

Minutes of the Meeting of the Trustees of the Jones Library, Inc. and the Town Libraries, Tuesday, September 7, 2010, Trustees' Room of the Jones Library

Trustees Present: Patricia Holland, Chris Hoffmann, Emily Lewis, Sarah McKee; Ms. Kathleen Wang arr. 7:08 p.m.

Trustee Absent: Carol Gray. Via Skype, Ms. Gray observed as a member of the public. The Massachusetts Attorney General has not yet ruled on whether members of public bodies may participate via electronic communication equipment from remote locations.

Director Bonnie Isman; Staff

Public; Press

1. Called to order: 7: 04 p.m. The meeting was recorded.

2. Minutes: August 13, 2010: Ms. Holland moved to accept. Mr. Hoffmann seconded. All Ayes.

3. Public Comment:

- **Mr. Will Bridegam:** Is sorry that the public is not allowed to participate in the Trustees' meetings after the public comment period. He wants the Trustees to schedule their meeting with a consultant as an open meeting, or meetings, and wants them to seek public input on meeting agendas as well as making the agendas public before any such meeting.
- **Mr. Walter Wolnik:** Wants trustee meeting agendas posted on the Libraries' website along with the minutes. He looks forward to discussions of the FY2011 evaluation process; has watched the Select Board discussing how to evaluate the Town Manager, including a procedure for taking account of potential retaliation from management against staff. He noted that a letter from Ms. Tina Swift, the Libraries' Business Office Manager, had expressed concern about retaliation from the FY2010 evaluation committee. He suggests that the evaluation committee should cast its net wide, to let all Trustees and former Trustees comment. The FY2010 evaluation committee did not contact all former Trustees.
- * **Ms. Kay Moran** was concerned that the meeting would run after 8:30 p.m., when she believed the Library to close. But is now closes at 9:30 p.m.
- * **Ms. Mary Streeter:** concerning public comment throughout a Trustees' meeting, she has attended a library committee meeting at which the public commented throughout, and sometimes without raising their hands. She commended the Trustees for doing a good job. She said that if you go to the Town events calendar or to iCal, you should have the agendas.

* **Trustee Chris Hoffmann** apologized for raising his voice at meetings; said that he hadn't intended any disrespect to the Trustees and would like to be calmer going forward, with the Board working as a team. Trustee President Holland appreciated this, and quoted her father as hoping that it wouldn't happen again.

* **Trustee Emily Lewis** has spoken with the Town Clerk, who will not post our agendas in their entirety because the public agenda postings have a word count limitation.

* **Mr. Walter Wolnik** wants agendas on the Trustees' website.

4. President's Report

- **North Amherst Garden:** Planting will start when the weather cools down. There may be a fundraiser: no decision yet.
- **Re a facilitator for a session on Trustee / Staff roles,** Ms. Holland has spoken to three of the four experts recommended and sent an email today to the fourth. Concerning topics to be discussed, she emailed a draft list of issues to Trustees on Sept. 5, 2010, for discussion, appended. Mr. Hoffmann referred to an email of his dated September 2, 2010, appended. He thinks that it's ideal for the facilitator to meet individually with each Trustee; that staff issues are very important, as well as higher level issues of roles & responsibilities.

Extensive discussion of purpose of moderator. Ms. Isman expressed a preference that the mediator be used for clarifying roles from this point forward, without going over everything from the past. Ms. Lewis said that she would find it important to also discuss things of the past since the issues of trust that have arisen.

Other issues discussed: whether to include staff as part of team-building & whether, if so, we'd need a different facilitator; whether staff would prefer anonymous input; or meeting as a group; what would work for the staff, e.g., whether they felt respected, or felt that their comments were taken out of context; and whether a session should be public. Ms. Wang suggested an anonymous staff survey made by a professional of questions to which Trustees want answers, with a 1 – 5 ranking of whether staff were satisfied or not, then an open response part. This would provide quantitative data, including knowing how many responses were needed for statistical **validity**.

Ms. Wang considers A#1 on Ms. Holland's list of proposed topics, monthly expense reports listed by department, including amounts available for each department head to spend, as "definitely important." As to A#2 and A#3 on Ms. Holland's issues list (more detailed financial reports; alerts on

maintenance issues) Ms. Wang wants more feedback.

Ms. Holland liked the staff survey idea and would remove from the list the D section, Trustees' relations with library staff. Ms. Lewis expressed extreme dismay that staff did not trust the Trustees; thinks lots of reassurance from Trustees to staff essential as well as staff input on survey idea. Ms. Lewis expressed a feeling of being 'surveyed-out' at this point, preferring instead to meet with staff and hear what they think.

When Ms. Holland was handed an emailed memorandum from Ms. Gray, Mr. Hoffmann and Mr. Wolnik (public) immediately objected to its being read out. Mr. Jim Oldham (public) objected to Mr. Wolnik's outburst. Ms. McKee said that, as Trustees, the Board was responsible for the money, so that items on accounting were not appropriate for a mediator. Ms. Isman agreed, saying that you can solve those by hiring an accountant.

Another thought, from Mr. Bridegam (public) and presented by Ms. Holland, was whether to have a single overarching topic of differentiating Trustee & Director roles concerning capital projects. Relationship with the Friends did not seem like a permanent issue.

Ms. Isman: Do we need something in writing from the mediator? That would be a separate deliverable, and billed separately. Some discussion of which candidate the Trustees would prefer. Ms. Holland will mull Ms. Isman's thoughts about a facilitator who would take the time to be thorough.

Discussion of which of the mediators listed in Ms. Holland's memo were preferred and why. Considerations included whether or not the mediator had experience as a Library Director (Ms. Holland thought such a background would be helpful; Ms. Lewis preferred someone who had not been either a Director or a Trustee), cost, techniques suggested by the various mediators (e.g., that each Trustee be interviewed separately to start with); considerations regarding their backgrounds. Tabled by consensus to next meeting.

5. Treasurer's Report: Endowment balances. As of August 27, the Endowment was \$7,763,569.10 excluding the Woodbury money, and the Woodbury money totaled \$436,239.13.

6. Director's Report:

a) Building projects:

* **Atrium elevator:** Engineering plans will be ready to go out for bid when Ms. Isman gets back on September 20th. It will then take more than a month for the work, with a finish date probably at the end of November or early December, depending on the general contractor's schedule.

* **Special Collections archival HVAC:** The engineering firm of Lindgren & Sharples has sent back the contract to do the design of the system. Ms. Isman will get a work schedule from them for this task.

Action Item: Get work schedule from Lindgren & Sharples. Ms. Isman.

* **Slate and Metal Roof Work:** Bids will be opened on September 15. Building supervisor George Hicks will attend. The contractor should be chosen by the time Ms. Isman returns on September 20.

* **North Amherst Library exterior restoration and paint job:** We had to go back to painters who had given estimates and specify use of procedures for lead paint. Low bid was from John Moore Painting, Shutesbury, for \$12,000 to powerwash the exterior; use Pittsburgh Timeless paint; provide \$900. worth of carpentry for restoration to be done early in October, with painting immediately thereafter. Town Meeting had authorized \$12,000 in CPAC funds for restoration/paint plus some basement insulation. So there are no CPAC funds for insulation. Ms. Lewis wants a commitment that the work will be done this fall.

Ms. Holland moved to accept Mr. Moore's bid. Mr. Hoffmann seconded. All Ayes.

* **North Amherst brickwork and pointing:** Ms. Isman reported that a section of the foundation has powdery mortar. She got an estimate from a John Zetergren, whom Town buildings expert Ron Bohonowicz recommends highly, of \$5,000 to rebuild, plumb, and level the brickwork, and \$3,800 for repointing. These would be Community Preservation Act (CPAC) projects for FY2012. Ms. Holland asked whether we could get another quote. Ms. Isman: Yes. Ms. Lewis asked whether we should hold off on this work as we are thinking of building an addition onto North Amherst. Consensus: Get an opinion on this from Ron Bohonowicz.

Action Items: Get another quote for North Amherst brickwork; get an opinion from Ron Bohonowicz, Town buildings specialist, as to whether this work should await new addition on North Amherst. Ms. Isman.

b) Open Meeting Law: There is a new guide, dated July 1, 2010, said to be downloadable from the Attorney General's website. It includes a certificate to sign indicating that we've read and understood the requirements. Consensus: put on a later agenda.

c) **Director's monthly report:** Text was sent by email on Friday, September 3 (attached). It includes the current Operating Expense Report. Ms. Holland noted that the report was upbeat, and that it was OK for Ms. Isman to mention problems. Ms. Isman: Four full-time staff members were out in August.

Concerning hiring for the full-time Cataloging position, Head of Technical Services Carolyn Platt has interviewed 13 candidates so far. For the Head of Reference position, which closes September 10th, Town Hall has received 26 applications. Head of Adult Services Beth Girshman and reference librarian Janet Ryan will screen them. Interviews are to start by the end of September.

Inferior scraping & sanding for the exterior utility doors' paint job: Ms. McKee asked if this had been put on the punch list. Ms. Isman requested that Ms. McKee ask Building Supervisor George Hicks to do so.

Action Item: Contact Mr. Hicks about punch list. Ms. McKee.

7. Old/New Business:

a) **Code of Ethics (tabled from last mtg.)** Mr. Hoffmann wants the Board to adopt the Ethics Statement for Public Library Trustees and the Code of Ethic of the American Library Association (ALA), plus a list of "Golden Rules for Board Members," all appearing in the Massachusetts Public Library Trustees' Handbook, published in 2000, pp. 1.8 – 1.11. Copies appended to office copy of minutes.

Ms. McKee: The ALA Code is for professional librarians, and is thus not appropriate for Trustees to adopt, and the "Golden Rules" date from 2000, before Skype. The last one provides, "If you are unable to attend meetings regularly and complete work delegated to you, resign so that an active member can be appointed." Ms. Lewis did not see the ethics issue here: she will not participate in a vote for this because it has implications for the evaluation committee. She pointed out that the issue implies condemnation. She doesn't think it appropriate.

Mr. Hoffmann said that it was not his intention that the Board adopt these "Golden Rules" to forestall the regulations on remote participation that the Massachusetts Attorney General is now formulating. He is willing to drop the last "Golden Rule," which he did not mean as a "gotcha" addressed to Trustee Gray, who is in Egypt for the academic year. He said that he really cares about the first "Golden Rule:" "Leave the actual management of the library to the library director. It is the library director's responsibility to select books and other library materials, employ the staff and supervise day-to-day operations."

Ms. Lewis supports the idea of briefing new Trustees on whatever the present Trustees

adopt as Golden Rules. Ms. Isman pointed out that in terms of orienting new trustees, one past board used a procedure of having each Trustee take a chapter of the manual to teach the Board about. There the matter rested.

b) Draft Timeline by Ms. Gray for preparing Library financing requests to the Joint Capital Planning Committee (JCPC) and Community Preservation Act Committee (CPAC) (tabled from last meeting). Copy of Sept. 4, 2010, draft appended. Ms. Isman wants to go over this with Building Supervisor George Hicks. Ms. Holland asked whether Ms. Isman can delegate this task. Ms. Isman: We have a long range plan for capital HVAC items for the Jones Library from the engineering firm of Lindgren & Sharples. Ms. Holland: Can Ms. Isman and Mr. Hicks see what's realistic to do? Ms. Lewis asked why this timeline came about. Ms. Holland explained that last year things were a rush job with CPAC and JCPC proposals so that is why the timeline was developed. Ms. McKee said the timeline was a management tool that the Board had never had before. No resolution of this matter.

The next JCPC meeting is coming up later in the week and another Library representative is needed besides Ms. McKee. Ms. Lewis said she would be willing to attend as the second Library representative.

c) Revote on Cell phone revision to 2008 Patron Rights & Responsibilities Policy, www.joneslibrary.org/policies/patronrights.html. On August 13, 2010, Trustees voted to accept the following revision to this Policy:

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.

However, on September 7 the same Trustee had moved and seconded. Hence we need a revote. Ms. McKee moved that we accept this revision. Ms. Lewis seconded. Ms. Lewis, Nay; Four Ayes.

d) Evaluation Committee Recommendations, July 30, 2010. Ms. Holland noted that the evaluation committee came up with these, and that others may wish to discuss them. Copy appended. Ms. Lewis asked whether Ms. Isman had seen these. Yes. Ms. Isman noted that Business Office Manager Tina Swift had previously provided comments on both a grievance policy for non-union staff wanting a level of appeal after the Library Director, and on the recommendation for a calendaring system for various Library deadlines. Copies appended to minutes filed in office.

i) **10 – 20 year capital expenditure plan:** The Five Year long range plan includes this as a first-year action item, Goal I, D, 2. Draft of long range plan is to

be available on or after September 28, 2010.

ii) **Opt-in email list** to facilitate publicizing library information and fundraising. Ms. Isman said that the Library is already on FaceBook; that FaceBook can be used for fundraising; and that the long range plan includes this.

iii) **ID badges for Director and all staff**: Included in the long range plan. Name badges would pose risks to staff security. There is staff support for using the new emblem to be designed per the long range plan for all three libraries, hung from a lanyard, to ID library staff.

iv) **Institute a grievance policy for staff appeals to the Board**: Ms. Swift, Business Office Manager: There is already a grievance policy for union members. Ms. Isman: The grievance policy is on the Jones Library website, and in the hard-copy employee handbook for professional and hourly staff. Ms. Lewis: Staff have not always been satisfied when they've gone to the Director, and they may not want to go to Town Hall. Mr. Hoffmann: We're in the chain; thinks we should look at this, have a gentle procedure.

Ms. Holland: Cheryl Wilson, a Trustee president for 12 years, had each Board member choose a department of the Library and informally get to know it well. Ms. Holland didn't know whether this would work now. Ms. Wang would be concerned at creating something cross-boundary; going to Town Hall has been in the staff handbook for years. Ms. Lewis: This did not come out of nowhere. It is an issue brought up repeatedly: is it possible that it's not made sufficiently clear that employees can go to Town Hall? She wants to make sure that staff are comfortable, and are taken care of. Consensus: Think more about this.

v) **Updated policy for evaluating the Director**: Ideas include using a standardized evaluation form such as Town Counsel said is used by another Massachusetts public library; interviewing staff at regular intervals but not annually, and including in the evaluation policy a summary of the relevant legal requirements.

Ms. Holland: We need a new evaluation policy, not just a committee report that others get simply to read. Perhaps, like the Select Board's evaluation of the Town Manager, we could have both public and confidential versions. Ms. McKee is willing to omit staff interviews if Trustees have reliable, regular sources of information as to what is going on in the libraries: when the Atrium elevator was trapping patrons between floors regularly for years, no one told the Trustees. Ms. Isman noted that she and Building Supervisor George Hicks had not known that they could close the Atrium elevator, and were delighted to do so. She asked about including a Building Safety Report on each agenda. Ms. McKee: Great idea!

vi) **Proposed Committees: Budget; Facilities; Personnel** for job descriptions and

other matters. Mr. Hoffmann thinks that we're drowning now in committee minutes: why not have task forces? Ms. McKee: Northampton's Forbes Library reportedly has some one-person committees. Mr. Hoffman: but not to make decisions. Ms. Isman: Single-person committees could be a good tool.

As to personnel, Ms. Isman said that if you look at one job description, you must look at lots of them: she questions whether we have the resources to do this as well as participating in the Joint Capital Planning Committee, etc. Ms. Holland noted that at least one staff member wishes to be classified as of professional status.

At the Town Personnel Board, on which Ms. Holland represents the Libraries, Kay Zlogar, Amherst Town Human Resources Consultant, thought a library personnel committee a good idea because of changing technology with which she was unfamiliar. Mr. Hoffmann: This might be a management function. Ms. Isman: Some staff want their job descriptions modified to include cross-training, customer service. Ms. Wang: In the old days, Trustees just volunteered for who would become the point person on this or that topic, depending on their interests.

As to a budget committee, Ms. Isman noted that Ms. Holland and Mr. Hoffmann are on the Town Budget Coordinating Committee. Ms. Lewis The Libraries' budget and the Budget Coordinating Committee are different.

Mr. Hoffmann: The Recommendations are not that controversial, wants to act on them only after the Trustees' session with a mediator. Ms. Wang: The Recommendations are pretty bland.

e) Audit fees & Accounting services for investment data: Ms. Isman: It will cost the Libraries an additional, retroactive \$1,500. for the FY2010 annual financial statement & audit to cover calculations of investment activity.

Ms. Holland moved that the Trustees pay it. Ms. Lewis seconded. All Ayes.

f) Historic Preservation Restrictions: The Trustees must agree to such restrictions in consideration for Town Meeting's appropriation of CPAC funds: \$15,000 for study and emergency repairs to the original slate roof of the Jones Library and \$40,000 for repairs to that roof, as well as \$10,000 for study and development of bid specifications for a new archival HVAC system for Special Collections, plus \$75,000 for the new system. Ms. Gray has provided written, suggested modifications to this document to protect the Library more effectively, e.g., by ensuring that the restrictions apply only to the original part of the building. Copy appended. Ms. McKee moved to send the draft Historic Preservations Restrictions document, with suggested modifications, for Town Counsel's opinion on these as the Library will have to live with them for a long time ("in perpetuity.") Mr. Hoffmann seconded. All Ayes.

Action Item: Draft letter to Town Counsel accordingly. Ms. McKee.

g) Driveway modifications and Library response to Disability Access Advisory Committee: Not discussed.

h) Reconciling bank statements: Not discussed.

i) Treatment of management fee for Woodbury Gift: Ms. McKee reported that there is NO management fee for the Woodbury Gift. The Woodbury money is in a non-managed cash or cash-equivalents account at Gage, Wiley of Northampton.

j) Discussion of accounting practices. Not discussed.

k) New carpeting for Jones Library entryways, Atrium. Not discussed.

l) Gift to departing Head of Reference Rosemary Loomis. Not discussed.

m) Web site. Not discussed.

8. Committee Reports: Written reports are appreciated.

a) Budget Coordinating Group – Holland, Hoffmann, Isman.

This will meet on September 23, 2010.

b) Burnett Gallery – Lewis. No report.

c) Green Committee – Gray, Hoffmann, Lewis, Girshman. No report.

d) Friends of the Jones Library System – Hoffmann, Isman. No report.

e) Development Committee – Holland, Isman, McKee, Wang, Lewis.

Written report, not presented orally:

Event planned for October 3 – Mary Minot Jones Legacy Tea honoring Major Benefactors and those who have included the Libraries, or are considering including them, in their estate planning. MMJ was Samuel Minot Jones's paternal grandmother. Intimate conversation with Professor Anneliese Bischoff, School of Landscape Design at UMass Amherst, who is writing a biography of prominent early 20th century UMass-based landscape architect Frank Waugh. Special Collections has original materials on Waugh. RSVPs to Special Collections Curator Tevis Kimball, 259.3182.

f) Investment Committee – Hoffmann, Holland, McKee, Isman.

Written report, not presented orally:

Report from meeting September 2: Year to date performance of Endowment, after fees: up 0.21 %; year to date performance of a blend of indexes to approximate the mix of Endowment investments: minus 1.45%. To ensure the survival of the Endowment, both Gage, Wiley & Investment Committee member Patrick Brock report that, per relevant calculations, the Libraries should use a Spending Rate of 4%, with 4.5% as an absolute maximum.

g) Joint Capital Planning Committee – Gray, McKee, Isman.

The initial meeting for FY2012 will be on September 10, 2010.

h) Personnel Board liaison – Holland

i) Long Range Planning Committee – Gray, Hoffmann, Holland, Isman, Kimball.

Ms. Isman reported that the new five year plan is in draft form.

j) Space Committee – Gray, McKee, Radosh, Girshman, Kimball. No report.

9. Other Business – set meeting schedule

10. Executive session, if needed. No action.

Future Meetings: Regular monthly Business Meeting: Tuesday, September 28.

Adjourned at 9:27 p.m.

Documents cited:

- Ms. Holland's September 5, 2010, draft list of issues for discussion with facilitator
- Email thread ending with message from Mr. Chris Hoffman dated September 2, 2010.
- Ethics Statement for Public Library Trustees and the Code of Ethics of the American Library Association (ALA), plus list of "Golden Rules for Board Members," all appearing in the Massachusetts Public Library Trustees' Handbook, published in 2000, pp. 1.8 – 1.11. Hard copy with minutes in Library office.
- Draft Timeline, dated Sept. 4, 2010, by Ms. Gray for preparing Library financing requests to Joint Capital Planning Committee (JCPC) and Community Preservation Act Committee (CPAC).

- Evaluation Committee Recommendations to Board of Trustees, July 30, 2010.
- Comments by Business Office Manager Tina Swift on both a grievance policy for non-union staff wanting a level of appeal after the Library Director, and on the recommendation for a calendaring system for various Library deadlines.
- Historic Preservation Restrictions for Jones Library, draft document with modifications proposed by Ms. Gray and Ms. McKee.

Respectfully submitted,

Sarah McKee
Clerk