

**MINUTES
BOARD OF TRUSTEES
THE SMITHTOWN LIBRARY
May 16, 2023**

A regular meeting of the Board of Trustees of The Smithtown Library was held at the Smithtown building, Smithtown, New York, on the 16th day of May, 2023. 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, Mildred Bernstein, Barbara Deal, Anita Dowd-Neufeld and Thomas Maher. Trustees Annette Galarza and Howard Knispel were absent with prior notice.

Also present were Library Director Robert Lusak, Assistant Library Director Patricia Thomson, Treasurer Kevin Miller, Secretary Linda Taurassi and Library Counsel Kevin Seaman. Clerk Lauren Gunderson was absent with prior notice.

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:

- a. *RESOLVED, that the REGULAR MEETING MINUTES of April 18, 2023 be approved as presented.*

The motion was seconded by Trustee Thomas Maher and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

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

- 2. In the absence of Budget and Finance Committee Liaison Howard Knispel, the BUDGET AND FINANCE COMMITTEE report was presented by Trustee Anita Dowd-Neufeld, who moved to approve the adoption of resolutions “a” and “b”:

a. TREASURER'S REPORT

RESOLVED, that the TREASURER'S REPORT for the month ended April 30, 2023 be approved for filing (copy of report appended to the original of these minutes).

b. WARRANTS

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

<i>i. Warrant #23 - May ("L" fund) PREPAYS</i>	<i>\$ 3,683.92</i>
<i>ii. Warrant #23 - May ("L" fund) WARRANT</i>	<i>\$ 440,009.61</i>
<i>iii. Warrant #23 - Payroll (#9 – 4/28/23)</i>	<i>\$ 277,246.09</i>
<i>iv. Warrant #23 - Payroll (#10 – 5/12/23)</i>	<i>\$ 303,921.26</i>

The motion was seconded by Trustee Barbara Deal and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

3. The PERSONNEL COMMITTEE report was presented by Personnel Committee Liaison Anita Dowd-Neufeld, who moved to approve the adoption of resolution "a":

a. PERSONNEL CHANGES

RESOLVED, that the following PERSONNEL changes be approved as presented:

Part-time Appointment:

- i. Part-time appointment of **Jacqueline Steinmeyer** to the position of Library Clerk, Circulation Department, Smithtown building, at an hourly rate of pay of \$19.20, effective May 19, 2023 (to fill the vacancy created by the resignation of Kelly Lavdas, effective 10/29/22).*

Resignation:

- ii. Resignation of **Erin Kanelos**, Librarian IV, Kings Park Building Head, Kings Park building, effective May 23, 2023.*

Retirement:

- iii. Retirement of **Elizabeth Coleman**, Librarian I, Children's Services, Children's Department, Smithtown building, effective April 29, 2023 (last day of employment – April 28, 2023).*

The motion was seconded by Trustee Mildred Bernstein and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Personnel Committee Liaison Anita Dowd-Neufeld moved to approve the adoption of resolution “b”:

b. CONFERENCE ATTENDANCE REQUEST

RESOLVED, that the following CONFERENCE ATTENDANCE request set forth hereinafter is hereby approved:

- i. That Librarian I **Sean Walls**, Reference Department, Kings Park building, be authorized to attend, on paid release time, the “32nd Annual Conference on Libraries and the Future: AI in Libraries, sponsored by the Long Island Library Resources Council (LILRC) on October 6, 2023, to be held at the Heritage Club, Bethpage, NY, with reimbursement for actual and necessary expenses not to exceed \$99.00.*

The motion was seconded by Trustee Thomas Maher and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Personnel Committee Liaison Anita Dowd-Neufeld moved to approve the adoption of resolution “c”:

c. RETIREMENT – Resolution of Appreciation – **Elizabeth Coleman**

WHEREAS, Elizabeth Coleman has announced her retirement as of April 29, 2023; and

WHEREAS, having begun her tenure with The Smithtown Library on August 9, 2012, as a full-time Children’s Librarian I in the Commack building, and has subsequently worked in the Smithtown building; and

WHEREAS, during her nearly 11 years of faithful and dedicated service, she has earned the admiration and respect of her colleagues and co-workers; now therefore be it

RESOLVED, that the Board of Trustees of The Smithtown Library hereby expresses its appreciation to Elizabeth Coleman for her years of dedicated service to the Library; and be it

FURTHER RESOLVED, that the Board extends to Elizabeth Coleman its best wishes for many years of health and happiness during her retirement.

The motion was seconded by Trustee Barbara Deal and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

4. The BUILDINGS AND GROUNDS COMMITTEE

There was no report of the Buildings and Grounds Committee

5. The COMMUNICATIONS COMMITTEE report was presented previously by Communications Committee Liaisons Barbara Deal and Mildred Bernstein (copy of report appended to the original of these minutes). In addition, Communications Committee Liaison Mildred Bernstein moved to approve the adoption of resolution “a”:

a. **DONATION – Alexandra Leong**

RESOLVED, that the Board of Trustees of The Smithtown Library does hereby graciously accept and thank Alexandra Leong, of Smithtown, NY, for the online donation of one hundred dollars (\$100.00); and be it

FURTHER RESOLVED, that said donation is to be used as necessary at the Library’s discretion.

The motion was seconded by Trustee Barbara Deal and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Communications Committee Liaison Mildred Bernstein moved to approve the adoption of resolution “b”:

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 donation of \$15,000.00 for the reimbursement of expenses toward the Library’s website design and development, and be it

FURTHER RESOLVED, that the Library Board of Trustees is grateful for the continuing support of the Friends of The Smithtown Library.

The motion was seconded by Trustee Anita Dowd-Neufeld and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, 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. **NEW POLICY – Photocopy, Fax and Scan Services Policy [Policy 700-75] (4th 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 Photocopy, Fax and Scan Services Policy [Policy 700-75]. The motion was seconded by Trustee Mildred Bernstein and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Library Board President Brianna Baker-Stines moved to adopt the Photocopy, Fax and Scan Services Policy [Policy 700-75]. The motion was seconded by Trustee Thomas Maher and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

In accordance with New York State Division of Library Development “Minimum Standards for Public Libraries”, The Smithtown Library affords photocopy, fax and scan services for patrons.

The Library’s photocopy, fax and scan services may be utilized only for lawful purposes.

The copyright laws of the United States govern the making of photocopies or other reproductions of copyrighted material. A notice of copyright restrictions will be prominently displayed adjacent to the copier equipment. The person using the equipment is liable for any infringement.

Photocopy

Each Smithtown Library building will provide at least one self-service photocopier for patron use.

A fee, determined by the cost of maintaining and operating the copier equipment, will be charged for all copies. Fees for use of the copier will be clearly displayed.

The use of paper from an outside source is not permitted.

Fax

A free self-service public fax is available at each of The Smithtown Library buildings for sending out-going documents only. The Library does not accept in-coming faxes. Faxing to international numbers is not available.

*The user of the fax retains the sole responsibility and duty for confirming delivery of a fax to the intended recipient. In no event shall the Library, including its ~~employees~~ **staff**, be liable for losses or damages of any kind suffered by the sender of the fax or any third party resulting from delays, non-deliveries, wrong deliveries, service interruptions, performance or failure of the fax service.*

Scan

*Free self-service scanners are available at each of the Library’s buildings for scanning and saving documents to a USB (flash) drive or sending via email. Users must provide their own USB storage device. **Flash drives may be available for purchase from the Circulation Desk.***

8. REVISED POLICY – **Public Participation at Board Meetings** [Policy 700-20] (2nd reading)

[Note: original revisions are noted in underlined bold font; Policy Committee revisions are noted in underlined bold RED font; deletions are noted with a strikethrough]

Library Board President Brianna Baker-Stines moved to waive the reading of the Public Participation at Board Meetings Policy [Policy 700-20]. The motion was seconded by Trustee Anita Dowd-Neufeld and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Library Board President Brianna Baker-Stines moved to adopt the Public Participation at Board Meetings Policy [Policy 700-20]. The motion was seconded by Trustee Thomas Maher and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

The Smithtown ~~Special Library District~~ Board of Trustees encourages public comment at Board meetings. One **(1)** period for public expression is provided at **within the agenda for** each regular meeting of the Board. During this period, the Board President will solicit brief comments from the public. **The speaker must address the Board directly; and not Library administration or staff present.** ~~and will set a time limit on such public participation period. Individual presentations shall be limited to no more than five (5) minutes.~~

The Board President will set a time limit on such public comments period. The total time limit will be set between thirty (30) and ninety (90) minutes. The total time limit will be no less than thirty (30) minutes, but no more than ninety (90) minutes. Individual comments shall be limited to three (3) minutes, but may be extended to five (5) minutes by the Board President in his/her discretion. The Board President can make an exception to these prescribed limits in his/her discretion which will be announced prior to the public comments portion of the meeting.

Pursuant to Article IV, Section 6 of the Bylaws of the Board of Trustees, the public shall be recognized immediately ~~after~~ **following** "Unfinished Business" on the agenda. **"Public Comments" may be placed earlier on the agenda at the discretion of the Board President.**

Persons wishing to speak will identify themselves **and their town of residence**; any organizations they may be representing at the meeting and; where applicable, the agenda topic they wish ~~wish~~ **elect** to discuss. **While all members of the public are permitted to comment, sequence preference may be given to Smithtown residents and Smithtown Library card holders.**

Comments should be kept as brief as possible and relate to public library matters. **The public will follow department guidelines as set forth in Policy 700-10 Public Behavior On Library Property. This includes, but is not limited to, restriction of:**

- **abusive and/or obscene language or images,**
- **violence in any form,**
- **distribution of unauthorized print materials, and**
- **any attempts to prevent orderly conduct.**

~~Members of The Board of Trustees are not obligated to respond to questions or comments from the public, but may do so at their own discretion, according to~~ **Any responses from the Board must follow** the rules of parliamentary procedure adopted in the Bylaws.

~~The Board President is responsible for the orderly conduct of the meeting. and shall rule on such matters as: the time to be allowed for public expression; the appropriateness of the subject matter being presented; and the "timeliness" of such presentation. Undue interruption or other interference with the orderly conduct of Board business will not be allowed. Defamatory or abusive remarks are out of order and will not be condoned. The presiding officer may terminate a speaker's privilege of address if, after being called to order, he or she~~ **the speaker** persists in improper conduct or remarks.

At a public meeting of the Board, no persons shall verbally initiate charges or complaints against individual employees of the Library. All such charges and or complaints shall be presented to ~~the Library Director~~ **any of the Designated Contact Persons as outlined in Policy 500-85 Anti-Bullying** in writing, signed by the complainant. All such charges, if properly presented and warranting investigation, shall be ~~handled~~ **reviewed** by ~~Library Director~~ **Library administration** for investigation and report.

9. REVISED POLICY – **Maintenance of Public Order on Library Property** [Policy 700-10] (2nd reading)

[Note: original revisions are noted in underlined bold font; Policy Committee revisions are noted in underlined bold RED font; deletions are noted with a strikethrough]

Library Board President Brianna Baker-Stines moved to waive the reading of the Maintenance of Public Order on Library Property Policy [Policy 700-10]. The motion was seconded by Trustee Mildred Bernstein and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

Library Board President Brianna Baker-Stines moved to adopt the Maintenance of Public Order on Library Property Policy [Policy 700-10]. The motion was seconded by Trustee Thomas Maher and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

**MAINTENANCE OF PUBLIC ORDER
ON LIBRARY PROPERTY
PUBLIC BEHAVIOR ON LIBRARY PROPERTY**

STATUTORY AUTHORITY

The Board of Trustees of The Smithtown Library hereby adopts **the following** rules and regulations ~~for the maintenance of order~~ **governing public behavior** on Library property and ~~to promulgate~~ **penalties** for violations under the authority of NY Education Law § **260**.

RULES AND REGULATIONS

COVID-19 Safety. All Library patrons and visitors on Library property ~~must~~ **are to** adhere to ~~all~~ the rules and regulations outlined in the Library's COVID-19 Re-Opening Safety Plan. The rules and regulations in the COVID-19 Re-Opening Safety Plan are to supersede ~~the rules and regulations~~ **those** set forth in this policy and will be enforced ~~as long as~~ **for such period as** the ~~Smithtown Library~~ Board of Trustees deems necessary.

~~The Board of Trustees of The Smithtown Library has adopted the following rules and regulations:~~

1. **Behavior and Conduct:** No person, either ~~singly~~ **individually** or in concert with others, shall:
 - a. Fail to comply with the lawful directives of Library supervisors or staff.
 - b. **Behave in a manner that may be considered as harassment (sexual or otherwise). This includes engaging in unwelcome sexual advances, verbal or physical conduct of a sexual nature, and viewing material of a pornographic nature. This also includes staring at another person or following another person about the premises such that the other person could reasonably be considered to be annoyed or disturbed.**
 - c. Sleep for a prolonged period of time.
 - d. ~~Make~~ **Emanate** unreasonable noise, use abusive or obscene language, make obscene gestures, or undertake an act of violence or breach of the peace on Library property.
 - e. Possess, sell or use: alcohol ~~substance~~, **cannabis in any form**, ~~an~~ **illicit narcotic substances, controlled substances (without a prescription)** or dangerous weapons or instrumentalities on Library property.
 - f. Willfully misuse, mar, deface, damage or destroy Library property or equipment.

- g. Disrupt, interfere with, or attempt to prevent the orderly conduct of lectures, patrons, staff, meetings, or public events conducted at the Library.
- h. Engaging patrons or staff in conversation which could reasonably be considered to be annoying or disturbing.
- i. Make excessive noise or undertake acts that are distracting or disruptive to an environment conducive to reading and study. Normal conversational noise levels are permitted for reference and circulation services only. Headphones may be used, but noise from headphones must not be audible to others. Snoring is not permitted.
- j. In areas of the Library designated as "silent" study spaces, no talking or whispering is allowed.
- k. No running, dancing or physical exercise is permitted within the Library unless undertaken in conjunction with a Library sponsored program.
- l. Unauthorized use of Library parking areas is not permitted.

- i.—Normal conversational noise levels are permitted for reference and circulation services only. Headphones and laptop computers may be used.
- ii.—in the Library; noise from headphones and laptop computers must not be audible to others.
- iii.—No talking or whispering is allowed in areas of the Library designated as "silent" study spaces.
- iv.—No running, dancing or physical exercise is permitted within the Library unless undertaken in conjunction with a Library sponsored program.
- v.—Snoring is not permitted.
- vi.—Unauthorized use of Library parking areas is not permitted.

2. **Proper Dress, Foods and Beverages; Animals:** ~~The Board of Trustees of The Smithtown Library prohibits the following:~~ The following is prohibited:

- a. **Dress/Hygiene.** ~~Entry into~~ Presence within the Library shall **require** ~~at all times, require regularly acceptable~~ foot and bodily coverings; hygiene that is not disturbing to patrons or staff is to be observed.
- b. **Foods and Beverages.** The eating and drinking of small snacks and covered drinks similar to those made available in the Library micro-market is permitted, except in computer areas.
- c. **Animals.** Except for service animals, no animals shall be brought into the Library. (see policy 700-15 Service Animals)
- d. **Smoking:** No smoking of any nature is permitted in Library buildings or on Library grounds. This includes but is not limited to, e-cigarettes, e.g., vaping.

3. **Loitering; Trespassing:** ~~The Board of Trustees of The Smithtown Library prohibits:~~

- a. **Loitering. NY Penal Law** Section 240.35 ~~Penal Law~~ provides in relevant part that any person who loiters in or about a building in violation of rules and regulations is guilty of disorderly conduct. It is expected that all patrons will engage in activity that is related to Library functions.
- b. **Trespassing. NY Penal Law** Section 140.05 ~~Penal Law~~ provides in relevant part that any person who unlawfully enters into or remains unlawfully in or upon the premises is guilty of trespass. This includes individuals who have been notified by the Library that they are prohibited from entering Library property.

4. **Punitive Action:** Violation of any of the Rules and Regulations, as adopted by the Trustees of The Smithtown Library, may result in the following:

- a. Immediate ejection from the Library's property.
- b. Prohibition of entry upon Library property for a stated term.
- c. Civil and/or criminal prosecution.
- d. Impositions of those penalties deemed appropriate by the Library Board of Trustees.

5. Distribution of non-library materials, gathering of signatures for petitions, etc.: *The following activities are permitted only when authorized by the Library's Board of Trustees or Library Director:*

- *Distribution of non-Library related leaflets/fliers/materials.*
- *Solicitation of opinions through interviews or surveys on Library property.*
- *Solicitation of or the gathering of signatures for petitions on Library property.*
- *Solicitation of donations.*
- *Selling products or services.*

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

There was no new business.

10. At 6:44 p.m. Library Board President Brianna Baker-Stines moved to enter executive session to discuss matters pertaining to collective negotiations pursuant to Article 14 of the Civil Service Law. The motion was seconded by Trustee Anita Dowd-Neufeld and adopted 5-0 by the following roll call vote:

FOR—Baker-Stines, Bernstein, Deal, Dowd-Neufeld, Maher; AGAINST—none

The following Library Trustees were present and participating in executive session: Brianna Baker-Stines, Mildred Bernstein, Barbara Deal, Anita Dowd-Neufeld and Thomas Maher.

Also present were Library Director Robert Lusak, Assistant Library Director Patricia Thomson, Library Counsel Kevin Seaman, Treasurer Kevin Miller, Business Manager Jennifer Piano, Personnel Assistant Lori Mauceri and Secretary Linda Taurassi.

At 7:53 p.m. Library Board President Brianna Baker-Stines made a motion to reconvene in open public session. The motion was seconded by Trustee Mildred Bernstein and adopted by a unanimous 5-0 vote.

11. Library Board President Brianna Baker-Stines noted that the next “regular” meeting of the Board of Trustees would be held June 20, 2023 at 6:30 p.m. at the Nesconset building.
12. There being no further business, Library Board President Brianna Baker-Stines moved to adjourn the meeting at 7:54 p.m. The motion was seconded by Trustee Thomas Maher and adopted by a unanimous 5-0 vote.

Minutes approved this 20th day of June, 2023.



Brianna Baker-Stines, President
Smithtown Library Board of Trustees



Linda Taurassi
Secretary to the Board of Trustees

5/16/23