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COMMONWEALTH OF MASSACHUSETTS
COUNTY OF HAMPDEN

THE TRANSCRIPTION OF THE SPECIAL MEETING
OF THE SPRINGFIELD CITY LIBRARY BOARD OF
COMMISSIONERS HELD AT THE SPRINGFIELD
CITY LIBRARY, STATE STREET, SPRINGFIELD
MASSACHUSETTS COMMENCING AT 5:30 P.M. ON
WEDNESDAY, FEBRUARY 25, 2009.

Julia A. McLeod
PHILBIN & ASSOCIATES, INC.
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1 APPEARANCES:

2
3 CITY OF SPRINGFIELD LAW DEPARTMENT, City
4 Hall, 36 Court Street, Springfield,
5 Massachusetts 01103.
6 BY: EDWARD M. PIKULA, ESQUIRE.

7
8 EGAN FLANAGAN AND COHEN, P.C., 67 Market
9 Place, Springfield, Massachusetts 01103,
10 representing the Springfield Library
11 Foundation,
12 BY: JOHN J. EGAN, ESQUIRE.

13
14 *****

15

16 Attending: Stephen Cary, Chairman
17 Commissioners Craig Givens,
18 Sheila McElwaine, Timothy Moriarty,
19 Vera O'Connor and Hector Toledo.

20

21 Staff: Emily Bader, Director
22 Carol Leaders, Business Manager
23 Janet Stupak, Volunteer Coordinator

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1 (Library Hearing
2 Exhibit 1 offered
3 and marked.)

4 MR. CARY: We are going to call
5 the meeting to order. This is the
6 Springfield Library Commission special
7 meeting. This evening we are going to
8 hear from Attorney Jack Egan, from
9 Stephen Jablonski, who is an architect.

10 We are told, I believe, that
11 Attorney Ed Pikula will also be joining
12 us.

13 We have a stenographer here this
14 evening. So, if you are going to speak,
15 please, by all means, introduce yourself
16 before any comments are made so we can
17 figure out who folks are.

18 I'm Stephen Cary. I'm going to call
19 the meeting to order. And thank you
20 very much.

21 Mr. Egan?

22 MR. EGAN: Thank you,
23 Mr. Chairman.

Members of the Commission, my name

1 is Jack Egan, same as it was ten days
2 ago. I haven't had cause to change it
3 yet. And, as you know, I represent the
4 Springfield Library Foundation.

5 I first want to thank you for the
6 opportunity to talk with all of you this
7 evening. And I expect that the
8 information that I have to give you will
9 be very helpful because much of the
10 ground that you are going to visit has
11 been hoed previously by the Library
12 Foundation and, also, by the Library--
13 what I call the Library Search
14 Committee.

15 It's worth while to remember that
16 not all of the material that we gave you
17 was the product of the Foundation. Some
18 of it was done by the Library Search
19 Committee.

20 And I, also, want to emphasize that
21 we very much appreciate that the Library
22 Foundation has a different function than
23 you as the Library Commission have. The

1 Library Foundation acted principally as
2 the trustees of the Annie Curran Fund.

3 And there's a lot of reference to
4 the Annie Curran Fund in this document
5 that we provided you that I hope you all
6 got on Friday.

7 So that they not only had in mind
8 the goal of finding the absolute best
9 site for library services in the Mason
10 Square area, but they also had in mind
11 to find the site that from their
12 perspective required the appropriate
13 expenditure of funds that would allow
14 them to maintain some substantial amount
15 of funds in the Annie Curran Fund so
16 that they could continue to contribute
17 to the operation or perhaps the
18 expansion, the maintenance of the Mason
19 Square Library.

20 In short, what they wanted to do
21 was, as I say, find the best site, but
22 also find the site that would allow the
23 Mason Square Library to continue to be

1 the only endowed library in the
2 Springfield library system.

3 Your function is a little bit
4 different; but, given the times, the
5 economics I'm sure are very much on your
6 mind and very important to you, too.

7 With your permission what I would
8 like to do is divide my remarks into
9 basically four sections. The first is a
10 discussion of your role in this process.
11 The second is a discussion of four
12 specific sites.

13 And Mr. Jablonski will be here to
14 answer any questions you have with
15 regard to those sites and the studies
16 that were done on those sites.

17 The third is to acquaint you
18 generally with the Annie Curran Trust
19 and the story of Annie Curran and
20 Springfield Library Foundation as the
21 successor trustees to that Fund, and
22 what they want to do going forward.

23 And in order to assist me with

1 regard to that, Mr. Ryan, who is the
2 president of Springfield Library
3 Foundation, and Mrs. Garvey, who is the
4 treasurer, are also here to answer any
5 questions that you might have.

6 Finally, I'm going to make brief
7 reference to a few agreements that you
8 find at the end of the binder that sort
9 of surround the events of 2003 when the
10 Mason Square citizens lost their
11 library.

12 We are not asking you to look back.
13 We are looking forward, as we know you
14 are looking forward. But it's well that
15 you be acquainted with the circumstances
16 and how the neighbors and the City
17 Council felt at that particular time.

18 I mentioned questions. And I think,
19 given the volume of material that we
20 have to cover, it makes sense, if it's
21 agreeable with you, that whenever you
22 have a question, you just jump in with a
23 question of me.

1 Please don't be concerned about
2 interrupting me. I lose my train of
3 thought on a regular basis anyway, so
4 that won't be a problem. Someone will
5 get me started again in the right
6 direction.

7 But really, given the amount of
8 material we have here, if anything comes
9 up, I think it's best if we just try to
10 address it at that time.

11 Again, if it's something that I
12 don't have the information or the
13 ability to respond to, Mr. Jablonski or
14 Mr. Ryan or Mrs. Garvey will do their
15 best to help out because they have lived
16 with this situation longer than I have.

17 I offered Charlie Ryan one of these
18 books. He smiled and he said to me,
19 "Jack I've got this stuff committed to
20 memory."

21 And he's right.

22 So, if that's okay --

23 Two final points I would like to

1 make is we have a stenographer here from
2 Philbin stenographic services and she
3 will keep a record of everything that is
4 said. She did ask me-- she will ask me
5 two things. She will tell me to slow
6 down because I speak too fast. And they
7 always tell me that. And the other
8 thing she asked is if anyone who speaks
9 could first identify themselves. That
10 way she will be able to have a complete
11 record.

12 If you don't identify yourself, you
13 will see something like Board Member X.
14 So, if you would, have that in mind.

15 The last thing is Eddie Pikula, the
16 City solicitor, and I have talked about
17 this meeting. And I think he intended
18 to be here. So he may come in at any
19 point in time. If not, I'll speak for
20 him.

21 No one can speak for Eddie.

22 But, if not, and you've got any
23 questions, obviously you have to be

1 guided by him.

2 So, if that sounds like a reasonable
3 way to approach, I'll launch into it.

4 Let me start with the first three
5 tabs. And really they address your role
6 in this process. And the very first tab
7 is a detailed-- I think it's a
8 fourteen-page opinion rendered by
9 Mr. Pikula as the City solicitor. It's
10 the product of a lot of research done by
11 the City Law Department on December 22,
12 2008. That's Tab 1 in the materials
13 that I've provided to you.

14 And with the Chair's permission, the
15 entire red binder is going to be entered
16 into the record as Exhibit 1, if that's
17 agreeable.

18 MR. CARY: Excellent.

19 MR. EGAN: Thank you.

20 In Tab 1 Mr. Pikula and the Law
21 Department cover a lot of different
22 areas; but what is germane, I think, for
23 kicking off this part of the discussion

1 about your role is found on page eight.
2 And in that the first full paragraph the
3 Law Department, who is your advisor in
4 this matter, in the opinion states the
5 following:

6 The Law Department recommends that
7 any proposal to consider the taking of
8 the former Mason Square Library building
9 from the Urban League be presented to
10 the Library Commission for consideration
11 of the merits or the relative merits of
12 acquisition of the site for the purposes
13 stated as compared to any other sites
14 that are available.

15 Now, we've done a lot of that work.
16 Obviously, you can hopefully benefit
17 from that. And that will be part of the
18 material that I'll cover when
19 Mr. Jablonski points out some of the
20 positives and negatives of some of these
21 sites.

22 I'm going to skip the second
23 section, the second paragraph --

1 Excuse me.

2 --the second sentence of that
3 paragraph because it speaks about the
4 survey, the appraisal and the title.
5 And Mr. Pikula and I have talked about
6 that and we've agreed that that's
7 something that happened afterward. It
8 really doesn't happen here.

9 You have to pick the site first, and
10 then someone can do a survey and title.
11 And generally those are done through the
12 Law Department.

13 In the next paragraph he recommends
14 that you seek input from a variety of
15 different departments in the City:
16 Community and Economic Development,
17 Facilities Department, Assessors, Police
18 Department, Department of Public Works,
19 Fire, Chief Financial Officer and any
20 other City department, and that you hold
21 a public meeting.

22 You are holding the public meeting
23 tonight. And my understanding is the

1 Chair has communicated with all of these
2 departments.

3 I'm not sure if it's by e-mail or
4 letter.

5 MR. CARY: Letter.

6 MR. EGAN: By letter. And I
7 don't think anyone has responded that
8 they wanted to have any input.

9 MR. CARY: We haven't had a reply
10 in about a week.

11 MR. EGAN: Okay. But you, Ladies
12 and Gentlemen of the Commission, have
13 done what the Law Department asked you
14 to do. Your chairman has done it. And
15 I would simply ask you copies of those
16 letters could be entered into the record
17 as Exhibit 2.

18 Tab 2 actually is the basis for the
19 Law Department's opinion. And Tab 2 is
20 the section of the general laws which
21 deals with City charters. There's
22 Chapter 43, Section 30.

23 And what is significant about that

1 language is that it indicates that you
2 are the kickoff point for this process.

3 The first sentence says: At the
4 request of any department, which is you,
5 and with the approval of the mayor and
6 city council under Plan A--

7 And we are a Plan A form of
8 government.

9 --that the city council may in the
10 name of the city purchase or take by
11 eminent domain under Chapter 79 any land
12 within its limits for any municipal
13 purpose.

14 The Law Department opinion agrees
15 and we certainly concur that library
16 services are a municipal purpose.

17 So, if the City Council and the
18 Mayor are going to act, you need to
19 request them to act. So that's why this
20 duty falls to you.

21 The second point I would like to
22 make about that provision of statute is,
23 if you look at the very last sentence,

1 it says that all proceedings in the
2 taking of land shall be under the advice
3 of the Law Department and a record
4 thereof shall be kept by said
5 department.

6 That's one of the reasons that
7 Mr. Pikula and I thought it would be
8 wise to have a record of this meeting
9 and that's the reason that Mr. Pikula's
10 opinion is sort of your Bible with
11 regard to what goes on here.

12 There's another very interesting
13 sentence in this statute.

14 And only lawyers could find
15 sentences in statutes interesting;
16 right?

17 MR. RYAN: Exciting.

18 MR. EGAN: And that comes before
19 the last sentence.

20 I guess they all come before the
21 last sentence, don't they?

22 But it starts out: Whenever the
23 price proposed to be paid for land for

1 any municipal purpose is more than
2 twenty-five percent higher than its
3 average assessed valuation during the
4 three previous years, the land shall not
5 be purchased, but shall be taken as
6 aforesaid.

7 In other words, there's been a lot
8 of talk in this matter about eminent
9 domain. And some of it not so favorable
10 talk about eminent domain.

11 Is it going to take too much time?
12 Does it have to be a hostile process?

13 And all of those discussions seem to
14 be centered on 765 State Street, when in
15 reality, if you turn the page and look
16 at the assessed valuations, if, for
17 instance, 727 State Street were to be
18 the subject of your request of the
19 mayor, that would have to be taken by
20 eminent domain because the price for
21 that is nine hundred and fifty thousand
22 dollars and that is, obviously, more
23 than twenty-five percent of what I see

1 of an average of maybe three sixty.

2 So eminent domain is not a bad
3 thing. The legislature says you've got
4 to go through that process, if you are
5 going to pay more than twenty-five
6 percent of the assessed value.

7 And the only one of these four
8 properties that we know of that wouldn't
9 require that is the fire station because
10 the City already owns that.

11 So the point I'm trying to make here
12 is you are in this process.

13 I think in fairness you ought not to
14 be swayed by the concern about eminent
15 domain because it's going to apply
16 equally across the board.

17 And that's what I really-- that's
18 all I really wanted to say about your
19 role in this process at this point. And
20 I'll move to the locations, unless there
21 is some specific question or something
22 that anyone has.

23 MS. O'CONNOR: Vera O'Connor.

1 And I wanted to know: In light of the
2 economic situation we are in, is this
3 property still valued at nine hundred
4 and sixty-three thousand?

5 MR. EGAN: Well, actually, I will
6 get to valuation; but it would not--
7 that is still the assessed value.

8 But if the property were taken
9 because of an agreement that the Urban
10 League entered into with the Attorney
11 General's office, they do not receive
12 nine hundred and sixty-three thousand.
13 It's more like eight hundred thousand.

14 And that I get to later on. But --

15 MS. O'CONNOR: But still because
16 property value has gone down
17 tremendously, so would it still be
18 valued at eight hundred thousand
19 dollars?

20 That's my question.

21 MR. EGAN: That's the cap. I'm
22 looking at it as a cap. It may well not
23 be valued at eight hundred thousand; but

1 that would be the approximate cap in my
2 mind given the agreement that they
3 signed.

4 MS. O'CONNOR: Thank you.

5 MR. CARY: Stephen Cary. I had a
6 question. If it were to proceed toward
7 eminent domain, would we have to have
8 another assessment made prior to that?

9 MR. EGAN: There's a difference
10 between the tax assessment and an
11 appraisal. The tax assessment is done
12 by municipal officials, the Board of
13 Assessors, and it applies to every
14 single piece of real estate in the City
15 of Springfield.

16 If you get into an eminent domain
17 process, it's a much more refined study
18 of the property.

19 And just by the virtue of what they
20 have to deal with, the assessors can't,
21 you know, walk through your house and
22 see the condition of the bathrooms and
23 everything like that. They make general

1 observations and they work off really a
2 formulaic approach that allows them to
3 get what they trust are fair values for
4 the entire City.

5 When you get into the eminent domain
6 process, you hire an appraiser and that
7 appraiser walks through the property,
8 takes the dimensions of the property,
9 observes the physical condition of the
10 property, observes the property for
11 functional obsolescence, compares other
12 sales and really does an intense study
13 of the real estate and comes up with a
14 value.

15 So, yes, an appraisal would have to
16 be done.

17 The word assessment is different.

18 MR. MORIARTY: Just to kind of
19 finish this discussion because I know we
20 are jumping around--

21 Tim Moriarty.

22 But the minimum would be seven
23 hundred thousand based on the agreement

1 with the --

2 MR. EGAN: No. The minimum would
3 be the fair market value of their
4 interest which can be no more than seven
5 hundred thousand plus cost of living.

6 So we-- in our discussions at the
7 Foundation, we've always assumed it
8 would be the seven hundred thousand.

9 But Mrs. O'Connor makes a very, very
10 good, solid point. Given what is
11 happening now, it might be less than
12 that.

13 But, again, that sort of relates to
14 what the Foundation is willing to pay
15 because in the final analysis for that
16 site the foundation has said, "We'll pay
17 the bill."

18 So, if that's--

19 MS. O'CONNOR: Vera O'Connor,
20 again. According to what I read, we
21 would not pay for the appraisal. It
22 would be the Urban League who would pay
23 for the appraisal.

1 MR. EGAN: No; we would. The
2 Foundation would pay for the appraisal.

3 MS. O'CONNOR: I thought they
4 said the Urban League --

5 MR. EGAN: Well, they would
6 probably want to go get their own
7 appraisal.

8 Often times they don't agree. And
9 that's not unusual. It's a matter of
10 judgement and sometimes the appraisers
11 are different in their opinion of a
12 particular piece of real estate. So
13 usually both sides get an appraisal.

14 But any expense that the City incurs
15 the Foundation has agreed to pay.

16 So it would not be a cost from the
17 City. It wouldn't come out of the
18 Library Department's budget or anything
19 of that nature.

20 If that's okay, I'll move on to the
21 sites. And before I ask Steve to put a
22 rendering up, I want to address one
23 thing because I think it needs

1 clarification with regard to the sites,
2 and that is the report of the Mason
3 Square Steering Committee which is found
4 behind Tab 4. And it's a very, very
5 comprehensive report encompassing some
6 twenty-two pages.

7 Obviously, a lot of people put a lot
8 of time into this.

9 The Steering Committee, as I
10 understand it, was originally appointed
11 by Mayor Ryan. Mr. Morton was the
12 chair. At some point in time he left
13 the Steering Committee and became part
14 of the Control Board, as I understand
15 it. And then Mr. Ben Swan, Jr. became
16 the chair.

17 They started their work. And this
18 is a reverse-chronological-order report,
19 which means the start is back on page
20 twenty-two and the conclusion is on page
21 one.

22 So they started this study in what
23 looks like December, 2006. And they

1 made their recommendations July 24,
2 2007.

3 Now, what has been said about this
4 report is it recommends the Mosque. And
5 that's absolutely correct.

6 But what I would like to point out
7 to you is the reasoning behind the
8 recommendation because what is very
9 important to underscore is that this
10 report and this committee was not
11 allowed to consider the Urban League as
12 a site.

13 So this was not a comparison of the
14 four sites we are going to talk about
15 tonight. The Urban League site was off
16 the table.

17 Even though the Urban League site
18 was off the table, its' very helpful, I
19 think, to see what the Committee felt
20 about the Urban League site. And you
21 can find that on page thirteen.

22 And on page thirteen at the top
23 you'll see an entry that begins with LS.

1 And I believe this is for March
2 26th, 2007.

3 Ands LS is Liz Stevens. And I'm
4 going to ignore what Liz said just
5 because it's on another topic.

6 But you are in there later on, Liz.

7 Below the first paragraph where Liz
8 is talking about something else, you
9 will see the initials MW, which I'm told
10 is Mary Worthy.

11 And this is what-- this is the
12 discussion that transpires on March 26th
13 at that Committee.

14 Mary Worthy: Is the current Library
15 building an option?

16 Liz Stevens says: The Mason Square
17 Library Advisory Committee which meets
18 the last Thursday of each month has
19 directed her to make a formal inquiry of
20 the Urban League Board of Directors.

21 Pat Markey says: It's the best
22 location.

23 And this is critical, I think.

1 The group agreed.

2 It's the best location.

3 Mary Worthy goes on to say: If they
4 are not interested, then we will accept
5 that.

6 And the group agreed with that.

7 And then Liz says: We need to at
8 least address the possibility.

9 The group agreed with that and it
10 was decided to formally inquire with the
11 Urban League Board about the
12 availability of their current offices,
13 the details of which will be discussed
14 at the next meeting.

15 So I think what is very important is
16 that we bear in mind when we talk about
17 this meeting that the group agreed, the
18 Library study agreed, the Library study
19 group agreed, that the best site was 765
20 State Street.

21 If you go back to page nine, which
22 reflects a report on 765 State Street --

23 And that, I believe, is April 30,

1 2007, you will see that the notes
2 indicate, the minutes indicate at the
3 last meeting it was decided to draft a
4 letter that could be sent to the members
5 of the board of directors of the Urban
6 League to inquire about the possibility
7 of purchasing that building for a branch
8 library.

9 On April 10th, Mr. Morton received a
10 phone call from Craig Brown, a member of
11 the Executive Board of the Urban League.
12 Mr. Brown stated that the building would
13 not be for sale.

14 Mr. Morton has received a letter
15 dated 4/10 that states the same.

16 And even after that, after lengthy
17 discussion it was agreed that we, the
18 Library Study Committee, would proceed
19 with our original plan to send a letter
20 to the members of the Urban League Board
21 of Directors asking about their
22 willingness or interest in selling the
23 building.

1 Mr. Morton will send out the letters
2 to each member of the board of
3 directors.

4 What happens then is that the Urban
5 League indicates they are not interested
6 and that site, if you turn to page six,
7 is, therefore, taken off the table.

8 And on page six you can see that now
9 Mr. Ben Swan, Jr. has become the
10 chairman.

11 And it's the third paragraph, the
12 second sentence from the end: He--

13 Meaning Mr. Swan, Jr.

14 --also identified those sites which
15 had been eliminated from consideration.
16 They included the Urban League building.

17 So the story of the Mason Square
18 Steering Committee is that they couldn't
19 consider the library, even though they
20 felt it was the best site.

21 And I think Mayor Ryan will indicate
22 that it was through his office that they
23 were told to move on and consider other

1 sites.

2 Isn't that correct?

3 MR. RYAN: Yes. I'm Charles Ryan.
4 This Committee to use the power of the
5 mayor started, as Jack says, around
6 December of 2006.

7 And the timing is that it was right
8 in that period that we had finally
9 accomplished the signing of an agreement
10 with the trustees of the library and
11 museums, which was kind of what we
12 called the global settlement.

13 And one of the things was--

14 Because you may remember we had
15 brought suit against the SLMA on the
16 Mason Square Library issue. And in
17 return, as part of the settlement, we
18 dropped our suit. And they said two
19 things.

20 One, with the agreement they would
21 provide three hundred and thirty-three
22 thousand dollars towards the cost of a
23 new library or substitute library or a

1 new facility.

2 Nobody knew at that time what it
3 would be.

4 And, secondly, that they would turn
5 over with the court's permission the
6 entire Annie Curran Fund to the Library
7 Foundation so that henceforth the
8 Library Foundation would have control of
9 that multi-million-dollar trust fund.

10 And so it was in that environment
11 that I said, "Okay."

12 "Fine."

13 Finally, we've got the power of the
14 Annie Curran Fund. We've got the money
15 of the Annie Curran Fund. We've settled
16 the case, so we should move ahead.

17 It was my hope that we would be able
18 to find a satisfactory site that would
19 do justice to the Library mission and
20 the residents of Mason Square, other
21 than the Urban League, because I was
22 aware at the middle of negotiations with
23 Mr. Thomas that they didn't want to

1 move. And I wanted to respect it. So I
2 felt that eminent domain should be the
3 last alternative, not the first
4 alternative.

5 It's very easy for government to
6 come out of the box and say, "Oh, well,
7 we are going to do this."

8 I felt a responsibility to try it
9 the other way around.

10 And so when I appointed the
11 Committee and asked James Morton to be
12 chairman, I said that from a policy
13 point of view it was my decision that
14 the Urban League building would not be
15 considered.

16 It wasn't until May of last year,
17 some nine months ago after we had struck
18 out really on Byron's and struck out on
19 the fire station, that I came to the
20 conclusion that, in spite of our very
21 serious and honorable efforts to find a
22 suitable alternative, we couldn't. And
23 it was at that time that I finally said

1 publicly that I would ask my colleagues
2 on the Foundation to consider the issue
3 of asking the City without me as mayor
4 anymore--

5 In other words, I wouldn't be
6 playing a dual role.

7 We would be supplicates. We would
8 be coming forward and saying this is
9 what we want to do.

10 And then, as you know, two or three
11 months ago the Foundation did vote to
12 move forward and come to this meeting.
13 And we are here today.

14 MR. EGAN: Thank you.

15 So that's sort of the point I would
16 like to make about the Mason Square
17 Study Committee because a lot of people,
18 good people, invested a lot of time in
19 this; but they had handcuffs on them
20 with regard to the one site that we at
21 the Foundation feel is the best site
22 because of the site itself and, also,
23 because of the economics of what is in

1 the Annie Curran Trust Fund and being
2 able to preserve some of that to help
3 with the operations of the library.

4 So, if you don't have any question
5 on that, I'm going to move to the four
6 sites.

7 And I don't know if everyone can see
8 that, but Steve Jablonski, who has been
9 working on this for years, I think --

10 I'm sure it seems like.

11 --but for a long time, he advised
12 the Library Study Committee and he
13 advised the Foundation. And he has been
14 on all of these sites. And with his
15 professional experience and with his
16 professional eye and, also, with his
17 pencil and calculator, he has run some
18 very, very helpful studies with regard
19 to these sites.

20 Now, the rendering that is up
21 first--

22 And I'm going to make some points,
23 and then try to leave you to grill Steve

1 or for him to supplement that.

2 But so I can move it along, I'm
3 going to try to make some initial
4 points.

5 What the Library Foundation found
6 here at this site were a number of
7 positives and, quite frankly, no
8 negatives.

9 And the positives I will run through
10 very quickly. And Steve can address
11 them in more detail, if you want.

12 First, it was built as a library, so
13 functionally it's designed to be a
14 library. And structurally it has those
15 conditions in it that are important to a
16 library, as I understand it. And Steve
17 can amplify on this.

18 Libraries require a higher load on
19 the floors because of the books being
20 stacked up there and everything.

21 So here you've got a building built
22 as a library so it will not require
23 extensive or expensive renovations.

1 That was one point that appealed to
2 the Foundation.

3 Two, look at the size of the parcel
4 of land. It is seventy-two thousand
5 square feet. It's an acre and
6 three-quarters, I guess.

7 What that means is that there is
8 space available for parking, which is
9 very important in an urban area.
10 There's space available to integrate
11 outside activities, community
12 activities. And, of course, there's
13 space available for expansion.

14 So the improvement, that is the
15 building, was most suitable and the
16 parcel was most suitable.

17 Then this structure can be ready
18 before any other site. So in terms of
19 how long the community has to wait, this
20 presents the best solution.

21 In 2001 the City of Springfield had
22 a bond issue. This site was the
23 beneficiary of that bond issue to the

1 tune of five hundred and seventy-five
2 thousand dollars.

3 So just two years before it was
4 sold.

5 As a matter of fact, back in Tab 12
6 you'll see a letter from the chief
7 financial officer, at the end of Tab 12,
8 Mr. Ianello, which indicates that with
9 the interest the City really invested
10 eight hundred and eighty-seven thousand,
11 nine hundred thirty-one dollars in that
12 site just two years before it was lost.

13 Finally --

14 And this was very important to the
15 trustees.

16 --it was the only cost-effective
17 alternative for the trustees because it
18 would allow the acquisition, the
19 furnishing and the renovations, if any,
20 which would be minimal, to be funded by
21 the Annie Curran Trust, and the Trust
22 would retain, we think, about two
23 million dollars, which would be

1 available then to assist in the
2 operating cost or in any renovations.

3 So those are the positives. We
4 didn't see any negatives.

5 And, Steve, would you like to
6 elaborate on any of that?

7 MR. JABLONSKI: No. But I guess
8 I would state, if anybody has questions,
9 I can try to detail.

10 MR. EGAN: Okay.

11 MR. JABLONSKI: But I think
12 you've summed it up--

13 MR. EGAN: Okay.

14 MR. JABLONSKI: --very well.

15 MR. EGAN: Anybody want to fire
16 away at Steve?

17 MS. McELWAIN: I have a
18 question. Sheila McElwaine. It might
19 be a question for Library Director
20 Bader.

21 When I was going over the figures, I
22 saw the cost of furnishing. All the
23 alternatives were the same. And I

1 wanted to ask about the disposition of
2 the furniture that had been in this
3 space when it was-- after we had to turn
4 it over to the Urban League.

5 Was that just disbursed in the
6 system? Or is it in storage somewhere?

7 MS. BADER: Emily Bader, Library
8 Director. The building was sold with
9 contents with the exception of some of
10 the wooden shelving which we did remove
11 and have used in various places. So
12 essentially there's no furniture or
13 equipment available to us, if the Urban
14 League should choose to take it away.

15 MS. McELWAIN: Thank you.

16 MS. O'CONNOR: Vera O'Connor. I
17 clearly remember that and I still heard
18 from that.

19 When I toured that building and saw
20 all of the things in it that they got
21 for seven hundred thousand dollars, that
22 was a steal.

23 And you know what they say about

1 robbing without a gun? I thought that
2 was the case.

3 MR. EGAN: I see that Mr. Pikula
4 is here. And since he is your
5 advisor -- do you want to move up?

6 MR. PIKULA: I'm fine here.

7 MR. EGAN: Also, I don't like him
8 behind me. I don't know if he's making
9 faces.

10 No. Seriously--

11 MR. PIKULA: We are gun slingers;
12 we keep our backs to the wall.

13 MS. O'CONNOR: There's a chair.

14 MR. PIKULA: I'll sit right here.

15 MR. EGAN: If those are the
16 questions on that site, we would move on
17 to the next site.

18 MS. WRIGHT: May I ask a
19 question?

20 MR. EGAN: It's the Chair's
21 prerogative.

22 MS. WRIGHT: Catherine Wright. I
23 was just wondering if you could explain

1 the garage area in this building and how
2 big it is and what it was used for?

3 MR. JABLONSKI: The garage area
4 is located at the back of the property
5 towards the back parking lot. It was
6 originally built as a garage to hold a
7 bookmobile and, also, maintenance
8 vehicles for the Library Museums
9 Association.

10 During the most recent renovation in
11 2001, a part of it was converted to a
12 meeting room and some offices; but the
13 larger portion, approximately two-thirds
14 of it, still functions as a garage.

15 It's approximately-- I don't want to
16 guess at the square footage, but I would
17 say it's approximately, I would say,
18 somewhere around twenty percent.

19 MS. WRIGHT: About that big?

20 MR. JABLONSKI: No. About twenty
21 percent of the overall square footage.

22 MS. McELWAIN: I have another
23 question about part of the renovations

1 that were done.

2 Did that, in fact, include
3 renovating in the basement and
4 upgrading--

5 Maybe I should ask you this, Emily.

6 --upgrading heating and air
7 conditioning and the physical plant?
8 That's what I'm asking.

9 MS. BADER: It did include
10 upgrading the HVAC system.

11 At the time of the renovation the
12 building was still owned by the Museum
13 Association and compact storage shelving
14 for Connecticut Valley Archives was
15 installed in the basement. That has
16 since been removed.

17 In terms of the HVAC--

18 And Steve can correct me, if I'm
19 wrong.

20 --it was upgraded to service the
21 entire building except the annex, which
22 is now where the library resides.

23 So that area was not-- the

1 ventilation going into that area wasn't
2 upgraded.

3 MR. JABLONSKI: I would say that
4 is correct.

5 MS. WRIGHT: Could you just-- I'm
6 sorry.

7 Could you just point out where the
8 annex is on this?

9 MR. JABLONSKI: The annex is when
10 you are standing --

11 MS. WRIGHT: Compared to the rest
12 of the building.

13 MR. JABLONSKI: --when you are
14 standing on Mason--

15 UNIDENTIFIED: Wouldn't that be
16 on the other side though?

17 MR. JABLONSKI: When you are
18 standing on State Street, it's the part
19 of the building to your right.

20 MR. EGAN: Steve, they can't--
21 here. They can't see it from there.

22 MR. JABLONSKI: Okay. It's this
23 portion right here.

1 Yeah, when you look at the--

2 One way to help you orient, when you
3 look at the building there's a large
4 glass area. That's the library.

5 MR. CORY: I'm sorry to
6 interrupt. Could we put that just like
7 an even one eighty. And then perhaps
8 you can see it better from the audience
9 and we can still see it.

10 MR. JABLONSKI: There's a large
11 glass area. That's the former library.
12 And there's a large brick wall with no
13 windows. That's the annex. If that
14 helps you orient --

15 MR. CARY: Okay. So--

16 MR. JABLONSKI: And then there's
17 a vestibule in between.

18 UNIDENTIFIED: That's where the
19 library is at.

20 MR. JABLONSKI: Where the brick
21 with no windows towards State Street is,
22 where the library currently is.

23 MR. EGAN: Let's see if we can

1 move it on to the other because that's
2 only one of three-- one of four.

3 MR. GIVENS: I have a question.

4 MR. CORY: Yes, sir.

5 MR. GIVENS: Craig Givens,
6 Library Commission. Is your plan based
7 on what existed at the time it was the
8 Mason Square Library?

9 Or does that show what exists there
10 now?

11 MR. JABLONSKI: This plan--

12 MR. GIVENS: Or how it's laid out
13 now?

14 MR. JABLONSKI: This plan is
15 based on--

16 Because I actually did the drawings
17 and the design for the 2001 renovation.

18 So it's based on how it was laid out
19 then. And I guess that's --

20 MR. GIVENS: So currently we do
21 not know whether or not anything has
22 been done to the structure or to the
23 floor plan aside from what you are

1 showing there now?

2 MR. JABLONSKI: I would say
3 that's correct.

4 I have not actually been inside the
5 building in, I think, three years --
6 four years.

7 MR. PIKULA: If I may, could you
8 just identify for the record what plan
9 so that we have it for the stenographer
10 what we are looking at?

11 MR. JABLONSKI: The plan is
12 titled Mason Square Library,
13 Springfield, Massachusetts. And the
14 sheet number is A1.0.

15 MR. EGAN: Just also for the
16 record you have a floor plan in the
17 folder.

18 And which one is that, Steve? Is
19 that the 2001?

20 MR. JABLONSKI: That's correct.

21 MR. EGAN: Okay. So that's 2001.

22 MS. STEVENS: Could I answer
23 Mr. Givens's question?

1 MR. EGAN: The only-- I'm losing
2 Mr. Jablonski at some point tonight so I
3 would like to get through with him, if I
4 could.

5 MS. STEVENS: Very quickly.

6 UNIDENTIFIED: Say who you are.

7 MS. STEVENS: I'm Liz Stevens.
8 And no permanent changes, no additions
9 of walls have been made within the
10 building.

11 There are some partitions that have
12 been put up and library shelves were
13 removed; otherwise, no construction of
14 any kind has been done.

15 MR. EGAN: Let's see if we can
16 move along because I --

17 MR. JABLONSKI: Do I have them in
18 the right--

19 Do you know which one you want to do
20 next?

21 MR. EGAN: The fire station next.

22 MR. JABLONSKI: Okay.

23 MR. CARY: Many of those--

1 Stephen Cary. Many of those issues and
2 concerns certainly are going to be
3 addressed as we move forward, perhaps
4 not this evening.

5 MR. EGAN: The next Tab, 6 I
6 believe, deals with a site known as the
7 former Mason Square fire station.

8 And the positives for that site:

9 It's owned by the City so the
10 acquisition cost would be a dollar.

11 Second, it's got a central location.

12 The negatives: The renovation costs
13 which are included in your binder would
14 be four point four million dollars, more
15 money than the Annie Curran fund has.

16 So that certainly was not a
17 consideration for the Library
18 Foundation.

19 In addition, no room for expansion.

20 Little or no parking.

21 So that very quickly was eliminated
22 as a reasonable alternative.

23 The next one --

1 MR. PIKULA: Could we just for
2 the record, Mr. Jablonski, could you
3 just identify the diagram you have in
4 front of you?

5 MR. JABLONSKI: The best way--
6 the title of this one is Mason Square
7 Library and Proposed Property, Fire
8 Station, State Street, Springfield,
9 Mass.

10 And the drawing Tab is S-1.

11 MR. EGAN: I think Mr. Pikula has
12 indicated to me that it would be wise,
13 if we would put these in the record. So
14 is that okay, Steve?

15 MR. JABLONSKI: Sure.

16 MR. EGAN: So the stenographer
17 will keep them.

18 So we've got four charts to put in
19 the record.

20 The next site was the Mosque.

21 Positive on the Mosque:

22 Central location and it's currently
23 for sale. Listed price was a million

1 dollars.

2 And the Mayor's office indicated
3 that there was an indication that it
4 could be acquired for nine hundred and
5 fifty thousand dollars.

6 Negatives: It was not built or
7 designed as a library so the renovations
8 and the acquisition costs and the
9 furnishings together would be four point
10 one million dollars.

11 Again, not an item that the
12 Annie Curran Fund could pay for and
13 still have an endowed library left in
14 Mason Square.

15 Other negatives: Its parking is
16 limited and the room for expansion is
17 limited.

18 And the last -- unless there's
19 questions on that, the last is Byron's.

20 And the positive on that is
21 location.

22 The negatives were the renovation
23 costs were going to be so expensive.

1 Just to study to calculate them was
2 going to be almost twenty-five thousand
3 dollars. So that was not considered a
4 viable alternative.

5 That also had parking, but it was
6 limited, and limited room for expansion.

7 What we did -- Steve, you went
8 through? You went through all these
9 structures?

10 MR. JABLONSKI: Right.

11 MR. EGAN: And the one that is
12 most suited was the former Library?

13 MR. JABLONSKI: That's correct.
14 Absolutely.

15 MR. EGAN: Now we've had the
16 services of a professional who toured
17 all of these properties. And in his
18 opinion the one that is most suitable,
19 the best site, is the former library at
20 765.

21 Now, on Tab 9 we have taken--
22 Mr. Jablonski has prepared a grid for
23 you so that you can see and compare the

1 lot size, which is important for
2 expansion for parking, for integrating
3 other activities.

4 The building size, the acquisition
5 cost, the renovation cost, the
6 furnishings, which is a constant for all
7 of them we put in at five hundred and
8 fifty thousand, design fees and a total.

9 So, if you take a look at them,
10 you'll see that the former Mason Square
11 Library furnished, we calculate, would
12 run about a million three fifty.

13 The other ones are all north of four
14 million, except for Byron's which we
15 didn't calculate because we thought it
16 would top the list off.

17 So in terms of what the Library
18 Foundation did after it had all this
19 information, had a presentation from
20 Mr. Jablonski, took this information
21 into consideration, it arrived at the
22 same conclusion that the members of the
23 Library Steering Committee did. And

1 that was that the best site was 765
2 State Street, the former Mason Square
3 Library. And then it applied its own
4 financial restraints.

5 And not only was it the best site,
6 it was the only economic site.

7 And so in December of 2008, after a
8 good deal of time considering these
9 various possibilities, the Library
10 Commission -- the Library Foundation--

11 Excuse me. Hopefully the Library
12 Commission.

13 --but the Library Foundation came to
14 the conclusion that it would offer to
15 the City of Springfield, to pick up--

16 I'll use the vernacular.

17 --the tab from the Annie Curran
18 Trust Fund of acquiring the best site,
19 the most economic site in the Mason
20 Square area for library use.

21 And you'll see behind Tab 10 the
22 votes of the Library Foundation.

23 And I think the first vote is four

1 pages long. And I can tell you what it
2 says in one sentence; that is the
3 Library Foundation will pay all costs
4 associated with the acquisition of this
5 site, associated with defending any
6 lawsuits that arise as a result of this
7 taking of this site, associated with the
8 hiring of any expert witnesses.

9 We understood that we had to come to
10 the City of Springfield with an offer
11 that meant the City would have no
12 financial exposure whatsoever, if this
13 was the site. And we could do it with
14 this site within our existing budget and
15 still have an endowed library in Mason
16 Square.

17 What you have --

18 The second vote deals with an
19 indemnification that Mr. Pikula pointed
20 out to me that, should the Library and
21 Museum Association get sued, they wanted
22 the City to guarantee that they would be
23 indemnified by the City; that is the

1 City would defend them and pick up that
2 tab.

3 And so Mr. Pikula said to me, well,
4 if you are picking up everything, we
5 want you to pick up that, too.

6 He's an effective negotiator. And
7 the Springfield Library Foundation voted
8 to pick that up, too.

9 So, basically, we understand--

10 And, again, that can be affirmed by
11 Mr. Ryan or Mrs. Garvey, if you have a
12 question.

13 We understand that the purpose here
14 is to offer the City of Springfield for
15 this site--

16 And the reason it's this site is
17 because in our view and in the Steering
18 Committee's view it's the best site and
19 the one we can get into quickly.

20 With regard to the site we agree to
21 pick up all costs.

22 MR. RYAN: I would like to say a
23 word on this.

1 I think it's important for
2 everybody-- I wish the whole City knew
3 it.

4 First of all, I think that what this
5 woman did sixty years ago was one of the
6 most remarkable events in our City's
7 history. I think it's the biggest
8 legacy that ever came to the City. The
9 only reason it didn't come to the City
10 as such is that she wanted to benefit
11 the libraries. She wanted to create a
12 library in Mason Square.

13 And sixty years ago the City was
14 running its library through the SLMA.

15 But this was a gift that has never
16 really been fully honored.

17 As a matter of fact, getting rid of
18 it six years ago was a repudiation of it
19 because the Trust was to establish and
20 maintain. And six years they
21 disestablished it.

22 I think it's an honor for the
23 Foundation to have the chance with your

1 help and the City Council and the
2 Mayor's help to reestablish it.

3 Secondly, the important thing--

4 And Jack has made several very, very
5 important references to it.

6 --that it's not only important to
7 have the right building, it's important
8 to have some independent income so that
9 when the City every once in a while
10 finds itself now again, as it did six
11 years ago when Governor Romney cut some
12 money, now it's Governor Patrick, and
13 fifteen years from now it will be
14 Governor Jones or whatever it may be,
15 that at least the Library Department
16 doesn't have to do what it is tending to
17 do right now, which is to take a
18 disproportionate share of the onus of
19 this kind of a thing and keep smiling
20 and keep operating.

21 And at least there will be one
22 library in the City of Springfield that
23 is going to have some sense of

1 independence and come good weather or
2 foul weather will have the ability to
3 sustain itself in a responsible,
4 intelligent way.

5 And that is really the magic of this
6 gift.

7 And this is why right now, in spite
8 of the fact--

9 And all we've got to do is read
10 tonight's paper or look at tonight's
11 television and we know where the economy
12 of the U.S. is going right now, and
13 Massachusetts and the City of
14 Springfield.

15 But here we have this island that,
16 even with all of the losses and the Dow
17 Jones going down every day, that we have
18 approximately three and a half million
19 dollars, today's value, plus another
20 three hundred and thirty-three thousand
21 dollars, plus another three hundred odd
22 thousand which we have the power to
23 unrestrict to do essentially what we

1 want with it.

2 And I can tell you that this is the
3 fair child of the Foundation.

4 We see this as a responsibility that
5 finally has to be lived up to in this
6 City, rather than thrown out on the
7 street as though it isn't very
8 important.

9 So the Library Commission can be
10 assured that it has voted on a unanimous
11 basis every single member of the
12 Foundation as a friend of the Mason
13 Square Library, if we have the right
14 building and if we can put together
15 something where people will have a
16 chance to come and Emily and her
17 associates will have a chance to put on
18 the right programs.

19 MS. FLYNN: May I say something
20 here?

21 MR. EGAN: There's the boss.

22 MR. CARY: Yes.

23 MS. FLYNN: My name is Ida Flynn.

1 And I worked at the library for
2 twenty-nine years. And all of my tenure
3 there --

4 Here, actually.

5 This was my last spot in this room.

6 --I always heard about the
7 Annie G. Curran Endowment and how the
8 Mason Square, was Winchester Square,
9 Mason Square Library was not a burden on
10 the City. It was paid for. The
11 endowment took complete care of that
12 building and supplies.

13 And when I heard what happened,
14 frankly, I would say out loud, because
15 it was stolen from us. It was stolen
16 from the Committee. It was stolen from
17 the City.

18 And for us to not get it back in
19 memory, again, of Annie G. Curran,
20 because it was her money that made it
21 possible for us to have that --

22 She wanted the Mason Square
23 community to have its library. And she

1 wanted it where you could walk in. You
2 didn't have to go up any stairs.

3 I know that's somewhere in her
4 requirements.

5 And I heard that all my life.
6 That's in here, in Springfield.

7 And I just want you, please, do the
8 right thing. Give us back our library.

9 MR. OGILVIE (sic): I'll be
10 brief. I have a broken leg. Tonight I
11 just feel that-- Attorney Egan said the
12 Commission is--

13 I'm sorry. My name is Liz Ogilvie.
14 I live in Mason Square. I work as a
15 community organizer there. I moved here
16 a month ago with my husband from Chicago
17 where we were both living. He's an
18 assistant principal at Commerce High
19 School.

20 The kids can walk to that library.
21 I got my first library card. I'm the
22 first person in my family to finish high
23 school.

1 I remember when Mrs. Webb, the
2 children's section, she told me that was
3 my library.

4 UNIDENTIFIED: That's right.

5 MS. OGILVIE: She told me to make
6 it a goal to read a hundred books a
7 year.

8 I got my graduate education at
9 Harvard University.

10 My husband and I came back to
11 Springfield because Forbes listed it as
12 a dieing city.

13 We took a household income cut of
14 seventy thousand dollars.

15 I work as a community organizer in
16 that neighborhood.

17 These are not just quantitative
18 questions. They are qualitative
19 questions.

20 The message that was sent I can't
21 speak to. I wasn't living here.

22 The message that this Commission has
23 an opportunity to send to little

1 children who look like me, who look like
2 you, who look like people who are in
3 this room, is that you believe in them;
4 you think they deserve this library.

5 There's lots of reasons why
6 communities fall apart. We can talk
7 about all the disinvestment. But I
8 would get on my knees and beg this
9 Commission to not just consider the
10 cost.

11 But I look at my life and I think,
12 if I hadn't gone to that library,
13 because my cousins are addicted, some of
14 them didn't finish high school-- that
15 library made the difference.

16 And I say that, as sure as I know my
17 name, that my seven hundred and twenty
18 verbal SAT score in a household of
19 parents who didn't go beyond eleventh
20 grade started as an early-reader at that
21 library.

22 My aunt is eighty-two years old.
23 And like this lady, after she retired

1 from Mass. Mutual, she went and got a
2 job and worked at that library.

3 It's beyond money what it means to
4 this community. So when you go home
5 tonight, close your eyes. Remember me.
6 Remember me as a six-year-old going in
7 there thinking the world was mine
8 because of that library.

9 MS. McELWAIN: Steve?

10 MR. CARY: Sheila.

11 MS. McELWAIN: I would like to
12 say something. Sheila McElwaine.

13 I would like to thank Liz for
14 sharing with us. And I would like to
15 thank everyone who is here tonight.

16 This library crisis has brought out
17 the worst and the best in this City.
18 There are people in this room who have
19 gone the distance on the library issue
20 starting with Charlie Ryan, starting
21 with Kat, starting with those of us who
22 demonstrated on the steps of City Hall
23 on Valentine's Day, 2003, when three

1 library branches had been put up for
2 sale. And behind the scenes the bad
3 people were figuring out how to dump the
4 Mason Square Library.

5 So I want to thank everyone who is
6 here. And I want to tell Liz I don't
7 think you have a thing to worry about
8 with this group.

9 MR. PIKULA: If I just may?

10 I think there's a wonderful group of
11 people here making a lot of good points;
12 but, as legal counsel for the City, I
13 just want to remind you that the purpose
14 of this meeting is to discuss the
15 alternatives and to have a deliberate
16 process so that we make a record that
17 shows we have studied and we've looked
18 at all the alternatives.

19 And we are going to want to show
20 that there's safeguards that we have
21 taken through this deliberate process.
22 And the record is being made here that
23 we are not making a decision simply

1 based on opposition to what may have
2 happened in the past.

3 I understand the sentiments here;
4 but, please, make sure the focus of the
5 comments and the votes that we take are
6 based on the deliberative process, facts
7 in evidence, and not on sentiment.

8 There's a public purpose that needs
9 to be met. And it appears we are making
10 a very good record of that.

11 But we should keep our focus on the
12 task at hand.

13 MR. CARY: There were two
14 commissioners who had something to
15 question.

16 MR. GIVENS: Craig Givens,
17 Library Commission.

18 For Mr. Jablonski, your calculations
19 outside of the former or the Mason
20 Square Library, they don't include any
21 moneys attributed to traffic studies or
22 environmental studies on these other
23 three sites?

1 MR. JABLONSKI: That's correct.
2 What I did was I tried to calculate to
3 the best of my ability with the three
4 studies-- well, two studies that were
5 done. One was on the Mosque and the
6 other was on the fire station. They
7 were detailed studies; but they were in
8 the terms of what is known in the design
9 profession as a feasibility study.

10 And so we got to that stage and
11 that's how we got both properties north
12 of four million dollars.

13 But we did not do what you are
14 asking about, the traffic studies,
15 because that comes at a later date after
16 it moves beyond a feasibility study.

17 MR. GIVENS: My point being would
18 be that there would be additional costs
19 with these other sites to include things
20 like a traffic study or an environmental
21 study of the property before these
22 properties were purchased or even after
23 they were purchased if they had to be

1 cleaned up in some manner.

2 MR. JABLONSKI: That's correct.

3 MR. EGAN: Just to address
4 Mr. Givens's point, we assumed they were
5 all clean sites, for lack of a better
6 word; but we all know that the older the
7 site, the more likely you are going to
8 run into contamination.

9 And, obviously, the Mason Square
10 fire station and the Mosque are older
11 sites.

12 So we expect that there was a little
13 bit of Las Vegas in the number four
14 point four; it was probably going to be
15 higher than that. So that's a very,
16 very well-made point. And that's one of
17 the reasons they were put aside, because
18 of the risk of internal environmental
19 issues, you know, asbestos and things of
20 that nature, asbestos tiling, asbestos
21 piping and things like that.

22 Those older buildings are a real
23 nightmare.

1 Let me just see if I can move on
2 because I--

3 MR. MORIARTY: I'm sorry. I had
4 a question with regard to the site, as
5 well. And it's about the renovation
6 cost because on our sheet here there's
7 no comparison cost for renovation costs.

8 I know that a lot of money was
9 pumped into this before it was turned
10 over to the Urban League; but do we know
11 about existing asbestos changes in laws
12 that may have to be adapted or the site
13 may have to be adapted?

14 That additional piece that is the
15 current very small library, we just
16 heard the heating and so forth was not
17 updated there. And we know that it's a
18 problem right now and is likely to be a
19 problem in the future. And something
20 will have to be done about that.

21 Has any estimate or guesstimate been
22 made on the renovation costs?

23 MR. JABLONSKI: The answer to

1 that is, no, precisely for what you just
2 said, guesstimate.

3 I feel that my firm did as good of a
4 job as they could with the two sites
5 that we studied in detail, which was the
6 Mosque and the fire station.

7 And basically, you know, we weren't
8 authorized and don't have the authority
9 to go in and start investigating the
10 conditions at the current Urban League.

11 So that's why I put not calculated
12 there.

13 I can tell you that I did the
14 renovation plans in 2001, and supervised
15 the construction. And as of the date
16 that it was sold six years ago, it was a
17 perfectly functioning library.

18 And I would expect, my expectation
19 would be, that there would be-- other
20 than the things that have already, you
21 know, been talked about today of the
22 HVAC renovations in the annex and doing
23 the furnishings over, I would expect

1 there would be minimal renovations.

2 But I would say, as I've already
3 publically stated, I haven't been
4 personally inside the building in four
5 years.

6 MR. MORIARTY: The point --

7 MR. EGAN: Let me-- let me
8 address that issue because it's a very
9 fair point.

10 The Foundation was aware that
11 Mr. Jablonski handled the renovations in
12 2001.

13 The Foundation would pay for any
14 updating that had to be done as a result
15 of-- the Foundation was willing to take
16 the risk with this building that there
17 might be some additional costs because
18 we knew it had been upgraded
19 substantially in 2001, because we had
20 the architect who handled the upgrades
21 before us. So we felt whatever risk
22 there was in there, that's still on our
23 bill.

1 And so it was a considered decision
2 made by the Foundation recognizing there
3 may be some things that have to be done,
4 maybe some HVAC, maybe some lighting and
5 things like that.

6 That's into the offer that the
7 Foundation has extended to the City.

8 MR. TOLEDO: Hector Toledo,
9 commissioner.

10 Mr. Ryan mentioned that, and I think
11 that Attorney Egan mentioned that, the
12 Foundation would help us with the
13 operating expenses of the Library.

14 I have yet to see that mentioned in
15 any of the Foundation votes they took.

16 MR. EGAN: It's not in any of the
17 votes. It's simply that it's in-- they
18 only hold the money for that purpose.

19 And it's in the Annie Curran--
20 that's one of the reasons I put in the
21 tab. It's in there.

22 It's not only for bricks and mortar,
23 but it's for any other purposes of a

1 branch library.

2 So what I think, if we retain and we
3 want to retain a substantial amount of
4 money, what I think I've heard from
5 Mr. Ryan is that everybody on the
6 Foundation is in harmony with the fact
7 that that money is going to benefit the
8 Mason Square Library.

9 So, no, there has been no vote taken
10 because there's no library and there's
11 no deficiency and, you know, you can't
12 quantify anything at this point.

13 But--

14 MR. RYAN: There is nothing else
15 in the world that that money can be
16 spent on, other than that library in
17 Mason Square.

18 There's nothing else.

19 You can't do other libraries. You
20 can't do something for the homeless.
21 You can't do anything.

22 This is the special purpose that
23 Annie Curran had in mind. And so it

1 either sits and it's a wasting asset, or
2 it's an asset that, as I say, would give
3 us--

4 And Jack keeps on it.

5 --the City's only endowed library.

6 Boy, that's really an insurance
7 policy that we've never had in our
8 lives.

9 MR. CARY: One more question from
10 Tim.

11 MR. MORIARTY: Mr. Egan-- I'm
12 Tim Moriarty. There was some concern
13 that the Annie Curran money could not be
14 used for eminent domain. And it would
15 appear that, given this process, it's
16 not really being used because the City
17 is taking the property; that there is no
18 legal issue there with regard to the use
19 of the money.

20 MR. EGAN: I don't know where
21 that concern came from; but I have
22 included the language of the will in
23 front of you establishing the trust, and

1 there's no restriction whatsoever.

2 So it certainly, as far as the
3 Trustees are concerned, is a wholly
4 legitimate use of these funds and the
5 only reasonable use of these funds to
6 reimburse the City for any costs that
7 they incur getting this library located
8 at 765 State Street, getting it up,
9 getting it running and then helping to
10 continue running. So that's not an
11 issue.

12 MR. PIKULA: If I may,
13 Mr. Chairman, two comments.

14 One, Mr. Egan pointed out the terms
15 or the excerpts from the last will and
16 testament of Annie Curran are included
17 in the record at Tab 11. So you can see
18 the restrictions and the limitations
19 that are contained therein.

20 And as to the point of not being
21 used for eminent domain, that may be
22 some confusion or mischaracterization of
23 the fact that there was another opinion

1 requested from the Law Department which
2 was issued which indicated that the
3 Library Foundation did not have the
4 power of eminent domain.

5 And so there may be some
6 miscommunication in the sound bites that
7 come out, as opposed to the written
8 word.

9 But, similarly, I would also draw
10 your attention to the opinion that was
11 issued that talks about the legality of
12 utilizing funds provided by a private
13 party to a municipality for purposes of
14 taking by eminent domain--

15 And I believe I did site that in the
16 opinion which is at Tab 1.

17 And, if you can just bear with me
18 for a moment, I could find that case,
19 which I'm sure Mr. Egan is also familiar
20 with.

21 MR. MORIARTY: Is that North
22 Adams?

23 MR. PIKULA: Yes.

1 MR. EGAN: Yes.

2 MR. PIKULA: Deep versus City of
3 North Adams.

4 MR. MORIARTY: Page ten.

5 MR. PIKULA: Which is cited on
6 page ten. Thank you, Commissioner.

7 So that is the legal authority for a
8 private entity providing funds for a
9 public taking, which I guess was
10 proposed to you.

11 MR. EGAN: You have been very
12 generous to me with time so I just want
13 to cover a couple of more issues. I'm
14 not going to say anything more about the
15 Annie Curran Fund, except behind Tab 12
16 there's great remarks by the director of
17 libraries in 1955 when the new library
18 was open.

19 And there's a wonderful article
20 called Annie Curran's Secret: A Million
21 Dollar Library Legacy.

22 The thing -- you know, Mayor Ryan
23 talks about the generosity of the lady.

1 The thing I found absolutely
2 fascinating is in her bequest she says
3 it's my request the library be named for
4 the locality which is serves.

5 In other words, she didn't want any
6 credit for it. You know, that not only
7 was an incredibly generous gesture, it
8 was a gesture of a very humble person
9 who was trying to repay her neighbors
10 and her City. It's just a wonderful
11 thing.

12 I want to move to Tab 14 because you
13 are probably saying to yourself, "Okay,
14 Egan, if the Library Commission -- the
15 Study Committee decided in 2007 that
16 this was the best location, why has it
17 taken so long to get to us?

18 And that's a very good question.
19 And I'm going to tell you why.

20 The answer is going to be as good as
21 the question.

22 This summer-- this summer we found
23 out for the first time that an agreement

1 existed between the Attorney General's
2 Office and the Urban League.

3 No one in the City knew about it.
4 Certainly no one at the Library
5 Foundation knew about it.

6 And, again, that's not a criticism
7 of anyone who was involved. We just
8 didn't know about it.

9 When we found out about it, we
10 learned what the cost would be for
11 acquiring this property. And that's the
12 key that unlocked the Curran Fund funds
13 because the Foundation knew then that
14 the cost of acquiring this property
15 would be seven hundred thousand plus the
16 cost of living adjustment plus any
17 improvements. And we calculated. And
18 my firm calculated the cost of living
19 adjustments to be about eight hundred
20 thousand dollars.

21 Well, then the Foundation was in a
22 position to say we can go to the City
23 and say, "If you acquire this property,

1 we'll pay the bill and we know we'll
2 have funds left to support the
3 operations of the Mason Square Library."

4 And even then--

5 We got that information, I think it
6 was, in August of this summer.

7 Even then the Foundation went back
8 over these four sites, brought
9 Mr. Jablonski back. He had to do his
10 presentation all over again. And we
11 came to the same conclusion that the
12 Library Commission study group came to
13 in 2007.

14 And so the reason that it has taken
15 this long is certainly the Foundation
16 that I'm sure you and I'm sure the
17 residents of Mason Square all hope that
18 it hadn't happened that way. But,
19 again, we are looking forward.

20 The reason was we didn't have this
21 information.

22 We had this information in December.
23 We voted. The Foundation voted to make

1 sure that every nickel that the City is
2 obligated to pay as a result of
3 acquiring this property will be paid
4 from the Annie Curran Trust Fund.

5 We think it is not only the best
6 site; it is the only economic site.

7 We ask that you do what the statute
8 says is your authority and that is
9 request the Mayor of the City and the
10 City Council of this City to acquire
11 that site and bring full library
12 services back to the residents of Mason
13 Square. And they will have an endowed
14 library. And this Foundation will be
15 there to support the staff of that
16 library, to support the citizens it
17 serves. And, also, given what the
18 Library Department faces now, probably
19 it will be widely used by people in
20 other parts of the City.

21 So thank you very much for your
22 patience.

23 MR. JONES: My name is Mo Jones

1 and I just wanted to say this shortly.
2 Mrs. Loving (sic) could not be here.
3 She is sick.

4 First of all, as far as egress, that
5 library has the best egress of any
6 library or any building in the City of
7 Springfield. It's got Monroe Street.
8 It's got Hawley Street and it's got
9 State Street.

10 As far as State Street is concerned,
11 gentlemen, it's been studied more than
12 the Constitution of the United States.

13 Don't sit there and tell me about
14 the traffic and all that other stuff.

15 It's the best site for the library.
16 It's got everything.

17 I think Mr. Egan said it very
18 clearly with one word. I doubt very
19 seriously if you folks can come up with
20 one thing negative about the present,
21 the old library, the one that the Urban
22 League has got.

23 There's nothing negative about that

1 site. Nothing.

2 The founding fathers and people that
3 put that library there studied the
4 traffic. They studied everything that
5 they needed to, the egresses and the
6 kids walking across the street.

7 I just want you to understand this.
8 There's four elementary schools there.
9 There's three high schools there.
10 There's five or six charter schools
11 there. There's Head Start there.
12 There's preschools there.

13 We got more kids concentrated in
14 walking distance of that library than
15 any library in the City of Springfield.

16 The only thing I'm going to say
17 negative is that the people of Mason
18 Square feel they don't have a voice.
19 And I'm just a little disappointed in
20 our mayor because he was the one that
21 told me when I was running for public
22 office to stay on this issue.

23 "It was a damn good issue, Mo. Stay

1 on it."

2 I'm on it and he's going the other
3 way. I don't understand it.

4 That's fine. That's fine. But
5 remember one thing. And, believe me, I
6 might not be around, but in five years
7 time, if we don't take that library back
8 today--

9 Because you've got a hole in the
10 roof already and there's water coming
11 into the building. A big maintenance
12 problem up there.

13 And, if we don't take that Library
14 back today, five years from now they are
15 going to board it up because there's no
16 way the Urban League can maintain the
17 building.

18 I'm the guy that gave them the
19 building across the street when I was on
20 City Council because they can't-- they
21 did not have any money.

22 And we gave them that library. And
23 they demanded that library. They did a

1 lousy job as far as maintenance was
2 concerned.

3 So you guys can sit there and try to
4 find something in those packages you got
5 that will tell you not to vote for the
6 library; but what Mr. Egan says to you,
7 there's not one negative thing in this
8 proposal that doesn't say that this
9 library shouldn't go back to the people.

10 MR. CARY: I would like to thank
11 Mr. Egan.

12 I want to thank Mr. Jablonski.

13 Mr. Pikula, is there anything else
14 that you would like to say at this time?

15 MR. PIKULA: Is a vote going to
16 be taken?

17 MR. CARY: There will not be a
18 vote tonight. We are going to be
19 getting together in a week's time.

20 Understand that your motions are
21 heard.

22 We are not acting in a cruel and
23 cold character; but we do have a lot

1 more homework. We have a lot of
2 thinking. We have to craft a vote with
3 language that is approved and that--

4 Yes, ma'am.

5 MS. SEYMOUR: Yes. My name is
6 Dot Seymour. I would like you to
7 consider the roof. Anything that you
8 purchase, deduct the amount of the roof
9 fixtures and whatever else--

10 MR. CARY: Yes. No. Absolutely.

11 MS. SEYMOUR: --from the seven
12 hundred thousand.

13 MR. CARY: Understand that this
14 will be poured over and scrutinized in
15 many different ways. A lot of eyes and
16 your eyes and ears and your hearts and
17 everything you brought tonight is
18 something that we are listening to.

19 MS. PITT: Excuse me.

20 MR. CARY: Yes.

21 MS. PITT: My name Tanya Pitt.
22 How much time are we looking at to get a
23 decision? Because we have been waiting

1 a long time.

2 MR. CARY: Yes, you have, as well
3 as we have.

4 I believe we are going to make our
5 decision within a week.

6 It leaves our venue at that point.

7 MS. McELWAIN: Can we give the
8 people a date?

9 Can you tell her a date?

10 She wants to know when--

11 MR. CARY: Yes. We are meeting a
12 week from tonight. We are meeting here.
13 It's at five thirty in this very same
14 room.

15 MS. SEYMOUR: After you finish
16 this, that will go to the City Council--

17 MR. CARY: Yes.

18 MS. SEYMOUR: --or will it go to
19 the Mayor?

20 MR. CARY: It goes to the City
21 Council.

22 MS. SEYMOUR: And does City
23 Council then make the decision as to how

1 to go about doing the eminent domain?

2 MR. CARY: I believe--

3 MS. SEYMOUR: And that's --

4 MR. CARY: I believe Mr. Egan can
5 correct me, if I'm wrong. I believe at
6 that point--

7 I'm sorry.

8 Mr. Pikula.

9 At that point it goes from City
10 Council. And then the path goes where?

11 MR. PIKULA: Well, there's a few
12 things to consider here. I would think
13 that there may be need for a title
14 search, need for an engineering study.

15 We may also need to get one, if not
16 two, appraisals.

17 So those are some of the
18 prerequisites that we want to have.

19 And, you know, there may be some
20 further interaction in between the
21 Library Foundation and the City before
22 the City Council actually takes a vote
23 on this.

1 But this is really the initiation of
2 the process. And that is to have some
3 deliberate analysis and studies and
4 information and facts on which upon to
5 base a decision at to what the Library
6 Department needs and the alternatives
7 available.

8 And I think you've made a record
9 here that can be the basis of a vote,
10 whatever that vote should be, at your
11 next meeting; but from there City
12 Council and you will need some
13 prerequisites probably before that vote
14 can go through along the lines that are
15 in my opinion, which is Exhibit 1.

16 MS. McELWAIN: Mr. Chairman?

17 MR. CARY: Yes.

18 MS. McELWAIN: I just would like
19 to note for the people who are here that
20 City Councilor Bud Williams has been
21 here for most of this meeting and he's
22 heard our ideas and the presentation and
23 the passion. And I'm sure that he'll be

1 taking this into account.

2 MS. PITT: So do you all have to
3 take a vote in order to-- you all are
4 going to take a vote next week to go to
5 the City Council meeting?

6 MR. CARY: That's correct.

7 MS. PITT: Why can't you vote
8 tonight?

9 MR. CARY: There's a lot of
10 homework here. And we can vote on a
11 motion.

12 And, as Attorney Pikula mentioned,
13 it's probably not the best decision to
14 make --

15 MS. PITT: Two or four.

16 MR. CARY: I'm with you. I
17 agree. It's been a long time.

18 MS. PITT: If you want to know
19 the history of the library, you have
20 done this for so many years, how much
21 more do you have to keep studies to keep
22 putting us off, putting us off and
23 putting us off?

1 I mean, when--

2 MR. CARY: That answer is one
3 week.

4 MS. PITT: If the next mayor that
5 comes in before we get the decision
6 made--

7 MR. CARY: Our decision will be
8 made a week from this evening.

9 MS. SEYMOUR: This is the
10 decision to take eminent domain; right?

11 MR. CARY: It's our
12 recommendation for the City Council,
13 correct.

14 MS. McELWAIN: Mr. Chairman, it
15 may be helpful to draw up-- it may be
16 helpful to draw up some kind of flow
17 chart so we can answer these questions
18 on a sustained basis. I think it would
19 help to alleviate a lot of this
20 confusion because people really have
21 been very patient and they deserve
22 specific information.

23 MS. O'CONNOR: Mr. Chairman, may

1 I be recognized?

2 MR. CARY: Yes, you may.

3 MS. O'CONNOR: Vera O'Connor.

4 Attorney, it's my understanding that
5 it will take two-thirds of the City
6 Council to vote to proceed.

7 MR. PIKULA: That's correct.

8 MS. O'CONNOR: Good. Two-thirds,
9 I'm sure we'll get it.

10 MR. PIKULA: Let's initiate the
11 process here first. And I'll work with
12 the Commission in the form of a vote so
13 that you will be prepared.

14 MR. CARY: Thank you, very much.
15 Our meeting is adjourned. Thank you,
16 very much.

17 (The meeting adjourned.)

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1 COMMONWEALTH OF MASSACHUSETTS
2 COUNTY OF HAMPDEN

3 I, JULIA A. McLEOD, Shorthand Reporter,
4 hereby certify that the foregoing is a true
5 and accurate transcript of my stenographic
6 notes to the best of my knowledge and
7 ability.

8

9

10 Julia A. McLeod
Shorthand Reporter

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