

**Montville Township Public Library**  
**Board of Trustees Meeting**  
**May 12, 2008**  
**Montville Township Public Library**  
**90 Horseneck Road**  
**Montville, New Jersey 07045**

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The meeting was called to order by President, David Dalia at 7:30 p.m.

**Julie Cohan   David Dalia   Edward Ernstrom**  
**Peter King   Donald Kostka   Deborah Nielson   Charles Schmidt**

**Mark Tabakin, Attorney for Board**  
**Elaine Wood, Recording Secretary**

**Absent: Gary Bowen**  
**Randee Fox**

**David Dalia** stated that prior notice of the Meeting had been published in accordance with the requirements of the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES OF MEETING**

Meeting was opened at 7:30 p.m.

**David** asked for a motion to adopt the April 14, 2008 Minutes.

**Edward** moved the Minutes

**Deborah:** 2<sup>nd</sup> Discussion

**Deborah** noted correction on page 6 of April 14, 2008 Minutes, stating her name was printed in error as she was not present and asked that the Minutes be changed to reflect that.

Also, **David** asked that for future reference, **Susan Max's** name need not be noted as "absent" as she is an alternate and her presence is not required. He asked that her name be removed from the April 14<sup>th</sup> Meeting.

**David** asked for a show of hands approving the Minutes of April 14, 2008.

**Julie Cohan – Yes**

**David Dalia – Yes**

**Ed Ernstrom – Yes**

**Peter King – Yes**

**Donald Kostka – Yes**

**Deborah Nielson - Abstain**

**Charles Schmidt – Abstain**

## **PUBLIC COMMENTS**

**Peter** Hodges, as a citizen of the town, inquired as to why the Budget for 2008 has not been approved to date to which **David** responded that the Board has looked at it closer than they had in the past and noted that it was on the Agenda for this evening.

## **REPORTS OF OFFICERS**

### **President**

**David** reported that he was in receipt of a revised Agenda and wanted to request approval from the Board members to, in the future, prepare the Agenda himself and have **Patricia Anderson** send to him whatever she wants in the packet by the Wednesday before the meeting and then he would get it off to the Board Secretary by Thursday and the Board Member packets would be mailed from that point on. He felt that this would enable him to see the Agenda before it goes out. He requested that if any of the Board members wanted anything else to be included in the packet that they get it to him by either e-mail or hard copy by the Wednesday before the meeting. **Charles** inquired if there would be sufficient time to get it into the newspapers to which **Edward** replied that if the meeting were not in the Annual List of Meetings it does not need to be posted in the newspapers. He stated that if the meeting was published in January in our Annual List of Meetings, no Agenda pre-notification is required. A 48 hour notice is required only if it is an unscheduled meeting. It was noted that it is no longer necessary to send the agenda to the newspapers unless notified by **David**. **Deborah** noted that the Township Committee Agenda is posted on their website and then mailed to the township committee on Friday prior to the add/delete/revise and then it is posted for the public on Monday or even as late as Tuesday but does not go to the newspapers.

**David** also requested that the two (2) things be included in the packet were the "People Counter Report" and also the report listing the organizations that are using the meeting rooms. **Deborah** noted that it was included in the packet and an e-mail went out as well.

### **Treasurer**

**Julie** reported that there is currently \$125,000.00 in a CD at Lakeland Bank that will be coming due May 19, 2008. The best rate of interest that they are offering is 3%, and is redeemable without penalty at any time, therefore enabling the Board to take advantage of higher interest rates should they increase. Her recommendation was to stay with Lakeland Bank since after checking with several other local banks, their rates for terms of 13 months or less were no higher.

**Charles** said that he has worked with Atlantic Stewardship and found their rates to be good. The Board authorized **Julie** to purchase the CD, using her judgment.

### **Personnel**

No Report

### **Buildings and Grounds**

For review, **Peter** presented to the Board and public, the "Proposed Alterations for the Montville Library, Drawing A-1 and A-2, dated March 27, 2008, by Architect James P. Cutillo."

**David** questioned the purpose of air conditioning for the vestibule to which **Edward** noted that their concern was a "greenhouse" effect due to the doors being closed, stating that area would be extremely hot. He said that there would be a connection from the top into the existing library to

vent the heat out to which he felt would not be a significant increase. **Edward** said that there would be an “air curtain”.

**Deborah** asked if there was a cost estimate to which **Peter** said that was currently in the works. It was also noted that the Library was not in compliance, which is what precipitated the renovation. **Deborah** gave an example of the Township looking at doors that open automatically with a push-button for \$5,000.00 as opposed to something more elaborate.

**Edward** said they had looked into this option and currently there is not enough room between the two sets of doors. He noted they cannot get an accurate traffic count of who comes into the library due to the fact that the bathroom doors has affected the count, the adjustments need to be made to account for that. He noted that they were going to make more room in the lobby of the library so as not to have the bathrooms interfere with the count of patrons entering the library.

**Peter** said that **Patricia** has noted that the doors have become less effective and they are setting off alarms even after they are locked

**David** said he would like to hear from the architect as to what his thoughts are regarding not putting heating and air conditioning in the vestibule. **Edward** said that it was quoted as an option, and could eliminate it should they choose to.

**Deborah** suggested that they look at the Senior House as they have sliding doors. She also suggested that there might be grant monies available. **Edward** said that they would like to get a Community Block Development Grant sponsored by the Township Administrator but was informed that they would have to wait until 2009 as they have already received their submissions for Grants.

### **Patron Services**

**Charles** said that they were in the process of working on getting the sign. They are looking at a company that the town used. He asked **Deborah** what her feelings were in regards to the sign that was in front of Town Hall. **Deborah** said she thought it was fine but felt that Mr. Mazzacaro would be the one to ask. She said she had a call into the PTC Chair of the High School and she believed they have ordered a sign and that they investigated various companies and they had settled on a company. She suggested that perhaps they could do a two for one deal. **Charles** said they were working with them but had not had the opportunity to talk to **Patricia**. **Deborah** said she believed it was under \$15,000.00. **Charles** said he had an estimate for \$29,000.00. **Charles** said he would research further.

Resolution (a)... Resolution to accept check register for April 1 through April 30, approving checks exceeding \$750.00 in the amount of \$55,144.30 not exceeding \$750.00 in the amount of \$16,881.75.

**Julie** moved

**Edward**: 2<sup>nd</sup>

**David** asked for a Roll Call

**Julie Cohan** – Yes

**David Dalia** – Yes

**Edward Ernstrom** – Yes

**Peter King** – Yes

**Donald Kostka** – Yes

**Deborah Nielson** – Yes

**Charles Schmidt** – Yes

Resolution (b)... Variance between check register and cash disbursements and value of checks drawn is attributed to voided check numbers #5801 in the amount of \$6,327.13, check #5775 \$513.20.

**Charles** moved

**Edward:** 2<sup>nd</sup>

**David** asked for a Roll Call

**Julie Cohan – Yes**

**David Dalia – Yes**

**Edward Ernstrom – Yes**

**Peter King – Yes**

**Donald Kostka – Yes**

**Deborah Nielson – Yes**

**Charles Schmidt – Yes**

Resolution (c)... Resolution to approve the 2008 budget showing Operating Expenses of \$1,485,538.00 and Capital Expenses of \$89,000.00 and Surplus of \$322,971.00.

**Edward** moved

**Peter:** 2<sup>nd</sup>

**Julie** was concerned over the process. She felt that there was “one” person responsible for the new input of the budget and was uncomfortable that one person could submit the budget, having less experience and less dealing with the operations of the library than the two people on the Budget Committee back in December.

She also went through the following line items and noted her concerns as follows:

Page 1 of 8, Acct. #60,000 – The revised \$695,443 for 2008 would give them leeway to complete the negotiations since they are currently in the middle of negotiations.

Page 2 of 8, Accts. #60,100 and #60,102 – She noted that the Budget Committee was convinced that this (Young Adult Fiction) was a growing area in the library and books were needed. She felt that there was no reason that Adult Fiction should be reduced simply because only \$25,118 was spent last years.

Page 3 of 8 – Supplies – She noted the objection to the cost of water saying that \$1,000.00 was removed to cover water. She noted that there was a 2% reduction by taking out the \$1,000.00 now the \$28,000 is now a 2% reduction from last year.

Page 4 of 8 – Acct. #60,153 Professional Dues – She did not understand why they cut that out to zero when money has already been spent on it.

Page 4 of 8 – Acct. #60,172 – Cleaning and Maintenance – She noted that they have a contact for \$21,360 – which means there would be no money to spend for incidental cleaning.

Page 4 of 8 – Acct. #60,174 – HVAC Maintenance – She noted that they spent \$9,500.00 and approved \$18,600 last month for the compressors ... **Edward** noted that was Capital.

Page 6 of 8 – Acct. #60,220 – Legal – She noted that 2 hours a month were spent here and 4 hours a month doing office work, leaving them 17 hours to do their negotiations. She felt that they were constraining themselves. She did not think legal should be cut back.

Lastly, with respect to “Interest Income” Acct. #41,105, regarding the \$20,000 – She believed that to be very optimistic and not at all realistic, given what she just learned on the interest rates, at 2% operating expense and 3% for the remaining CD, you come out with something closer to \$14,000.00 for the year. She proposed that it should be \$14,000 not \$20,000 Revised 2008.

With regards to Surplus, **Charles** noted that everything had been eliminated and put into Surplus. He felt there needed to be a better overall understanding from the Board as far as what the actual Budget can and will do and what they want it to do.

**Julie** asked if the intent was that whenever a line item is going to be exceeded, would the Director have to come to the Board and ask permission to take the money out of surplus. She asked if the Board would have to approve any line item. She felt that if that’s the case this Budget has already made decisions that are not realistic. She felt that they were already about to overspend line items. She stated that they started out with a Budget that was too tight and every time something happens the Director has to come back to the Board to get permission and she felt that that was a very difficult way to run a library.

**Deborah** asked for some rebuttal to **Julie**’s comment as she really did not want to micro manage the Library Director. She did feel though that the budget cuts in general were an excellent idea. She said that she was not opposed to the friendly amendments but did not want to hamstring the Director or other full time professionals or volunteers as she felt they had to have faith in the people that they hired full time.

**Charles** suggested that a monetary limit be set and once **Patricia** has exceeded that limit, then she would have to come to the Board for additional approval. This way there would be some control.

**David** said that while it was a tight budget, he did not believe that the intent was to micro manage the Director. What he envisioned happening was that some time in September or October they would look at the year to date actual, year to day budget and if any adjustments needed to be made, should they see the need to exceed the budget they could talk about it at that time.

**Julie** suggested that if they were to allow overruns without having to come to the Board, they could take a number like 10% and say any line item can be exceeded by 10% without the Director having to come to the Board for approval and then in the fall do an overall re-look and take the money out of surplus and put it into the line item that needs it.

**Peter** said he was not familiar with what percentage of overruns they have had in the past on individual line items; therefore he felt it would be difficult to make a decision. However, he did feel that a 10% overrun should be brought to the Board and it also depended on what line item they were talking about as they varied greatly in dollar amounts.

**Edward** said that he felt that after they voted on the Budget they should revisit a resolution that would address the mechanism during the month for the Finance

Committee to move funds from the surplus for something that could not wait until the next Board meeting or maybe it's below a certain threshold and they would give them certain discretion and they would revisit that resolution after they voted on the budget.

**Deborah** agreed with **David** to revisit this issue in September.

**Mark's** concern with authorization for an automatic overwrite on the budget was that it would be advocating the Board's responsibility to control the budget as an entire institution as opposed to 2, 3 or x number of people on the committee to permitting line item transfers. He said that this Board is subject to the same restrictions that every public entity in the state is, and that is that you cannot be out of balance and you cannot have a negative number in any line item. You must be in balance.

**Charles** said by just giving a 10% leeway was almost like saying "here's your budget plus you've 10% above that budget". He was not sure that he could go along with that. His other concern was that if they should run out on a line item, the Director cannot go beyond that line item until the Board approves its. He was not sure that he wanted to wait until September as what if a line item ran out of money before then. He asked if there were a possibility of that happening with any particular line item currently.

**Mark** said that would be up to the Board to decide.

**David** said that they could look at the July numbers, they could see a trend, and then they could make their changes. He felt that they would certainly not run out of money by the June meeting for a certain line item that has been budgeted for twelve months. **Julie** was concerned about "Professional Services". **Charles** inquired about line items with a "0".

**David** noted they were aware of that as they were voting.

**Edward** called a question for a vote.

**Donald:** 2<sup>nd</sup>

**David** asked for a Roll Call.

**Julie Cohan** – No

**David Dalia** – Yes

**Edward Ernstrom** – Yes

**Peter King** – Yes

**Donald Kostka** – Yes

**Deborah Nielson** – Yes

**Charles Schmidt** – No

Resolution (d)... Resolution to change the mileage reimbursement from \$.505 to \$.405.

**Edward** moved

**Peter:** 2<sup>nd</sup>

**Deborah** noted that when this was presented previously to the Board she had voted for it but unfortunately was not up to date on her facts at that time. Since then she had contacted the councilor subsequent to the vote and that the following are the numbers that the rest of the town employees get reimbursed:

Police get \$.22 per mile  
Non-union workers get \$.30 per mile  
White/Blue collar unions get \$.26 per mile

She wanted to bring this fact to the Boards' attention, as when this was presented to the town it seemed to be a reasonable request. In an effort to be consistent with the other agencies in this town, she felt that she could no longer support the \$.505 per mile. She noted that at that time **Patricia** informed her that she did not know how many miles she had put in and estimated 200 and in a memo she said that the differential was approximately \$67.00, that being almost 700 hundred miles. She did not see that as being significant for someone making that kind of money.

**Edward** said that then this resolution only applied to non-union personnel with regards to mileage as the Union contract is currently under negotiation.

**Donald** made a friendly amendment to change \$.405 to \$.30 just to make it consistent with the rest of the town.

**Edward:** 2<sup>nd</sup>

**David** asked if that would be for non-union personnel as well?

**Edward** said "non-union only" personnel.

**David** said "from \$.50 to \$.30 for non-union personnel".

**David** asked for a Roll Call.

**Julie Cohan – No**

**David Dalia – Yes**

**Edward Ernstrom – Yes**

**Peter King – Yes**

**Donald Kostka – Yes**

**Deborah Nielson – Yes**

**Charles Schmidt – Yes**

Resolution (e)... Resolution to abolish one full-time principle librarian position that is currently vacant.

**Edward** moved

**Peter:** 2<sup>nd</sup>

**Julie** thought that this was a non-issue, believing that if the position is vacant then the Board doesn't do anything about it – just leave it vacant.

**Edward** said that this was a TDA issue (Table Distribution Allowances). They were reducing the number from two to one because this would give them the funds to pay Jeanne Ivy and also Nick and other changes that they were making, which will include, if this resolution passes tonight, they will have established a supervisory library assistant position at the circulation desk at 30 hours a week.

**Julie** didn't understand why they would abolish the position.

**Edward** said that because they are TDA, there are two authorized right now, and they are changing the two authorized to one authorized. Then there will not be a vacant position.

**David** asked for a Roll Call

**Julie Cohan – Abstain**

**David Dalia – Yes**

**Edward Ernstrom – Yes**

**Peter King – Yes**

**Donald Kostka – Yes**

**Deborah Nielson – Yes**

**Charles Schmidt – Yes**

Resolution (f)... Resolution to approve remainder of holidays for 2008:

October 13<sup>th</sup> Monday

November 27<sup>th</sup> Thursday

November 28<sup>th</sup> Friday

December 25<sup>th</sup> Thursday

Columbus Day

Thanksgiving Day

Thanksgiving Friday

Christmas Day

**Edward** moved for discussion

**Deborah:** 2<sup>nd</sup>

**Edward** noted that at the last meeting they were told that they couldn't amend that until the contract was negotiated and asked why it was coming up again on the Agenda. **David** said it would need to remain there until the contract has passed.

**Edward** asked if the library would be open for everyone on December 24<sup>th</sup> and noted that a new holiday was being added, that being Columbus Day.

**Mark** said that he believed that at the last meeting there were two separate resolutions that were dealt with – one being when the library was going to be closed and the other the holiday list. Currently he did not remember the negotiated agreement with the Union as to what their holiday schedule is.

**Edward** withdrew his resolution

**Mark** asked for a motion to table.

**Charels** moved

**Edward:** 2<sup>nd</sup>

**David** asked for a Roll Call

**Julie Cohan – Yes**

**David Dalia – Yes**

**Edward Ernstrom – Yes**

**Peter King – Yes**

**Donald Kostka – Yes**

**Deborah Nielson – Yes**

**Charles Schmidt – Yes**

### **OLD BUSINESS**

**Peter** asked for an update on the Goals and Objectives that was originally brought up at the April 14, 2008 meeting. He noted that the packets were handed out to everyone but has not heard from anyone to date.



**David** asked for **Mark**'s input as to whether the Personnel Committee was able to continue the Goals and Objective's discussion at this time.

**Mark** said yes. He noted that there was an issue but it is being investigated and dealt with and to that extent the Board still needed to move forward and continue business.

**Peter** also noted that the Board had a responsibility to get an appraisal by September 30<sup>th</sup>, an assigned contract.

**David** asked whether or not the bylaws or operating guidelines state that the Personnel Committee or the Executive Committee should initiate the goals and objectives for the Director.

**Mark** believed that they did not have any bylaws. He said he was unaware of any subsequent re-adoptions of the policy manual. He said that would normally take place in the organization meeting in January. He was not sure whether the Board had a policy manual. The policy manual that does exist for 2004, speaks to the annual evaluation of the Director by the Executive Committee. He believed it did not speak to setting up goals and objectives. The Director of the library on an annual basis going back at least to 2004, has provided the Board with goals and objectives, sometimes in writing, sometimes not in writing and this passively was approved by the Board through it's silence. There is also strategic planning, that these goals and objectives traditionally have been linked to several committees, whether it's personnel or other buildings and grounds, etc. who have linked their goals and objectives to the library and the Director to a strategic plan. He believed there is nothing that would constrain this Board from adopting rules and objectives to the Director.

**David** asked if he as the President, by decree, had the authority to say that the Personnel Committee in juncture can set the goals and objectives with himself.

**Mark** said he would be less comfortable with that as opposed to the Board adopting goals and objectives for their Director, as it is not uncommon for governmental bodies to adopt rules and objectives.

**David** said that being the case he would then redirect the Personnel Committee to decide if they are going to stick with those goals and objectives, if so, they should advise him and he would speak to **Patricia** in that regard and then vote on them at the next meeting.

**Deborah** noted that at the township committee level they have a sub-committee who develop the goals and objectives. It is then presented to their administrator and together with the sub-committee discussed as a whole. It is then signed and agreed by both the administrator and sub-committee.

**Donald** asked if everyone received the signed goals that **Peter** handed out at the last meeting. He noted they met with the Director two times before they came to the final and on some documents that went out to some of the Board members, there are comments as it relates to the goals that are factually not correct. He said that when you look at what was signed and what was discussed they are really two different things. He said that their objective was to sit down with the individual on a quarterly basis, for whom the goals are written, and review the progress and give that individual meaningful feedback. This way the individual benefits whether the feedback is positive – knowing that they are doing what is expected of them or if they are not, at least they are given the time for further improvement. He felt that the end results, in this case, would be a better library. **Donald** passed out copies of the signed document.

**Mark** said that if this Board wishes to set a new direction in terms of how it's managed and governed, they have every right in the world to do so, regardless if there is a policy or not.

**David** said he like the idea of a “quarterly support meeting” and believed that they were there to help and encourage and make sure you are on the right path. He thought calling it a “review” might be intimidating.

**Charles** noted that while he agreed with these goals that were set by the Personnel Committee, he did feel that perhaps the Board was not included in some of these decisions and were told after the fact. He felt that the Personnel Committee was not giving the Board the opportunity to give their input in matters such as objectives and goals for **Patricia**. He believed that in the end it was causing animosity. He suggested that **David**, as the President, become more involved. **David** agreed and said with **Mark**’s guidance, this would be presented to the Board at next month’s meeting.

**Peter** noted that every year **Patricia** puts out a three page goals and objectives and sends it to each member and asked if anyone had ever called her to say he either agreed or disagreed, he said he sincerely doubted it, as he never had himself although he looked at it. He said that the committee tried to match their goals with hers. He said that since she puts her goals and objectives out yearly, the Board would be negligent if they did not read them and then give her their feedback.

**Charles** said that he agreed with most of the goals and objectives but his point was that the Board should see them before they are sent to the Director, knowing that it is coming from the entire Board, not just one committee so as not to create any animosity.

**Edward** said that the Personnel Committee Chairman, **Peter King**, is also Vice Chairman of the Executive Committee, so whenever changes were made or any new draft of the goals and objectives were prepared, a copy was provided to the Chairman of the Executive Committee, therefore trying to link to the two committees together.

**Julie** asked **Deborah** when the township has the Board review their objectives, is that before or after they are presented to the administrator. **Deborah** said that there are five of them and it is done almost simultaneously. There is an initial set of objectives that they agree upon and the administrator may have objections to some of them on his own merit. It is an open dialogue and is not adversarial. In the end we set the policy and we sit down as a group and say like it or not but this is the direction the township needs to take for this year and we need for you to achieve it. She noted that he does see the initial draft and has input on it as well.

**Julie** asked that if the Board were to follow their practice, it would have gone to the Director, she would have looked at it and then made her comments and then it would come back to the Board. The Board would look at it and given it it’s final okay before it went back to her – these are the objectives.

**Donald** noted that they did sit with the Director on these goals and at the end of the meeting he felt that **Patricia** was fine with these goals. He said it was the firestorm that developed later that caught them as a committee by surprise. He noted that **Patricia** did sign the document and was shocked at the displeasure she showed later.

**Peter** noted that the committee informed her that they would take into consideration any extenuating circumstances that would cause her not to meet these goals. **Donald** said that in regards to the Director knowing what a passing grade would be; he said it was clearly communicated to the Director.

## **NEW BUSINESS**

Nothing to report

Motion to move into Executive Session for the purpose of attorney/client privilege.

**Deborah** moved

**Edward**: 2<sup>nd</sup>

All in favor

8:50 Open Session adjourned to go into Executive Session

9:35 Open Session reconvened.

**Mark** suggested that the direction the Board wished for him to take was to determine how many contracts had been executed and to provide copies of those contracts to the Board members.

**Edward** included whether or not this is invalid.

**Donald** asked do we, as a Board, provide compensatory pay. **Edward** said that it has never been done.

**Julie** asked if the Director worked until 10:00 p.m., does that allow her to come in at noon the next day. She believed that they did allow it. It was noted that when **Patricia** could not make a Monday morning meeting, she said that someone from the Board had previously authorized her to come in at 1:30, which **Edward** said the Board never knew about it. **Peter** noted that on days of the Board meeting **Patricia** does not come in until after 1:00 p.m.

**Julie** noted that her contract called for 7 ½ hours a day and if her day is going to end at 9:00 p.m. then she is entitled to come in at that time. **David** asked if when she went to the Kiwanis meetings does she come in late then as well. **Charles** said that as far as he knew it was just for the Board meetings.

**David** asked for a motion to approve the Minutes of the Executive Session for April 14, 2008.

**Edward** moved

**Peter**: 2<sup>nd</sup>

All were in favor with the exception of **Deborah** and **Charles**, who abstained.

Executive Session Minutes were turned in to Board Secretary.

**David** asked for a motion to adjourn

**Charles** moved

**Donald**: 2<sup>nd</sup>

All were in favor

Open Session was adjourned at 9:45 p.m.