

TRUSTEES OF FORBES LIBRARY
Executive Session of November 17, 2016

Present: Ms. Buckhout, Mr. Carrier, Ms. Downing, Ms. Hess, Ms. Moulding, Ms. Reall, Ms. Sheirer, Mr. Twarog, Ms. Wight.

Legal Matter

At 5:26 PM, Ms. Hess moved that the Trustees go into executive session to discuss a legal matter because discussion in open session would be detrimental to their litigating position. Ms. Reall seconded the motion, which was passed unanimously, with Mr. Carrier, Ms. Hess, Ms. Reall, Mr. Twarog, and Ms. Wight all voting in favor. The Trustees invited Ms. Buckhout, Ms. Downing, Ms. Moulding, and Ms. Sheirer to remain as guests at the executive session. Ms. Janeczek, Ms. Smith, and Mr. Gaffney left the meeting at 5:26 PM. Ms. Buckhout, Mr. Carrier, Ms. Downing, Ms. Hess, Ms. Moulding, Ms. Reall, Ms. Sheirer, Mr. Twarog, and Ms. Wight were present during the executive session. No votes were taken during the executive session.

Mr. Carrier said that the city is making a statement in their responses to requests by the library. They were slow to respond to the library's request to remove the broken branch in the parking lot, and then only removed the one branch. They also objected to a request for reimbursement for an earned sick time retirement pay-out, which has always been the practice in the past as retirement pay cannot be anticipated and is not part of the library's regular budget.

Mr. Carrier, Ms. Downing, and Ms. Moulding met earlier today with Attorneys Eric and Sandra Lucentini. Discovery is scheduled to end November 29 and the city would have needed to submit requests 30 days in advance, so it is unlikely they will ask for additional documents at this point. Attorney Lucentini is working on the library's response to the city's proposal and will send it to Mr. Carrier, Ms. Downing, and Ms. Moulding for review by the end of the weekend. It will be sent to the city by Wednesday of next week. It is important to nail down the language so it cannot be interpreted in different ways. The city is no longer claiming that Forbes is a city department and they agree that Forbes owns the land and the building. The city is pushing the concept that every sub-committee meeting be treated as an open meeting regardless of how many Trustees are present. The written proposal being worked on by Attorney Lucentini will be fair to both sides and will explain why the Trustees feel so strongly about this issue.

At 5:45 PM, Ms. Wight moved that the executive session be ended and the regular meeting reconvened. Ms. Hess seconded the motion, which was passed unanimously, with Mr. Carrier, Ms. Hess, Ms. Reall, Mr. Twarog, and Ms. Wight all voting in favor.