

MINUTES

of Bridgeport Public Library and Reading Room
held July 20, 2016 at 7pm
in the Boardroom of the Burroughs-Saden Library
925 Broad Street, Bridgeport CT

Call to Order

President O'Donnell called the meeting to order at 7:00 pm. All approved directors (O'Donnell, Baraka, Errichetti, Holden and Cunningham) and those pending approval (Osborne-Gant, Greenberg, Christy and Brown) were present along with City Librarian, Hughes.

Director Errichetti made a **MOTION** for suspension of the order of the agenda to accept a report from attorneys from the firm of Berdon, Young and Margolis, P.C. regarding legal issues requested by the Board of Directors and that consideration of collaboration on a grant be added to the agenda. The motion was seconded by Director Cunningham and unanimously passed by all approved directors.

Report of Attorneys

Library Board of Directors received a presentation from Attorneys Peter Berdon and Daniel Burns of the law firm of Berdon, Young and Margolis. They explored the relationship between the Bridgeport Public Library and the City of Bridgeport as set for in State of Connecticut Statutes and the City Charter. President O'Donnell explained that the attorneys were originally contacted when library employees were arbitrarily laid off and the city unilaterally appropriated the use of Library funds for retirement incentives offered by the Mayor. This was essentially the same situation that the Bridgeport Public Library had faced 40 years earlier. He also described the difficulty that the Library has faced in making appointments for new hires- a process that requires six different signatures from municipal officials.

Attorney Berdon explained that, along with two different problems, there were two different solutions: one political; the other legal. The Library and the City may develop a Memorandum of Understanding allowing autonomy in hiring, while preserving the protections of Civil Service and providing the Library with a seat at the table in future labor negotiations. The question is "Is the City using the process to frustrate the Library's ability to hire?"

"The case for the segregation of funds according to State Statute is more clear", continued Attorney Berdon. The statute requires a separate and distinct fund. The question is a disagreement as to which funds should be placed in a separate account. The Library Board maintains both Levy and non-Levy funds should be segregated; while the City maintains that only non-Levy funds are under the control of the library and that the Statute is voided by the doctrine of Home Rule. Director Errichetti raised the question of debt service charged

to the Library when there was no record of the debt incurred. He said. "It is in reality an unauthorized voucher drawn on the Library's account by the City."

"In this circumstance," Attorney Berdon explained, " the Board of Directors might go to court and ask the court for a declaratory judgment for the City to comply. It might take a year or longer at the cost of \$10,000 to \$15,000. Litigation is never cheap nor is it predictable. There would be no recovery of fees. Director Baraka asked for an estimated cost of litigation to settle all questions. Attorney Berdon responded \$40,000 to \$100,000 over a period of time, but it might insure the long-term health of the Library.

President O'Donnell asked Attorney Berdon for his recommendation. Attorney Berdon responded, "Having participated in the Crescent Bluff case in Branford which has dragged on for 115 years, my sense is where there are murky issues or facts things don't get better over time. If you don't assert your rights, it gets more difficult as time goes on. Sit down and put what you think is right in a document and see if you can reach a Memorandum of Understanding with the city. If this is not possible, then litigation is your only recourse."

President O'Donnell thanked Attorneys Berdon and Burns for their clear and forthright analysis. Director Holden requested that it be noted in the record that he took no part in discussion of pending litigation.

Approval of Agenda

Director Baraka made a **MOTION** for the acceptance of the agenda with the inclusion of an opportunity for public comment at three minutes each and the addition of an item under New Business requested by Director Errichetti. The Motion was seconded by Director Errichetti and unanimously passed by all approved directors.

Public Comment

- Ms. Maisa Tisdale informed the Board of Directors of an architectural history exhibit on the Freeman houses which will be opening in the fall. She said the library collaborated on the grant, which made the exhibit possible. She commended the City Librarian's support.
- Ms. Bina Williams addressed the Board of Directors regarding the filling of recent vacancies. She suggested an inventory of skills and talents of current staff. She said staff should be consulted on what they want for professional development and support.
- Mr. Claude Young spoke in support of City Librarian Hughes and said that the citizens have a positive response to Mr. Hughes.

Approval of the Minutes

There were minutes of several committee and special meetings submitted for approval.

- Minutes of the Public (at City Librarian Hughes' request). Personnel meeting held May 4, 2016. A **MOTION** to approve the minutes of that meeting with corrections was made by Director O'Donnell, seconded by Director Cunningham and approved by Directors Errichetti, Holden and Baraka. (Corrections: Director Baraka requested omission of reference to public comments, Director Holden requested clarification of language related to State of Connecticut Library Construction Grant)
- Minutes of the June 15th Monthly Board Meeting; Director Baraka suggested the elimination of statement of voting by only approved board member from the Call to Order section. Director Errichetti made a **MOTION for** approval of the minutes with corrections. The Motion was seconded by Director Cunningham and unanimously approved by certified Directors.
- Minutes of the June 28 Combined Special Meeting of the Building, Finance and Personnel Committees. A **MOTION** to approve the minutes was made by Director Errichetti and seconded by Director Holden. Directors Errichetti, O'Donnell, Holden and Cunningham approved the motion. Director Baraka abstained.

Approval of Treasurer's Report and Payment of Vouchers

City Librarian Hughes presented vouchers in the amount of \$654,574.44. He highlighted the largest expenses. \$168,600.00 to the United Illuminating Company, \$99,714.04 for rent and taxes at Old Mill Green Branch and \$68,640.00 to Aron Security for six months of branch services. A voucher for \$8600.00 in utilities was withheld pending verification. Director Errichetti offered an **MOTION** for approval of the vouchers in the amount of \$629,574.44. The Motion was seconded by Director Baraka and unanimously approved by all approved Directors.

Director O'Donnell again requested a different format for salary account that comprises 84% of the budget. He commented that it is important for us to monitor it on a monthly basis to stay within budget. Another reason was to be able to tell if the \$90,000 ERI package has been taken out. He reminded the board that the 3.1 million dollars allotted for salaries does not include the \$192,000 in accrued retiree vacation pay or the \$90,000. Director O'Donnell offered a **MOTION** directing City Librarian Hughes to create a line item in the Statement of Accounts that tracks salaries in real time on a monthly basis. The Motion was moved by Director Cunningham and seconded by Director Holden

Director O'Donnell also questioned the purpose of the \$286,000 charged to the budget for debt service. He maintained that the number was "way too high", since the library had not bonded any debt in many years. He offered a **MOTION**, moved by Director Cunningham and seconded by Director Errichetti, directing Director Errichetti, acting in his capacity as Treasurer, to notify OPM that the Board of Director of the BPL have not authorized payment of the \$90,000 in ERI payments and to request an email confirming that the \$286,000 in debt service is excluded from the budget. All confirmed Directors approved the Motion.

Unfinished Business

City Librarian Hughes informed the Board of Directors that he was unable to arrange a meeting with Mr. Williams of the East End NRZ. He said that Mr. Williams was “otherwise engaged”. The purpose of the meeting was to inform and get feedback from the community on the new branches. Director Holden expressed the intention of the Board to meet with all NRZ’s. City Librarian Hughes suggested that he reach out to each member of the NRZ. “They are not interested in meeting with the Board. Maybe we should do a new survey or presentation. Interview each member.” Director Holden asked City Librarian “ to leave it alone. We will invite them to meet with the Building Committee.”

City Librarian Hughes informed the Board of Directors “80% of the Grant (State Library Construction Grant) is done. It has passed the Economic and Community Development Committee and the next step is to the full City Council authorization of the Mayor’s signature on August 1st. The Board of Directors requested a draft of the completed Grant application for review at the August 20th meeting. City Librarian Hughes told the Board of Directors that he was writing the grant and that the City’s Grant Writer, Renu Gupta, was procuring the signatures. He added, he “was not relying on them to complete it.”

City Librarian Hughes indicated that the consultants from Library Solutions would be able to meet regarding to the Strategic plan. There is some confusion on the correct type of document needed to comply with the construction grant. Director Errichetti made a **MOTION** to hold a Special Meeting of the Board of Directors on July 27 for a preliminary discussion of the Strategic plan. The Motion was seconded by Director Holden and unanimously approved by the confirmed directors.

City Librarian Hughes reported that Mark Halstead had given Southport Contracting their final punch list on the Burroughs-Saden restroom renovations and that they had been paid through May and that the circulation department will not be relocated until we know everything is done. He asked approval to adjusted the purchase order for TRC by \$521.34. for asbestos removal from the children’s hallway. A **MOTION** to do so was made by Director Errichetti, seconded by Director Holden and approved by all confirmed Directors.

City Librarian Hughes distributed a rough draft of the Annual report for review by the Board of Directors. Director O’Donnell requested that board members be given copies of previous reports for perspective and State benchmarks. He requested that Board members provide suggestions for the chairman’s letter. The deadline is September 15th. Director Baraka reminded the Board of Directors that in December of 2012 the board passed a Motion to begin the review/audit process of Library and non-Levy funds. She suggested that this begin in order to “show the public that we have properly use Library funds guaranteed by the referendum. It will provide transparency.” She said “we will need to do so if we move forward with the referendum.” A financial review would make sure that line items are properly charged and audit would render an opinion of how we spend our money. Director Errichetti said that he would be happy to sit down with Director Baraka and Mr. Bobby Simmons, to discuss the process and get recommendations. The question of an RFP was raised if the cost exceeded \$7500. Director Baraka said she would make a call to Mr. Simmons.

Director O'Donnell distributed copies of the "Resolution in Memory of Helen Liskov", requested approval of the naming of the Children's Room at Burroughs-Saden and the placement of a plaque in her honor. Director Errichetti made a **MOTION** for the approval of the resolution, the naming and placement of a plaque. Director Holden seconded the Motion, which was unanimously approved by the confirmed Directors. Director Errichetti offered a second **MOTION** stating that the cost of the plaque should not exceed \$500 and should be paid out of non-levy funds. The Motion was seconded by Director Holden and unanimously passed by all approved directors. President O'Donnell volunteered to research potential choices for the plaque.

Correspondence and Communications

President O'Donnell read aloud a letter received from former BPL librarian, Mary Witkowski, expressing her concern about the future of the Bridgeport Public Library

President O'Donnell reported on communication from the City Lights Gallery requesting that the Burroughs-Saden Library become a stop on the 2016 Bridgeport Arts Trail. Director Errichetti made a **MOTION** affirming the Library's participation. The Motion was seconded by Director Baraka and unanimously approved by all confirmed Directors.

City Librarian's Report

City Librarian Hughes informed the Board of Directors that the custodial staff was working to remove the "blue glue" from the first floor hallway at Burroughs-Saden. He said that the work was labor intensive and that they were coming in early to work so that fumes did not harm patrons. Director Errichetti made a **MOTION** to authorize overtime for the work to be completed on a Sunday. Director Baraka seconded the motion, which was approved by all of the confirmed directors.

City Librarian informed the Board of Directors that he met with supervisors and staff to gain their input into Strategic plan and to explain how duties would be reconfigured as a result of retirements. He recommended that Junior Librarians be promoted to the position of Librarian I. He said that we have the money and that the position of Junior Librarian with the intention of hiring those candidates when positions became available. Director Errichetti suggested that the staff changes be delayed until the Strategic plan is in place. Promotion of some without the promotion of others might breed discontent. Director Baraka offered a **MOTION** authorizing City Librarian Hughes to start the process for the promotion of four Junior Librarians to Librarian 1 positions and the promotion of four Library Assistant I to Library Assistant 2 positions. The Motion was seconded by Director Holden and passed by a vote of 3 to 1. Director Errichetti voted against the motion.

Report of the Governance Committee

President O'Donnell administered the Oath of Office to all of the directors of the Bridgeport Public Library. Directors Baraka, Errichetti, Holden, Cunningham, Osborne-Gant, Greenberg, Brown, and Christy each swore to carry out their duties. Director Holden administered the Oath of Office to Director O'Donnell. All directors affixed their signatures to a written copy of the oath.

Director Holden left the meeting at 9:25 pm.

Report of Building Committee

Director Errichetti reported that Antinozzi Associates had put out preliminary designs for the Upper East Main Street property for cost estimation.

Report of Finance Committee

Director Errichetti reported that he was seeking insurance quotations on artifacts contained in the library's collection to see if higher deductibles will reduce the price.

Report of Personnel Committee.

The Board of Directors held a discussion of changes to the Personnel Hiring Policy recommended by the Combined meeting of the Building, Finance, and Personnel Committees held on June 28, 2016. Director Baraka questioned the word "volunteer" in the draft. She asked if the Board of Directors was going to approve each volunteer who worked in the library. Director Errichetti suggested that the wording be changed to "consultant whether compensated or not". He offered a **MOTION** to amend the policy accordingly with deletion of the word volunteer and substitution of "consultant whether compensated or not". Director Cunningham seconded his Motion. Director Baraka requested a roll call vote. Director Errichetti voted "Aye", Director Baraka voted "Nay", Director Cunningham voted "Aye" and Director O'Donnell voted "Aye." The amendment was adopted by a vote of 3 to 1. Director Baraka raised concerns about "how this would work. Will we have a consent agenda?" Director O'Donnell commented, "We are addressing the policy. We will refine the process as we implement the policy." Director Errichetti offered a **MOTION** for the adoption of the amended Personnel Policy. Director Baraka requested a roll call vote. Director Errichetti voted "Aye", Director Baraka voted "Nay", Director Cunningham voted "Aye" and Director O'Donnell voted "Aye." The policy was adopted by a vote of 3 to 1.

Due to the late hour by unanimous agreement of the confirmed Directors, any discussion or action on the probationary status of the City Librarian was deferred to the August meeting. Director Errichetti offered a **MOTION** to defer discussion. The Motion was seconded by Director Cunningham and unanimously passed by a confirmed Directors present.

New Business

- (See summary of attorney's presentation)
- Director Osborne-Gant recommended that the establishment of a protocol for the archiving of Board documents be tabled pending the resolution of more pressing issues.
- Director Errichetti told the Board of Directors of community interest in establishing a Museum of Manufacturing in order to highlight Bridgeport's contributions to American Manufacturing. He asked the Directors to consider collaboration in this effort. Perhaps, through use of library tax-exempt status. Director O'Donnell suggested that the matter be referred to the Finance Committee for further study.

Report of the Friends- deferred to August meeting

Executive Session: At 9:55 p.m. Director Cunningham made a MOTION for all directors to go into Executive Session to discuss pending litigation. The Motion was seconded by Director Errichetti and unanimously approved by the confirmed directors. The Directors went into Executive Session at 9:56 pm.

Adjournment

The Directors emerged from Executive Session at 10:17 pm. Director Baraka offered a **MOTION for** adjournment, which was seconded by Director Errichetti, and unanimously passed by confirmed directors. The meeting was adjourned at 10:18 pm.

Respectfully submitted by,

Anne Cunningham, Ass't Secretary

