

MINUTES OF THE NORTH MERRICK PUBLIC LIBRARY  
BOARD OF TRUSTEES MEETING

AUGUST 17, 2021

**APPROVED MINUTES**

The following are the Minutes of the North Merrick Public Library Board of Trustees meeting held on Tuesday, August 17, 2021, at 7:15 p.m.

There were present:	Members:	Mark Davis, President William Pezzulo Maeve Schulz Richard Smith
	Director of the Library:	Susan Santa
	Treasurer to the Board:	Michael Tomicich
	Secretary to the Board:	Jane E. Taylor

**1. CALL TO ORDER OF MONTHLY BOARD MEETING**

A quorum being present, Mr. Davis called the meeting to order at 7:25 p.m.

**2. PLEDGE OF ALLEGIANCE**

All rise to recite the Pledge of Allegiance.

**3. ROLL CALL**

Ms. Taylor called the roll. All members of the Board are present, except Kristin Frost; who is absent with prior notice.

**5. APPROVAL OF THE MINUTES OF THE JULY 20, 2021 BOARD MEETING**

Mr. Pezzulo made the motion, seconded by Mr. Smith:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the minutes for the July 20, 2021, board meeting as written.

MOTION CARRIED: 4 – 0

**6. APPROVAL OF THE BILLS**

Mr. Pezzulo made the motion, seconded by Ms. Schulz:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees accepts the

following warrants as written:

General Fund:

Warrant 1A	July 17, 2021 – August 11, 2021	\$127,307.88
Warrant 2	August 12, 2021	\$151,146.77

Capital Fund:

Warrant 2	July 17, 2021 – August 12, 2021	\$0.00
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MOTION CARRIED: 4 – 0

## **7. TREASURER’S REPORT**

The Treasurer presented his financial reports for the month ending July 31, 2021, the first month of the library’s new fiscal year. Mr. Tomicich also distributed a re-run of the June 30, 2021 financial reports; reflecting information received after July 1, 2021, for late fiscal year-end adjustments.

Mr. Smith made the motion, seconded by Ms. Schulz:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the Treasurer’s Reports for the month of July, 2021.

MOTION CARRIED: 4 - 0

## **8. TOTAL PAYROLL FUNDING**

(Paychecks, Jovia, Deferred Comp, Taxes and Accudata Fee) Mr. Tomicich, Board Treasurer, has approved the following Gross Payrolls:

July 22, 2021	\$51,822.78
August 5, 2021	\$55,226.13

## **9. COUNSEL’S REPORT**

Unfinished Business:

A. Intellectual Freedom Policy

The Intellectual Freedom Policy has not been reviewed since 2012. Many of the ALA principles listed have been recertified and need date changes; with only a minor change regarding the Core Values of Librarianship. The statement and resolution for the Board of Trustees was originally

adopted in 1973. After review and discussion, the board has asked the director to forward the updated policy to library counsel for approval.

New Business:

A. Cyber Security Policy

The library director and Chris Jelley are currently working on creating this policy. Trustee Richard Smith has offered to obtain information for the director regarding cyber security policies.

**10. DIRECTOR'S REPORT**

A. Director's Report

Circulation for the month of July 2021 was 6,981 items, up 1,820 items from July 2020's usage of 5,161 items; which represents an increase of 26.07%. The library's door count for July 2021 was 7,145 visits, up 3,955 visits from July 2020's total of 3,190. This represents an increase of 55.35%. In July 2021 there were 3,193 visits to the library's website, down 237 visits from last July's 3,430; representing a decrease of 7.42%.

The board stated they would like to see Café operations resume with prepackage food and beverage available. The director has been in contact with Canteen Vending regarding the re-opening of the library Café. The director can arrange for the re-opening of the café on Friday, 8/20/21 according to a Canteen Vending representative.

Mr. Pezzulo made the motion, seconded by Ms. Schulz:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees has approved the re-opening of the library Café Area by Canteen Vending.

MOTION CARRIED: 4 – 0

The library will be resuming indoor programs starting October, 2021. Safeguards, social distancing and limiting the number of patrons per program will be necessary to comply with CDC and NYS guidelines.

The library director will take vacation beginning Monday, August 30, 2021 and will return on Tuesday, September 7, 2021.

A. Personnel Action Report

Michelle Marcus and Ana M. Ritter - Librarian I (PT, Substitute) were both terminated effective 08/03/2021 due to their unavailability.

The director has appointed James Grzybowski, Librarian I (PT/Substitute) effective 09/07/2021 and Nilda Garcia, Typist/Clerk (PT – up to 17 hours, \$15.50/hr.) effective 09/08/2021.

We are in the process of hiring a substitute Librarian I (PT, Substitute) and have found a second candidate, North Merrick resident Deborah Goldman, who would be suitable. We seek approval to hire Ms. Goldman. Both substitutes would be at the \$26.00 an hour pay rate. There will be no increase in cost to the library to have them on staff as call-in librarians.

Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the hiring of two (2) part-time, substitute Librarian I positions (\$26.00 per hour) and one (1) Typist/Clerk for a maximum of 17 hours (\$15.50 per hour).

MOTION CARRIED: 4 – 0

#### C. Department Reports

There was no discussion or comments regarding Department Reports.

### **10. UNFINISHED BUSINESS**

#### A. Appointment of Labor Counsel – Jaspan, Schlessinger LLP and Volz & Vigliotta, PLLC

At the Reorganization Meeting on July 20, 2021, the appointment of labor counsel was tabled until the August board meeting. After discussion, the board has decided to approve two (2) labor counsels.

Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees has approved the law firms of Jaspan, Schlessinger LLP and Volz & Vigliotta, PLLC for Labor Counsel.

MOTION CARRIED: 4 - 0

#### B. Path/Patio Project

In 2019 the Library applied to the NYS Library Construction Grant Program for funding to build a Café area, an outdoor brick/paver path and a patio adjacent to the Garden Room, and to replace the security camera system. The security camera system was installed and the construction of the Café was completed. The deadline to complete the project by constructing the path and patio was June 30, 2021 (and a one-year extension may be applied for to complete the project by June 30, 2022).

At the August 25, 2020 meeting, the trustees authorized constructing the path/ patio in 2020 if the project could be completed by October 23, 2020; otherwise the project would be completed in the

spring 2021. After the board meeting, the director learned that the timeline to complete the project by October 23, 2020 was too tight. The director was advised that the board should allow three to six months to complete the project from the engagement of an architect and the execution of the public bid, through to the completion of construction. Further, the director was advised that the optimum time to begin the planning and bidding of the project would be in the winter (i.e. between November and February) when contractors are less busy and are planning and setting up jobs for the next year. A traditional architect should be used instead of a landscape architect because the later likely will not have the necessary level of insurance and bonding.

Brad Gustavson advised that “whether this professional has insurance or not is up to each individual company.” Five landscape architects were contacted and the majority felt that they would be unable to handle the requirements of the grant.

In a letter dated October 14, 2020 we received notification from Senator John E. Brooks that the Library has been awarded the grant monies requested through the NYS Construction Grant in the amount of \$65,878.00 which constitutes half of the \$131,756 project total indicated in the grant proposal. The Library received the first installment of \$59,290 on November 13, 2020. The final 10% will be distributed upon completion of the project.

Gustavson/Dundes is in receipt of the signed agreement to act as architect to draw plans for the path/patio and then oversee the bidding process and completion of the project.

Brad Gustavson visited the site on Friday, December 11, 2020 to take measurements and photographs. We discussed the need for increased drainage and sprinklers. Brad indicated that there may be amendments to the plantings in the Hicks Nursery plan. He inquired as to whether we have a company in mind to do the plantings. When his plan is finalized he will attend a Board meeting to discuss the plan.

Brad Gustavson attended the February 11, 2021 board meeting. During the meeting Mr. Pezzulo indicated that there may be an existing drainage system that may be utilized for the pathway. Mr. Gustavson is in possession of the architectural drawings of the Garden Room and will review.

Three quotes for removal of the trees on the south side of the building:

Howard’s Tree Service - \$3,400

Island Greenery - \$3,000

Allstate Tree and Shrub Corp. - \$3,175

At the March 16, 2021 the board approved the work be done by Island Greenery. This was completed on Monday, March 22, 2021.

Quotes for the path/patio:

Rubby Hone Inc. - \$98,900

Stasi Brothers – \$39,475 (amended from original plans)

Stasi Brothers - \$57,605  
Presti Construction - \$82,000  
Island Greenery – \$34,490

At the April 6, 2021 meeting the Board of Trustees approved the contract with Island Greenery at \$34,490 with the stipulation that Ric Castellon review and approve the proposal. Mr. Castellon has reviewed and approved said proposal. We have contacted Island Greenery to award them the contract. It will take a minimum of twelve weeks to order the materials, and then we will arrange for the installation.

Due to the delay, the director has completed the paperwork to apply for a one-year extension of the Library Construction Grant. This should provide adequate time to complete the project as well as obtain the closing documents.

It appears that we will be considerably under budget for this project, so in addition to the extension, the director will also be applying for an amendment of scope to broaden the original application. The director requested discussion regarding the possibility of including the installation of the sprinkler system, the lighting as well as the benches to the existing grant.

The pavers have been ordered. The director was informed that the darker pavers have arrived, and the lighter pavers should be received within a month. As discussed at the June 15, 2021 board meeting, Schumacher Electric did not recommend installing solar powered lighting for the path.

**Sprinklers:**

Old Mill Lawn Sprinklers LLC – \$3,600  
Island Greenery - \$5,000  
Unique Backyards - \$7,200

**Lighting:**

Schumacher Electric, Inc. - \$15,458 (as presented at the March 16, 2021 meeting)

As the board requested at the July 20, 2021 board meeting, the director contacted Schumacher Electric, Inc. and confirmed that the quote received is an “all inclusive” price. The signed capital improvement certificate will be provided to the library. The director also contacted Island Greenery to ask if they could possibly be more competitive with the pricing for the sprinkler system and was able to obtain a revised quote for \$4,500.

Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the proposal from Island Greenery for library green space plantings in the amount of \$22,471.

MOTION CARRIED: 4 – 0

### C. EV Charging Station

At the July 21, 2020 board meeting, Nick Dattilo, Regional Sales Director of PlugIn Stations Online, gave a presentation to the board regarding ChargePoint EV Charging Stations. ChargePoint is the most widely used brand of charging equipment and software in the U.S.

ChargePoint provided three different estimates to provide a dual Output EV station at the Library, as follows:

- \$18,427.57 – if installed immediately outside of the employee entrance
- \$21,860.12 – if installed in the rear parking lot near the Len Kirsch Meeting Room
- \$29,219.46 – if installed adjacent to the front parking lot flagpole.

Of the three choices, the board favored locating the equipment in the rear parking lot.

It would cost an additional \$2,400/year (billed annually) for a five-year subscription to CPaaS for a dual-port station, or an additional \$1,800/year (billed annually) for a five-year subscription to CPaaS for a single-port station.

There is a New York State NY rebate program that may help to offset the purchase cost by providing a rebate of up to \$4,000/port (\$8,000/dual-port station).

At the board meeting, the trustees requested that a quote also be obtained from a ChargePoint competitor, EV Block. Upon contacting the competing manufacturer, the library director was told that the company's regional salesperson was also Nick Dattilo. Mr. Dattilo told the director that the EV product was positioned for the home use market, would not have the durability of the ChargePoint equipment, and offered a much lower quality service contract; therefore, he could not recommend the competitive product for our multi-user, non-residential use.

The director has recently been in contact with Nick regarding the potential installation with NYS Construction Grant funding and updated pricing for the three options. This pricing does not include the 8% fee that would have been charged. The changes only indicate the increased cost of materials.

- \$19,106 – if installed immediately outside of the employee entrance
- \$23,976 – if installed in the rear parking lot near the Len Kirsch Meeting Room
- \$30,716 – if installed adjacent to the front parking lot flagpole.

In order to include this project in the grant application, a decision regarding placement of the EV charging station is needed. The rear parking lot near the Len Kirsch Meeting Room is approved.

#### D. Teen Space Construction Project

Architect, Brad Gustavson, was engaged to design the Café area and the new Teen Space. With the Café area complete, the second half of his project, the new Teen Space, remains open. There is no grant attached to the new Teen Space and therefore no deadline to complete that project. (This project is not eligible for funding from the NYS Construction Aid Program).

Mr. Gustavson presented plans and cost estimates for the project. Brad also contacted interior designer, Toni Sabatino, and requested that she put together a proposal of furniture and interior design items with costs for board review. As discussed at the March 23, 2021, meeting, Ms. Sabatino was notified via email that the board is satisfied with the plans that she presented and we are ready and excited to move forward. She will be in touch with Mr. Gustavson regarding her design ideas. Brad Gustavson is currently in the process of selecting a renderer to prepare the color rendition of the proposed Teen Room.

The director is in receipt of a quote from East End Construction for this project in the amount of \$74,960. This is beyond the bidding estimate of \$35,000. The library director met with Tom Lippolt from Design Plus Construction to obtain a proposal, and was told she should have it prior to the September 21, 2021 Board meeting.

Should this estimate also exceed the bidding estimate, the director has reached out to Mr. Gustavson to determine if his retainer covers the bidding process. Brad has indicated that he will assist us with obtaining a contractor.

#### E. NYS 2021 Public Library Construction Grant Program

The New York State Public Library Construction Grant Program that was offered for the past several years will be offered again this year.

If the board wishes to participate in the 2021 Public Library Construction Grant Program, an eligible project must be agreed upon in May in order to allow enough time to get construction estimates and also to file all of the necessary application forms within the anticipated July/August deadline.

According to New York State Guidelines, eligible projects include:

- Replacement of permanent components of a library building, including but not limited to windows, doors, roofs boilers, HVAC systems and lighting.
- Wiring for technology (but not for the purchase of computers).
- Projects that create energy conservation.
- Construction of an addition to a building (but not renovation of existing space).
- Purchase of land to build on or to increase the number of parking spaces.
- Reconstruction of a parking lot (but not resurfacing).



- Projects that improves access to the use of building services by all library users, including those with physical disabilities.

Ineligible projects include costs associated with what typically is routine building maintenance, for landscaping and for the purchase of furniture.

According to Shakema Miller at Nassau Library System the pavilion, as discussed at the December 2020 meeting, does fit within the parameters of the grant program. The Regan Insurance Company has given us a preliminary quote that indicates that the increase in premium for this project may be approximately \$280 additional per year.

Regarding the EV Station, Shakema Miller at NLS replied, “I have heard back from DLD. This is the response they provided with the information given”:

It's hard to predict exactly what DASNY will accept as a construction project, but both the EV station and gate along the back of the parking lot seem like good projects as long as there is an element of construction: grading the land, installing a concrete pad, installing fencing, etc. and it costs more than \$2500 (the minimum award). More details would be needed to make a determination.

At past meetings, the board indicated interest in the following:

- Pavilion
- Electric Vehicle charging station
- Gate along the entrance to the rear parking lot

The director suggested in conjunction with the Rhodes Grant funding, that the board investigate upgrading the lighting in the Children’s room to energy efficient fixtures.

The director has been in touch with the vendor for the EV charging station and he indicated there may be a conflict regarding the grant that he submits. The director has reached out to Shakema Miller at NLS to investigate this. The grant is still the best option as it will cover half of the project.

The online application portal is active. NLS’s allotment of the funds is \$2,001,476. The director submitted an intent to apply by July 16, 2021.

The director has obtained two quotes for the proposed pavilion (\$135,000 from East End Construction; \$165,000 Fidele Construction, Inc.) The project will need to go to bid and will need a permit from State Education. The director was unable to obtain a proposal for the lighting in the Children’s Room in time for the current grant.

There are three documents that Mark Davis, President of the Board of Trustees, must sign at this meeting; Assurances, Short Environmental Assessment Form, and Certification of Available Funds. The grant must be submitted Wednesday, August 18, 2021 by noon.

#### F. Covid Regulations

After discussion regarding social distance, mask wearing, and following the CDC and NYS guidelines, the board will hold to its present requirements until hearing what protocols the North Merrick Public School System will put forth. At that time, the library will adopt and adhere to the same safe guards. To date, the school district has not stated its guidelines.

#### G. By the Cover Insurance Policy – Regan Insurance Agency

Our insurance company is comfortable with the levels of coverage at this time. Kevin Regan said the only other coverage available to us would be by cyber extortion. The cost to add this to our policy is \$113 per year with a \$50,000 limit, or \$184 per year for a \$100,000 limit. After consulting with the Assistant Director of NLS, the library director would recommend adding this additional coverage to our policy.

Ms. Schulz made the motion, seconded by Mr. Smith:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the addition of a cyber extortion insurance policy in the amount of \$184 per year for a \$100,000 limit.

MOTION CARRIED: 4 – 0

#### H. NYLA Annual Conference, Syracuse, NY

The NYLA Annual Conference is being held Wednesday, November 3 – Saturday, November 6, 2021 in Syracuse, NY. Early registration began August 1, 2021. According to the 2020-2021 Approved Budget, we have allotted for a total of 3 attendees. Maeve Schulz has expressed interest in attending and Dick Smith has early registered.

### **11. NEW BUSINESS**

#### A. Trustee Training – Trustee Handbook Book Club, etc.

NLS sent out an email regarding upcoming trustee training throughout the Fall and Winter, 2021. (Starting in 2023, two hours of Trustee training will be required each year.) The first classes deal with the Trustee Handbook and are being held virtually (October 19, November 16 & December 14, 2021) at 5:00 p.m. Copies of the handbook are available for any trustee that needs one for the training. There will also be a virtual meeting on Thursday, September 9, 2021 at 7:30 p.m. covering the Board Trustee/Director Relationship.

#### B. Annual Employee Recognition Breakfast

Beginning in 2009, a Staff Recognition Breakfast has been held annually on a Friday morning in the early Fall. All of the library's employees, the library trustees and the board of the Friends of the Library have traditionally attended this event.

At the breakfast, staff members who have reached milestone anniversaries of association with the Library are recognized. This year five staff members will be recognized: three achieving 5 years of service, one achieving 25 years of service, and one staff member achieving 35 years of service.

Due to restrictions from the pandemic and social distancing requirements, last year the breakfast was held outdoors and was a lovely event. As the pandemic is still upon us, the director would like to hold this year's event, again, outside.

The director recommends having the breakfast on Friday, October 8, 2021, with a rain date of Friday, October 15, 2021. The Recognition Breakfast will take place from 9:00 a.m. to 10:30 a.m. (with a delayed 11:00 a.m. opening of the library.)

Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the Annual Employee Recognition Breakfast to be held outside on library grounds on Friday, 10/8/21 (rain date 10/15/21) with a delayed opening of the library at 11:00 a.m.

MOTION CARRIED: 4 – 0

#### C. Workplace Violence Training

Training for Workplace Violence is mandated by Section 27-b of the New York State Labor Law for our employees. The library director has received a proposal for Workplace Violence Training from the Emergency Response Consulting Group, Inc. in the amount of \$350 for a one-hour session. Ideally, the training will be held on a Friday morning in November prior to opening.

Mr. Smith made the motion, seconded by Maeve Schulz:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the proposal for Workplace Violence Training by Emergency Response Consulting Group, Inc. for a one-hour session in the amount of \$350.00 to comply with NYS Labor Law mandates.

MOTION CARRIED: 4 – 0

#### D. Gate for rear parking lot

The director has been advised of issues concerning late night visitors in the rear parking lot. A patron contacted the library, via Facebook, regarding young adults misbehaving between 10:00 p.m. and midnight in the rear lot. The director contacted Community Policing regarding these disturbances and was assured that there would be greater monitoring of the area, but this has not

alleviated the issue. The director will contact Steve Rhoades' office to request help in policing the rear parking lot.

#### E. Early Voting

Phil Jordan, from the Board of Elections, contacted the library on Thursday, August 12, 2021 to inform the director that the Board of Elections did not choose the North Merrick Public Library as an early voting site for the upcoming election. The library will be a polling place for the General Election; which is held on Tuesday, November 2, 2021.

#### F. Request to use the Community Room/Lady's Rosary Makers

Our Lady's Rosary Makers has requested permission to meet in the library once a month, on a Saturday, to make free rosaries for the community. The board has agreed to their request providing the Saturday of each month is flexible and for a six-month trial period.

Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees approved the use of a meeting room one Saturday a month for the Lady's Rosary Markers for a six-month trial period.

MOTION CARRIED: 4 – 0

### **12. MEETINGS AND CONFERENCES**

#### A. Board Meetings:

1. September 20, 2021 – 7:15 p.m. (Monday)
2. October 19, 2021 – 7:15 p.m. (Tuesday)
3. November 16, 2021 – 7:15 p.m. (Tuesday)
4. December 21, 2021 – 7:15 p.m. (Tuesday)

#### B. Events, Meeting and Conferences:

1. October 19, 2021 – Trustee Handbook Book Club at 5:00 p.m. (virtual)
2. October 23, 2021 – Saturday – Merrick Fair
3. November 2, 2021 – Tuesday – General Election
4. November 3-6, 2021 – NYLA Annual Conference, Syracuse, NY
5. December 8, 2021 – Wednesday – NLS Annual Meeting at 7:30 p.m. (held virtual and in person)

### **13. CORRESPONDENCE/CURRENT EVENTS**

There were no correspondence/current events.

#### **14. PUBLIC COMMENT**

There was no public comment.

#### **15. EXECUTIVE SESSION**

At 9:08 p.m. Mr. Smith made the following motion, seconded by Ms. Schulz:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees enter into an Executive Session to discuss Personnel issues.

MOTION CARRIED: 4 – 0

At 9:28 p.m. Mr. Smith made the motion, seconded by Mr. Pezzulo:

BE IT RESOLVED, that the North Merrick Public Library Board of Trustees close the Executive Session.

MOTION CARRIED: 4 – 0

#### **16. ADJOURNMENT**

At 9:29 p.m. Mr. Smith made the following motion, seconded by Ms. Schulz:

BE IT RESOLVED, that the August 17, 2021, meeting of the Board of Trustees of the North Merrick Public Library be adjourned.

MOTION CARRIED: 4 – 0

Respectfully submitted by,

*Jane E. Taylor*

Jane E. Taylor, Secretary

On behalf of the North Merrick Public Library