

WESTCHESTER LIBRARY SYSTEM

MINUTES OF THE MEETING OF THE GOVERNANCE COMMITTEE

TUESDAY, JUNE 7, 2022 6:00 PM, VIA ZOOM

Committee members attending: Andrea Bober, Cathy Draper, Julie Mills-Worthey
Other Trustees attending: Edris Scherer, Karen Kelley
WLS staff attending: Terry Kirchner, Rob Caluori

The meeting was called to order at 6:05 p.m. by Cathy Draper, Chair.

The committee began with a discussion of a potential revision of WLS Policy #16. Possible amendments would describe the process by which remote participation in meetings of the Board of Trustees would be permitted in compliance with recent changes to the Open Meeting Law. In addition, the committee discussed clarification of the process through which the public would be welcomed to comment during Board of Trustees meetings. Because the Committee on Open Government (“COG”) has not yet finished with its analysis of the new legislation, the committee agreed to defer making a recommendation regarding the policy until the COG has finished its work. The committee also requested a written staff analysis of the costs to WLS of implementing procedures that would permit trustees to participate in meetings remotely.

The committee discussed changes to WLS Policy #5, Exempt and Non-Exempt Employee Pay, proposed by the Finance Committee. Upon a motion made by Cathy Draper and seconded by Julie Mills-Worthey, the committee unanimously agreed to recommend the revised policy, a copy of which is attached hereto, to the Board of Trustees.

The committee then discussed changes to WLS Policy #12, Investment of Funds, proposed by the Finance Committee. Upon motion by Cathy Draper and seconded by Andrea Bober, the committee unanimously agreed to recommend the revised policy, a copy of which is attached hereto, to the Board of Trustees.

The committee then discussed changes to WLS Policy #13, Purchasing, proposed by the Finance Committee. Upon motion by Cathy Draper and seconded by Julie Mills-Worthey, the committee unanimously agreed to recommend the revised policy, a copy of which is attached hereto, to the Board of Trustees.

Terry Kirchner reported that he will work on revisions to the WLS Employee Handbook as indicated by the recent equity audit. Many of the changes will be around language and making the Handbook friendlier in tone. Dr. Kirchner hopes to have a draft ready for the committee to review in September and plans to distribute the written report from the equity audit to Trustees prior to that time.

The meeting was adjourned at 7:06 p.m. upon motion by Andrea Bober, seconded by Julie Mills-Worthey and unanimously approved.

Respectfully submitted,

Cathy Draper

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.

Dollar Amount Of Purchase	Quote Requirements	Purchase Order (PO) required?	Payment Options
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:

Dollar Amount Of Purchase	Quote Requirements	PO required?	Payment Options
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