**MEETING MINUTES**

Olean Public Library Board of Trustees

November 18, 2020

**5:30 P.M. – Zoom Teleconference Call**

The meeting was open to the public and a Zoom link was provided.

*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.*

A Certificate of Compliance and Notice of Meeting Posted was signed, notarized and made a part of these minutes along with a copy of said notice.

**Call to Order** by Lanna Waterman at 5:37 pm. In attendance were trustees Edstrom, McElfresh, Sorokes, Tenglund, Wagner, Waterman, Librarian Sheryl Soborowski, Treasurer Elser, Assistant Director Mahar, and Director La Voie.

1. Waive the reading of the minutes of the previous meetings and approve as mailed.
2. Approval of Warrant Sheets for October 22—November 18:

#906 Operating Fund: $72,755.55

#CF-284 Capital Fund: $480.00

* Elser noted that all of the warrants were in good shape and there was nothing unusual.

1. Review of Financial Statements

* We got the State Aid check, which was higher than anticipated.
* The capital reserve amount was fixed to reflect the additional $250,000 on the report, as per a board motion in February 2020.
* Expenditures were quite a bit under, due to not having programs or spending as much as we would have if we had been open all year.
* The BWB accounting firm reissued the financial reports and all of the issues have been corrected.
* The Library got quite a few books in, but some print materials are back-ordered. La Voie requested moving an additional $20,000 from the book budget into e-resources for this year.
  + **MOTION (Tenglund, Edstrom):** To transfer $20,000 from the print materials budget to the e-resources budget. Motion carried unanimously.
  + There was a discussion regarding e-books and the Library. Patrons cannot donate an e-book due to copyright and licensing. One publisher was charging high fees, restricting the purchase of new e-books, and requiring re-purchase of titles after a certain number of uses. This publisher has since changed its policies.

1. Correspondence: None
2. Voice of the Public: None
3. Director's Report

* **2021 Budget**: The proposed budget did not include a tax increase. With anticipated cuts to State Aid, the Library potentially could need to use fund balance with this budget. However, depreciation is factored into the budget and will likely offset the need for fund balance use. Appropriations were left as they were in the previous draft. Current staffing levels will be maintained, but La Voie would like the option to hire if needed and affordable as the next year progresses.

**MOTION (Tenglund, Sorokes):** To approve the 2021 proposed budget. Motion carried unanimously.

* **NYS Retirement System Bill**: This bill will be prepaid in December to save 1% on the total amount.
* **Property Tax Check**: This check should come in by the end of this week.
* **Employment Attorney**: Attorney Joe Saeli of the firm Colligan Law LLP in Buffalo is willing to work with the Library on a retainer basis. He would advise on general employment law as well as on matters related to Civil Service. He will help us keep up with newly created laws and changes to existing regulations that can be difficult to stay on top of or understand how to implement. Wagner reviewed the retainer and was comfortable with it.   
    
  There was a question as to whether some of the questions could be answered through Ask the Lawyer at WNYLRC. La Voie said that most of her questions were specific to our Library and would be quick questions that should not run up billable hours. Also, Ask a Lawyer can take longer to answer because they are answering questions for many libraries. We had another attorney in May who helped us with the vote, so we have used an employment attorney's services in the past. Civil Service has also advised the Library that we need an attorney to provide guidance to us.  
    
  Discussion ensued as to whether we should put a cap on the cost for the lawyer. La Voie noted that the number of questions will potentially go down as we move through this year's complications. We have professional fees budgeted. An attorney's expense to proactively head off problems will be less than if we did something wrong. It was also suggested that La Voie could ask the attorney to estimate the fee for a question when she submits them. He has been very agreeable and turns questions around quickly. He is also a Civil Service expert. We do not have an HR department, so this is a minor cost.  
    
  **MOTION (Waterman, McElfresh):** To hire Attorney Joe Saeli of the firm Colligan Law LLP on a retainer basis. Motion carried unanimously.
* **Friends of the Library**: On Tuesday, November 17, the NYLA Friends of the Library Section held a virtual awards ceremony for the Daniel W. Casey Award given to the Friends of the Olean Public Library this year. They were co-winners, along with the Clifton Springs-Halfmoon Library, near Albany, NY. Five Friends members and La Voie met in the Gallery, where they projected the Zoom meeting onto our screen. Two of the Friends gave excellent remarks thanking FLS for the award, and the OPL Board and staff for the nomination and for being such strong and supportive partners in providing an outstanding library for the Greater Olean Community. The plaque will be hung in the main lobby area of the Library.   
    
  Tuesday, December 1 is Giving Tuesday/NY Gives Day. People can go online to donate to a wide variety of charities and other nonprofits. The Friends of the Library are taking part in this event for the fourth year in a row. To donate, visit Cattaraugusgives.org.
* **News from the Library**: The Library received a gift from Hamlin Bank and Trust Company in the amount of $1,000 to be allocated to programs that serve low to moderate-income individuals. This is the second year in a row that we have received this gift.

Sheryl Soborowski, Head of Circulation and Outreach, said that the Library's circulation statistics show a steady bounce-bank since reopening last June. We are steadily getting back to normal.

The person who defaced the outside of the building last year was ordered to pay restitution to the Library in the amount of $170 for the time and materials that it took our custodian to clean the outside of the building. The check has been received from the Office of the Public Defender of Cattaraugus County.

La Voie attended the annual meeting of the New York Library Association (NYLA). La Voie serves as the president of the Rural Libraries Round Table of NYLA, where she organized and ran the annual meeting. She also continues to attend meetings of the WNYLRC Strategic Planning Committee. She worked the annual Rotary Veteran's Day Dinner at the VFW Post in Allegany, which was takeout only this year.  
  
There was some discussion about the Library's website and the role of the CCLS representative.

1. Committee Reports

* **CCLS** (Edstrom): The CCLS board meets every other month. There was no meeting this month to report on. McElfresh will be taking over as our representative next month.

1. Old Business

* **Community Bank signature form**: We need one additional trustee to sign the forms.
* **Medical Loan Closet partnership opportunity**: Sheryl Soborowski was present to talk about the project. La Voie said that we had feedback from Ask a Lawyer and the insurance company.

Soborowski had a short slide show. There had been a question regarding whether the loan closet met our mission. Libraries are no longer just books. We loan things and provide programs to help people and be of service to our community. We have tax help, baby hats for the hospital, some libraries even offer summer lunch. Some libraries have printed face shields and donated them. Some others have tool loan closets. So none of this is outside the realm of what libraries are doing. Modern libraries are a social good and look for ways to be innovative in their services. Library employees have been tasked to keep the Library relevant and essential to our community. Many other libraries work to support themselves, seen as essential as well. Sometimes you take a small risk to provide additional services. The medical loan closet is a great partnership opportunity and something that we should step up to. It is an unmet need in the community. The Library has received letters of support from the County Department of the Aging, the Regional Community Foundation, the Dr. Lyle F. Renodin Foundation, the United Way, and the Visiting Nurses Association of WNY. The closet is something that keeps people independent and at home longer.

Our research has yielded advice from a lawyer about the legalities of forming an LLC and operating the closet, quotes and requirements from our insurance agent, and liability waiver examples from other programs loaning medical equipment and tools. In fact, the closet could be offered either through an LLC or through the Library.

The need and support are apparent. The Library is fielding calls every week from people looking for medical equipment and looking to donate equipment. They have also had offers from people who wanted to contribute and other organizations willing to collaborate for grants. A few weekends ago, a man with a cast on his leg and only one crutch asked for some equipment.

In summary, we have assurances that we can run this and have the ability to be insured. We have organizations offering us space. We are seeing the community need for equipment and the availability of donations.

Next steps: determining a timeline for deciding on an LLC, writing liability waivers and getting approval by a lawyer, finalize operational space, and write up policies and operational procedures.

La Voie opened it up for discussion. There was a question regarding where the spaces were that we could use. The best one was the Rural Revitalization group that had office and storage space. If we set things up for pickup, they could facilitate pickup. This is on Barry Street, behind Big Lots. Soborowski has also contacted another development company for an alternative space, but that might not be free. Other organizations had offered space, as well.

Donations that have been offered include both money and equipment. An Orchard Park medical loan closet has offered to donate equipment as well. The Renodin Foundation had funded the closet in the past and wants to support it in the future. Others have also offered funding assistance. There was also an offer of storage space. The United Way wrote a letter of support indicating that they know of the community's need, and they would partner for grants.

Regarding insurance, the agent said that he could not find someone to write an errors and omissions policy, which is akin to medical malpractice, where it would cover if someone was harmed by equipment, for example. La Voie said that the agent had offered to talk to trustees directly. Soborowski said that the nurse volunteer who headed the closet before told her that it was within her practice scope to give advice on the medical equipment. However, trustees were concerned about the possibility of lawsuits and we have to be careful. With a separate LLC, that would help. There was a question of whether nurse volunteers would have insurance. The insurance policy should cover all volunteers. The LLC would protect library assets. However, having a medical loan closet could expose the Library to liability, and trustees also need to protect the Library and ensure that it would continue to operate. Soborowski said that she had talked to other medical loan closets, and no one has been sued. You have to take a risk to do an innovative thing.

If the LLC is a separate legal entity, it is a layer to protect the Library. But the people working in the closet will be our people. A library employee will run the loan closet. There will be no other employees. But because the Library is operating it, there could still be a liability. The idea of getting another volunteer to run it was raised. However, if it is not run by the Library, the PR benefit is not there. The Library also has other outreach ideas, including possibly a tool library and homebound services, which could also increase liability. If we cannot take risks for innovative services, our priorities might not be met. La Voie said that many local organizations are coming to the Library for its knowledge and wisdom, and then taking over some of what the Library does. This is an opportunity to further demonstrate how we are essential to the community. The more we can prove that the Library is truly crucial, the community will want to support it.

It was decided that McElfresh would talk to the insurance agent and get the additional questions answered. Others asked for a pro forma of the financials to see how it could operate in reality. Soborowski said that the Rural Revitalization group offered space, so that could be considered solved. However, trustees wanted to know what else would be needed. Soborowski said that the needs would be a laptop computer and supplies such as sanitizer, soap, etc. This should be written down so that everyone could look at it.

The nurse volunteers are willing to put in as much time as they did before and help set up the new operation. They were there eight hours per week, plus additional time with cleaning equipment, etc.

La Voie noted that the Board needed to make a decision soon, once the information is received. It would be good if a decision can be made next month.

* **National Grid Bill**: The electric bills were higher than anticipated, and Mahar had discovered that some devices that should have been shutting off were continually running. After installation, the contractor turned on these devices, but they ran for several months in full on position. We ran up additional costs in utilities, so the question last month was whether the Library should go back to the contractor. Wagner said that we did use more electricity, but our bills were not that much higher. The contractor did not admit to a mistake and instead said that our timers were old and should be replaced. Also, it is challenging to read electric bills. A lot of the billing is well beyond electric use, including surcharges, tariffs, taxes, and other fees. The fact that we used more electricity did not necessarily run up our bills proportionally. It would not be prudent to pursue this further.

1. New Business:
   * The Administrative Committee was tasked with coming up with an evaluation process for the director. The Board had decided to ask for a self-evaluation. It had also been agreed that the Board would do a self-evaluation. The evaluations could be best handled at a separate Board meeting, rather than putting it into a regular monthly meeting. La Voie will send out a Doodle poll to find a meeting date when the gallery is available. It was suggested that the Board meet in person for this. It was decided that we would plan the meeting for some time in early January. The idea would be to have a strategic conversation. The strategic plan is out there and should also inform the conversation. The Administrative Committee will work on an agenda.
2. Adjournment—**MOTION TO ADJOURN (Edstrom, Wagner):** To adjourn at 7:04 pm. Motion carried unanimously.

Copies of the Library's financial statements and director's report are available upon request.

Respectfully submitted,

Ann M. Tenglund