by Board President Carmen Grant at 3:00 p.m.

**ROLL CALL:**

Present

Absent

Ms. Bailey

Dr. Carter

Dr. Foote (via phone, left 3:58 pm)

Ms. Glaser

Mr. Grant

Mr. King

Dr. Rahman (left 3:40pm)

Also present were Ms. Sarah Potwin, Executive Library Director, Mr. Pat Brown, PT Finance Manager-Library, Mr. James Roscetti, Library Attorney, Ms. Cecilia Driscoll, Librarian 1/union steward and Mr. Robert DiFrancesco, Friends of the Library.

**OPEN HEARING**

Mr. Grant noted there no other guests or speakers.

**ADOPTION OF AGENDA.**

Ms. Potwin asked for an addition under new business for contract renewal for legal services with Mr. Roscetti. Mr. Grant asked if there were any objections to adding this item to the agenda. Hearing none the amended agenda was adopted upon a motion by Mr. Grant, seconded by Dr. Rahman and carried.

**APPROVAL OF MINUTES.**

The February 22, 2023 regular meeting minutes were presented and reviewed. Adopted upon a motion by Ms. Glaser, seconded by Mr. King, and carried unanimously.

**FINANCIAL REPORTS**

Mr. Brown referred to the January 2023 financial narrative and reports which were provided in the agenda packet consisting of operating fund balance sheets, income and expense reports with comparison to budget and prior year and Dunlap Trust balance sheet. He noted that the special revenue fund has been combined with the operating fund so no separate reports for special revenue. Mr. Brown said the library is in good financial condition and highlighted the following from the financial reports:



ALL BANK ACCOUNTS RECONCILED AS OF JANUARY 31, 2023.

- 1) NOT MUCH TO REPORT FOR JAN. 2023 BEING THE 1<sup>ST</sup> MONTH OF THE YEAR, USUALLY TAKES UNTIL 1<sup>ST</sup> QUARTER TO GET GOOD IDEA OF TRENDS. NO UNUSUAL ITEMS OR UNPAID BILLS.

BALANCE SHEET SHOWS TOTAL REDUCTION IN CASH BALANCES VS 1/22 OF \$274,769 AS EXPECTED GIVEN THE USE OF CASH FROM STATE CONSTRUCTION GRANT OF \$148,426 AND PAYMENT OF HISTORY ASSOCIATES FINAL BILL IN LATE 2022 FROM OPERATING FUNDS OF \$189,739.

EXPECT REVENUES AND EXPENDITURES TO BE ABOUT 1/12 OR 8.33% OF BUDGET ON ANNUALIZED BASIS;

- REVENUES 5.52% OF BUDGET DUE TO CITY REVENUE TIMING OF FUNDING/REIMBURSEMENT SUBMISSIONS.
- EXPENDITURES ARE 6.21% OF BUDGET WITH ALL MAJOR EXPENSE LINES BELOW EXPECTED 8.33% EXCEPT FOR WORKERS COMP WHICH IS 100% AS ENTIRE YEAR EXPENSE RECORDED IN JANUARY.

AS NOTED BELOW, AS OF 3/21/23, WE HAVE NOT RECEIVED BENEFIT EXPENSE CHARGE FROM THE CITY SO ACTUAL EXPENSES IS ZERO FOR THESE ITEMS BUT SHOULD BE WITHIN BUDGET. TOTAL AMOUNT OF THESE EXPENDITURES ESTIMATED FOR JANUARY 2022 WERE \$48,800.

- 1) MEDICARE PAYOUTS FOR RETIREES (USUALLY MARCH AND SEPT)
- 2) PROPERTY INSURANCE
- 3) NYS RETIREMENT ESTIMATE
- 1) BENEFITS FOR JANUARY (HEALTH, DENTAL ETC)

COMPARING JAN. 2023 ACTUAL TO JAN. 2022:

- 1/23 REVENUES ARE LOWER BY \$34,303 DUE TO CITY FUNDING RELATED TO ABOVE AMOUNTS ESTIMATED FOR 1/22 AND 1/23 GRANTS RECEIVED TALLING \$8,800
- 1/23 EXPENDITURES ARE LOWER BY \$57,251 PRIMARILY DUE TO ESTIMATED INSURANCE AND BENEFITS RECORDED 1/22 NOT RECORDED 1/23 OF ABOUT \$48,800. ADJUSTING 1/22 FOR THESE ESTIMATED AMOUNTS, 1/23 EXPENDITURES WOULD BE ABOUT \$8,451 LOWER THAN 1/22.
  - FULLTIME PAYROLL \$1,352 HIGHER THAN 1/22 (CONTRACTUAL RAISES ETC) BUT WITHIN BUDGET
  - PARTTIME PAYROLL IS \$4,608 HIGHER THAN 1/22 (PT FINANCE MGR, LOCAL HISTORY & CIRCULATION STAFF) BUT WITHIN BUDGET
  - OFFICE & SUPPLIES IS \$7,617 HIGHER THAN 1/22 PRIMARILY DUE TO MONTHLY COMPUTER MAINTENANCE SUPPORT (AIS) WHICH IS BUDGETED FOR.

- 2) AUDIT SCHEDULED FOR THE LAST WEEK OF APRIL BY EFPR GROUP. WE HAVE BEEN PROVIDING INFORMATION TO THEM AS REQUESTED

Mr. Granto asked if any questions on the financial report, hearing none the financial report was received and filed.



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

Ms. Potwin referenced her written report which was included in the agenda packet highlighting the following.

- Dates for holiday closures, meetings and days off
- Library furniture needs for Flag and Conference rooms to be paid out of 2023 budget, design/layout provided will be receiving price quote from Buffalo Office Interior for consideration at April 26, 2023 meeting. Separate quote will be provided by Buffalo Office Interior for first floor Main reading room furniture to be purchased in 2024 with 2024 budget. Page X-b shows design plans.
- AIS conference room tech install quote of \$4,600 for wall mounted screen, sound bar, microphone, projector and camera hopefully to be completed in April/May 2023. Funds budgeted in 2023.
- Rebello memorial furniture (page X-a of agenda) to be approved totaling \$14,142 for two parent carrel desks for Main and one set of children's stools for LaSalle to be paid out of Rebello funds as a memorial to Mr. Rebello who donated \$675,618 in 2022.
- Grant applications
  - AARP for 12K to purchase solar charging station for mobile devices along with bike rack and garbage bin outside LaSalle Library applied for by Grasso Team & Library (3/15/23).
  - GNCRT Comics Librarian Conference Travel Grant applied for by Richard Wade on 3/3/2023, two grant recipients will receive up to \$3,000 toward attendance at 2023 ALA Annual Conference in Chicago. Notification most likely will be in early May 2023.
- NYS Library Construction grants:
  - Fiscal Year 2022 working way through the Dept. of Library. The \$133K project is a 90/10 match to replace auditorium seating & flooring with hopes of beginning in Sept. 2023
  - Fiscal Year 2023 to be submitted to NIOGA by August 2023 with work to be completed in 2024 will be for circulation counters (ADA compliant, computer user compatible, ergonomic) at both LaSalle and Main Libraries as well as new sink/counter in Flag room at Main. Quotes will be obtained and submitted to City Hall for approval/permission to alter these city-owned buildings with modern counters to better serve the citizens. Page VI-a shows preliminary designs for viewing.
- Bank on Buffalo is offering a savings account earning approximately 3% for some of the Trust funds on deposit in checking account which is earning less than 1%. The higher interest rate may generate as much as \$36,000 for a year which more than covers the annual transfer of \$20,000. Request under new business is to open a savings account in Trust name and transfer majority of Trust funds to the savings account to earn more interest. Dr. Rahman said 3% is a good rate these days.
- Request will be made under new business to consider an increase in Mr. Roscetti's monthly fee from \$1,250 to \$1,500 effective July 1, 2023 and renew his contract for legal services.
- SAM grant of \$50,000 for 2022 grant and purchases made during 2022 for local history shelving, 2022 Equinox and 1 ADA compliant study POD was received February 28, 2023.
- Annual audit fieldwork to begin the week of April 24<sup>th</sup> with EFRP Group, Pat and I have been preparing and providing information required for the audit.
- Flowers in memory of David DiCamillo were sent to Colucci's on behalf of the Board and Library for the wake services and thank you note received March 9, 2023.
- **DPW Building Repair Progress**
  - Met with Mr. Kinney on March 6<sup>th</sup> to discuss items in need of repair:
    - Rewiring Main Library public computer outlets/power source
    - Outlet replacement at LaSalle (since mid-December 2022)
    - Re-seeding front lawn Main Library (discussed for nearly two years now)
    - Trimming trees in front of Main Library to allow the flag to be flown (discussion precedes Mr. Kinney)
    - Update on 1<sup>st</sup> floor light switch (lights on 24/7) order placed in Fall of 2022)



Ms. Potwin said she was assured the outside work of re-seeding front lawn and tree trimming will happen in the Spring of 2023. City electrician Mr. Pareto was present at the meeting and acknowledged that the electrical work needs to be completed but he is in the middle of a large job at city hall and will have time for library work once that job is completed. The city will be losing one of their electricians so there is concern by Ms. Potwin if the library electrical work will indeed be completed. Mr. Granto suggested bringing in one of the larger electrical firms in the area to assess and give estimates on this and what other work may be needed, he asked about getting an outside electrical company to do the work if city can't get it completed. Dr. Rahman suggested giving the city a timeframe to complete the electrical work and if not met move on to outside company to do the work. All were in agreement that the electrical issues should have been addressed by now by the city and library has to do what it has to do to get the work completed.

#### **NIOGA Library Board**

- Ms. Potwin learned by chance the Ken Hamilton has resigned from the NIOGA Board as City representative although he has not notified her.

#### **Other Items**

- New York Annual Report was submitted March 3, 2023 to be approved under new business
- Trustee training dates and courses provided
- Policies to be updated under old business, this year all policies being reviewed/updated where necessary
- Pages VI-a provide design drawings for construction grant
- Statistic reports for January & February 2023 are on pages VI-b

#### **Comments and Questions on Directors Report:**

Mr. Granto asked if there were any questions on the Director's report. Executive Library Director's report was received and filed

#### **PERSONNEL ACTIONS**

Part time Library Clerk, Donna Thomas last day of employment was 3/1/23

The acceptance of the personnel report was adopted as presented upon a motion by Mr. Granto, seconded by Dr. Rahman and carried unanimously.

#### **PRESIDENT'S REPORT**

Mr. Granto took a tour of the local history department, he thanked Courtney Geerhart for her work, the environmentally sensitive items are kept in cubicles because the storage room that would be adequate to house them is not a good space as the floor is tilted. Some items have been moved to the first floor and need to be categorized again since moved. Next step for local history department is digitization of the collection but funding is not in place yet. Other items Mr. Granto asked about/discussed:

- the city history interviews that were conducted by Mr. King since all are not at the library. Some are at the school district, they all be returned and housed at the library.
- Need for a local history museum in the City, Gazette articles frequently reference museums in Newfane and County but the city does not have one and asked Mr. DiFrancesco and Ms. Bailey to take the lead in finding a suitable location for it.
  - Mr. DiFrancesco & Ms. Bailey also toured the local history department, both feel the Carnegie building would be ideal to house the local history department/museum-it is historical itself plus on the discovery shuttle route
  - Mr. DiFrancesco spoke with City Administrator about touring the Carnegie building with Ms. Bailey and will let others know when it is scheduled if anyone is interested in touring it. Ms. Glaser expressed interest in attending



- Ms. Bailey feels the next step is to decommission items which may make up 2k-3k of the total tagged inventory items square footage of approximately 7k of total square feet. She questioned if all tagged items are worth putting in a history museum.
  - Mr. DiFrancesco commented on how the numerous boxes of city records are encroaching on local history items.
  - Mr. Granto added that the board controls what goes into the museum, remaining items can remain at the library. He added that we first need a place to house the museum, Carnegie building, Underground Railroad building or a downtown location are all considerations
    - Mr. DiFrancesco feels the Carnegie building is first choice but Underground Railroad building would be good also. Dr. Rahman agreed. The Turtle building has been suggested but general feeling is that building would not be good choice.
    - Mr. Granto asked if Courtney could have/supervise staff, Ms. Potwin said yes she can supervise and has a part time Librarian now.

## OLD BUSINESS

### Noreen Hill Scholarship

- Ms. Potwin referred to her director's report, \$1,150 already turned over to the NF Educational Foundation and expecting additional \$600 US and \$800 Canadian so just under \$4,000 will go the Foundation, no action required.
  - Mr. DiFrancesco said there has been some difficulty finding a student that fits the scholarship criteria so far but may have a candidate.
  - Ms. Potwin took a count of board members planning on attending scholarship awards dinner and sitting at the Library table of ten. King, Carter, Granto, Foote all said yes, Glaser could if there is room but she is up and around working the event, Dr. Rahman maybe. There are 14 family members at least planning on attending so another table or two may be required and paid for by the library.

### a. Policies to update

- 1) Chromebook/Hotspot, Borrowers (tabled 2/22/23), Equal Employment Opportunity, Personnel Files, Probationary Period, Jury Duty, Time Keeping, Code of Conduct, Research Fees
  - The above policies were reviewed for updating where necessary.
    - Research Fees
      - Ms. Glaser asked about research fees and it was explained by Ms. Driscoll that such fees are not charged assisting/answering questions for regular library patrons/normal users of the library but only for requests to research made by commercial/business users which require library staff to spend time looking up requested information. Mr. Roscetti asked if fees are an issue, Ms. Potwin said no, Mr. Roscetti said that it is a not an issue.
  - Chromebooks/Hotspots & Borrowers
 

Discussion took place regarding the age limit eligibility, Ms. Bailey prefers to set the age for use of such technology at 18 consistent with her position on borrowers policy, potential liability issues and given the library receives federal grants and is subject to SIPPA. Under age 18 should require parental/guardian consent.

At the 2/22/23 meeting the borrowers policy was tabled after much discussion and disagreement as to age one may borrow materials-Ms. Glaser and Dr. Carter were for age 16 and older, Ms. Bailey preferred age 18 and older. Mr. King asked Ms. Potwin what her recommendation is regarding ages for these policies. Ms. Potwin prefers the age to be the same for both to be consistent, whether 16 or 18 is up to the board. Mr. King asked what age(s) other libraries use, Ms. Bailey said the norm is age 18 and above. Mr. Grant asked Mr. Roscetti what the school district does with chromebooks, Mr. Roscetti said it isn't an issue as far as he knows at the school district and thinks potential liability is not likely.

After further discussion, Mr. Grant said he would like to take a vote on the age eligibility for both policies; borrowers policy ages 16 & over and chromebooks/hotspots (technology) ages 18 & over. Since the borrowers policy was tabled last meeting it has to be removed from the table and asked for a motion for removing it from the table.

## **Resolutions**

### **Borrowers Policy**

Ms. Glaser moved that the **Borrowers Policy** be removed from table, seconded by Mr. Grant and carried.

Mr. Grant moved and called for a roll call vote on the **Borrowers Policy** with a Yes vote for age 18 & above, seconded by Mr. King.

Carter No  
Bailey Yes  
Glaser No  
King Yes  
Grant No  
Rahman absent  
Foote absent

The resolution requiring age 18 and above for **Borrowers Policy** failed as presented, Mr. Grant said since it failed we have no policy and asked if there is an alternate motion for the borrowers policy.



Dr. Carter made a motion for **alternate Borrowers Policy** to establish the age of eligibility at 16 and over without parental/guardian consent, seconded by Ms. Glaser.

Mr. Granto called for roll call vote, with yes vote for approval of age 16 and over without parental/guardian consent and no vote is against age 16 and above without parental/guardian consent.

Carter Yes  
Bailey No  
Glaser Yes  
King Yes  
Granto Yes  
Rahman absent  
Foote absent

The motion establishing age eligibility for the alternate **Borrowers Policy** at 16 and over without parental/guardian consent was approved/passed.

#### **Chromebooks/Technology**

Mr. Granto asked if videotapes are included in this policy, Ms. Potwin said no they are not. While there was some discussion on age of eligibility being 16 and over, Ms. Glaser said Ms. Bailey brought up very good points regarding liability and other concerns if age eligibility is under 18 and she can go along with the policy setting the age at 18 and over asking Mr. Roscetti for his opinion. Mr. Roscetti said while there is a possibility of such liability he doesn't feel it is really an issue and even if a parent/guardian signed some release/consent form library would still likely be named in any litigation but doesn't see it as very likely. Ms. Bailey said at least if the library's policy establishes age of 18 (of legal age) and over it should mitigate the liabilities exposure and risk pertaining to nefarious use of the technology.

#### **Resolution:**

Mr. Granto moved and called for roll call vote, with Yes vote for approval of age 18 and over and No vote is against age 18 and above for **Chromebooks/Technology** related materials, seconded by Mr. King.

Carter Yes  
Bailey Yes  
Glaser Yes  
King Yes  
Granto Yes  
Rahman absent  
Foote absent

The motion establishing age eligibility for **Chromebooks/Technology** at 18 and over was approved/carried unanimously.

### **Equal Employment Opportunity (EEO)**

Ms. Glaser asked that the policy be amended to add gender identity. Mr. Grant asked if there were any other questions, comments or if anyone opposed the policy as amended, hearing none he asked for a motion to approve the amended EEO policy.

#### **Resolution:**

Ms. Glaser moved for approval of the amended EEO adding gender identity, seconded by Mr. King and carried unanimously.

### **Personnel Files, Probationary Period, Jury Duty, Time Keeping, Code of Conduct, Research Fees**

Mr. Grant said we have had time to review all of these and asked if there were any questions, comments or amendments for any of the above policies. Hearing none, he asked for a motion to approve all of these policies as presented.

#### **Resolution:**

Mr. King moved for approval of the Personnel Files, Probationary Period, Jury Duty, Time Keeping, Code of Conduct and Research Fees policies as presented, seconded by Ms. Glaser and carried unanimously.

### **NEW BUSINESS**

#### **a) Rebello Memorial furniture (page X-a of agenda packet)**

A proposal and price quote from Creative Library Concepts for children's furniture totaling \$14,142 was reviewed. Ms. Potwin reviewed the proposal and furniture to be purchased and is requesting that the furniture be paid for out of Rebello portion of the Dunlap Trust funds.

Mr. Grant asked if there were any questions, hearing none he asked for motion to approve funding of the furniture cost out of Rebello portion of Dunlap Trust funds. Mr. Brown added that this will not impact the remaining funds pertaining to Dunlap Trust held in the trust fund.

#### **Resolution:**

Ms. Glaser made a motion to approve the payment for the furniture as presented above from Rebello portion of Dunlap Trust funds, seconded by Mr. King and carried unanimously.

#### **b) Conference and Flag room furniture (pages X-b of agenda packet)**

Ms. Potwin reviewed the proposals and since there is not a cost estimate will bring this item back for approval. **No action taken.**



c) NYS Annual Report

Ms. Potwin explained that the annual report was filed on March 3, 2023 and the board has to approve the filing.

**Resolution**

Mr. Granto made a motion for approval of the annual report filing, seconded by Mr. King and carried.

d) Bank on Buffalo 3% savings account

Ms. Potwin explained that the Dunlap Trust funds (consisting of remaining original Dunlap funds, Rawnye and Rebello bequests) is on deposit in a checking account at Bank on Buffalo earning approximately .15% interest. The bank approached the Library about opening a savings account and moving some of these funds into it to earn a much better interest rate. Authorized signors would be the same as all other library accounts (Foote, Glaser, Granto, King). Mr. Granto asked if this savings account is liquid, if there are any other opportunities to earn a better interest rate since the bank is making money on our funds while paying us interest of 3% and if Mr. Brown recommends the savings account. Mr. Brown said yes it is liquid/available daily so funds are not tied up, there may be other options for investment but likely would not be as readily available/liquid and/or have some risk attached to it but the bank has offered to come in and speak to the board about such alternative investment options and yes he does recommend the savings account for now as it will earn much more interest than the checking account and is readily available.

Mr. Granto asked for a motion to approve opening the savings account at Bank on Buffalo as presented for the Dunlap Trust funds if there are no other questions or comments.

**Resolution**

Mr. King made a motion to approve the opening of the savings account at Bank on Buffalo for the Dunlap Trust funds as presented (authorized signors same as all other accounts Foote, Glaser, Granto, King), seconded by Ms. Bailey and carried unanimously.

e) Legal Services Contract-James Roscetti

Ms. Potwin asked the board to consider and approve an increase in Mr. Roscetti's fee from \$1,250/month to \$1,500/month effective July 1, 2023 and extension of the service contract.

Mr. Granto asked if there are any questions or comments, hearing none he asked for a motion to approve.

**Resolution**

Mr. King moved for approval of the service contract extension and fee increase from \$1,250/month to \$1,500/month effective July 1, 2023 as presented, seconded by Ms. Glaser and carried unanimously.



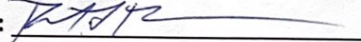
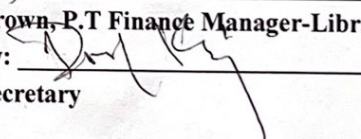
Mr. Granto asked if anyone has any other questions, comments or anything they want to say;

- Ms. Bailey said she will be representing the library at the Town of Niagara/ Fashion Outlet Charity Fund event to accept a donation from the fund.
- Ms. Potwin said we don't know the amount of the Town of Niagara funds but it usually is around \$1,500 and thanked the board for their review and approval of the various policies.
- Mr. King said he is now affiliated with the Niagara Falls National Heritage Foundation and in process of inventorying approximately 8K pieces of artwork of the Polly King Art Gallery.

#### **NEXT MEETING AND ADJOURNMENT.**

The next regular meeting of the Library Board is scheduled for April 26, 2023, 3:00 p.m.in-person Main Library Conference Room, 2<sup>nd</sup> floor. The next Dunlap Meeting (Second Quarterly meeting 2023) is scheduled for Wednesday April 26, 2023 at 2.30 pm in person, Main Library Conference Room, 2<sup>nd</sup> floor.

Meeting adjourned at 4:11 pm on a motion by Mr. Granto, seconded by Dr. Carter, and carried unanimously.

Recorded by:   
Patrick D. Brown, P.T Finance Manager-Library  
Approved by:   
Don King, Secretary