

East Brunswick Public Library
Board of Trustees Meeting
January 19, 2021

Attendees:

JoAnn Chmielowicz	Melissa Kuzma, Library Director
Mayor Brad Cohen	Daragh McAuley, Exec. Administrative Ass't.
Dr. Ken Freedman	Karen Karnchanapee, Pres., Friends of the Library
Patricia Palumbo	Linda Carbley, Pres., Friends of the Library
Aarti Punjabi	Melissa Hozik, Adult Programming Librarian
Kathy Spadafino	Douglas Zucker, Library Board Attorney
Nicole Tibbetts	Sofia Sepulveda, Student Representative
Ashish Verma	Wayne Christie
Barbara Wendell	Mary Pan
	Martha Hess, Reference Librarian
	Gary Matoren

Note: The meeting was held via zoom conference.

Ms. McAuley called the meeting to order at 7:03 pm. A roll call was made and a quorum was present. Ms. McAuley stated that the meeting was advertised and the open public meeting act requirements were met.

All rose for the Pledge of Allegiance.

Agenda:

Mayor Cohen made a motion to adopt the January 19, 2021 agenda. Dr. Freedman seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: none.

ELECTION OF OFFICERS

The following names were submitted for nomination:

President: Mayor Cohen
Vice-President: Patricia Palumbo
Secretary: Nicole Tibbetts and Patricia Palumbo
Treasurer: Aarti Punjabi

Ms. Palumbo declined the nomination as Board Secretary, but accepted the nomination for Vice-President. All others accepted their nominations.

According to Attorney Douglas Zucker, because the Mayor and the Superintendent's representative both were nominated, in order for the slate to be accepted, the Board must first pass a motion to suspend the By-laws, (as allowed in Article VI, Section 3), temporarily

suspending Article II, Section 1, which states “The officers shall be a President, a Vice-President, a Secretary, and a Treasurer, elected from among the appointed Trustees at the annual meeting of the Board.” This would allow the Mayor and/or Superintendent’s Representative to serve as an officer, since they are not appointed members of the Board. Ms. Spadafino made a motion to suspend Article II, Section 1 of the by-laws for 1 year in accordance with Article VI, Section 3, to allow the Mayor and the Superintendent’s representative to serve as officers of the Board. Ms. Punjabi seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: none.

Dr. Freedman moved to accept the slate of officers. Ms. Wendell seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

Minutes of December 15, 2020:

Dr. Freedman made a motion to approve the minutes of December 15, 2020. Ms. Spadafino seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

Minutes of December 15, 2020 Closed Session:

Ms. Punjabi made a motion to approve the minutes of the December 15, 2020 closed session. Ms. Tibbetts seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

Public Participation:

Karen Karnchanapee, co-President of the Friends of the Library, reported that the Friends have fundraising plans in place at Red Robin on February 15 and at Chipolte on April 17. A new Gertrude Hawk candy sale has begun, and another Bonfire tee shirt campaign will begin soon. The Friends will host a virtual book talk with Author Jodi Eichler-Levine on February 18. Several other events are in the planning stages, such as a virtual wine bottle painting event.

Sofia Sepulveda, the student representative, read the teen report for December. TAG met and had 34 attendees. An Adult Trivia Night was held as well as meetings of several clubs including EB Meds Unite. The Annual Hour of Code event was held with over 100 virtual attendees. A holiday card writing drive was held and over 400 cards were sent to hospitalized children.

Ms. Kuzma reported that the Foundation Board met on January 6, and that they are in need of a liaison from the Board of Trustees. Mayor Cohen asked anyone interested in this position to email him. Currently the Foundation is focused on beginning fundraising efforts for the Children’s room renovation.

Mayor Cohen reported that the township has partnered with the Middlesex County Health Advisory Council and the library to help spread the word about the Covid-19 vaccine, and created a survey to ascertain how the public feels about the vaccine. To date there have been 3,000 responses.

Wayne Christie attended an NJLTA meeting and reported that the State Library is awaiting the start of the new State Librarian before the second phase of the construction bond application is released. In addition, NJLTA will be holding a new trustee training webinar in February. He will forward the information for this when it is available.

Gary Matoren, an East Brunswick resident, spoke about his philanthropy.

Treasurers Report:

Mayor Cohen would like to see some of the reports reformatted so they are easier for the Board to read. The Board reviewed the Treasurer's report, the monthly statistics and the reserve and bank reports. Dr. Freedman made a motion to approve the January 20, 2021 bill list. Ms. Wendell seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

Correspondence:

Ms. Kuzma shared two letters. One was received from MCFoods thanking the library for maintaining the food donation bins. The other letter was from Mary Chute, State Librarian, commending the library on the construction bond application.

Reports of Standing and Special Committees:

Building Committee:

Ms. Punjabi reported that the committee met and discussed how to proceed with the second phase of the construction bond application. It was decided to concentrate on the most important areas- the Youth Services area and the HVAC system, to hopefully get the construction cost in the \$4,000,000 range. They still have not decided whether they will submit one application or two.

Policy Committee:

The Policy Committee did not meet.

Director's Report:

Ms. Kuzma pointed out that the Manager's streamlined the report, and from now on will only report on the highlights of the month. In the interest of time, Ms. Kuzma skipped her report summary, and just pointed out the staff service awards for 2020.

Old Business:

A. Covid-19 Update

Ms. Kuzma surveyed Middlesex County libraries to see what stage of opening they were in. Most are offering some services, but are not fully open. One library is completely closed. None are planning to fully open in the near future. As much as Ms. Kuzma would like to open, she thinks it is best to wait until the Covid-19 positivity rates trend in a better direction. Mayor Cohen would like to avoid opening and then having to close again, and would like for the township and library to be on the same page.

Consent Agenda:

A. Resolution #10,772 Naming Authorized Banks

Resolution #10,772

To Name Authorized Banks

BE IT RESOLVED that the Library Board of Trustees approves the following and their successors and assigns as its authorized banks in which funds may be deposited or invested in the name of the East Brunswick Public Library.

PNC Bank

The Provident Savings Bank

TD Bank

Northfield Bank

AND FURTHER BE IT RESOLVED that the following individuals be authorized as signatories and empowered to invest funds on behalf of the Library Board of Trustees: The Board Treasurer; Melissa Kuzma, Library Director; and Nina Tarabokija, Accounting Clerk.

B. Resolution #10,773 Naming Official Newspapers for 2021

RESOLUTION # 10,773

Naming Official Newspapers for 2021

BE IT RESOLVED by the East Brunswick Public Library Board of Trustees that the *Home News Tribune* and the *Sentinel* are hereby designated as official newspapers for the East Brunswick Public Library.

C. Resolution #10,774 to Approve state Contract Purchases

Resolution #10,774

To Approve State Contract Purchases

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the East Brunswick Public Library purchases commodities from authorized vendors under the State Of New Jersey Cooperative Purchasing Program 1-N.J.C.P.; and

WHEREAS, utilization of State contracts represents the best prices available;

NOW THEREFORE BE IT RESOLVED by the East Brunswick Public Library Board of Trustees that the aggregate purchases in 2021 from the following State contract vendors may exceed \$26,000:

BFI, Inc.
Central Jersey Office Equipment
Dell Computer Corp.
Demco
HP
W.B. Mason
SHI

D. Resolution #10,775 Authorizing Library director to Make, Negotiate and Award Contracts up to the Bid Threshold

Resolution #10,775

RESOLUTION AUTHORIZING THE LIBRARY DIRECTOR TO MAKE, NEGOTIATE, & AWARD CERTAIN CONTRACTS UP TO THE BID THRESHOLD

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-3 provides that when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500.00, the contract may be awarded by a purchasing agent or other employee so designated by the governing body when so authorized by resolution without public advertising for bids; and

WHEREAS, the Board of Trustees may designate the Library Director as the contracting agent and the governing body of any contracting unit, in this case the Board of Trustees of the East Brunswick Public Library, may adopt a resolution to set a lower threshold for the receipt of public bids or the solicitation of competitive quotations; and

WHEREAS, effective January 1, 2021, the bid threshold has been established at \$17,500.00.

NOW, THEREFORE, BE IT RESOLVED that the East Brunswick Library Board of Trustees ratifies its designation of the Library Director as the contracting agent so authorized to make, negotiate and award contracts in the amount up to the bid threshold without the need for advertising for bids, but all such contracts in excess of \$15,000.00 shall be furnished to the Board of Trustees before they are signed and all change orders shall be governed by New Jersey Administrative Code, including, but not limited to, N.J.A.C. 5:30-11.1 through 5:30-11.10, and change orders shall not be used to substantially change the quality or character of any items or work to be provided.

Dr. Freedman moved to approve the above resolutions. Ms. Spadafino seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

New Business:

A. 2021 Committee Assignments

Mayor Cohen requested that Library Administration send out an email to all Board members asking that they rank their preferences to sit on the Building, Personnel, Policy and Finance committees. The Mayor will then assign the committee members.

B. Resolution #10,776 Appointing Library Board Attorney

Resolution #10,776

Appointing a Library Board Attorney

WHEREAS, the East Brunswick Public Library Board of Trustees authorized the Township of East Brunswick to utilize its website for the benefit of the East Brunswick Public Library and to publish a legal advertisement for Requests For Quotations for the position of Library Board Attorney; and

WHEREAS, the Library Board received Qualification Statements from Weiner Law Group- Douglas Zucker, Esq., and Rainone, Coughlin and Minchello.

NOW, THEREFORE, BE IT RESOLVED by the East Brunswick Public Library Board of Trustees that it hereby appoints Douglas Zucker as Library Board Attorney, effective January 1, 2021, through December 31, 2021, in accordance with the response to the Request for Quotations for the provision of professional services for the position of East Brunswick Public Library.

Ms. Wendell moved to approve the above resolution. Ms. Palumbo seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

C. Resolution #10,777 Appointing Library Labor Counsel

Resolution #10,777

Appointing Library Labor Counsel

WHEREAS, the East Brunswick Public Library Board of Trustees authorized the Township of East Brunswick to utilize its website for the benefit of the East Brunswick Public Library and to publish a legal advertisement for Requests For Quotations for the position of Library Labor Counsel; and

WHEREAS, the Library Board received Qualification Statements from Andrew P. Oddo, Esq., Weiner Law Group- Douglas Zucker, Esq., and Cleary, Giacobbe, Alfieri, Jacobs, LLC.

NOW, THEREFORE, BE IT RESOLVED by the East Brunswick Public Library Board of Trustees that it hereby appoints Cleary, Giacobbe, Alfieri, Jacobs, LLC. as Library Labor Counsel, effective January 1, 2021, through December 31, 2021, in accordance with the response to the Request for Quotations for the provision of professional services for the position of East Brunswick Public Library.

Ms. Tibbetts moved to approve the above resolution. Ms. Wendell seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

D. Resolution #10,778 Appointment of Auditor for 2020

Resolution #10,778

Appointment of Auditor for 2020 Audit

WHEREAS, NJSA 40A:5-4 requires that the Board of Trustees appoint a registered municipal accountant to audit the library's financial records; and

WHEREAS, Wiss & Company has submitted a quote of \$7,500 to perform the audit for 2020; and

WHEREAS, the Township of East Brunswick has appointed Wiss & Company to perform its 2020 audit; and

WHEREAS, the Local Public Contracts Law (NJSA 40:11-1 et seq.) requires that the Resolution authorizing the award of a contract for professional services without competitive bids be publicly advertised;

NOW THEREFORE BE IT RESOLVED that

1. The Board of Trustees of the East Brunswick Public Library appoints Wiss & Company to perform the library's 2020 audit at an estimated fee of \$7,500.
2. This contract is awarded without competitive bidding as a professional service [NJSA 40A:11-(1)].
3. Notice of this contract award shall be published in the *Home News Tribune* within ten (10) days after passage of same.

I certify the above to be a true copy of a resolution adopted by the East Brunswick Public Library Board of Trustees at a meeting held on January 19, 2021.

Dr. Freedman moved to approve the above resolution. Ms. Chmielowicz seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

E. Approve Change in By-Laws: Board of Trustees Meeting Date

Mayor Cohen requested that the Board meeting date be moved, as he has a conflict of the third Tuesday of the month. As required by law, each board member received a letter, dated January 4, 2021, notifying them of the request for change. A discussion ensued concerning which day would be convenient for all. Mayor Cohen suggested the 4th Tuesday of the month and asked the Board members to email him with their thoughts, and a further discussion will be held next month.

F. Room Rental Refund to Patty Kowalchuk

Ms. Kowalchuk was requesting a \$60 refund for the meeting room that she requested last spring, which was cancelled due to the library being closed for Covid-19. Dr. Freedman moved to approve the refund. Ms. Chmielowicz seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

G. Approve transfer of Funds to Holocaust Program

Ms. Kuzma explained that there is approximately \$5,000 in the Donations Account which has been received for use for a Holocaust collection. She suggested that since the Foundation is working with Michael Kessler to put on his annual Holocaust program, that this amount be transferred to the Foundation for their use in supporting this programming. There are other funds

available in the Donations Account that can be used to purchase Holocaust materials for the library collection. A discussion ensued and there was a general agreement to support this transfer of funds.

H. Resolution #10,779 Closed Session

Resolution #10,779

Executive Session

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Board of Trustees wish to move to executive session to discuss the following matters:

Library Director's Contract

WHEREAS, minutes will be taken during the closed session and once the confidential matter has been resolved, then the minutes will be made available to the public;

NOW THEREFORE BE IT RESOLVED that the East Brunswick Public Library Board of Trustees will hereby move to closed session and that the public will be excluded from this meeting in accordance with the Open Public Meetings Act.

Ms. Tibbetts moved to approve the above resolution. Ms. Wendell seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

The Board moved into closed session at 8:40 pm.

The Board returned to open session at 9:07 pm.

Information Items:

A. Library Director's Contract

Mr. Verma moved to approve Ms. Kuzma's contract. Ms. Tibbetts seconded. Voting yes: Ms. Chmielowicz, Mayor Cohen, Dr. Freedman, Ms. Palumbo, Ms. Punjabi, Ms. Spadafino, Ms. Tibbetts, Mr. Verma and Ms. Wendell. Voting no: None.

Information Items:

There being no further business, Mr. Freedman made a motion to adjourn at 9:11 pm. Ms. Tibbetts seconded.

Respectfully submitted,
Ms. Nicole Tibbetts, Secretary

