

Board of Library Commissioners

Meeting Minutes: March 8, 2006

Library Commissioners Present:

Patrick Markey
Janet Denney
Barbara Garvey
Craig Givens
Sheila McElwaine
Vera O'Connor
Rudy Ruggeri

Library Staff Present:

Emily Bader, Library Director
Lee Fogarty, Assistant Library Director

Patrick Markey, Chair called the meeting of the Springfield Library Board of Commissioners to order at 5:40 p.m. Chairman Markey asked for a moment of Silence in honor of Margaret Scott, Library Office Assistant, who passed away suddenly on Friday, February 24 th.

Opening Reading by: Vera O'Connor

A motion to approve the minutes of the February 8, 2006 meeting passed unanimously.

Chairman Markey stated that it was appropriate for the Library Commission to issue a statement expressing the Commission's sincere regret as a response to an article in the Springfield Republican on February 28, 2006 that discussed a criminal conviction for statutory rape. The article mentioned that the victim met the perpetrator at the Springfield Central Library. Commissioners offered their sincere regret that this criminal act had occurred. The Commissioners also wanted to reassure the residents of Springfield that it is their intent to provide a safe and secure environment at all the Library locations. Chairman Markey read a draft statement. After some discussion, it was agreed that a formal statement would be issued that would include a statement of compassion for the victim.

A motion to issue an amended statement was made by Commissioner Denney and seconded by Commissioner McElwaine. The motion passed unanimously.

The amended statement is as follows:

The Library Commission offers its concern and condolences to the woman who was criminally victimized by a man who she apparently met at the Main Library.

The Springfield Library Commission places great emphasis on ensuring a safe Environment for visitors to all Springfield libraries. The Library Department employs security personnel, who enforce a behavior code for all library visitors and staff. In addition, all areas of the Central Library are monitored 24/7 by closed circuit television. When disruptive or potentially illegal activities happen in any building, library staff and/or security guards respond quickly to resolve the situation, often in conjunction with Springfield Police .

Advisory Committee Reports :

The Forest Park Branch Advisory Committee requested to present their report. Ginna Ondricek discussed a letter from Jean Kaiser addressing concerns regarding the condition of the Parapet, what progress is being made to repair the Parapet and ownership of the Forest Park Branch. Chairman Markey stated that the Title to the Forest Park Branch is still with the Springfield Museums Association, that they were willing to transfer Title of the Branch to the City, but are waiting to negotiate more global issues. Chairman Markey also mentioned that there had been a meeting with Jay O'Brien to discuss ownership of Trusts and Endowments. Once those ownership issues are determined then the ownership of the buildings will be negotiated. Mayor Ryan has authorized the use of City Funds to repair the Parapet at Forest Park. Director Bader reported that Patrick Sullivan, Head of Facilities Management has assured her that this project as well as other Library Capital projects are on the Capitol improvements Lists. Projects on this list are prioritized and approved by the Capital Needs Committee which is comprised of the Chief Financial Officer, Mary Tzambakis, Mayor Charles Ryan, Head of the Financial Control Board, Phil Puccia, Springfield School Superintendent, Dr. Burke and the Head of the Planning Department. Projects are assigned to this Committee if the cost of the project is over \$25,000. Patrick Sullivan will be meeting with Mayor Ryan on Friday, March 10 th to discuss the repair of the Forest Park Branch Parapet.

The Forest Park Advisory Committee has been researching grants to restore historic library buildings and would inform the Commission of their findings.

Library Collection Development Policy :

A motion was made by Commissioner Garvey to refer the Library Collection Development Policy discussion to the Policy Committee for review. The motion was seconded by Commissioner McElwaine. Motion passed. Commissioner Denney, Commissioner Garvey and Commissioner Ruggeri are members of the Policy Committee. The Committee will meet before the next Commission meeting and will report their recommendations at the April 6 th Commission Meeting.

Fundraising by Library Advisory Committees:

Commissioner Markey entertained a motion to table this discussion until the April 6 th Commission meeting since the Friends of the Springfield Library Board were unable to attend the March 8 th Commission meeting. The Friends engage in several major fund raising events to help fund Library programs and the purchase of Library materials. Commissioner McElwaine reported that the Indian Orchard Branch Advisory Committee was interested in raising funds to repair the Banjo Clock and the Cumean Sybil painting. Antique Dealers in the Indian Orchard neighborhood could be approached for assistance with the restoration projects. Commissioner Garvey suggested that Commissioner McElwaine send her suggestions to Marianne Maloney, President of the Friends which include a suggestion that the Friends provide administrative functions for the collection and disbursement of funds. A motion was made by Commissioner Garvey and seconded by Commissioner O'Connor to table this discussion until the April 6 th Commission meeting. Motion passed.

Library Commission Committees-finalize membership :

Motions were entertained to appoint the following Commissioners to Committees established in the by-laws.

Policy Committee :

Commissioners Denney, Garvey and Ruggeri Motion made by Commissioner Garvey and seconded by Commissioner Ruggeri. Motion passed.

Buildings & Grounds Committee :

Commissioners Givens, McElwaine and O'Connor, Motion made by Commissioner Garvey and seconded by Commissioner McElwaine. Motion passed.

Finance Committee:

Commissioners Denney, Garvey and Markey. Motion made by Commissioner Garvey and seconded by Commissioner McElwaine. Motion passed.

Planning & Program Committee:

Commissioners Denney and Givens. Motion made by Commissioner Garvey and seconded by Commissioner McElwaine. Motion passed.

Ad Hoc Committees:

- **Branch Advisory Committee-** Commissioner McElwaine Motion was made by Commissioner Garvey and seconded by Commissioner O'Connor. Motion passed.
- **Evaluation of Library Director:** Commissioners Garvey, Givens. Motion made by Commissioner McElwaine and seconded by Commissioner Ruggeri. Motion passed.

Commissioner Garvey reported that the Evaluation Committee has developed a draft Job Description for the Library Director and asked the Commissioners to review and respond by March 27 th with any comments. Commissioners Garvey and Givens will collate the responses and discuss them at the April 6 th Commission meeting. Director Bader mentioned that the City Personnel Department has been working with City Department Heads to develop Job Descriptions and an Executive pay plan. Commissioner Garvey will discuss this issue with Marilyn Montagna, Head of Personnel for the City of Springfield.

Director's Report :

Director Bader reported on the FY07 budget process, which includes level funding as well as 5 and 10% percent contingencies for Other than Personnel expenses. The Personnel budget will include negotiated pay increases for AFSCME and SOLE employees and pay increases for non-bargaining staff, which have yet to be determined.

The Budget narrative includes key programs and measures. A Finance Committee meeting will be scheduled before the Budget Hearing.

Director Bader reported that City Attorney Alicia Day would research the legal issues regarding the contractual arrangement with the Springfield Museums Association and the Springfield City Library for Security services. There is concern that the current arrangement does not meet city procurement requirements.

Recommendations for new uniforms for the Central Library Security guards will be presented at the April 6 th Commission meeting.

The equipment necessary to produce ID badges for staff will be purchased.

Commissioners were reminded to attend the March 10 th Legislative breakfast sponsored by the Friends of the Library at 7:30 in the Central Library Rotunda. Senator Buoniconti will be the keynote speaker.

Ann Keefe, Head of Technical Services described the One-Book project. Funding from Mass Mutual in the amount of \$18,500 and funding from the Friends as well as several private donors has made this program possible. Fahrenheit 451 by Ray Bradbury is this year's selection. There is a kick off event scheduled on March 26 th at 2:00p.m. in the Springfield Museum of Fine Arts. Brochures were distributed detailing events and book discussions that are scheduled during the month of April.

Chairman's Report :

Chairman Markey gave an update on the Lawsuit filed by the City against the Springfield Museums Association last

summer seeking funding to build a new Library for the Mason Square neighborhood, as well as funding to repay the City for the Bond that was used to renovate the Mason Square Library before it was sold to the Springfield Urban League. The Legal theory that is being used is one of partnership. A de-facto partnership existed between the City of Springfield and the Springfield Library and Museums Association due to the millions of dollars that the City gave to the Association to operate the Libraries and the Museums. This de-facto partnership results in a fiduciary duty for both parties which requires consent when selling an asset. Since the Association sold the Mason Square Branch Library without permission from the City, this was a breach of Fiduciary duty. City procurement laws also prohibit the Mayor alone from selling City Assets.

Chairman Markey recently deposed Henry Thomas, President of the Springfield Urban League regarding the role of the Urban League in the purchase of the Mason Square Branch from the Association. Negotiations for the sale began in the Fall of 2002, one year after the October 18th, 2001 Grand Opening of the newly renovated Mason Square Branch. A Purchase & Sales agreement was drafted on March 28, 2003. On April 9, 2003 the Springfield Library and Museums Association Trustees voted to approve this sale. At an earlier meeting that day, the Library Advisory Board had been assured by Don D'Amour, Trustee Chair, that this purchase and sale was not imminent and that there were several options being discussed.

A date for the deposition of Mayor Albano has not been set yet. The next step will be a Summary Judgment Motion which will be presented to a Judge. Chairman Markey predicted that a trial would not happen for a least a year.

Other issues in the lawsuit involve retirement contributions for Springfield Museum employees. At this point there is an unfounded liability of \$3,404,000 for the City for vested museum employees. The issue needs to be resolved.

Chairman Markey met with Jay O'brien and the Mayor regarding the Investments. Chairman Markey, Commissioner Garvey and Director Bader also met with Jay O'Brien on February 22, 2006. There is general agreement on certain accounts that are undisputedly library property. There was also general agreement that the Court would decide the disputed funds. It has been determined that either Probate or Superior Court had jurisdiction. Director Bader, Commissioner Garvey and Josephine Sears will organize the trust documents for presentation to the Court. The next Meeting is scheduled for March 22.

Other Business : Director Bader reported that she, Assistant Director Fogarty, and Branch Manager Hodis attended an East Springfield Civic Association meeting that was very productive leading to several collaborative projects and programs.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted by:

Vera O'Connor