

FINAL

WYCKOFF LIBRARY BOARD OF TRUSTEES

June 19, 2013 Meeting Minutes

7:30 pm, Wyckoff Public Library, 200 Woodland Avenue

“The June 19, 2013 Regular Meeting of the Library Board of Trustees is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers.”

Board Member Attendance: Vincent Antonacci, President, Mayor Rudy Boonstra, Peggy Chagares, Brian Eller, Tony Donato, Brian Saxton, Lori Peters, Lauren DeKorte and Grace White.

Staff Attendance: Jackie Denequolo, Secretary and Mary Witherell, Library Director

Public Comment:

No comment was made with respect to the current agenda.

Construction/Building Update:

HVAC Update:

Ms. Witherell stated that the contractors have been working for three full days. The old air handlers, duct work and concrete pad were removed. The new rebar has been laid for the new concrete pad awaiting inspection. The air conditioning is proposed to be completed by next week.

Lighting Project Status:

Ms. Witherell discussed the lighting bid received from two vendors. The lower of the two bids was for \$136,560. Chris Sepp, BHC Architects, provided a rough estimate in January in the amount of \$60,000. The project is to include the under shelf lighting in the children’s library, the additional pendants above the circulation desk and the outside bollards for the North walkway. Mr. Sepp wrote a letter to the board explaining the discrepancies between the current bids and the original estimate. Ms. Witherell is requesting direction from the board.

Mr. Antonacci stated that Unimak gave back monies for the under shelf lighting that wasn’t completed in the amount of approximately \$32,000 which should offset these proposals. The walkway lights were added and should be broken into separate components.

Ms. Witherell stated that there is some funding being held in a capital account from a Rizzo account that was liquidated for the HVAC system. There is also one non Rizzo CD left from the capital project in the amount of \$250,000 that hasn’t been liquidated yet.

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Ms. Peters questioned the rebid process and whether the bid should be broken up into separate components. Ms. Witherell stated that if we rebid we can change the type of bulbs and fixtures to lessen the cost but that she needs each component of the bid. Joe Voytus, Board Attorney, indicated that any changes made to the bid itself need to be rebid. Mr. Antonacci questioned what the soft costs would be and why cheaper fixtures weren't selected in the first place. Ms. Witherell was concerned with the timing of the project if we decided to rebid. The monies will be coming from the capital fund and not taxpayer's money.

The Board decided to rebid the lighting project. In the meantime, Mr. Antonacci will place a call to the architects.

Landscaping Subcontractor Plant Replacements:

Ms. Witherell stated that Mr. Sepp made it clear to the subcontractor that the plants had died in less than a month. A meeting was held and the specifics were negotiated. Unimak is trying to assist in moving the project along. Mr. Antonacci suggested Ms. Witherell send them another e-mail. Mr. Voytus may need to send them a letter with the intent for a potential lawsuit.

Aquarium Lid Replacement:

Ms. Witherell stated that Mr. Sepp sent CFI, vendor used to fabricate the lid, a letter indicating that the same design was used at another library without a problem. The design is fine. They used the wrong hinge and BHC Architects will not pay for any part of the replacement. CFI doesn't have the right to ask the library to share in the cost. Mr. Sepp will speak to another millworker to get the proper hinge. Ms. Witherell believes that the lid is difficult to use and is a safety issue. Mr. Antonacci suggested that Mr. Voytus be made aware of the situation.

Other Construction/Building Matters: None to report.

Secretary's Report – May 15 Meeting Minutes:

Ms. Peters made a motion to approve the May 15 meeting minutes as revised. Ms. Chagares seconded the motion. Voting in favor: Mayor Boonstra, Mr. Antonacci, Ms. Chagares, Ms. DeKorte, Mr. Eller, Mr. Saxton and Ms. Peters.

Treasurer's Reports:

May Treasurer's Report – Operating:

Ms. Chagares made a motion to approve the May Treasurer's Operating Report. Ms. Peters seconded. All Board Members voted in favor.

June Voucher List – Operating:

Ms. Peters made a motion to approve the June Operating Voucher List. Ms. Chagares seconded the motion. All Board Members voted in favor.

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2012 Audit Update:

Ms. Witherell stated that she was waiting to sign the letter of agreement upon approval from the Board. Once approved, a public notice needs to be published. The library's bookkeeper has received the account templates from the auditor to be completed before commencement of the audit. The State of New Jersey needs to be contacted with respect to the return of funds calculation since the strategic plan needs to be in place first. Four months is very aggressive for a strategic plan. A draft will be needed by September in order to make the October return of funds deadline. Mr. Saxton and Ms. DeKorte will review the financial piece of the document before it's signed.

General:

Parking Lot Lights:

Ms. Witherell stated that she had left William Mowell an update message on his phone with respect to the numerous conversations she had with Rockland Electric employees. Michelle Damiani from Public Affairs visited the site and approved installing the trellis where Ms. Witherell would like it. As far as the existing lights, there aren't any options left. There's a possibility of cutting the tops of the lights and adding new lights that point down on the existing poles. The issues are whether it's possible, the cost and who's responsible for the cost. Ms. Witherell is waiting for an answer from Rockland Electric.

Mr. Antonacci stated the foot candles may not meet the parking lot requirements if the gooseneck is cut as proposed. It was recommended to confirm that with Rockland Electric.

Security/Fire System Maintenance Contracts:

Ms. Witherell stated that she needs a security system maintenance agreement which she doesn't currently have and isn't budgeted. A proposal of \$500 was received. Joe Voytus is assisting Ms. Witherell with the contract. A fire alarm system maintenance agreement is also needed which is budgeted. A proposal of \$800 was received. The Board had requested that Ms. Witherell attempt to get other quotes but none have been received to date. These will be annual fees.

Audiovisual System Final Inspection:

Ms. Witherell informed the Board that the audio visual system is completely functional with all open issues corrected. Pending the final inspection is passed, OSI, the installation vendor, will be owed \$6,000 which will be paid out of the capital account.

The audio visual light bulb issue is ongoing. Two new NEC projector bulbs were ordered for \$900. OSI should have taken the broken bulbs back to NEC for a partial refund but refused to send them back. Joe Voytus may need to send a letter to NEC. There was at least a 75% loss of life span and a credit is warranted. Ms. Peters suggested going straight to NEC before accumulating any legal fees.

Tree Purchase Request:

Ms. Witherell would like to request permission from the Board to purchase an ornamental dwarf tree for the front of the property. A weeping cherry tree was lost when the rain garden was installed. The tree would cost between \$400-500 including labor to install it.

Mayor Boonstra provided input with respect to a new program instituted by the Shade Tree Commission. The program rescues trees from lots that are being demoed. The DPW is transplanting the trees at no cost. This program will provide some points towards sustainability from the DEP. Mayor Boonstra will discuss the library's need with the Shade Tree Commission and get back to Ms. Witherell. Otherwise, the Board would approve the purchase of a new tree.

Exterior Hole Repairs:

Ms. Witherell informed the Board that there are four to five exterior holes on the building that need to be plugged and repaired permanently by Harry Scheck.

Director's Report:

Mayor Boonstra wanted to thank the library and Ms. Witherell with their assistance during the recent poll and for the assistance on the sub-committee. The library as a polling place went off without a hitch and any snags will be corrected for the general election.

Comp Time:

Ms. Witherell distributed assorted documentation to the Board members which included pages from the Employee Handbook and some of the data is from the Department of Labor's website. Discussions with Joe Voytus and Phil Boggia, Boggia and Boggia, provided guidance with respect to the law's definitions on what makes someone exempt or non-exempt. Mr. Antonacci suggested that the definitions be explained between a salary employee versus a non-salary employee based on the conversation Ms. Witherell had with Mr. Voytus.

Ms. Witherell stated that the eight full time staff members are categorized as four non-professionals and four librarians which are considered professional. It's mandatory by law that they be compensated beyond the 35 hours a week based on the Fair Labor Standard Act and online questionnaire that determines them to be non-exempt. All of these employees punch a clock and fill out time sheets which categorize them as non-exempt hourly employees. If they don't work 35 hours, they don't get paid 35 hours.

In addition, Ms. Witherell spoke with Bob Shannon with regards to the municipal staff process. The conversation was interpreted to mean that it is sometimes in the best interest of the taxpayers to justify comp time or additional monies, if the budget permits, to allow the municipality to run more efficiently. Comp time is ongoing if needed and isn't always an emergency.

Mr. Saxton questioned whether our policy can be adjusted to allow for the scope of their job descriptions to be written as an exempt employee. Ms. Witherell stated that, based on the exempt criteria, these eight employees wouldn't meet the requirements.

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Comp Time (Continued):

Mr. Antonacci recommended that the Board first agree on the definitions and tasks.

Mr. Voytus told Ms. Witherell that it's very common in state agencies that comp time is not taken in a month and there isn't a law requiring the same. It's not enforceable.

Ms. Chagares recommended that we either evaluate the job to be split into two positions or evaluate the job to determine whether the wrong person is assigned to the position.

Board members had continued concerns about the constant accumulation of comp time based on library set up times, closings or programs that run long. Ms. Witherell indicated that each employee was addressed one on one about the comp time situation. It was discussed that until the Board drafts a new comp time policy, the current policy needs to be followed more closely. The timesheet was redesigned, would be required to be preapproved for comp time and employees were also directed to reduce their current bank of comp time hours.

Mr. Donato joined the Board at 9:30 PM.

Ms. Witherell and the Board discussed the comp time accumulated when programs run late. Board members recommended that programs should work to certain hour timeframes. Ms. Witherell stated that the programs are benefits to the patrons and are awkward and difficult to end abruptly.

Time management was discussed by the Board taking into account the possibility of going over their daily work hours. Projects, phone calls, etc. should be managed by the individuals themselves. If a project may run long, it should be started early in the day to avoid comp time. Similarly, phone calls shouldn't be started late in the day to avoid accumulating comp time. If the time isn't planned accordingly, comp time shouldn't be granted. Ms. Witherell suggested that comp time will not be eliminated entirely.

Mr. Antonacci suggested that the Personnel Committee discuss the positions and make a recommendation to the Board.

Ms. Witherell added that employees that leave, whether they resign or are fired, are required to be compensated for comp time by law per Mr. Voytus. Mayor Boonstra agreed that his understanding of the labor law is in agreement with Ms. Witherell. In addition, over 40 hours is time and a half. Ms. Chagares stated that there are statutes in place that govern how comp time is paid if accrued in 2000 but paid out in 2012 since the salaries are different. From reading the minutes, there's a disconnect with respect to the current monthly comp time list and the concerns associated with accumulating comp time.

Mr. Donato stated that the members of this board are logical and understanding. The issue is the view that certain positions shouldn't be paid more to get the job done and we shouldn't be paying for inefficiencies.

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Open to the public:

Timothy Buckman, 430 Meer Avenue, Wyckoff, NJ.

Mr. Buckman stated that he comes from an industry with massive amounts of overtime. It's important not to assume that overtime is necessarily a sin. Sometimes it's cheaper to use an employee requiring overtime regularly than to hire another person as a permanent staff member. Many of the items that the Board sites as management issues may be budget and program issues because you did not sufficiently discuss opening and closing the library. The number of employees and the job to be done cannot be accomplished in the 35 hour work week for the eight employees. It's the library's privilege to reduce the library's programs. Mr. Buckman also questioned the fairness of telling someone that they will work 9 AM-5PM one day 11 AM-8:30 PM the next day. People want to work overtime to get extra compensation for the inconvenience in their personal lives. It's a mistake to focus on getting your job done in a specific block of time when you're not talking about degreed licensed upper management professionals but people that are at Ms. Witherell's beck and call to staff a variable operation and it's wrong to tell someone that they'll be working 50 hours this week and won't be paid for it. Maybe there needs to be a budget line for overtime. Mr. Buckman stated that he used to prepare annual budgets taking overtime into account.

Mr. Antonacci stated that the Personnel Committee can take some of Mr. Buckman's points into account.

August 21 Meeting:

Mr. Antonacci stated that the meeting could be cancelled if there weren't any pressing issues. Ms. Witherell questioned how bills get paid in that month? Mayor Boonstra stated that a motion at the July meeting can be made to approve those bills.

The Board suggested that Ms. Witherell post a 48 hour to schedule an August meeting.

The Board adjourned at 10:15 PM.

Vince Antonacci, Board President

Mary Witherell, Library Director