

## **WESTCHESTER LIBRARY SYSTEM**

### **Trustee Meeting**

**June 28, 2022 – Approval Pending**

The Regular Meeting of the Westchester Library System was called to order by Karen Zevin, President, at 6:04 p.m. and held in-person at the WLS Headquarters in Elmsford. The quorum requirement was met with the following people in attendance:

Board Members present: Andrea Bober, Cathy Draper, Maureen LeBlanc, Jonathan Marshall, Julie Mills-Worthey, Susan Morduch, Joseph Puglia, Edris Scherer, Karen Zevin

Board Members absent: Nishat Hydari, Wes Iwanski, Karen Kelley, Jennifer Kothari, Denise Matthews-Serra, Francis Okelo

Also present from WLS were: Terry Kirchner, Wilson Arana, Patricia Brigham, Rob Caluori, Joe Maurantonio

Public Library Directors Association (PLDA) Representative: Yvonne Cech, Director, John C. Hart Memorial Library

Guest: Diane Tabakman, Trustee, White Plains Public Library

Ms. Zevin reviewed the public comment guidelines.

### **MINUTES**

The following revisions of the minutes of the regular meeting of May 31, 2022, were recommended:

On Page 3, in the paragraph regarding the Data Dashboard project, the following sentences should read as follows:

The Data Dashboard will also incorporate electronic material statistics from outside vendors such as OverDrive; but many smaller companies do not have the Application Programming Interface (API) for ~~the data to communicate~~ **ion necessary** to generate automated reports. In addition, the team is looking to ~~adding~~ wireless usage and WLS Helpdesk data into the system.

The Board approved the minutes with the above-mentioned corrections on a motion by Ms. Zevin and seconded by Ms. Draper. The motion was approved unanimously. [Ms. Mills-Worthey was not present for vote.]

### **FINANCIAL REPORTS**

The financial report through May 2022 was presented by Mr. Caluori and an overview of the check signing and voucher/payment process was provided. The Board accepted the financial report on a motion by Ms. Scherer and seconded by Ms. Morduch. The motion was approved unanimously.

Ms. Brigham provided an update on WLS fundraising from 2018-2022. Prior to 2018, WLS fundraising focused on supporting library services offered through outreach initiatives. Through those services, such as Family and Adult Literacy, Mini-Grants for member libraries and Senior

Programs, WLS gained wider recognition with community and funding leaders. In 2019, this recognition led to WLS and the member libraries playing a crucial role for the US Census 2020 and the county-wide Resilience program. The onset of Covid-19 in 2020 had its own challenges, and focus switched to maintaining operational flexibility as well as stability, realignment of the WLS mission and vision statements and growing community relationships. Funding received supported digital equity & inclusion efforts to meet the needs uncovered by the pandemic. Mini-grants to libraries were offered to help local libraries meet their specific challenges brought on by Covid-19; and WLS purchased additional online resources. In 2023-2024, WLS fundraising will look to sustain these equity initiatives to advance the following goals: digital literacy job skills; news and information literacy (e.g. promotion of voting procedures); workforce development; and staff professional development/train-the-trainer programs. In addition, WLS will see to strengthen internal security and infrastructure, development upgrades, and broadband for operational efficiency. Future corporate and community efforts will look to increase impact visibility to advance WLS as a viable partner and identify opportunities by monitoring the funding ecosystem. Individual giving has had a slower growth, which is typical. With higher visibility and modeling of direct giving, WLS should see greater potential.

### **INFORMATION ITEM**

Ms. Draper, Chair of the Governance Committee, noted that the Committee met on June 7<sup>th</sup> to review the recommendations made by the Finance Committee for the following policies: Exempt & Non-Exempt Employee Pay (Policy #5), Investment of Funds (Policy #12), Purchasing (Policy #13). The draft revisions of these three policies are attached.

Per regular procedure, these revisions are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board meeting in September.

### **ACTION ITEM**

***Extension of WLS Current Borrowing Facility:*** Mr. Caluori reviewed the purpose of the existing Line of Credit with TD (Toronto Dominion) Bank, which allows WLS to borrow up to \$500,000 unsecured for a period of one year, and there are neither facility fees nor covenants for this loan agreement. The current facility expires on August 31, 2022. During the prior year, there were no borrowings under the facility. If borrowed against, the interest rate would be based on WSJ (Wall Street Journal) Prime + 50 bps (base percentage points), with a Floor of 3.75% and would need to be paid back within a year. At this time, the need to borrow under this facility is not foreseen for the coming year.

The Board approved the extension of the WLS current borrowing facility on a motion by Ms. Edris and seconded by Ms. LeBlanc. The motion was approved unanimously.

***WLS VDI Terminal/Access Point Replacement Request:*** Mr. Arana reported that the WLS IT requested funds to upgrade the VDI infrastructure to provide Windows 10 for libraries. Part of that request was for replacement of the local user terminals. At the time of the request, there was a concern about the number of participating libraries who would continue to use WLS IT services in the future. Therefore, a conservative number of terminals was purchased to prevent wasting resources and funds. Replacing the VDI terminals was on the agenda for 2022.

Since the pandemic and the implementation of the Service Level Agreement (SLA), the interest in VDI has stayed positive. The flexibility to access a remote station has been invaluable to library staff. The replacement of the old terminals progressed well and the current inventory of hardware is nearly depleted. The recommendation is to complete the conversion of all VDI terminals to the new hardware to better service participating libraries with an investment of an additional \$160,000 to replace all older generation VDI terminals at the libraries by the end of the summer.

The Board approved the completion of the conversion of all older generation VDI terminals as recommended on a motion by Ms. Bober and seconded by Mr. Marshall. The motion was approved unanimously.

## **PRESIDENT'S REPORT**

Ms. Zevin announced the Intellectual Freedom and Zoom training on June 30<sup>th</sup>. The first Legislative Breakfast is being held on Tuesday, July 13<sup>th</sup> and will be hosted at the Croton Free Library. Trustees are encouraged to register for and to attend this or any of the other upcoming Legislative Breakfasts. The WLS report was very informative and showcased mission, vision & strategy as the framework. A Board retreat in early September perhaps a dinner or a more social type of event will be held.

## **COMMITTEE REPORTS**

**Governance Committee:** Ms. Draper, Chair, noted that the WLS Employee Handbook needs to be updated. A few revisions are needed to the Sexual Harassment Policy due to changes in the law. The hybrid meeting policy needs to be updated to reflect the current law as well. The Videoconference Policy/Hybrid Policy will also need to be revised. It is expected to cost of \$25,000-\$35,000 for equipment and storage and laptops for trustees and a handler for the meetings. There is a concern regarding a loss of camaraderie if all meetings are held remotely. A member of the public did note that a hybrid would be helpful. Ms. Zevin recommended putting the Hybrid policy on the radar for review next June.

## **EXECUTIVE DIRECTOR'S REPORT**

A copy of the Executive Director's Report was mailed in advance of the meeting.

**Open Meetings Law – Recent Changes:** New York State Governor Kathy Hochul signed Executive Order (EO) 11.7 on June 14<sup>th</sup>, which declared a disaster emergency in the State of New York. With EO 11.7, library boards have the option to host a 100% virtual board meeting through Thursday, July 14, 2022. Library boards still have the option to meet in person and are not required to host an online/virtual meeting.

On April 9, 2022, Governor Hochul signed Chapter 56 of the Laws of 2022, which included an amendment to the Open Meetings Law (OML) to make permanent until July 1, 2024, the expanded use of videoconferencing by public bodies to conduct open meetings under extraordinary circumstances regardless of a declaration of emergency. The Committee on Open Government created a Questions and Answers document to provide an overview of the law. The new law is not intended to change or limit what was required of public bodies complying with OML. The law was intended to expand, *only in extraordinary circumstances*, the ability of public bodies to meet in a hybrid

(in-person and online) environment. Library boards planning to host a hybrid meeting in accordance with the new law are strongly encouraged to review the Questions and Answers document.

*Public Library Collection Management:* Based on requests from public libraries across the state, the Empire State Library Network (ESLN) and the Public Library Systems Directors Organization (PULISDO) have partnered on the creation of a "Collection Management Policy Template & Guide" to help public libraries confirm that their policies are ready for materials challenges. This resource clarifies and emphasizes not only the law underlying collection management issues, but the very different roles of trustees and directors in the collection management process. Information on how to access the resource was shared with the member library directors.

*Access to Justice Initiative (AJI):* The Access to Justice Initiative (AJI) is identifying public libraries within the 9<sup>th</sup> Judicial District (Dutchess, Orange, Putnam, Rockland and Westchester Counties) interested in hosting virtual meeting spaces for individuals working through civil law related activities.

The New York State 9<sup>th</sup> Judicial District Supreme Court Law Libraries will host a webinar for public libraries on June 29<sup>th</sup> at 2 p.m. to showcase the Supreme Court Law Libraries' resources, and services that are available for free to the public. The webinar will also include information covering services and legal information typically provided by AJI sites for litigants who represent themselves in their court cases. Resources discussed will include those available in the district as well as online information services and resources available statewide. Member library staff were encouraged to register for this free event and a recording of this workshop will be made available.

*Central Library Update:* The Field Library (Peekskill) has been officially recognized as the Central Library of the Westchester Library System and this change has been reflected in the System's 2022-2026 Plan of Service. The Maintenance of Effort waiver, the request to restore full funding of Central Library Aid, was filed with the Division of Library Development; and WLS has received notice that there will not be a reduction in Central Library Aid this year.

The Public Library Directors Association (PLDA) Central Library Funding Committee (formerly the Central Library/E-Content Committee) has started the review process of potential services and products to be funded through Central Library Aid as part of the 2023 WLS Budget. The current membership in this committee includes:

Jennifer Brown, Director, Field Library/Peekskill;  
Yvonne Cech, Director, John C. Hart Memorial Library/Yorktown;  
Jennifer Coulter, Director, Pound Ridge Library;  
Jennifer Daddio, Director, Somers Library;  
Timur Davis, Director, Mount Vernon Public Library;  
Mary Kane, Director, Katonah Village Library;  
Terry Kirchner, Executive Director, WLS [nonvoting member];  
Allison Midgley, Senior Technology Trainer, WLS [nonvoting member];  
Jesse Montero, Director, Yonkers Public Library; and  
Christina Ryan-Linder, Director, Greenburgh Public Library (Chair).

This committee will continue to meet over the summer and bring forward recommendations to PLDA at their September 2022.

WLS Trustee Institutes/Advocacy Events: Trustees were reminded that several trustee and advocacy events are scheduled for July and August. The next event, entitled, *Incorporating Community Aspirations in Your Long-Range/Strategic Planning Process*, will be held both in-person and via Zoom at the following dates and times:

July 7<sup>th</sup> – In-person/WLS Conference Room: 6-7 PM light supper, 7-8:30 PM program

July 21<sup>st</sup> – Online/Zoom: 6-7:30 PM

Elena Falcone, Director of WLS Public Innovation & Engagement, will be the presenter regarding the timing and planning for a long-range/strategic plan and techniques on how to discover who is living in the community and what aspirations they have and how to help more voices, especially those that have often been silenced, to be heard.

Advocacy Events: Trustees were encouraged to attend one of the Legislator Breakfasts being hosted throughout the County. These meet and greet events will be an opportunity to learn more about the WLS Digital Equity Initiative and thank our County and State Legislators and local government figures for their support of libraries. Light refreshments will be served, and registration is appreciated. All Breakfasts will be held from 9-9:45 a.m.

Wednesday, July 13<sup>th</sup>

Croton Free Library  
171 Cleveland Drive  
Croton-on-Hudson, NY 10520

Wednesday July 27<sup>th</sup>

Somers Library  
Route 139 - Reis Park  
Somers, NY 10589

Wednesday, August 10<sup>th</sup>

Harrison Public Library  
Bruce Avenue  
Harrison, NY 10528

Wednesday, August 24<sup>th</sup>

Yonkers Public Library: Grinton I. Will Branch  
1500 Central Park Avenue  
Yonkers, NY 1071

Public Library Construction Aid Program: With the state-wide allocation of \$34 million to support the FY 2022/2023 Public Library Construction Aid Program, WLS was notified by NYS Library Division of Library Development (DLD) that \$1,605,184 will be available for approved public library and public library system construction projects within Westchester County. This is an increase of \$14,716 in funding from last year. Workshops regarding the Construction Aid application process are currently being scheduled. This year’s deadline for submission of project applications to WLS is Tuesday, August 23<sup>rd</sup>.

**PLDA LIAISON’S REPORT**

Ms. Cech reported on the June PLDA meeting where the following was discussed:

- The Central Library Funding Committee is working on a survey to be sent to the member libraries.
- Summary of the work of the Civil Service Committee; County versus State requirements; solutions to overcome barriers/restrictions.
- Continuation of the review of the PLDA bylaws.

**ADJOURNMENT**

Having completed its agenda, the Board adjourned its meeting at 7:46 p.m. on a motion by Ms. Draper and seconded by Ms. Scherer that passed unanimously. The September 27<sup>th</sup> WLS Board Meeting will take place in person at the WLS Headquarters at 6 p.m., and all should be prepared to wear a mask if needed.

Respectfully submitted,

*/s/ Andrea Zuckerman Bober*

Andrea Zuckerman Bober  
Secretary

**Subject:** Exempt and Non-Exempt Employee Pay

**Application:** Employees

### 1. Background

It is Westchester Library System's (WLS) policy and practice to appropriately compensate employees and to do so in compliance with applicable state and federal laws. To ensure that proper payment for all time worked and that no improper deductions are made, each employee must ~~record correctly~~correctly record all work time and review ~~your~~ paychecks promptly to identify and to report any errors.

### 2. Policies Applicable to All Employees

All employees will record their time and submit a completed timesheet to their supervisor via the ~~NOVAtime Attendance Program~~WLS attendance system.

It is a violation of WLS policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked. This kind of violation should be reported to the Executive Director.

In addition to deduction to pay that are mandated by federal and state laws and regulations, there may be reductions to an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. Employees with questions about deductions on a paycheck should contact the Chief Financial Officer and/or ~~Personnel Clerk~~Operations Manager. Each claim will be investigated and if the deduction was improper, WLS will reimburse the employee.

### 3. Non-Exempt Employees

Non-exempt employees must maintain a record of the total hours worked each day. Each non-exempt employee must submit his/her/their own timesheet to verify that the reported hours worked are complete and accurate. The timesheet must reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. At the end of each pay period, each non-exempt employee must submit a completed timesheet to his/her/their supervisor for verification and approval.

A non-exempt employee should not work hours which are not authorized by his/her/their supervisor. Non-exempt employees should not start work early, finish work late, work during a meal break or perform other overtime work unless authorized to do so and the time is recorded on the timesheet. Non-exempt employees are not to "make up time" unless it is approved in advance by his/her/their supervisor. "Making up time" means working more hours on one day to cover hours not completed on a previous day.

#### **4. Exempt Salaried Employees**

Exempt salaried employees receive a salary which is intended to compensate for all work hours. This salary is established at the time of hire or when the employee is classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, this salary will be a predetermined amount which generally will not be subject to deductions for variations in the hours worked. However, there is no requirement to pay exempt employees for any work week in which they perform no work at all for WLS.

*Last approved: May 26, 2015*

**Subject:** Investment of Funds

**Application:** Trustees and employees

Westchester Library System (WLS) is committed to investing its funds in a way that will maximize the security of principal, satisfy cash flow requirements, and use approved investments to provide the highest possible return. All investments shall conform with all applicable laws and regulations applicable to public library systems in New York State.

**Investment Objectives**

The investment objectives of the Board of Trustees of WLS are, in priority order: (1) to conform to all applicable federal, state and other legal and regulatory requirements; (2) to preserve capital; (3) to provide sufficient liquidity to enable WLS to meet its goal of maintaining a reserve sufficient to meet at least ninety (90) days of operating expenses; and (4) to generate higher rates of return than available through standard savings accounts consistent with the first three objectives.

**Authorized Investments; Security**

All WLS funds (including privately raised moneys, but excluding trust funds that may be invested as provided in the Estates, Powers and Trusts Law) shall be invested in accounts or securities permitted under Sections 10 and 11 of Article 2 of the General Municipal Law, as from time to time amended and in effect, or any successor or similar laws. All deposits in commercial banks or trust companies in excess of the amount insured from time to time under the Federal Deposit Insurance Act shall be secured as provided in said Section 10.

**Designation of Depositories**

The Board of Trustees shall designate one or more banks or trust companies authorized to do business in the State of New York for the deposit of WLS funds, and the maximum amounts that may be deposited in each such financial institution, ~~at the January meeting of~~annually, as a function of the annual operating budget approval process by the Board of Trustees. Such designation and amounts may be changed at any time by a resolution of the Board of Trustees.

**Delegation of Authority**

The Board of Trustees hereby delegates management responsibility for investment of WLS funds to the Board Treasurer and the Chief Financial Officer, who shall jointly (1) invest WLS funds in accordance with the investment objectives and subject to the limitations described in this policy; (2) manage the deposits of cash assets in accounts designated through this policy to be consistent with the goals of this policy; and ~~(23)~~ establish procedures consistent with this policy. No person may engage in any investment

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transaction on behalf of WLS except as provided in this policy and the procedures established hereunder.

**Reporting**

The Treasurer shall provide the Board of Trustees with investment reports at regular board meetings, specifying the types of investments, principal balances, rates of return and maturities.

*Last approved: October 27, 2020*

**Subject:** Purchasing

**Application:** Employees

The Westchester Library System (WLS) is committed to promoting a responsible procurement process based on receiving the highest-quality goods and services while assuring the prudent and economical use of revenues. The intent of this policy is to maximize the use of the WLS funds by employing efficient and professional procurement practices and providing sound safeguards against favoritism, extravagance, fraud and corruption, while allowing appropriate decision-making flexibility for WLS staff to function effectively. This policy controls the procurement of goods and services with WLS funds. Procurement of goods and services shall be subject to the requirements and restrictions in these guidelines.

Purchasing activities may be initiated by any WLS staff member with the approval of the appropriate Department Head and/or the Executive Director. Large hardware and software purchases are the responsibility of the Director of Information Technology and/or Network Administrator, in consultation with and approval of the Executive Director. In the absence of the Executive Director, the Chief Financial Officer shall consult on and approve purchases.

### **Competitive Bidding**

Under normal circumstances, contracts shall be awarded to the lowest responsible bidder. Circumstances under which a contract may not be awarded to lowest responsible bidder may include, but are not limited to: (1) vendor cannot comply with the full specifications set forth in the bid; (2) vendor cannot guarantee delivery of goods or services within the time frame or under the conditions established by WLS; (3) vendor's after-purchase support services are deemed inadequate; (4) vendor's terms of payment are disadvantageous to WLS; (5) vendor's performance in previous engagements are not satisfactory.

To the extent possible, WLS will not purchase goods or services from any vendor in which a Board member or staff member has disclosed or is known to have a full or partial actual or prospective business interest.

[WLS welcomes all vendors including, but not limited to, Certified Minority-Owned, Women-Owned, 2SLGBTQAI+-Owned, Veteran-Owned and Abilities-Owned Enterprises. Vendors with such certifications are encouraged to identify their certifications when submitting bids.](#)

### **Quotes**

Competitive quotes are required when the estimated expenditure for a product or service exceeds certain thresholds, as noted below. This process allows WLS to obtain the best value for expenditure of its funds. The only exceptions to this process are for purchases in which there are fewer than the required number of competitors who offer a given product or service, or for purchases for which a "sole source" makes good business sense (see below).

**Sole Source Suppliers or Fewer-than-Required Number of Vendors**

Under certain circumstances, it may be necessary to seek quotes from fewer than the required number of vendors or make a purchase from a sole source. Sole sourcing may make sense in a situation where a specific manufacturer’s product is compatible with products already owned by the system, where a specific vendor may have special expertise related to a specific project or initiative or in a situation where it is determined that seeking competitive quotes is not advantageous to WLS. In situations where a sole source or fewer vendors will be sought, approval of the Executive Director must be obtained in advance of any purchase being made.

<b>Dollar Amount Of Purchase</b>	<b>Quote Requirements</b>	<b>Purchase Order (PO) required?</b>	<b>Payment Options</b>
Less than \$2,000	No quotes	No	1. Petty Cash (for items under \$50) 2. Vendor invoice 3. Corporate credit card
\$2,000 - \$4,999	Minimum of 2 verbal quotes	No	Vendor invoice
\$5,000 - \$24,999	Minimum of 2 written price quotes	Yes	Invoice, PO & supporting delivery documents
\$25,000 - \$99,999	Minimum of 3 written price quotes	Yes	Invoice, PO & supporting delivery documents
\$100,000 and up	Formal bid process	Yes	Invoice, PO & supporting delivery documents

**Office and Other Supplies**

Office supplies are purchased on a monthly basis. Employees make requests on a form located ~~in~~ with the supply ~~room~~ storage unit. Requests include the item description, name of requestor, requesting department and date. The ~~Administrative Assistant for Information Technology~~ Executive Director designates employees to serve as the Supplies Coordinator and as the Supply Manager. The Supply Coordinator -compiles ~~these supply~~ requests and enters an online order for these items. The order is then routed to the ~~Executive Assistant~~ Supply Manager for approval and submission. When the ordered items are received, the ~~Administrative Assistant for Information Technology~~ Supplies Coordinator reviews the order for accuracy and completeness, distributes the items to the various requestors, and submits back-up information on the order to the Operations Manager.

For purchases other than office supplies, the requestor first explores the possibility of purchasing through a New York State government agency contract or any other recognized government agencies or national discount programs for libraries which offer the potential for economies of scale.

**Cooperative Purchases for Member Libraries**

For items purchased on behalf of the member libraries, WLS recognizes that those purchases are subject to competitive bidding as outlined in General Municipal Law. Therefore, the following procedures will be implemented for these purchases:

<b>Dollar Amount Of Purchase</b>	<b>Quote Requirements</b>	<b>PO required?</b>	<b>Payment Options</b>
Less than \$2,000	No quotes	No	1. Petty cash (for items under \$50) 2. Vendor invoice 3. Corporate credit card
\$2,000 - \$9,999	Minimum of 2 verbal quotes	No	Vendor invoice
\$10,000 - \$19,999	Minimum of 2 written quotes	Yes	Invoice, PO & supporting delivery documents
\$20,000 and up	Formal bid process*	Yes	Invoice, PO & supporting delivery documents

\* Request for Proposal (RFP) or Request for Quotation (RFQ), publicly advertised, and a minimum of 3 quotations, with selected vendor approved by the Executive Director. If funds have not been previously approved by the WLS Board of Trustees, then selected vendor requires Board approval.

**Exclusions**

These guidelines do not apply to the following:

1. Purchases made through a New York State contract, when the State contract vendor offers specified goods or services at a lower cost, purchase at the lower rate is recommended, with appropriate documentation included with the purchase documents.
2. Purchases of computer hardware, related equipment and support, when standardization of equipment and support can be justified, a specification document outlining in detail the technical requirements, including when appropriate brand name specification, can be developed and with Board approval used as part of the RFP or RFQ for these goods and services.

**Awarding Contracts for Purchases made for WLS or Cooperative Purchases for Member Libraries**

The basis for all contract awards shall be the lowest responsible bid that meets the requirements outlined to the vendor(s) in a statement of specifications, a RFP or RFQ.

**Purchases for WLS or Cooperative Purchases for Member Libraries Not Subject to Bid**

1. Professional services which involve specialized expertise, use of professional judgment and/or high degree of creativity, such as: attorney, architect, engineer, land surveyor, trainer;
2. Situations when immediate action is required that cannot await competitive bidding;
3. Insurance - documentation shall include written quotations and specifications;
4. Sole-source purchases which may occur when there is no substantial equivalent, or when the product is available from only one source and deemed necessary to public interest, items included under this criteria may include, but not be limited to:
  - i. Electronic databases
  - ii. Digital content (ebooks, downloadable audiobooks, videos and music)
  - iii. Specialized hardware
5. Real property
6. Dues and memberships in trade or professional organizations
7. Library materials, including periodical subscriptions
8. Advertisements
9. Postage
10. Petty cash purchases
11. Utility services
12. Copyrighted materials, patented materials, art and artistic services
13. Employee benefits
14. Legal services
15. Fees and costs of job-related travel, seminars, registration and training

*Last approved: September 29, 2015*