

APPROVED

Minutes

Special Meeting of the Board of Trustees

Riverhead Free Library

Via Zoom Conference

Monday, April 27, 2020 - 11:00 AM

Present: John Munzel, President; David Friedrich, Treasurer; Janet O'Hare, Secretary; John Rienzo, Trustee; Ruth Nelson, Trustee; Susan Bergmann, Trustee

Absent: Louise Wilkinson, Vice President; Marilyn Banks-Winter, Trustee; Annette Totten, Trustee

Director: Kerrie McMullen-Smith

Staff: Susan Culver and Isabelle Gonzalez

Friends of the Riverhead Library: Mary Kromhout, President; Ron Ondrovic, Vice President; Marcia Littenberg; Linda Prizer ; Rosalie Del Quaglio; Vanie and Paul Tuthill.

A Special Board Meeting was called to order on Monday, April 27, 2020 at 11:09 AM via Zoom Conference.

**04.27.20
779**

President John Munzel made a motion to approve the agenda of the Special Board Meeting. David Friedrich, moved the motion; seconded by Ruth Nelson. **Motion carried**

Finances:

John Munzel requested the board review of the PPP (Paycheck Protection Program)

| | |
|----------------|--|
| John M: | Kerrie, would you kindly go through what you have been doing with PPP? |
|----------------|--|

APPROVED

| | |
|-----------------|--|
| Kerrie: | <p>I am going to review the information on what I have sent out via email over the course of the last week. I was informed that the {Riverhead Free Library} is eligible for PPP's. I looked into it and found that not all libraries are eligible for PPP but association libraries are - {Defined as such}. An association library is a private corporation established by the members of the association, it contracts with a unit of local government to provide library services to the residents of its jurisdiction. In legal terms it is a contract which may be written, oral or implied, but it always exists. Though association libraries are private, not for profit, education corporations, not subject to some of the laws and restrictions of true public libraries, the libraries are generally supported by public funds and must provide transparencies and accountability in making decisions. In addition to education laws, such libraries are subject to some aspects of NYS not for profit laws. There are 18 association libraries in Suffolk County. Thirteen of the East End libraries {Riverhead Free Library is one of them} are association libraries. We were told that we are eligible to apply but there are repercussions as we bank as a municipality and we have collateralization on our accounts which means the FDIC insures \$250K and the rest of the money is insured by both of our banks, as an agreement. If we apply for the PPP we will lose our collateralization and our municipal status with the banks and they will mark our accounts as not for profit. I provided the details to the board requesting a decision on how to move forward, not to assume that we should not apply, just an awareness of the risk if we do. In addition, I sent another email {to the board} reiterating what Al Coster, Stanley Gelish and Tom Volz have all indicated. This is a matter of the board making a decision as to what you want to do moving forward.</p> |
| John M: | <p>Any discussions before the board makes a motion?</p> |
| Susan B: | <p>I do not think this is a wise or prudent move to try to apply for this. Our monies are insured and it will jeopardize the {municipal} status and will take away monies that may be needed for small businesses that are really needing this. The deficit that was brought up during our last meeting in the event we run on the 19/20 budget can be coordinated and that there are ways to find monies to allocate to the union raises. So I believe this is not a prudent thing to do whether we are eligible or not. Our status as a municipality is very important.</p> |
| Ruth: | <p>I agree with you Susan. I am looking at the Mattituck Laurel Library and they have a whole schedule of annual library scholarships that businesses partner with the library and we would be competing with businesses. Our {Riverhead} community would not favor us double dipping and I do not believe we should be fooling around with our bank accounts.</p> |
| Janet: | <p>I do have experience with this and I know Al Coster from being at Northshore Library and I trust his opinion. I do not feel {RFL} should be taking money away from retail, small business owners, restaurant owners and farmers that live hand to mouth. The Library is not in that position and I believe it would be morally wrong. I vote no for applying for PPP.</p> |

APPROVED

| | |
|-----------------|--|
| David: | I concur with all the trustees, it would be fiscally irresponsible of us and me as the treasurer to support an action that would endanger our municipality and not have our funds collateralized over the \$250K. We have over a half million dollars among two banks and if we make this application, we lose this protection. If we take these monies, which is primarily a loan, we are taking this from other small businesses, we have enough in our budget to cover payroll, and other expenses. We lose more than we gain, so absolutely not. |
| John M: | Susan, would you kindly make a motion? |
| Susan B: | I make a motion to NOT apply for the PPP loans |
| Janet: | I second that motion |
| John M: | Can we have a roll call? |

| | | | | | |
|-------------------------------|--------------------------------|--------------------------------------|-------------------------------------|-------------------------------|-------------------------------|
| Ruth Nelson I agree | Janet O'Hare I agree | David Friedrich I agree | Susan Bergmann I agree | John Rienzo I agree | John Munzel I agree |
|-------------------------------|--------------------------------|--------------------------------------|-------------------------------------|-------------------------------|-------------------------------|

**04.27.20
780**

Therefore, Susan Bergmann's motion to NOT apply for the PPP loans, seconded by Janet O'Hare has been moved. **Motion carried.**

Next item to discuss - Grants:

| | |
|-----------------|---|
| John M: | What is happening with the available grants, Kerrie? |
| Kerrie: | As of right now, there are not any grants that are available that we can apply for right now. We are financially secure, as of now until the end of the fiscal year. We have secured the tax payment. That is not to say that we will not need it for the next fiscal year, if we wind up running on the 19/20 budget. We would then be looking for funding or grants for income. |
| John M: | Ok, anything else on the grants? Any other comments? |
| Susan B: | I think there will be more opportunities in the future for grants. I think we are good right now and we should hold off on the grants. |
| Janet | I agree. |

Old Business:

| | |
|----------------|---|
| John M: | Any discussions on the Yellow Barn? |
| Janet: | I have a question regarding the barn. There was some discussion made as to whether it is an emergency procedure rather than it being a maintenance one. |

APPROVED

| | |
|----------------|--|
| John M: | We agreed not to do anything with regards to the Yellow Barn, and then subsequently, emails have been flying around to the contrary. Therefore, let's put this to bed. |
| David: | How did this emergency status crop up? Was it through an inspection? What was the story? Or did someone just make a decision that they thought it was weak and it was an emergency? How did that come about? |
| John M: | I think Mary {Friends of the Library} had a discussion with Palumbo, that it was an emergency. |
| Mary: | Can we have a period of public expression? Before you decide everything. Because I would certainly like to put my two cents in before you decide everything. |
| John M: | The question has arised and let's consider this a question on the table and you are the person with the information. |
| Mary: | Ok , here is my question. The Friends needs to know what the library is doing with the yellow barn. Last we heard, from the board of trustees, was that because of Governor Cuomo's moratorium the bid process has stopped and the contract process has stopped. I called Palombo's office, asking about funding for the Friends and whether we can get in on any of the PPPs and in discussing this he directly asked Governor Cuomo and the bid process is alive and well, the contract process is alive and well, so stopping for a building moratorium is incorrect. |
| John M: | I am sorry, what was that? |
| Mary: | I believe it was Kerrie that said in the last meeting that you can't open the bids, that you may have to rebid or go into contracts because of the building moratorium. |
| Kerrie: | So let me clarify that. I did not say we can not accept bids. I said we are an association library and we can not move forward with any type of construction, right now. There are exceptions for the public libraries and construction. Those are two different things. |

APPROVED

| | |
|----------------|---|
| Mary: | Even though {RFL} is an association library and is considered non essential, the whole bid process and the construction process depending on the library, are separate and distinct. You can just go out to bid, that does not mean you can go out to construct, Mr. Palombo's office made that quite clear. He also said that if there is an emergency, like a summer beam, or a beam falling down, you can stretch the point to say that the Yellow Barn needs to have the repairs done and it would not be included in the building moratorium. Mr. Palumbo is a friend of the library and he has gotten the money and grants for the library. I am repeating what Mr. Palambo and his executive secretary have said. I forwarded the email to Kerrie and Louise. That's the contacts we are told to send as they are our liaisons, those are our contacts and we did not send to the board of trustees. We would like to know if you can go ahead with the bid process. We need to let the Friends know where we stand in the future, and you all do know we have a deficit of over \$22k, which is unsustainable, maybe that is what you want us to be, I don't know. As the current President and speaking for the board, we have to know what the library will do and what the library will not do so we can move forward accordingly. |
| Ron: | My understanding is that you have two bids. They are good for 45 days and your two bids, have you looked at them? Number one, if you haven't you should. Second thing is, you can make an award based on those two bids and make a contract contingent upon lifting the corona restrictions. |
| Linda: | Ron, that is too nebulous and you cannot put that in that contingent plan because nobody knows what that means "lifting restrictions" so we cannot do that because it is not precise. |
| Ron: | I think it's precise but we can argue that, but the other point is that there were experts that came in to look at the summer beam and said it needs to be repaired. Our concern is that the reason we shut down the Yellow Barn was because of safety concerns. If you do not think experts have not been in that is not true. John Collins has looked at the summer beam, as others have, and have questioned the support that has been done as a temporary repair. The beams that go vertically are not supported underneath. We the Friends have decided it is a safety issue for letting our people go in the yellow barn and customers and patrons in the yellow barn. So I don't think there is any question that it is considered an emergency in my opinion. |
| John M: | That is a gamble. An emergency is an emergency meaning it will fall down in the next week. |
| Linda: | We don't know that. Have an engineer go in. It could fall down we don't know. |
| Ruth: | This is a timing issue. We have already closed the yellow barn down so we can not call it an emergency as it is no longer functioning. It has to be functioning. |
| Ron: | We still have people going in. |
| Susan | Why are people going into the yellow barn? |

APPROVED

| | |
|----------------|--|
| Ron: | Because we have books there that we have to look at, we have to move the books and we have to do an inventory of the books and there are things we have to do in the yellow barn and prepare for whatever has to be done but we don't know what that is. |
| Susan: | I think this becomes an insurance issue where we might need to contact our insurance coverage. If you are going into a structure that is owned by the library, I don't know if that is permissible at this time because we know the library is shut down and I would consider the yellow barn on the property, as the library, should be shut down. Everything stops until further notice. I think we should call our insurance carrier to have an answer. |
| Ron: | My understanding is that the library is not shut down and you have employees going in doing distancing stuff. |
| Kerrie: | We go into the library to conduct essential business, like doing our payroll, paying our invoices, things of that nature. I have had staff come in when Sue and I have been there to pick up books to run programs from their home. They are not doing the work in the library. They are just running in quickly to pick up something from their desk or shelf to run programs digitally. |
| Linda: | That is the same thing we are doing. Why is there a difference? |
| Ron: | And if you really want to do the yellow barn, there is a way to do it and I don't know what the risk is in calling it an emergency, if the local politician is saying he would go behind us. My understanding is you can get an emergency permit and it is a one hour process and either they approve or disapprove it. If they approve it, what is the risk? |
| Kerrie: | We would get the emergency permit from the town? |
| Ron: | I believe it is from the town, but Linda maybe you could tell me more about it. |
| Linda: | I have no idea. |
| Mary: | It's all about what you define as an emergency. I think you folks are being extremely narrow minded and you do not want to help us. |
| John M: | You are jumping to a conclusion. We want to help. |
| Mary: | Suppose the library opens May 15th or May 30th at that time the yellow barn south is in operation in the library. Where do you think we have to get the books from to stock the yellow barn south, it is in the yellow barn and we can't go in there? You are tying our hands and are forcing us to accept a \$22k deficit this year and the foreseeable future because you can not make up your minds on what you want to do. |

APPROVED

| | |
|-----------------|---|
| John M: | We can make our minds up, we are going to make our minds up today. The question is, what is a definition of an emergency? My definition of an emergency is a legitimate emergency that is going to fall down in a week or two. We had experts who have never said it is an emergency. It needs structure repair but it is not an emergency. |
| Linda: | Then why did you shut it down? If it was not an emergency then why did you shut it down? |
| Susan B: | It is an unsafe structure but it is not an emergency. |
| Linda | That is a ridiculous exception that you are trying to make. It's semantics. It's ridiculous what you are saying. |
| Susan B: | We are being cautious. If we go to the town and we find out it is an emergency, with what we know about the structure, then we go from there. This is not something we can decide ourselves, if we need input from appropriate agencies to determine if it is an emergency. We are not being narrow minded. |
| Linda: | No, you are not bringing in anyone else to look at it, and you are chasing your tail around and talking out of both sides of your mouth, because if this was an emergency, with what we know about the structure, then we can go from there. |
| Susan B: | Now that is unwarranted Linda. We need to contact the town to see if we are eligible for it to be determined. We don't know. So any further discussion is a moot point. |
| Linda: | So do it, when are you going? give a date? Make a date. |
| John M: | I take an exception to that Susan. We have had experts in and no one said it was an emergency. |
| Susan B: | Exactly, so what the Friends is asking us to do is to find out what constitutes an emergency so in fact that might involve asking the town to make that determination. |
| Linda: | When are you going to the town? Make a motion. |
| Ron: | I have a question. Isn't it our determination that it is an emergency and not the town's?, I don't think the town will give you the determination |
| Kerrie | You are right Ron, we go to the town with the determination that it is an emergency. |
| John M: | You had some discussion with SCLS regarding work being done, can you bring us up to date with that? |
| Kerrie: | The fact is that it has to be determined it's an emergency and then we can do the work, but if it is discovered that it is not an emergency we can be fined up to \$10K a day. |

APPROVED

| | |
|----------------|--|
| Mary: | If you got the permit from the town that it is an emergency then you can do the work. |
| Kerrie: | I don't disagree with you but we need some kind of specs of the type of work that is going to be done, we are not even at that point yet. |
| Ron: | Aren't there specs in the proposals |
| Kerrie: | There aren't. I can forward the proposal to you. |
| David: | Has there been any statements in the proposals you received that the yellow barn building is in an emergency status. |
| Kerrie: | No, we have two proposals and neither of them state that. |
| Ron: | It is a safety concern for protecting the people in there. |
| David: | Safety concern and emergency are two different things |
| Ron: | Not if it involves people's lives. |
| David: | If I was concerned with people's lives I would not allow people in there. |
| Mary: | You told us we can't go in there for safety reasons. |
| John M: | I think we have to make a motion as we have beat this back and forth. I will make it , I move to table the yellow barn construction until after the library opens. |
| Janet: | I make the motion |
| David: | I second that motion |
| John M: | Can we have a roll call again? |

| | | | | | |
|-------------------------------|--------------------------------|-----------------------------------|----------------------------------|-------------------------------|-------------------------------|
| Ruth Nelson I agree | Janet O'Hare I agree | David Friedrich I agree | Susan Bergmann I agree | John Rienzo I agree | John Munzel I agree |
|-------------------------------|--------------------------------|-----------------------------------|----------------------------------|-------------------------------|-------------------------------|

**4.27.20
781**

Therefore, John Munzel's motion to table the yellow barn construction until after the library opens. Janet first and David Seconded. **Motion carried.**

Period of Public Expression:

| | |
|--------------|--|
| Mary: | I would like to make a comment on what you just did. I think what you have done is that you have taken the fools way out. I cannot believe you will not help the Friends to resolve our issues and I am very disappointed. |
|--------------|--|

APPROVED

| | |
|----------------|---|
| Ruth | How can you bring this up at this time, we are not meeting , we do not have enough information to proceed. It just seems that you are hostile to the board. We do not have anything against the yellow barn but we do not have enough information to proceed. |
| Ron: | The proposals respond to the safety concern. We are trying to make this work and it is an easy solution and it can be fixed and can get the proposers to say that it is an emergency. The Friends have taken all the books from the beam. |
| Ruth: | May I ask-- You rented a pod and I assume the books were taken out of the barn and placed in the pod. |
| Ron: | The books are still in there. We have not rented a pod until we know what work we are going to do with the Yellow Barn. The books are still in there. As I said we took out the books that are on the top floor over the beam to make it safer. |
| Ron: | I am concerned about what the Friends will be forced to do because of this. How do we sell our books? We have to look at alternative options. |
| Kerrie: | Can I just point out right now, as all libraries are closed and if they have Friends groups, their Friends groups can not sell books because a lot of the Friends groups sell books in the libraries themselves. So it is not like it is particular to our Friends. It is particular to all the libraries who have Friends groups. If the Libraries are closed and the Friends sell out of the libraries, then they are not able to sell right now either. |
| Ron: | I understand that and I agree. The concern that I think the Friends have or at least I have personally, is the fact it is taking so long and that we will have to go out to the bid process again and have to wait for the construction to happen and it's not going to happen until next year. |
| Janet: | Ron, that is out of our control right now. The public is not allowed in. We have to wait for the State to actually let us do things. We are not against you. We are not against the Friends. We are grappling with the library opening. This is an unprecedented situation. This is a unique situation. Most Friends groups are inside the libraries and they are not allowed to go in and sell either. It's unfortunate. I feel bad about it but right now, I agree with the rest of the board that it has to be tabled. |
| John M: | In order to repair the barn, we are talking probably a considerable amount of money. Mary you are more familiar with this than most. There was \$100K put on the table at one time for this? |

APPROVED

| | |
|----------------|--|
| Mary: | Yes, one of the board members, I don't remember who, who commented on our hostile attitude. Two years ago, there was a \$100K grant that the Friends were asking for the library to participate in, the chance of getting this grant was 1 out of 20. It was from one of our benefactors who donates \$5K to \$10K every year. This was a \$100K grant and I and Ron, and I believe it was Lousie, and Kerrie met and I asked two years ago to please submit proposals to repair the yellow barn so that I could contact the attorneys of the benefactor so that we could get the \$100k. It was contingent on the library giving us the necessary information. Two years ago you sat on your hands and did not give us any information. |
| John M: | Mary, that is fine and dandy but the next question is, can you approach these people again when we are ready to repair the barn? Not now. It's too early. |
| Ron: | The money was given to a library in Florida. |
| Mary: | The \$100K was given to a library in FL and used to buy a mobile bus library. You can understand the level of our frustration with the board because even at the best of times you table things. At the worst of times, you table things, so how can we trust with what you say and what you do? |
| John M | Mary, it is water under the bridge, and no matter how we got here, this is where we are now. Let's move forward. Personally I do not want to risk a fine of \$10k a day, to fix something that I can not get a determination that it is in imminent danger of falling down. |
| Mary: | But you don't even want to go there to find out and help to see if it is. |
| John M: | We have to go with the facts. |
| Mary: | Your tabling something. That's how you lost the \$100K. |
| John M: | We've had engineers in the place, they did not say it is an emergency. |
| Ron: | You did not ask them that question. I think if you asked that question, that might be the way to go. |
| David: | It should be in their report. |
| Ron: | But the report wasn't addressing what we have now in front of us. My opinion if you ask these bidders to give a determination that people in the building are at risk and they say yes, then you can say yourself that it is an emergency, based on safety. Then you can go ahead and do what you have to do. |
| Ruth: | Repair has to be made for the full barn. If you are going to do the job, you have to do the total job. What good is it to repair the beam and not the walls. The bottoms of the walls have corrosion and mold. There are a lot of issues to consider. |

APPROVED

| | |
|-----------------|--|
| Ron: | The request for proposal asked how to make the building safe. That included everything involved, walls or whatever. Kerrie, I would appreciate you sending me the bids. |
| Susan B: | I agree with you Ron. You and Kerrie can read through the proposals that you have received, go over them and see what exactly is being said and then our determination would go from there. Is that acceptable? |
| Ron: | I think that is a very good way to go. |
| Ruth: | Kerrie, did you not ask for more bids to go out? |
| Kerrie: | No, I sent out the original request to six firms and got two back. |
| Ruth: | But weren't you going to reissue the request for more bids? |
| Kerrie: | I can do it again but then it's a matter of getting the architects into the barn to take a look. |
| Ruth: | You can't do that now. |
| John M: | You don't want to do that now. |
| Janet: | You can't do that now. |
| Susan: | Ok so right now, I think the only action we can take is that if Kerrie sends the proposals to Ron. She and Ron will go over them. |
| Kerrie: | I want to point out that when I sent the proposals to the board I mentioned they are not equivalent. You can not compare apples to apples with these proposals. One proposal covers the whole gamut, like we asked and the other doesn't. So we have to take that into account as well. |
| Susan: | OK |
| Ruth: | The bids have to be more specific in terms of details. |
| Ron: | We can ask for clarifications and tell them the bids are not good. Then we can proceed on what we got already and then we can also ask about emergency status given the situation. |
| Susan: | Well hopefully the places that provide us the bids are open right now. These are still tenuous times. If we can go forward with anything we are willing to do that, but we need the information and are we able to obtain that information? That's another question. I think Kerrie will follow up on that and we will see where we can go from there. |
| Ron: | I agree. My philosophy is we don't ask the question, the answer is no. If we ask the question, that takes care of it. |

APPROVED

| | |
|---------------|-------------|
| Ruth: | We can ask. |
| Susan: | Yes. |

John Munzel entertained a motion to adjourn the meeting at 12:05pm, David moved the motion and it was seconded by Susan.

Date of future meetings: Wednesday, May 13, 2020 at 6:30 PM

Respectfully Submitted,

Janet O'Hare, Secretary/ ig