

TRUSTEES OF FORBES LIBRARY
Executive Session Meeting of May 26, 2016

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

Legal and Personnel Matters

At 5:45 PM, Mr. Twarog moved that the Trustees go into executive session to discuss a legal matter and personnel matters because discussion in open meeting would be detrimental to the library's position. Ms. Wight 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. Downing, Ms. Moulding, and Ms. Sheirer to remain as guests at the executive session. Ms. Heady and Mr. Petcen left the meeting at 5:45 PM. 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.

Library Director Search Committee

The Trustees discussed and agreed by consensus to invite Molly Moss and Dylan Gaffney, with Chris Teghtsoonian as an alternate, to be on the search committee for the new library director.

Revised Job Description for Administrative/Personnel Manager

Ms. Moulding presented a revised job description and contract for the current Administrative Assistant. The major changes include a new job title and increased responsibility for managing sensitive and confidential personnel information, because of which the position will no longer be part of the employee bargaining unit (FLEA). The position will go from a grade 8 to a grade 9 at a lower step, which allows for more salary growth in the future. Additionally, Jenny Lamour, the current employee in the position will be offered a contract with an additional week of vacation each year. Mr. Carrier and Ms. Moulding will meet with Ms. Lamour to inform her of these changes, and then the Trustees will inform FLEA.

Forbes Library Employee Association (FLEA) Contract

The negotiating subcommittee of Mr. Twarog and Ms. Reall will schedule a meeting with FLEA representatives to discuss their contract. The budget presented by the mayor will allow the Trustees to offer a 2% COLA, contingent upon the budget being approved by City Council. The Trustees agreed by consensus to remove their proposal for a two-tiered system, where new hires would receive lower raises, from the contract negotiations.

Legal Matter

Mr. Carrier said he called Larry Parnass, editor of the Daily Hampshire Gazette, and that he was planning to publish an editorial in Saturday's newspaper about the legal dispute between the Trustees and the city of Northampton. The Trustees discussed how to respond and agreed by consensus to supply Mr. Parnass with their major talking points and documents supporting their position. After much discussion, the Trustees decided to send documents including the March 23 letter from the Trustees to the mayor, the complaint filed in Probate and Family court, and a copy of the Will & Trust of Judge Forbes. The Trustees also agreed to send the following three talking points:

1. Forbes Library seeks to preserve the current relationship with the city, which has existed since 1881 when the city of Northampton agreed to accept the terms of the Judge Forbes bequest contained in his will.

2. The Trustees are very disheartened that the dispute has reached this point, but recognize that only Probate and Family court has the authority to interpret - in a legally binding manner - the provisions of Judge Forbes' Will and Trust. See the March 23, 2016 letter to Mayor Narkewicz.
3. This dispute is not about the annual budget, capital improvements budget, or the open meeting laws. The Forbes library trustees voted in 2009 to amend their by-laws to allow the library to follow the provision of the state's open meeting law. This was done despite the commonwealth's issuance of a legal opinion stating that this law did not apply to Forbes library because Forbes was not an arm of city government. Highlight applicable parts of the will.

The Trustees decided to wait until after the editorial has been published to formulate a press release. Ms. Moulding is appearing before City Council on Wednesday, June 1 to give a report on the library, and may be asked questions about the dispute. The Trustees scheduled a special meeting for Wednesday, June 1, at 1:00 PM to discuss a response.

Window Replacement Project

Mr. Carrier expressed his concern about the Trustees' lack of involvement in the recent RFP for the window replacement project and said that he would like to schedule a meeting for him and Ms. Moulding to talk to the mayor about it.

Ms. Reall suggested that Mr. Carrier send a brief letter to the mayor stating his concerns about the RFP being sent out without approval of the Trustees, which is a change from past practice. The Trustees are an independent board under state law with a fiduciary duty to preserve Forbes Library, and have always been involved in making decisions about major renovation projects. They respectfully request that they have final approval over the windows that will be installed in Forbes Library. Mr. Carrier and Ms. Moulding would like to meet with the mayor to discuss these issues.

At 7:08 PM, Ms. Hess moved that the executive session be ended and the regular meeting reconvened. Ms. Wight seconded the motion, which was passed unanimously, with Mr. Carrier, Ms. Hess, Ms. Reall, Mr. Twarog, and Ms. Wight all voting in favor.