

**TRUSTEES OF FORBES LIBRARY**  
**Executive Session of April 12, 2017**

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

**Legal Matter**

At 4:45 PM, Mr. Twarog moved that the Trustees go into executive session to discuss a legal matter because discussion in open session would be detrimental to the Trustees' 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. Downing, Ms. Moss and Ms. Sheirer to remain as guests at the executive session. Ms. McCormick, and Mr. Petcen left the meeting at 4:45 PM. Mr. Carrier, Ms. Downing, Ms. Hess, Ms. Moss, 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 he, Ms. Downing, Attorneys Sandra and Eric Lucentini, City Solicitor Alan Seewald, and Mayor David Narkewicz met on April 7 to discuss an agreement. The mayor said that the city and the library should work together on building projects in a manner similar to the window replacement project. Forbes would notify the city of the project, then work together with Central Services to develop alternatives, with the library acting in an advisory role and final decisions to be made by the city. Forbes is willing to work together with the city but believes it should have equal footing in making decisions since the library owns the land and the building and have a responsibility to the city inhabitants to maintain it. One option would be for the library to make up the difference in the cost of a project through fundraising if the city chooses a lower cost option that the Trustees do not agree with. The lawyers will work together on finding acceptable language for both parties, but there is a fundamental divide in that the city wants final say in decisions about the building and grounds and the Trustees are not willing to give that up. The city has until later this week to file their response to Forbes' request for a summary judgement, and Forbes will have 21 days to file another response, after which the matter will go before the judge.

Mr. Twarog left the meeting at 5:15 PM.

Mr. Carrier distributed a spreadsheet showing sick leave and vacation payouts for retiring staff over the past several years. In FY17, there are \$13,306.88 in vacation payouts and \$7,188 in sick leave payouts. In the past, the city made both these payments when they occurred because they cannot be anticipated and therefore cannot be included in the annual budget. More recently, Forbes has made the vacation time payouts and the city has made the sick leave payouts, but this year the city has declined to make the sick leave payout. The library is able to come up with the vacation time payouts through budgetary savings from positions not being filled immediately and hiring at lower rates, but the library cannot cover the sick leave payouts without a reduction in services, including closing the library on Saturdays in June. Mr. Carrier and Ms. Downing will request a meeting with the mayor to explain the situation, ask him why the city has changed its policy towards sick leave payouts, and ask him to reconsider the decision.

At 5:32 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.