

MEETING MINUTES
Olean Public Library Board of Trustees
June 19, 2024
5:30 p.m. – Conference Room

The mission of the Olean Public Library is to assist all people with their educational, informational and recreational needs.

Call to Order at 5:30 p.m. by Board President Lanna Waterman. In attendance were trustees Copella, J. Mahar, McElfresh, Shumway, Tenglund, Waterman, Whitford, Treasurer Wetherell, 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: None
3. Approval of Warrant Sheets for May 15—June 19:
 #951 Operating Fund: \$126,268.55
 #325 Capital Fund: \$1,255.00

Discussion:

- There was nothing unusual.
- Workers' Compensation 25% deposit will be ongoing monthly.
- A copy overage with the copy machine contract is fairly common, but patrons pay per copy, so revenue covers this.

4. Review of Financial Statements

Discussion:

- Balance sheet—all cash counts were tied back to the bank reconciliations. Everything else ties back to the audit report.
- In the fund balance line, the retained earnings were combined in the fund balance, so it is easier to read.
- On appropriations, things are lining up better, with less of a gap between budget and actual salaries because there was a three-paycheck month in May. Fringe benefits are related to salary amounts. Book and electronic resource expenditures are still down slightly but up from last year. Some of the underspending is due to staff turnover because some of these staff members had collection development responsibilities. Other operations and maintenance were slightly over budget due to HVAC repairs. Professional fees and resources were up due to the increase in creative programming. We are also catching up with the auditor's bill.
- There was a nice donation from the Friends in May.
- We received a payment from the O'Connell grant.
- The Friends pay for snacks and consumables for the Teen Room.

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

5. Director's Report

HVAC Issues

- As reported in May, there have been many problems with the older HVAC units, especially the larger one (RMZ-1), essentially two separate units, or "stages," in a single casing. It serves a much larger library area than the other three units. These problems and repairs have been taking up a lot of staff time.
- Last month, we discussed sending a letter to our prior maintenance contractor requesting reimbursement of some of the funds for the failed repairs done last summer. However, this might not be possible without an expensive expert visit to obtain a statement. Mazza did a visual inspection in December, but the AC was not running then, so they would not have known that it was leaking or that parts were not installed correctly.
- One of the stages in one of the units was valved off and not running. This problem was discovered this week. Hopefully, this repair will be covered under contract.
- On June 24: Mazza will meet with a rep from our fire alarm company, FSC, to determine how best to ensure all four current units are connected to our fire alarm system. They will come up with a plan of action after the meeting.
- La Voie met with representatives who work with contractors who have been pre-approved for public bidding, meaning that public agencies do not have to put their projects out to bid if they hire one of these pre-approved companies.
- Mazza representatives believe our two old units are on the verge of complete failure and are encouraging us to move quickly on the replacements, especially as there is a long lead time for getting them (22 weeks or so).

May Gifts/Grants/Donations [Action Item]

- **MOTION (Copella, Whitford):** To accept, with gratitude, the following gifts and donations. The motion passed unanimously.
 - \$5,500 from the Friends of the Library (\$4,000 for the annual programming gift and \$1,500 for the annual Summer Reading Program gift);
 - \$4,481 – the first of two installments for the Frances Bean O'Connell Endowment;
 - \$626.39 from the Paul and Betty Hanson Fund (\$328.95) and the Paul and Mary Janowicz Memorial Fund (\$297.44)—these annual unrestricted funds are administered by the CRCF;
 - \$50 memorial donation for Daniel La Voie;
 - \$37 memorial donation for Shannon Debus;
 - 55 cents in anonymous donations.

Frances Bean O'Connell Endowment

- As noted above, we received the first of two installments towards the annual Frances Bean O'Connell Endowment grant in May. Kevin O'Connell moved another \$150,000 into the fund earlier this year, bringing it to \$300,000. However, this was done late in the fiscal year, so the proceeds were less than expected (\$4,481).
- We received a call last week from the Erie Community Foundation letting us know that Mr. O'Connell moved \$6,000 out of another fund, and a check in that amount will be coming to the Library any day now. He wanted "to make sure the Library receives at least \$10,000 until the entire endowment of \$300,000 is in full force."

- The Board and Staff are so grateful for this gift to the Library, which allows us to offer amazing arts and crafts programs to patrons of all ages.

Manley Grant

- Chad Taylor, Larry Sorokes, and La Voie worked together last month to put together a Manley grant application, which was submitted on June 3. The grant request is for \$7,833.94 to purchase items for our emerging Makerspace. This includes sewing machines, a laser engraver, portable storage cabinets, and five laptop computers. The application referenced the tie-in with our popular lower technology arts and crafts programs, and that this request seeks to build higher-level tech skills for those who already enjoy our programs. It also aims to encourage people to learn the art of sewing and quilting, which are of high interest in our region and for which we have received numerous requests for program offerings over the years. The request also includes providing educational opportunities for learning more sophisticated software skills, such as CAD, which can be helpful for job seekers.

Bullet Aid/Grants in Aid

- In May, CCLS Director Jan Dekoff announced that Assemblymen Andy Goodell and Joe Giglio released Grants in Aid funds (formerly known as Bullet Aid) to CCLS for distribution to member libraries to help pay for special projects. CCLS received \$40,000 for Chautauqua County libraries and \$30,000 for Cattaraugus County libraries. OPL requested funds to replace many older chairs throughout the Library, including at the public computers, scanning station, tutoring/ADA computers, microfilm readers, the conference room, and the Information Desk. Our request is for 42 chairs totaling \$8,978. New York State funds for this have not come in yet, and it seemed that Grants in Aid funds would be coming in during the fall.

Friends of the Library

- At their June meeting, the Friends discussed the annual Book Endowment gift to the Library. Each year, they look at how their investments and fundraisers perform to determine if they can give more than the required \$7,000 from the endowment. This year, they feel they can give \$12,000, which will be given to the Library in September. The Book Endowment gift goes towards purchasing circulating materials, including books, e-books, audio and e-audio books, and DVDs.
- The Friends also approved a request for \$179 from Children's and Family Services Coordinator Kathy O'Malley to purchase a splash tower, a low-tech version of a dunk tank. When a person hits the target with a ball, instead of the person in the chair falling into a tank of water, they have a one-gallon bucket of water dumped on them. She plans to use this at outdoor summer programs and set it up for the Summer Reading Kickoff Carnival this past Saturday. Les Baker, one of our building attendants, volunteered to be the "dunkee" and spent his time getting soaked at the event. We appreciate him being such a good sport! The event, which included a magic show by the Jeffers, was attended by 297 people!
- As always we are very thankful for the Friends' generosity to the Library.

6. Committee Reports

CCLS Board meeting (McElfresh)

- McElfresh reported they met at the Lakewood Memorial Library. One of the legislative candidates in Chautauqua County spoke to the board about the importance of libraries.
- CCLS restrooms were repainted, and new light fixtures were installed. The lease is under legal review for renewal.
- The annual meeting will be held on October 19. The keynote speaker will be the NYLA president.
- Retired employees can stay on CCLS health insurance at their own expense.
- They need a new truck.
- Building grants are ongoing regarding the intent to apply window. CCLS trustees will visit libraries that receive grants.
- Annual report summaries from member libraries are on the CCLS website. As a school district library, our library has a more solid funding base than some free association libraries.
- CCLS is starting a consulting program where a CCLS librarian can consult on projects.
- Their next board meeting is in Ellicottville.

7. Old Business

Library space needs – updates

- There was a lot to digest in the draft architectural drawings we saw last month, including possibilities. Scott Bova will come with some other team members in July to get a better sense of the space. They will also look at HVAC issues.
- Key staff members will meet with Bova tomorrow. Bova will put together a survey that will go out to the board and the staff where people can share opinions.
- Larry Sorokes reported that CFA state funds come out yearly with a midsummer deadline. There is an Empire State Development capital project support line. We should consider applying either this year or next. It is a reimbursement fund.
- Bob Schofield said it would be good to pass the resolution regarding reimbursement of expenses from the future bond issue. See the full text of the resolution and vote in the appendix at the end of these minutes.

8. New Business

Board Officers

- **MOTION (Whitford, Shumway):** To approve the slate of Board officers, as presented by Lanna Waterman, for 2024-25, whose terms will begin on July 1, 2024. The motion passed unanimously.
 - President: Lanna Waterman
 - Vice-President: Reed McElfresh
 - Secretary: Ann Tenglund
 - Finance Officer: Patty Shumway

Treasurer

- **MOTION (Tenglund, McElfresh):** To appoint Diane Wetherell as Treasurer for 2024-25, whose term will begin on July 1, 2024

Employee Handbook Updates

- **MOTION (Copella, Whitford):** To approve the updates to the Jury Duty Policy and the Paid Lactation Policy (under the Rights of Nursing Mothers section) in the Employee Handbook. The motion passed unanimously.

Discussion:

- Employees keep mileage and meal reimbursements that they get as jurors. If they are reimbursed for time as a juror when their job is already paying them, they do not keep the juror pay they are given. In New York State, employees should not get a check for juror pay if they fill out the form correctly and say that their employer is paying them for the time.
 - The need for a Paid Lactation Policy is a state requirement that specifies that paid breaks are to be provided.
 - One change was made in the draft policy to change the word "day" to "time" to clarify that a paid break is provided when needed. Therefore, the second sentence should read, "In accordance with the law, the Library shall provide 30-minute paid break time each time to allow an employee to express breast milk for a nursing child for up to three years following childbirth."
 - Based on previous experience, there is a chance we could run into abuse of the policy. Issues will be dealt with as they arise.
 - A lactation room is included in the building project plans.
- **MOTION (Tenglund, Shumway):** To approve the FOIL Policy as presented. The motion passed unanimously.

Discussion:

- A few libraries in our system have been receiving FOIL requests.
- **MOTION (Tenglund, Whitford):** To approve the Community Bank investment decisions. The motion passed unanimously.

Discussion:

- One CD will mature on July 2, 2024. This CD held a half-year of tax funds, so the money could earn interest until it was used. Those funds will be returned to the tax account at a decent interest rate. It is a money market.
- We have CDs maturing in November and December.
- CDs available to us now carry a 4.8% interest rate for a six-month investment period.

MOTION TO ADJOURN (McElfresh, Copella): at 6:58 p.m. The motion carried unanimously.

Respectfully submitted,
Ann M. Tenglund

**OLEAN PUBLIC LIBRARY DISTRICT
CATTARAUGUS COUNTY, NEW YORK**

RESOLUTION

RESOLUTION OF THE BOARD OF TRUSTEES OF THE OLEAN PUBLIC LIBRARY DECLARING THE LIBRARY'S INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND/OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, the Olean Public Library District (the "Library") is a duly chartered school district public library, organized and existing under the laws of the State of New York; and

WHEREAS, the Library will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the acquisition, construction and/or equipping of improvements to the Library's facility (the "Project"); and

WHEREAS, the Board of Trustees of the Library (the "Board") has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Library for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Library's intent to reimburse itself with the proceeds of the Bonds for the Expenditures with respect to the Projects made on and after June 19, 2024, which date is no more than 60 days prior to the date hereof. The Library reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Projects is \$8 million.

Section 4. The Library will make a reimbursement allocation, which is a written allocation that evidences the Library's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project of which such Expenditure is a part is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Library recognizes that exceptions to the 60-day look-back period referred to above are available for certain "preliminary expenditures," costs of issuance, certain *de minimis* amounts and expenditures for construction projects of at least five years and the Library intends to use such exceptions as appropriate.

Section 5. This resolution shall take effect immediately upon its passage.

This question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Lanna Waterman, President	VOTING <u>Yes</u>
Gretchen Copella	VOTING <u>Yes</u>
Jennifer Mahar	VOTING <u>Yes</u>
Reed McElfresh	VOTING <u>Yes</u>
Patricia Shumway	VOTING <u>Yes</u>
Ann Tenglund	VOTING <u>Yes</u>
Laura Whitford	VOTING <u>Yes</u>

STATE OF NEW YORK)
)ss:
COUNTY OF CATTARAUGUS)

I, the Secretary of the Olean Public Library, located in the City of Olean and County of Cattaraugus, New York, DO HEREBY CERTIFY:

That I have compared the annexed copy of the resolution adopted at a regular meeting of the Board of Trustees of the Olean Public Library held on June 19, 2024, with the original thereof on file at the Library, and that the same is a true and correct copy of the resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (i) all members of the Board of Trustees of the Library had due notice of said meeting, (ii) said meeting was in all respects duly held and (iii) pursuant to Section 99 of the Public Officers Law (Open Meeting Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Section 99.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my signature this 20th day of June, 2024.

Ann M. Tenglund
Secretary