

Pawlet Public Library  
Regular Meeting of Board of Trustees

MINUTES

August 13, 2024

Present: Trustees in attendance: Harley Cudney, Grace Larson, Joni Lee, Lauren Herbert, Cori Rail

Members of the public present:

Adelle Santwire, Juli Haley, Molly Beverage, Joanne Van Meter, Lyndsi Barnes, Gordon Dossett, Robin Pomerance, Anita Pomerance, Linda Welch, Bense LaRico, Jed Rubin, Eve Schaub, Christine Edwins, Hannah Herbert, Susan LaPorte, Julie Mach, Barbara O'Connor, Linda Lynton, Robert Schoenemann, Cana Williams, Julie Mach

5:30 Call to order

- Review of Operating Norms: Harley reads Operating Norms.
- Addition or deletion of agenda items and approval of Agenda:
  - o Harley mentions that there is a thankyou card for Kathryn for signature.
  - o Joni motions to approve the agenda, with the addition of the card signing, Grace seconds, no discussion, motion carries.
- Public Comment:
  - o Harley reads the Public Participation section of the Rules of Procedure (can be found on the library website).
  - o Julie –It's clear to me that the community is expecting something from the Board that is to come together as a whole and realize that they are much closer together than they think they are. An example is 11 and 1 – If you look this way, you are very far apart, if you turn around you are very close together. Recommends that the Board reach out to someone to moderate a retreat or something of that effect to come together and realize what your purpose is as a board, what your objectives are, what your obligations are to your community If you have that clear, and outside of all other actionable business, I think you will realize that you are at 11 and 1. It is the only path forward, because the infighting and the drama is detrimental to our community and it absolutely needs to stop. The community has been very clear in asking for work to be done and policy and procedure in place so that the new and old employees and board members understand what your duties are and are not, and how you can work together to achieve common sense goals. She recommends putting this on an agenda.
  - o Joanne – Welcome Cori to the board. I commend the board and the volunteers for the book sale. It's our main fundraiser, people put in many hours for an excellent book sale, and raised a lot of money for the library. I am very passionate about libraries, and suggest that when speaking, start with something positive, because the community has heard nothing but negativity. We're at the point where the community and people in other states are watching, and we have become a mockery. The reason we are here is to make the Pawlet library great, and be welcoming to families, to adults, and to seniors, and I don't see that happening. I'd like to commend the board for now moving forward on hiring a new librarian. I'm not saying I liked what happened before, but it is time to move on and move on in a positive manner for this community and to get a librarian who has a vision of where we move forward it would

help settle a lot of issues, and when the board gets together and everyone starts to listen to one another, we can go back to having this community center, which was very positive for all of us.

- Sue – I've been on the library board, I love this library, but ever since Harley has been on this board, and treated Lyndsi the way he did when she was fired, everything has become disgusting and embarrassing. Lyndsi was doing a beautiful job then because Joni and Linda didn't like the way Lyndsi was running the library because she was running it well they wanted their own control, Harley wants control, Joni wants control for her friends with the homeschoolers, Adell doesn't want a boss. That's when things started falling apart. I think Harley needs to resign we need to put somebody else in his place, give Lyndsi back her job, then this library can go back to being run well like it should be.

- Approval of minutes:

- We have a series of minutes that need to be approved, is there a motion?
- Joni makes a motion to approve the 4<sup>th</sup> of June, as amended, and 2<sup>nd</sup> of July regular meetings, Lauren seconds.
  - Lauren asks why we are approving the minutes now? Joni – there was a correction that needed to be made for the June meeting, so we are approving the corrected minutes as well as the July regular meeting minutes. Grace has sent out the corrected minutes for the June meeting to the board in July and again today.
  - Lauren – what are the corrections? Grace – it was about posting the policies and the wording of the motion to go into the executive session, as well as some typos.
  - Motion carries.
- Joni motions to approve the minutes of special meetings on 5<sup>th</sup> of July, 16<sup>th</sup> of July, 23<sup>rd</sup> of July, 30<sup>th</sup> of July, and 8<sup>th</sup> of August, Cori seconds.
  - Cori – Are we approving all of these now because they needed to be approved in a regular meeting? – Yes.
  - Motion carries.
- Sue – where are the minutes for the hiring committee?
  - Harley - June 27<sup>th</sup> and July 5<sup>th</sup>, the rest were executive session.

- Secretary's Report: Nothing to report.

- Treasurer's Report:

- There is a discussion of where files are stored, where originals are and where the backups are.
- Harley clarifies that the two files Cori received are for the same fiscal year, one with Kathryn's format and then one with the same data modified to Julie's format.
- Cori would like to get these aligned so there aren't two versions.
- Cori has been working on the flashdrive in the library so as not to have it on her personal computer.
- We need a backup, Deb has recommended having an external hard drive backup stored in the town office's safe, and another one in the library. Cori would like all the electronic records on a flashdrive, not through email so she doesn't have to download them.
- Cori has gotten some information from Julie about numbers from last fiscal year. We were \$937.50 short of projected revenue and \$473.82 higher on expenses than anticipated, so we are \$1,411.32 short that will have to come from another account. Cori is continuing to sort through data, and it will be easier once she has everything electronically.

- Square proceeds from the book sale hasn't been transferred to our bank account. We changed bank accounts and that information needs to be updated to Square. Cori has access to the Square account, and the money is there, it needs to be transferred.
- Molly – should there be a motion to authorize money for an external hard drive?
- Cori – we need one hard drive backup to store in the town vault, updated periodically, and a flash drive to use as a working version.
- Joni motions to approve purchase of a flash drive and external hard drive, Grace seconds.
  - Sue – there's a laptop you could use that is the library's property somewhere in the building. Cori could use this, including bringing it home to work on.
- Motion carries.
  - Cori will give specifications to Adelle to purchase.
- Gordon – what is the balance in the Square account? Cori - \$2,493 from book sale.
- Director's report:
- Adelle gives statistics for library use and overview of programs over the last month and ones coming up. There has been limited attendance at the programs, possibly because of the timing. She recommends having fewer events during August. Winter, spring and late fall events were better attended.
  - Karen Hureta has resigned from story hour, Gretchen Hammill will be doing story time, 2 Fridays and one Saturday per month, at 11am.
  - Adelle has renewed the 3-year contract with RSVP and The Volunteer Center for use of the library for bone builders.
  - Gene Reber cleaned the weeds from around air conditioners.
  - VTLib is ending its class program, we will be offering Udemy instead. This needs to be changed on the website. These programs are paid for by the state and offer free classes on various subjects.
  - Adelle has been boosting facebook posts, and this seems to be working. More people are seeing the posts, it seems worthwhile to pay the nominal fee to keep doing this.
  - The Halloween parade is set for Saturday, October 26<sup>th</sup> at 10:30. People in houses along the route will be notified, if they are not outside we will not knock on doors.
- Committee reports: Book sale-
  - Julie has provided the total intake, \$10,153.06 in cash and check, \$2,493.00 on credit card, for a total of \$12,646.06.
  - There will be expenses from those who purchased food to feed volunteers, for reimbursement please let Cori know.
  - In years past we've paid the following:
    - Jed - \$400
    - Mettowiee community school - \$200
    - 4H Club - \$100
    - 6<sup>th</sup> grade class - \$50
    - Custodial staff – \$200 each (total of \$400)
  - Joni suggests raising the money for 4H Club - they are so helpful and show up consistently.
    - Sue wants to know about the Casella bill for Jed's barn – we pay that, that is a library sale expense. We need to look that up and add it to the expenses for sale.

- Lauren – we should recognize Chris Ross, not monetarily, Joni is writing thankyou cards, she will include him. His help was really helpful. Moving the books went so quickly volunteers were able to stay and enjoy pizza.
  - Barbara – how many weeks is Jed's barn used? Books stay there all year, sorters are there September until it gets too cold, starting again in April through the sale date. So probably 6 months of trash removal paid by the library.
  - Harley - Total expenses should come out to around 12% of profits.
  - Cori – there are expenses already approved and paid that need to be included. Advertising, etc.
- For this year, the following are suggested:
  - Jed - \$400
  - Mettawee community school - \$200
  - 4H Club - \$200
  - 6<sup>th</sup> grade class - \$50
  - Custodial staff – \$150 each (total of \$300 – this year library volunteers brought and moved tables)
- Cori – these listed things would go on the next warrant for payment, it would not be a total report on expenses for the sale.
- Lauren makes a motion to approve spending \$1,150 on listed people who helped significantly with the book sale. Joni seconds, no further discussion, motion carries.
- Cori – signage for the sale uses the New York spelling of Mettawee rather than the spelling of Mettawee used by the school. If the book sale is at the Mettawee Community School - they host it - we should use that spelling. We will make an effort to modify that for next year.
- Harley – we need more t-shirts for the volunteers, and cash boxes that work better.
- Barbara – what is the breakdown of bake sale and rare books?
  - Harley – We weren't able to differentiate between cash for the bake sale and cash for books.
  - Joni – perhaps next year we could add more Square stations and find a better way to differentiate.
- Joanne – maybe next year there can be a system to figure out what money is coming from what section. Her one complaint is that the condition of the romance paperbacks on the porch was horrible, many were torn or musty. How many actually sold?
  - Joni – a lot of them went on Sunday to a woman in Rutland who works at senior centers and care homes for distribution to her clients, who are hungry for new materials.
  - Joanne – maybe next year we can offer this woman and her seniors something better.
  - Jed – sales in the rare room were about \$1,100, and about 2/3-3/4 of the pocket books on the porch sold.
  - Harley – the remainder of these books were thrown away, and we will filter the pocket books better in terms of condition.
- Unfinished business:
  - Appointment of Director:
    - Harley - there were a couple of concerns:
      - Two external community members on the hiring committee were concerned about the slow startup being not the full 24 hours per week, but for this fiscal

year between 10 and 14 hours per week. At the time we were making these decisions there was concern about a possible lawsuit, and this could work out to everyone's advantage.

- The other concern was can we write a contract because we don't have consideration in the contract? We have consulted with a lawyer. We don't have to be the ones to actually pay her to have consideration in the contract. If you have the authority to employ her, offer her employment and she accepts, you do have consideration.
  - Cori – that is not official, there's a disclaimer on that email that says that is not valid advice.
  - Harley – this is the best information that we have and I haven't heard anything to the contrary. Statutes trump contracts. It's clear the board has the authority to set the librarian's salary, the board has the authority to hire, supervise, and if necessary, fire the director.
  - Cori – who engaged that person?
  - Harley – talking to a lawyer is a good idea. To quote from case law, "the fact that, for the sake of administrative efficiency, the library and town have agreed to include the library for purposes of providing employment benefits such as worker's compensation and unemployment insurance does not mean that the library board has relinquished its statutory authority to manage the library and thus set the librarian's compensation." All the implications I have are that we have the authority to write a contract for a new librarian. Furthermore, our number 1 responsibility as a board, as was pointed out by a citizen earlier, is to put in place a library director. We have been 9 months without. "Unless the board has otherwise agreed with the town that the library director is hired and managed by the town, either in written agreement by both parties or in a town charter, the library board is the entity that hires and manages the director." These are opinions offered by an employment attorney.
    - Joni – she was working for the library pro bono.
    - Lauren – we should have discussed this before you engaged Sue, and we should be able to read minutes from your meetings as a hiring committee, there should be minutes or recordings of all your correspondences. It's never been presented to us before that you have engaged Sue Edwards. It's not a bad idea, but should be done collectively as a board. I try to get us to work collaboratively and appropriately. The methodology matters to gain trust and for us to work together well. I appreciate the sentiments of Julie Mach, we could use more help from above, there are resources out there for us that would really help. I spoke with someone from VLTC who said if we agreed upon and asked for it they could help us figure out a way we can work more efficiently together. I want a library director, and to work well together.

- Harley – the board has always hired the library director. The idea in May when we decided to go forward with hiring that we don't have authority to write a contract was not on anyone's radar.
- Lauren – we didn't talk about it, we talked about policy and procedure, and a lot of things that you have in the contract I would rather have in the personnel file. They're good things that we should have, they are totally appropriate, they don't necessarily need to be in contract form. The contract is so much more complex than any contract I've seen, I'm worried that it will put our town in a precarious – potentially exposes us to something in the future. I don't think it's necessary.
- Joni – I disagree, I think it's safer for us, it's safer for the town.
- Lauren – maybe if we had this conversation first, you would have said I have a friend who's really good at employee law, I'd like to engage her and then maybe she could talk to us as a board and answer our questions. That would be a more appropriate way to do it.
- Harley – point of order – we need to have an action on the floor, we have a motion and a second, then discussion.
- Harley asks if there is a motion to hire Christine Edwins for position of library Director.
- Joni motions to hire Christine Edwins for the position of library Director.
  - Lauren – that's already been done. Harley - it hasn't been done in open meeting.
  - Grace seconds motion.
  - Discussion among the board:
    - Cori – are we discussing the contract or hiring?
    - Harley – the motion is to hire Christine Edwins, the physical result of that motion will be signing the contract.
    - Lauren – it doesn't have to be. It doesn't have to be same.
    - Cori – are we discussing the contract at this point? I'm confused because we were talking about the contract, Harley said we need to have a motion on the table, the motion is to hire.
  - Joni amends the motion to a motion to hire Christine Edwins using the instrument of the contract that was developed by the board. Grace seconds.
    - Cori asks about a letter of engagement with Sue Edwards. Joni does not have a letter of engagement. Cori reads the disclaimer in the email from Sue: “there is no attorney client relationship absent a fee contract or an engagement letter. Unless you are a client you may not rely upon the content of this email and if you do you do so at your own peril.”
    - Joni – what she sent in the email was this settled law, Hartford Library Board of Trustees v. Town of Hartford. Even though the content of her email falls under that disclaimer, the law she references from 2002 says that library boards control absolutely the hiring process of the director, and the town controls the purse strings. VS22 section 143 says the same thing, it delineates the power between the town and the library board,

who controls each portion. The library is in charge of the hiring, the town is in charge of the purse strings in a municipal library.

- Cori – I feel extremely uncomfortable signing a contract that is not approved by a lawyer representing the board officially. We can't have help from someone then backdate a letter of engagement, I don't think that lawyer would appreciate that. I saw the advice from VLTC which was to engage a lawyer specifically on the contract, there was talk of engaging the Select Board as well so the three parties could come to an agreement. I'm not comfortable signing a contract on behalf of the town of Pawlet without having engaged a lawyer specifically regarding that contract.
- Harley – it is not on behalf of the town of Pawlet. The Director is a library employee.
- Cori – as a public body we represent the townspeople and I'm not comfortable signing a contract – it seems disingenuous at best, to sign a contract that has not been approved by an attorney that has been engaged by the board. It's not who is being offered this contract, it's that I don't feel comfortable doing that.
- Lauren – I'm not comfortable signing the contract either. But that does not preclude Christine from working at the library. It doesn't preclude her from starting today. A contract can be ratified and changed and still be looked over by a lawyer representing the board after.
- Cori - In the event that a lawyer looks at that contract and says it's good, I believe you have a full unanimous board going forward.
- Joni – to clarify, you would like to hire a lawyer for \$200 or \$300/hour to look over this contract when we have had an employment lawyer working pro bono because she's a member of the community. You would rather pay \$1,200 - \$1,800, which was quoted by John Klesh, to spend library funds to go over this.
  - Cori – pro bono means she is doing it for free, not that we have an agreement.
- Grace – to Lauren's point, I don't feel comfortable hiring someone without a contract.
- Joni – I also don't feel comfortable hiring someone without a contract, it's not a safe situation for the employee, it's not a safe situation for the library.
- Harley – and not a safe situation for the town. The contract is solid, simple.
- Lauren – I appreciate your opinions about not feeling comfortable hiring without a contract, and the town has been through a lot, if we put things in motion that we worked more unanimously and more effectively I think we would find – the reasons we are here right now is not because there wasn't a contract. I don't think that that in and of itself is a panacea for protecting us from what we've been through. I understand that you want the security of a contract, and I'm not saying

that we couldn't come up with one that we all agree with and would all sign, I'm not saying no contract, I'd like to do this unanimously.

- Public discussion:
  - Sue – you'd want a contract that didn't have a disclaimer at the end, in case at some point someone had a disagreement about it and you get sued because of that. And she's not employed by you. You don't have an agreement with the attorney. Why are you hiring someone for 10-14 hours a week with somebody who must live out of town. It doesn't make any sense at all.
  - Harley – I have not presented Christine Edwards. He reads an introduction to her:
    - Holds a Bachelor of Arts in Liberal Studies with a focus in art history from Northhampton College of Long Island University
    - Masters in library science and information technology from the Palmer School of Long Island University
    - Post-masters certificate in public library administration from the same university
    - 10 years as library director in libraries large and small on Long Island
    - Relocated to Vermont and accepted a position as a library media specialist at the Currier Memorial School in Danby
    - She signed a contract for the upcoming year with Currier Memorial School, but based on talking to her references, written answers to questions, phone interview, in person interview, taking a one-year hit on hours, three years from now will be viewed as a positive thing that happened to the library. She is qualified, and I believe this is the best path forward for the library.
    - Sue – we had someone who was more qualified than you fired, giving her no reason and no recourse who worked for 24 hours a week.
    - Cori – who knew about the limited hours early on? Harley – the board and two external reviewers.
    - Rhonda – I would think the board would want to undertake basic due diligence and have a lawyer review the contract. I always take the expense because it protects my business. Anyone can google and find case law that supports your position, it's a different thing to have someone go over your contract line by line. Does that contract contain a commitment to escalate hours after a year? Harley – yes.
    - Molly – if it's believed that the Select Board is the one who hires then the former director wasn't hired correctly, nor were any of her predecessors. The bylaws say that the board says that the board hires and manages the Director.



- Lawyers don't stand behind their word, that's why they have E&O insurance. They don't guarantee anything. The people coming to these meetings with I stand with Lyndsi buttons have no interest in the success of the library, all they want to do is argue and delay. It could have been done 9 months ago, and if the people get along you don't even need a contract.
  - Joanne – how many hours is the library open in relation to the hours of the new Director? Is the library Director going to be here sufficient hours in order to perform necessary duties? Could additional hours be put in around vacation time and such?
    - Harley – A responsibility of the Director is to ensure staffing of the library. She will work this out with existing staff and if necessary hire another staff person.
  - Barbara – who was on the hiring committee?
    - Harley – myself, Joni, Joanne Van Meter and Martha Schoenemann.
  - Cana – Who is going to take over the duties that the Director can't handle because of reduced hours? If another person is hired will the amount not paid to the Director for reduces hours be used to pay this person? And what happens to that person at the end of the year? Are they hired for a limited time? Who is paying for that potential extra person? If there's a need for 25 hours a week for a Director, what is this person not going to be doing? Will we have to go through all this hiring stuff to find this person and come up with another contract? Maybe this person is qualified but you are just kicking the can down the road for another year until the person can actually do the job. Is it one year or three? Were there no other people qualified to do this job?
  - Harley – I was taking a longer view when I said we would look back in three years and appreciate this decision, it was not in regards to her commitment to an additional job. It is only one year.
  - Eve – is it possible to get a letter of engagement from Sue Edwards so that it's official?
    - Joni will find out.
  - Harley – the contract is a public document and can be viewed by the public on request.
- Harley – All in favor of signing the contract:
  - Joni – Aye
  - Grace – Aye
  - Harley - Aye
  - Cori – Nay
  - Lauren –Nay

- Motion carries.
  - Harley introduces Christine. We will have a tea to introduce her to the community.
- 2024 Open Meeting Law changes/barriers to compliance
  - Harley – having trouble with Nina putting up material including the complaint form updated, we are recording all meetings, we don't have any other issues with compliance except for posting the recordings and minutes in time, as well as the complaint form.
    - Grace – I would like to ask permission to be able to post minutes (including audio) immediately. I asked Nina, and she agreed to show me how to do this. Thank you to Sue for mentioning this.
    - Harley – yes.
    - Joni – has asked Nina to make a heading for Open Meeting Law and include the correct complaint form, so has Lauren, and it hasn't been done.
    - Lauren – the website is deficient, that is the problem, it needs to be overhauled.
    - Joni – there is something in the works, it is waiting for the new director.
    - Harley – there is someone originally engaged by the previous director, it is halfway through and halfway through the funding, the decisions he's asking for seem to be in the lane of a new Director.
    - Lauren – we should put that on the top of the list. We're way behind in comparison to other libraries.
- Window Washing:
  - Harley – is that the town or are we paying?
  - Sue – this would be cleaning, not something like painting.
  - Harley – so this is the library's responsibility.
  - Lauren – has an estimate for lower half of the large windows and front entry, based on 30 hours, is \$1,800. They do other municipal buildings and can do it in phases so the entire building isn't shut down at once. We can talk about finding money in the budget or hold a special fundraiser, but it is a really good idea to get the windows cleaned.
  - Grace – since it's that amount we need to put it out to bid, get three quotes.
  - Lauren – will try to get quotes from two other companies. Many companies are booking far out.
- New Business:
  - Fundraising Effort tabled until next month's meeting.
  - New email addresses similar to those of the Select Board.
    - Harley will ask Deb Hawkins how they did it.
    - Joni – my husband set them up for the West Pawlet Fire Department, I can ask him what that process was like.
    - Lauren – We should have a real plan by next month's meeting. Can we just create our own gmail account?
    - Joni – we should set this up so the email account is linked to the position, not the person holding it at that time.
    - Grace – when we discussed it before we had discussed having one email address that could then be forwarded to individual's email?
    - Harley – no it will be individual. The Select Board says at the bottom that this is the property of the town.
    - Joni – there is a nominal fee for having your own domain, she will find this out.

- Regular board meetings on a set schedule:
  - Harley – should we switch days so we don't have to change dates based on the Select Board meetings?
  - There isn't interest in changing, Eve points out that the Pawlet Historical Society meets on Wednesdays at the library.
  - Cori – it's already been established that the meetings are on the first Tuesday of each month unless the Select Board have a meeting, in which case it is the second Tuesday.
  - Molly – Wasn't there concern about warrants not being able to be signed in time to pay bills? That concern came up since the March meeting.
    - Cori – doesn't have a list of all bills yet, so has yet to know all the timing.
    - Harley – the School Board misses a whole month of meetings, but the superintendent has the authority to pay bills. We should be able to work something out, since we are only required to have eight meetings so there might be missed months.
  - No change to meeting schedule.
- Notification of Open Meeting Law violations:
  - Harley – we received a notification of an open meeting law violation from Sue LaPorte on saying that the March 2023 library minutes do not show that there was a designated posting of minutes or warnings of meetings, therefore the library board was not compliant with open meeting law when in November 2023 the board fired Lyndsi Barnes. “An action may be brought under this section no later than one year after the meeting in which the alleged violation occurred or in which the alleged violation relates,” 1 VSA section 314(c). Since this was received more than one year after March 2023, that is the answer to the complaint.
- Parliamentary Procedure vs. Roberts Rules of Order:
  - Lauren – isn't Roberts Rules of Order just a condensed version of Parliamentary Procedure? They're not contradictory.
  - Harley – Let's table it
  - Cori – Roberts Rules of Order is a guide to Parliamentary Procedure as a reference, it's not not following Parliamentary Procedure, we're not out of bylaws.
  - Item tabled, we may not end up doing anything about it.

- Public Comment:

- Sue – Does the new director know that her position may be in jeopardy because of a coming lawsuit? At the Select Board meeting in January the assistant librarian's rate was raised until a new Director was hired, at which point it will return to the previous rate.
  - Harley – we informed all applicants of the situation.
- Barbara – Is there a date for the new Director to start?
  - Harley – 14<sup>th</sup> of August.
- Joanne – this new librarian is starting tomorrow, I strongly feel that we are a welcoming community, and that we want our librarian to succeed, and in helping her to succeed when we come in we should make a point of welcoming her to the community. Everyone knows that I came in from Long Island, most people were very welcoming, we've been here a long time and have made a lot of friends. I know there's been controversy in the hiring and the firing but we all need to give her a chance and help her make the library a good place with more people coming in.

- Harley reads Reflection of Operating Norms.
- Next meeting is September 10, if anyone has a topic to be included on the agenda please convey that.
- Lauren motions to adjourn, Cori seconds, motion carries.
- 7:33 meeting adjourned.

Next regular meeting: September 10, 2024, 5:30 pm at the Pawlet Library.

Dated August 17, 2024, Grace Larson, Secretary.