

**MINUTES
BOARD OF TRUSTEES
THE SMITHTOWN LIBRARY
October 25, 2022**

A regular meeting of the Board of Trustees of The Smithtown Library was held at the Nesconset building, Nesconset, New York, on the 25th day of October, 2022. The meeting was called to order at 6:30 p.m. with the pledge of allegiance to the flag.

The following Library Trustees were present: Brianna Baker-Stines, Anita Dowd-Neufeld, Marie Gergenti, Joseph Gregurich, Theresa Grisafi and Thomas Maher (note: at the present time there is an open seat on the Library Board created by the resignation of Marilyn LoPresti, effective 9/20/22).

Also present were Library Director Robert Lusak, Assistant Library Director Patricia Thomson, Clerk Lauren Gunderson, Treasurer Kevin Miller and Secretary Linda Taurassi.

Brianna Baker-Stines, President of the Board of Trustees, acted as Chairperson of the meeting.

READING AND APPROVAL OF MINUTES

1. APPROVAL OF MINUTES

Library Board President Brianna Baker-Stines moved to approve the adoption of the following resolution:

RESOLVED, that the REGULAR MEETING MINUTES of September 20, 2022 be approved as presented.

The motion was seconded by Trustee Thomas Maher and adopted 6-0 by the following roll call vote: vote.

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

REPORTS OF OFFICERS, BOARDS, STANDING COMMITTEES & DIRECTOR'S REPORT

2. The BUDGET AND FINANCE COMMITTEE report was presented by Budget and Finance Committee Liaison Anita Dowd-Neufeld, who moved to approve the adoption of resolution “a”:

a. TREASURER'S REPORT

RESOLVED, that the TREASURER'S REPORT for the month ended September 30, 2022 be approved for filing (copy of report appended to the original of these minutes).

The motion was seconded by Trustee Joseph Gregurich and adopted by a unanimous 6-0 vote:

b. WARRANTS

Trustee Anita Dowd-Neufeld moved to approve the adoption of resolution “b”:

RESOLVED, that the following WARRANTS be approved for payment (copy of warrants appended to the original of these minutes):

i. Warrant #22 - October (“L” fund) PREPAYS	\$ 27,389.30
ii. Warrant #22 - October (“L” fund) WARRANT	\$ 451,629.75
iii. Warrant #22 - October (“M” fund) WARRANT	\$ 18,700.00
iv. Warrant #22 - October (PAYROLL #20 – 9/30/22)	\$ 291,495.14
v. Warrant #22 - October (PAYROLL #21 – 10/14/22)	\$ 279,503.37

The motion was seconded by Trustee Joseph Gregurich and adopted by a unanimous 6-0 vote:

Trustee Anita Dowd-Neufeld moved to approve the adoption of resolution “c”:

c. CERTIFICATE OF RESULTS

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby accept the Library’s 2023 Budget Vote and Trustee Election results as presented (appended).

The motion was seconded by Trustee Thomas Maher and adopted 4-2 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gregurich, Maher. AGAINST – Gergenti, Grisafi.

3. In the absence of a PERSONNEL COMMITTEE Liaison, the Personnel Committee Report was presented by Library Board President Brianna Baker-Stines, who moved to approve the adoption of resolution “a”:

- a. *RESOLVED, that the following PERSONNEL changes be approved as presented:*

Full-time appointment:

- i. Permanent full-time appointment of **Ana Walsh**, to the position of Library Assistant, Technical Services Department, Nesconset building, at an annual rate of pay of \$51,602.00, subject to a 26-week probationary period, effective October 26, 2022.

Part-time Appointment:

- ii. Part-time appointment of **Kyle Tilden** to the position of Driver Messenger, all Library buildings, at an hourly rate of pay of \$15.00, not to exceed 17.5 hours per week, effective October 26, 2022 (to fill the vacancy created by the resignation of William Amendolia, effective 9/7/22).

Resignations:

- iii. Resignation of **Jason Schuck**, Library Assistant, Community Relations Department, Nesconset building, effective September 28, 2022.
- iv. Resignation of **Kelly Lavdas**, Library Clerk, Circulation Department, Smithtown building, effective October 29, 2022.

Termination:

- v. Termination of **Gregory Thayer**, Librarian I, Reference Department, Commack building, effective September 21, 2022.

The motion was seconded by Trustee Anita Dowd-Neufeld and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

b. DISCUSSION – Library Director’s Evaluation

The Library Board briefly discussed the process of the Library Director’s evaluation.

4. Report of the BUILDINGS AND GROUNDS COMMITTEE

There was no report of the Buildings and Grounds Committee.

5. The COMMUNICATIONS COMMITTEE report was presented by Communications Committee Liaison Joseph Gregurich, who moved to approve the adoption of resolution “a”:

a. Memorial Donation – Michael S. McDermott

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept an anonymous donation of Two Hundred Dollars (\$200.00) in memory of Michael S. McDermott, and be it

RESOLVED, that said donation is to be used to purchase books by authors David Baldacci, Alexandre Dumas, Joe Hill, Stephen King and James Rollins, and be it

FURTHER RESOLVED, that said books are to be placed, as requested, at the Nesconset building to benefit the Nesconset Community.

The motion was seconded by Trustee Thomas Maher and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

b. Donation - Friends of The Smithtown Library

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept and thank the Friends of The Smithtown Library for their generous donations totaling \$12,130.91 for the cost of museum passes, ornaments of the Smithtown building, and the cost of supplies used to create a keepsake for the Legislative Breakfast hosted by the Library.

The motion was seconded by Trustee Anita Dowd-Neufeld and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

6. DIRECTOR'S REPORT – Robert Lusak, Library Director

The Director's Report had been submitted previously to the Library Board (copy of report appended to the original of these minutes).

UNFINISHED BUSINESS

7. DISCUSSION – Diversity Committee

There was discussion pertaining to the Library's internal Diversity Committee newsletter.

Trustee Theresa Grisafi made a motion "to hold off on any further distribution of the Diversity Committee newsletter to employees until further discussion and review; in addition to a log about the time used by employees to create the newsletter".

The motion was seconded by Trustee Marie Gergenti and resulted in the following roll call vote:

FOR – Gergenti, Grisafi. AGAINST - Baker-Stines, Dowd-Neufeld, Gregurich, Maher.
Motion failed.

Trustee Marie Gergenti requested that a proposal be made to unite the community. Library Board President Brianna Baker-Stines responded that the Board would have to approve any statement, whether a personal statement or from the entire Library board.

8. REVISED POLICY – **Use of Library Meeting Rooms** [Policy 700-50] (2nd reading)
[Note: revisions are noted in underlined bold font; deletions are noted with a strikethrough]

Library Board President Brianna Baker-Stines moved to waive the reading of the Use of Library Meeting Rooms Policy [Policy 700-50]. The motion was seconded by Trustee Thomas Maher and adopted 5-1 after discussion by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gregurich, Grisafi, Maher. AGAINST – Gergenti.

Library Board President Brianna Baker-Stines moved to approve the adoption of the Use of Library Meeting Rooms Policy [Policy 700-50]. . The motion was seconded by Trustee Thomas Maher and adopted 5-1 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gregurich, Grisafi, Maher. AGAINST – Gergenti.

Note: Application for Use of Library Meeting Rooms (policy 700-50a appended)

1. **Object**

*The Smithtown Library provides meeting rooms for use by nonprofit organizations and community groups within its chartered service area regardless of the ~~beliefs or affiliations of their members~~ **viewpoints adopted by such organizations and groups.***

2. **Restrictions Regulations**

Each applicant requesting use of the meeting room must observe the ~~regulations~~ **terms of use** set forth hereinafter:

- a. Admission fees may not be charged, nor may a collection or donation be solicited or taken during the meeting.
- b. Products and/or services may not be sold or advertised, except in the case of payment for materials required ~~for educational or group discussion use~~ **to advance the group's presentation.**
- c. No printed materials **(other than those utilized within a presentation)** may be distributed on Library property.
- d. **Meetings shall be non-exclusive and shall be open to the public.**
- e. **Meeting rooms are not available for social affairs, commercial or profit-making enterprises. The rooms may not be utilized by political parties or representatives of political parties when the purpose of such is to promote a political agenda.**
- f. **Physical activities are prohibited.**
- g. Applicants requiring audiovisual equipment must make their own arrangements for all such equipment.
- h. All publicity must ~~carry~~ **cite** the name of the applicant sponsoring the meeting. **The Library may not be identified as a sponsor. Announcements of the meetings may only state the Library as a location of the meeting. The Library's telephone number is not to be given as a source to obtain more information about the non-library sponsored event. Use of the Library's logo is prohibited.**
- i. ~~The Library may not be identified as sponsor.~~ Neither the name nor the address of the Library may be used as the official address or headquarters of the applicant.
- j. Youth organizations using meeting rooms must have at least one ~~adult~~ **person** 21 or over, present at all times.
- k. If a meeting is cancelled, the Library must be notified as soon as possible regarding such ~~a cancellation.~~
- l. No meeting or program in the Library may be broadcast or televised without the Library's permission.
- m. Meetings may not be scheduled during hours the Library is not open to the public. All meetings must end by the time the Library closes. A \$20.00 custodial service fee per hour will be charged for meetings that extend beyond closing time.
- n. If a hearing-impaired person so requests at least one week before a meeting, the applicant using the meeting room must provide a sign-language interpreter.
- o. **The Library reserves the prerogative of canceling a meeting should it be determined that it is in the Library's best interest to do so.**
- p. **The Library reserves the authority to require that the applicant name the Library as an additional insured on a policy of insurance required as a condition of meeting room utilization.**

3. **Liability**

- a. The applicant shall bear full responsibility for loss of, or injury or damage to, any property of the Library **or attendee of a meeting** as may be caused or inflicted by the applicant and/or affiliated persons, guests, or invitees.

- b. **The applicant is responsible for the proper clean-up of the room. A \$20.00 Custodial Service Fee per hour or any fraction thereof will be charged for cleaning other than routine cleaning.**
- c. *The Library is not responsible for the safekeeping of any supplies, equipment, or other items brought by the applicant or by persons attending the meeting. **Applicant must provide its/his/her own supplies.***

4. **Library Sponsored Programs**

- a. *Library-sponsored programs will be given preference for use of the meeting rooms.*
- b. *The Library reserves the right to revoke its permission for an applicant to use a meeting room should there be a conflict with Library related services, programs, or activities, or in the case of an emergency.*

5. **Reservations**

*Requests for use of the meeting rooms must be in writing and submitted to the Library as much in advance as possible, **but not more than six (6) months in advance of the meeting date,** on a form prescribed by the Library Director.*

PUBLIC COMMENTS

9. Library Board President Brianna Baker-Stines noted that the public comments portion of the meeting would be held with each speaker being allowed five minutes to make their comments. In addition, no heckling or harassment of the speakers, or of Library Trustees, would be permitted. In the time allotted for public comments seven members of the public spoke.

NEW BUSINESS

10. DISCUSSION – Fundraising and New Revenue Lines

The Library Board and staff will continue to explore fundraising ideas with the Friends of The Smithtown Library.

11. REVISED POLICY – **Sexual Harassment Policy** [Policy 500-90] Section #1 only (1st reading)
[Note: revisions are noted in underlined bold font; deletions are noted with a strikethrough]

Library Board President Brianna Baker-Stines moved to waive the reading of the Sexual Harassment Policy [Policy 500-90]. The motion was seconded by Trustee Thomas Maher and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

The policy will be reviewed and voted on at the November regular meeting.

1. **Statement of Policy**

The Board of Trustees of The Smithtown Library is steadfastly committed to safeguarding the right of all of its employees to a working environment that is free from sexual harassment. The Board requires all Library staff to view an interactive sexual

harassment training video within the first week of their employment and annually thereafter for the duration of their employment. The Board recognizes that sexual harassment may originate from a person of either sex against a person of the opposite or same sex and from peers as well as supervisory personnel. The Board further recognizes that sexual harassment does not only emanate from the intention of the one who harasses an employee, but also upon how the person who is the victim of harassment perceives the behavior or is affected by it.

The Board prohibits unwelcome behavior of a sexual nature which is either designed to extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating or hostile employment environment. The Board will not tolerate any retaliatory actions against complainants or any witnesses to such sexual harassment.

Any library employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that the library may take appropriate corrective action, up to and including discharge of the offender (pursuant to the applicable provisions of the State Education Law and the Civil Service Law of the State of New York), at once. In the absence of a victim's complaint, the Board, upon learning of or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by the Library Director.

This policy includes specific procedures on reporting, investigating, and remedying allegations of sexual harassment. Such procedures are to be consistent with any applicable provisions contained in the collective bargaining agreement, as well as the applicable provisions of the Education Law and the Civil Service Law and shall be implemented by the Director.

The New York State Division of Human Rights toll-free confidential hotline provides counsel and assistance to individuals experiencing workplace sexual harassment.

You can call DHR's toll-free sexual harassment hotline at 1-800-HARASS-3 Monday through Friday, 9:00 AM to 5:00 PM.

Library Director Robert Lusak reminded the Library Board that, as of January 1, 2023, New York State law requires mandatory trustee training for all Library Board members. The Director noted that there would be online training on sexual harassment and workplace violence for all Library Board members, as well as all staff.

12. SCLS – Proposed Resource Sharing Code Amendments

Library Trustee Brianna Baker-Stines moved the following resolution after discussion:

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby accept the proposed amendments to the SCLS Resource Sharing Code as outlined in the memorandum dated September 13, 2022.

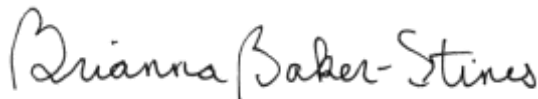
The motion was seconded by Trustee Marie Gergenti and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

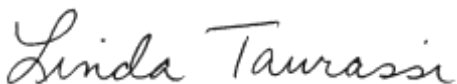
13. Library Board President Brianna Baker-Stines noted that the next “regular” meeting of the Board of Trustees would be held November 15, 2022 at 6:30 p.m. at the Commack building.
14. There being no further business, Library Board President Brianna Baker-Stines moved to adjourn the meeting at 7:34 p.m. The motion was seconded by Trustee Theresa Grisafi and adopted 6-0 by the following roll call vote:

FOR – Baker-Stines, Dowd-Neufeld, Gergenti, Gregurich, Grisafi, Maher. AGAINST – none.

Minutes approved this 21st day of November, 2022.



Brianna Baker-Stines, President
Smithtown Library Board of Trustees



Linda Taurassi
Secretary to the Board of Trustees