

MEETING MINUTES

Olean Public Library Board of Trustees

December 15, 2022

5:30 pm – Zoom

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.

Call to Order by Board President Lanna Waterman at 5:30 pm. In attendance were trustees J. Mahar, McElfresh, Shumway, Sorokes, Tenglund, Waterman, Whitford, Treasurer Elser, Assistant Director K. Mahar, and Director La Voie.

1. Waive the reading of the minutes of the previous meetings and approve as mailed.
2. Voice of the Public/Correspondence:
 - The following letters were received from:
 - A former employee indicating agreement with a separation agreement.
 - Joe Sempelinski, a Member of Congress District 23, thanked the library for accommodating the Town Hall meeting in November, allowing him to listen to his constituents.
 - A member of the public regarding our strategic plan newspaper article. She stated how much she enjoys the library staff, building, and programs. She noted that the library was outgrowing its facility and suggested space in the Olean Center Mall property be considered. It is handicapped accessible, has parking, and is centrally located.
 - In addition, there were three print and five online responses to the library's request for comments on the strategic plan. The online survey generated some responses on the mission statement.
3. Approval of Warrant Sheets for November 16 – December 15:
 - Operating Fund: \$164,991.35
 - Capital Fund: \$3,753.75

Discussion:

- The treasurer reviewed the warrants and noted that all spending was in line.
 - There was a larger bill for office supplies because of a large paper order. The library finally has the necessary paper on hand after experiencing a paper shortage.
 - Credit card bills were slightly higher because of supplies purchased for December programs. Computer supplies were also purchased on a credit card. Over \$500 of the purchase had to be sent back, but the bank has not credited our account yet. In addition, librarian travel to a conference was included in the bills.
 - A bill was paid for shampooing all library carpets and cleaning the fabric chairs, which is done annually.
 - E-rate reimbursement funds that belonged to CCLS were mistakenly sent to our library and had to be returned to the system.

4. Review of Financial Statements

Discussion:

- The treasurer noted that the financial statements looked good. She will verify the cash tomorrow. There were no significant fluctuations from the previous month.
- It appeared that the library would not need to use any of the fund balance that was budgeted.
- The bill for the library's 2023 Retirement System payment was prepaid in December for \$50,532. Prepaying saves the library approximately one percent. \$65,000 was budgeted for this, so this was an overall savings of \$15,000.
- There was a question about the name of the Capital Repairs Fund Balance, which should be termed "Fund Balance" now.
- Professional fees were higher because of the work done this year. In addition, some of the other administrative fees were higher because of investment fee classification. We used to net it on the revenue sheet, and the fees were subtracted from the earnings, but that was changed to show the full earnings, with fees recorded separately in Other Miscellaneous.
- This month, a correction was made in the Personnel line from a prior period. Employee and employer payroll taxes are put into an account that should clear after every payroll, but there had been a remaining balance. This might have happened when the library changed payroll companies with an erroneous posting.

MOTION (Tenglund, Shumway): To approve agenda items 1, 3, and 4. The motion carried unanimously.

5. Director's Report

Personnel Updates

- Six candidates were interviewed for the full-time page position in the Children's Department, which was offered to one candidate. However, before this person completed the hiring paperwork, she had accepted another position elsewhere.
- Caleb Austin was hired as a library assistant to replace the hours vacated by Stephanie Bening. The board can approve the appointment next month after he starts.
- The board will also approve an appointment for the senior accountant position next month.

Property Tax Check

- The 2023 property tax check in the amount of \$1,061,092 was received and deposited on November 23.

NYS Construction Aid

- An RFP for bids for the two remaining 30-year-old rooftop HVAC units will be placed in the newspaper this week, with a deadline of the day of our next board meeting.

Friends of the Library

- Giving Tuesday was a great success. The Friends raised their highest amount ever, with a total of \$4,625. It is exciting to see the reach the Friends are gaining in this annual event, plus their two yearly fundraising events at the library (Read Between the Wines and FeBREWary). These three events garner nearly \$18,000 annually, in addition to their two annual newsletter membership mailings. We are fortunate to have this hard-working group of volunteers

partnering with us. Since May, they have given nearly \$20,000 to the library to support circulating materials, programs, services, technology, and more.

News from the Library

- On December 12, La Voie, librarian Sheryl Soborowski, and page Bob Dandrea attended a library advocacy event to advocate for funding in the upcoming NYS fiscal year. Senator George Borrello and Assemblyman Joe Giglio were in attendance, as were representatives from WNYLRC, Erie2 BOCES, CASLS, CCLS, local school districts, and SBU.

6. Committee Reports

CCLS Board Meeting (McElfresh)

- The CCLS Board is still looking for a new board member from Cattaraugus County.
- They have a new lease agreement with Prendergast for two years. Prendergast Library wants to keep them as a tenant and agreed to rework the space to overcome some of their concerns.
- The Olean request for construction aid was granted.
- The CCLS Board adopted the new Open Meetings Law to allow for electronic attendance.
- They approved the 2023 budget and expected a 2% increase in funding. Adult literacy grants are decreasing.
- CCLS has not changed ILL patron fees for 20 years. They are now raising the ILL fee from \$1 to \$4.
- CCLS is working on a new director handbook.
- After two years of looking at a formula for the Book Plan, the committee devised a new formula based on the number of books the library shares. McElfresh shared the written report on this. Each library will receive a base of \$2,000 plus the other percentages. They decided to cap central libraries at \$10,000.
 - The Olean library will have its allocation reduced from \$12,500 to \$10,000. This decision will affect the budget at the co-central libraries. However, the CCLS board felt it was fairer. If OPL used the standard formula, we would get around \$14,000. Having a cap is a negative disincentive.
 - The board said that the central library money should make up for it, but they were not acknowledging the extra functions a central library performs.
 - OPL has 113,000 average book circulation compared to Prendergast at under 100,000. Prendergast also does not give as much money to Overdrive. This decision seemed shortsighted.
 - If we drop what we contribute towards Overdrive resources, it might remind them of what OPL contributes to the system.
 - Central Library Aid is not intended for the same thing as the Book Plan—CLA has little to do with book purchases. It is primarily used to pay for electronic resources, including databases that are used by the whole system, and it also goes toward paying part of the salary of a reference librarian. The central libraries provide reference services and training to member libraries.

7. Old Business

Library space needs – updates

- **MOTION (McElfresh, Sorokes):** To enter executive session at 5:52 pm to discuss real estate negotiations and personnel matters. The motion carried unanimously.
- **MOTION (Waterman, Shumway):** To leave executive session at 6:16 pm. The motion carried unanimously.

Strategic planning (Sorokes/La Voie)

- La Voie said she would share the feedback from patrons and the staff. She will put together a final draft to be approved at the January meeting. Sorokes' Powerpoint was shared with the staff, who were pleased with the goals and the revised mission statement.

8. New Business

Adopt 2023 Budget [Action Item]

- The draft budget had been uploaded for board review.
- The personnel budget was increased to adjust for minimum wage increases set by the state and cost of living adjustments set by the federal government. Wages will be increased by 8.7 percent beginning in 2023. This will allow the Library to be more competitive in terms of employee recruitment and retention, which has posed an extreme hardship to the Library in recent years. Additional increases to the personnel budget are for new positions and additional hours for two part-time positions. In 2023, the Library will hire a full-time accountant, a full-time page for the children's department, a part-time clerk, and additional hours for the building monitors to provide security during most of the Library's open hours.
- The health insurance allocation was increased to be ready for possible increases.
- Family leave benefits were added.
- They removed a line for central book aid because having it as a separate budget line has been confusing. Instead, it was moved into e-resources.
- The professional fees line was increased in case of need.
- **MOTION Tenglund, Sorokes):** To adopt the 2023 budget. The motion carried unanimously.

Videoconference attendance under extraordinary circumstances [Action Item]

- **MOTION (McElfresh, Sorokes):** To approve the following resolution. The motion carried unanimously.

Olean Public Library
 Procedures for Board Members Videoconferencing
 Pursuant to Public Officers Law § 103-a

In compliance with Public Officers Law (POL) § 103-a(2)(a), the Olean Public Library, following a public hearing, authorized by resolution on [insert date] the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Olean Public Library members shall be physically present at any meeting of the Olean Public unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the President of the Olean Public Library Board of Trustees no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Olean Public Library shall update its notice as soon as practicable to include that information. If it is not practicable for the [PUBLIC BODY] to update its notice, the Olean Public Library may reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the Olean Public Library may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of the Olean Public Library but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL § 105, the Olean Public Library shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The Olean Public Library shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Olean Public Library website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If members of the Olean Public Library are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Olean Public Library shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Olean Public Library shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.

10. Open meetings of the Olean Public Library conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.

11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a [state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law] if the Olean Public Library determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Olean Public Library to hold an in-person meeting.

12. These procedures shall be conspicuously posted on the Olean Public Library website.

Discussion:

- Unless restrictions are imposed by the government, like a travel ban or a pandemic, these procedures would be in effect.
- We must have our names on the table if we allow someone to video conference. Likewise, you must have your name on the screen if you attend remotely.
- If it is not an extraordinary circumstance, remote attendees have to be in a place that is open to the public and publicized. An ice storm can be an extraordinary circumstance.
- Only people at the physical location can count as a quorum.
- It would be up to the board president and the director to determine what is an extraordinary circumstance.

Employee Handbook – Paid Family Leave section amended [Action Item]

- **MOTION (Whitford, J. Mahar):** To approve the amended Paid Family Leave Policy and Procedure. The motion passed unanimously.

Paid Family Leave

The Olean Public Library chooses to provide Paid Family Leave (PFL) insurance to all employees. Effective January 1, 2023, PFL will become an employer-sponsored benefit; employees will no longer have contributions deducted from their pay to cover this benefit. PFL covers time to tend to the illnesses of an employee’s family member, or bonding with a newborn child, but not for illness of the employee him or herself. Employees are eligible to take up to twelve (12) weeks (established by New York State)

of PFL. Should the expense of providing PFL to staff become fiscally unsound, the Library reserves the right to discontinue PFL coverage. For more information on eligibility requirements, see the business office.

Procedure for Requesting Paid Family Leave

An employee requesting leave under their PFL insurance policy must submit the request in writing to the Library Director at least 30 days prior to when the leave begins, except in the event of unforeseen circumstances such as a military deployment. The Library requests that an employee give as much notice as possible prior to taking leave under this policy. An employee whose family member is undergoing planned medical treatment is requested to make a reasonable effort to schedule the treatment to minimize disruptions to the Library's operations. An employee who requests PFL leave will be notified of their eligibility within five business days after the request is made. While on leave, an employee is requested to report to the Library Director every 30 days on the status of their intent to return to work.

Questions about the PFL policy should be directed to the Library's business office.

Discussion:

- The Paid Family Leave language was updated to make staff aware the Library would pick it up as an updated benefit.
- Employees needed to understand that provision of this benefit was optional for the board. The board won't reverse this decision unless it is fiscally unsound. Public sector employers do not have to provide paid family leave.

Community Bank Investments (Shumway)

- The Bank of China matured, and the Community Bank team purchased the U.S. Treasury note, as we recommended.

Investment Policy

- The board decided that the investment policy was sufficient for now.
- The policy currently calls for two-year investment maximums. At this point, we probably would not purchase investments for a more extended period.

MOTION TO ADJOURN at 6:51 pm (Tenglund, Shumway). The motion carried unanimously.

Respectfully submitted,

Ann M. Tenglund