

**Trustees of the Jones Library, Inc. and the Town Libraries
Minutes of Meeting on Friday, 13 August 2010
Large Meeting Room, Jones Library, Amherst**

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Trustees Present: Patricia Holland, President; Kathleen Wang (arr. about 4 p.m.), Chris Hoffmann, Carol Gray, Sarah McKee

Trustee Absent: Emily Lewis

Staff: Library Director Bonnie Isman

Public:

Recorded by: Chris Hoffmann

Called to Order: 3:38 p.m.

President's Report: Ms. Holland read a letter dated August 12, 2010, from Robert C. Maier, Director, Massachusetts Board of Library Commissioners (MBLC, in response to a citizens' petition dated August 3, 2010, from former Trustee Nancy Gregg to the Trustees, asking the MBLC to investigate the procedures that the Trustees' evaluation committee had used for the 2010 evaluation of the Library Director. Mr. Maier wrote that the MBLC does not undertake such investigations. He suggested that the Board retain a qualified person to mediate a consultation between the Board and Director as to appropriate roles.

Ms. Isman has obtained the names of four qualified persons from Greg Pronovitz, Executive Director of the new Massachusetts Library System, which has replaced the previous regional Massachusetts library systems. Ms. Isman knows all four.

Public Comment:

- *NS* Tina Swift, Business Office Manager of the Jones Library and Shop Steward, Local 888 of the Service Employees' International Union, which represents a number of library employees, presented a letter from the bargaining unit as to a vote of no confidence in the evaluation committee. She was concerned that the evaluation process had produced eight months of stress for the staff.

Ms. Holland replied that the Trustees would take that seriously.

- Mr. Will Bridegam, former Trustee and former Director, Frost Library, Amherst College, presented a statement as to a general perception that the Trustees were in a crisis situation; that there was a lack of consensus on the Board as to the content of the Director's evaluation; that library

employees were concerned by the evaluation committee's questioning; that some Trustees did not understand the appropriate limits of their authority; and that no library can continue like this.

- Ms. Tamson Ely, retired librarian, said that she was disheartened; that there was lack of respect for staff, and a suggestion that Trustees were flying blind.
- Ms. Bonnie Vigeland, college librarian and President of the Friends of the Jones Library System who has served on its Board for 15 years, seconded Mr. Bridegam's comments and voiced support for Ms. Isman, specifically with respect to her accomplishments in collections, staff, and outreach.
- Ms. Gai Carpenter, librarian and archivist, said that as a member of the Historical Commission, she would have expected the Director to present the Jones Library's FY2011 request to the Community Preservation Act Commission, and that Trustees would have delegated that task to staff.
- Mr. Walter Wolnik noted that the Recommendations that the evaluation committee made to the Board include one to review the evaluation process, and asked that the Board take this seriously. As to the recommendation for additional committees, he said that there has been a proliferation of committees during the past year, and that Board members who can spend 40 hours per week on the libraries get disproportionate influence.

Treasurer's Report: Mr. Hoffmann does not yet have a reply as to the endowment balances.

Director's Report:

- Building projects
~ Painting of the Jones Library exterior: the majority of the work is done. Ms. Isman asked approval of up to \$2,250 from the capital article to clean the windows inside and out after painting. She has estimates up to \$2,350. Ms. Gray asked whether it was acceptable to use money appropriated for painting for cleaning. Ms. Isman said that it was, and she has checked references.

Ms. Holland moved that we approve up to \$2,250 for cleaning windows inside and out. Ms. Gray seconded. All Ayes.

Ms. McKee asked whether the punch list, that is, uncompleted items that the contract covered, had been made up. Ms. Isman: No.

~ Controls Upgrade for archival Heating, Ventilation, and Air Conditioning (HVAC) system for Special Collections: The July 27, 2010 proposal from Lindgren & Sharples, P.C., Consulting Engineers, Springfield, MA, is for a fixed fee of \$4,750 for the Phases of I.

Construction Documents; II Bidding; and III Construction Administration. The \$4,750 takes into account potential changes of expanding the Special Collections storage area to take over part of the Reading Room. Ms. Gray had talked with mechanical engineer Julia Weatherby, of Lindgren & Sharples, who said that a larger area to be cooled, etc., would cost more money. Ms. Isman observed that the physical equipment would cost more if the storage area is enlarged, but would the design cost more. Apparently not.

Ms. Holland moved to accept the Lindgren & Sharples proposal. Ms. Gray seconded. All Ayes.

~ Painting exterior of North Amherst Library: Ms. Isman reported that there may be lead involved, so we need to refresh the estimates we have. Mr. Moore has not yet done so. Mr. George Hicks, Building Supervisor, is getting a quote from Exterior Cleaning Place in Leicester, which is painting the exterior of the Jones. The North Amherst Library needs some carpentry work, though not too much. In several areas the brickwork needs repointing. Ms. Isman will seek an estimate within the week for the masonry work.

~ Jones Library insulation: Ms. Gray asked the status. Ms. Holly Bowser, *Contracts Administrator* at Town Hall says that we must get 3 contractors' quotes even though CET, the energy audit firm, gave an estimate of the cost. So we need two more quotes from competent contractors. A member of the public suggested that we use change orders to our contracts rather than getting more quotes.

~ Caulking for Atrium glass ceiling: Ms. Isman: We have funding from the Town Capital account that we can use to have Chandler Architectural Products, a glass and glazing contractor, clean and caulk the North and West sides of the Atrium glass. She requests funds, not to exceed \$2,500, from the Capital Projects account for repairs to the new roof. She is unable to find anyone else who does this work. Ms. Holland moved to appropriate up to \$2,500 for the purpose. Ms. Gray seconded. All Ayes.

Motion by Mr. Hoffmann: That the Board of Trustees of the Jones Library System pledges its commitment to the Code of Ethics contained in the MBLC Trustee Handbook of July 1, 2000, pp. 1.08 - 1.10, consisting of the Ethics Statement for Public Library Trustees, Code of Ethics of the American Library Association, and Golden Rules for Board Members.

Ms. Wang: seconded.

Ms. Gray: Topic is not on the agenda. Some items are from Mass. law; some are from other states.

Mr. Hoffmann: Ms. Holland said that this would be on the agenda. He wants the Board to:

- admit that we have a problem;
- learn what we're doing wrong;
- rebuild – use teamwork – he'd like to do this with the staff;
- take baby steps – go back to basics; work as a team; and the team decides whether to ask the Director to do things.

Ms. Gray agrees that we should act as a board; going to the press first is inappropriate and divisive.

Ms. McKee: Would like a serious session with the consultant first before voting.

Ms. Gray moved to table this discussion for a later date. Ms. Holland seconded.

Ms. Wang: Recommends that Trustees vote on this tonight. It would be disturbing to put this off. New Trustees should take it upon themselves to get training. Ms. Wang sat down with Ms. Isman and an MBLC representative who gave her a 3" binder: We need to have someone walk new trustees through boundaries.

Ms. Gray: The motion included the Ethics Statement for Public Library Trustees, a no-brainer; the Code of Ethics of the American Library Association, ditto; and Golden Rules that may or may not be consistent with the 1984 Trustees' – Select Board Memorandum of Understanding, and the Director's employment Agreement of 1985. We want to do this responsibly.

Ms. Holland: Asking us to sign on to a Code of Ethics implies that we haven't acted ethically and attacks the work of the committee.

Ms. McKee: Trustees learned of the 1999 Recruitment and Hiring Policies only this past March.

Ms. Isman: I told new Trustees that there was a Trustee policy manual with a copy behind the Office Assistant's desk. It has the American Library Association Bill of Rights already, as well as the ALA policy concerning access.

Re motion to table this topic to the next Trustees' meeting: 3 Ayes; 2 Nays.

Modification of 2008 Policy on Patron Rights and Responsibilities as to cellphones: This provides: "Cell phone usage for conversations is permitted in the lounge next to the east entrance only." Reference librarian Janet Ryan explained: per staff, it's really an issue of noise level issue, not of cellphones. Frequently people need to be on a library computer and on a cellphone simultaneously.

Ms. Holland moved to accept the staff's proposed change, given below.

Considerable discussion. Anita Page, former Board president and a Trustee when the Board adopted this policy, noted that people tend to speak more loudly when on cellphones and that staff would have problems with the proposed change. A member of the public noted that cellphone ringing is a distraction. Yet Assistant Library Director Sondra Radosh noted that many mothers keep their cellphones in their babies' diaper bags, and would not notice cellphones set on "vibrate."

Ms. McKee asked whether the paper brochures with the Policy as well as the online version would be changed to conform with the new provision. Ms. Ryan: Yes.

Ms. Wang: Is cellphone use OK in the Fiction and Mystery Rooms? Ms. Ryan: No. Ms. Wang proposed the language in bold to the proposed new provision, below:

The Fiction and Mystery Rooms are designated as quiet areas **where cellphone use is not allowed**. Throughout the rest of the building, noise and talking are expected to be kept at low levels out of consideration for other patrons. Staff will remind patrons to be quieter if noise levels could be disturbing to others.

Ms. Holland seconded the motion as modified in bold above. All Ayes. I noticed the duplication for motion and seconding only upon typing these minutes, and have asked to have it cured at our next meeting.

Rental of Harlan Fiske Stone Room on the Third Floor of the Jones: Ms. Isman: This had been rented for \$500. per month. About a year ago, Trustees directed staff to reread it. A lawyer now wants to rent it for one year at \$250. per month. Two Realtors © have informed Ms. Isman that the market rate right now would be \$225. Clients would be visiting this office.

Considerations: Special Collections Curator Tevis Kimball is using the Stone Room right now to sort and process the backlog of manuscripts. The room next to the Stone Room has some Special Collections materials. Public, Mr. George Goodwin: The other room is that of the Friends of the Jones Library, who use it to store books and materials for their Valentine baskets. Ms. Gray: We do have a space committee looking at the use of space in the Jones: some libraries put their offices on top floors. Ms. McKee: It is unlikely that any such move could happen in less than a year. Ms. Holland: This directly affects the libraries' budget. Ms. McKee: Could Special Collections use the Trustees' Room to process manuscripts, as the Disability Access Committee wants the Trustees to meet in the downstairs meeting room? Ms. Radosh: The Jubilat Poetry series & assembly of the Friends' baskets both use the Trustees' Room. Ms. Kimball: Is flexible.

Ms. Wang moved to OK the Director's leasing the Harlan Fiske Stone Room at market rate or better. Ms. Holland seconded. All Ayes.

FY2011 Funding Worksheet: This shows that \$2,600 is left from FY2010. It's at Town Hall. Ms. Wang: How is the emergency fund doing? We'd wanted to have 10% of the budget amount in it. Ms. Isman: It's not going up. Ms. Gray: We could do other things with this money, e.g., if we had a personnel committee, we could look at the comparable worth of the Building Supervisor, in conformity with the union contract. Ms. Isman: We've used the LSTA grant for ESL salaries this summer. We could use the \$2,600 for books and materials. Public, Ms. Kay Moran: This is one time money. Use it for a one time purpose, not a continuing commitment.

Ms. Wang moved to accept the \$2,600 into the FY2011 budget, and to ask Ms. Isman for a list of options based on library needs. Ms. Holland seconded. All Ayes.

Ms. Swift, Business Manager and SEIU Local 888 shop steward, cautioned not to violate the union contract.

Next two agenda items: Review of open meeting law; schedule for JCPC and CPAC requests: Ms. Gray moved to table these. Ms. Holland seconded. All Ayes.

Director' 2010 Evaluation: Mr. Hoffmann observed that the minutes of the July 16 meeting of the evaluation committee fail to indicate that the committee voted on the evaluation, so it's not final; and Ms. Holland had said that the committee's public Recommendations were related to the confidential Goals so he thinks that it looks squishy. Ms. Gray noted that the committee had been following the trustee policy as closely as possible: "the subcommittee will complete its report" and the committee had provided copies. She opined that an email of Mr. Hoffmann's comes perilously close to making the evaluation report a public document. As to the committee's having kept Mr. Hoffmann out of an executive session of the committee, she noted that this was OK per Town Counsel as it would have violated the Open Meeting law had he been in it. Ms. Gray also referred to an email of Ms. Holland's saying that the evaluation report was final.

Mr. Hoffmann said that we need to adjourn and discuss the five page letter that we received from Town Counsel 45 minutes before the meeting. Mr. Hoffmann and Ms. Gray differed as to whether a committee could go into executive session, Ms. Gray reading from the July 29 emailed opinion from David Jenkins, Esq. Additional discussion with no conclusion. Ms. Isman's lawyer reportedly thinks that the evaluation needs to go before the whole board, though notes do not record who said this. Ms. McKee: Neither she nor Ms. Gray was acting as a lawyer here.

Ms. Wang moved that we schedule a meeting as soon as possible to take this up. Mr. Hoffmann seconded. Four Ayes. Ms. Gray abstained.

Ms. Wang noted that we need to be respectful of Ms. Isman.

Next Meetings: Sept. 7th meeting will be in the Trustees' Room. We will also meet on Monday, Sept. 27th.

Adjourned at 6:01 p.m.

Respectfully submitted,

Sarah McKee
Clerk

Documents cited:

- Letter from MBLC Director Robert Maier dated August 12, 2010
- Letter of no confidence from SEIU Local 888
- Statement from Mr. Will Bridegam
- Letter proposal dated July 27, 2010, from Lindgren & Sharples, P.C., Consulting Engineers, Springfield, MA
- Staff proposal for noise policy modification to Policy on Patron Rights and Responsibilities
- FY2011 Funding Sheet
- Letter dated August 13, 2010, from David C. Jenkins, Esq., of Kopelman & Paige, P.C., re Executive Session
- Emailed opinion from Mr. Jenkins dated July 29, 2010

Saved as: TR 08-13-10