

MEETING MINUTES

Olean Public Library Board of Trustees

May 6, 2020

5:30 pm –ZOOM TELECONFERENCE CALL

The mission of the Olean Public Library is to provide equal access to materials in various formats, programs, services, and professional staff to assist all people with their educational, informational and leisure needs.

This was an emergency meeting to approve a time-sensitive resolution.

Call to Order by Lanna Waterman at 5:33 pm in a Zoom videoconference meeting. In attendance were trustees Edstrom, Kasperski, McElfresh, Tenglund, Wagner, Waterman, Assistant Director Mahar, and Director La Voie. Attorney Robert Schofield also joined the meeting to discuss the trustee election.

Schofield is an attorney who works with libraries across the state. He is also a school attorney. The Library is authorized by statute to hold our own election, as we have done for many years. He would never suggest that we stop, but we are also entitled to direct the school district to hold the election, and the default is that if we do not hold an election, they are to hold it for us.

With the pandemic, it is different this year. Last Friday, the governor sent out information on how school votes were to be held this year. Normal elections were put on New York State Pause in early April. The school and library community found out, in an Executive Order, that said that the election would be on June 9 by absentee ballot. This necessitates changes in procedures, and in giving notice of the election. The Executive Order also said that a person who wanted to run for election could self-nominate.

The governor was thorough in the executive order—he made arrangements for all of the other entities that rely on the school district ballot to get votes through that ballot. The order makes provision for each type of library. School district public libraries can continue to hold their own votes, but they would have to be done in the exact same manner as the school district election. To hold the election on the timeframe we were given would be almost impossible for a library.

One of the requirements is that an absentee ballot has to be mailed to all qualified voters. There is no list of qualified voters. A qualified voter is any person who is 18, a US citizen, has lived in the district for at least 30 days, and has no felony that bars them from voting. The number of people is much higher than registered voter lists as well. The mailing cost and the cost of mailing it back would need to be covered. For that reason, he recommended to all of his public library clients to go with the school district balloting.

The time schedule is accelerated. The Olean School District must publish their legal notice by next Tuesday and the candidates have to turn in their petitions no later than Monday afternoon. The resolution is straightforward. The nominating petition looks similar to other years, except there is no need to get other signatures.

La Voie noted that the Library would post a copy of the nominating petition on the Library's website. Schofield said that the petitions would be turned into the School District clerk. He suggested that La Voie call the School District clerk to ask who has turned in nominations by Tuesday morning so that we would know who was running.

Schofield noted that the compressed timeline was also due to the timing of the other elections.

MOTION (Wagner, Edstrom): To approve the following resolutions:

RESOLVED that, pursuant to Section 260 of the Education Law, the Library Director of the Olean Public Library is directed to notify the Clerk of the Olean City School District that the Library intends to hold an election, to fill a vacancy on the Board of Trustees of the Olean Public Library, during the June 9, 2020 adjourned annual school district meeting, and it is further

RESOLVED that, the candidate who receives the highest total number of votes cast in his/her favor shall fill a five-year term ending in 2025 created by the expiration of the current term of Trustee Earl McElfresh, and it is further

RESOLVED that, pursuant to Section 260 of the Education Law, Nominating Petitions for the election must be filed with the School District Clerk on or before 5:00 P.M. on May 11, 2020.

The motion passed unanimously (6: 0: 0).

Schofield said that the School District could not legally turn down this request. It is critical for us to get this in in a timely manner.

McElfresh will be running for the board seat. If he needs to resign prior to the end of his term, he can do so, and then the Board would need to fill the seat.

La Voie said that the School District clerk asked about the expense of vote counting. Schofield suggested that we should wait to see how many people are on our ballot. If they only need to count how many votes one candidate received, for example, that would not be a lot of added work. The ballots will need to be mailed, which they would have to do anyway. The School District must publish a legal notice as well.

The School District may have already sent in their legal notice for publication. It has to be published by next Tuesday, May 12. They could ask for a correction or publish again. If they have to publish it again because of the Library, we could offer to pay for that notice.

Sending out the ballots, plus the printing and return postage, will cost the School District approximately \$37,000.

Adjournment: **MOTION (Kasperski, McElfresh):** To adjourn at 5:53 pm. Motion carried unanimously.

Respectfully submitted,

Ann M. Tenglund