President’s Report 7/28/22

August Meeting
Albert Cook has agreed to moderate a discussion of micro-aggressions at our next Board meeting. We will watch a short film and then talk about it. This fulfills one of our objectives in our Long Range Plan for board development. It will also help inform our next long-range plan which we need to begin writing in early next year.

I would like to start our Board meeting at 6:30 so we can begin the program no later than 7:30. Mr. Cook is well known to the Library community for the presentations he has given and discussions he has led for us over the past few years.

Volunteer Appreciation Event
The Volunteer Appreciation Event was quite delightful. Many of our regular volunteers were there to sip wine and savor snacks and treats provided by Board members. I was happy that so many Board members attended. Our volunteers are a vital part of our Elting family. Thank you to Linda and her crew for organizing this very successful event.

Staff 403(b) Plan
The Executive Committee reviewed the staff 403B plan at its meeting on July 7. We are sending the Plan to the Board with the following two changes which are based on questions that came up at the last Board meeting. The changes are highlighted in red on the plan which is posted on the website.
- Employees must contribute at least $100 annually to maintain eligibility for employer matches.
- Employees may select either a dollar amount or a percentage of their salary to be withheld each month.

Community Conversations
Because it has been very difficult to get participants for our Conversations during the summer months, we are extending the program into the fall. As there are no precise deadlines, this will not affect our ability to participate in the Turning Outward program. We will still do the scheduled conversations with Woodland Pond and with the teen group this summer. Rebekkah also suggested at the last cohort meeting that we do one-on-one conversations just to accumulate more data.

Agreement with Attorney
I signed an agreement with our attorney that formalizes and details our arrangement with him. I have posted the documents to the website. Please familiarize yourself with them.

Library Director Annual Evaluation
As per our agreement with Gillian, she received a Board evaluation after her first six months. That evaluation, and her follow-up report, has been shared with the Board. Going forward, she is to be evaluated annually. Her next evaluation is due at the end of this year.
Alison Nash, former Board member and retired SUNY faculty member, has agreed to design an evaluation instrument that will work better than the one we used last time. Alison has a great deal of experience with research and data collection. She is also working with our Turning Outward Committee as we collect and analyze data from our Community Conversation.

**Board Resolution Regarding Remote Attendance**

At the request of the Board at our last meeting, I asked our lawyer, Ben Gailey to help us determine what “extraordinary Circumstances” might be acceptable in allowing a Board member to attend an in-person meeting from a remote location. Here is his answer:

_I asked a summer intern here to find local laws and resolutions implementing the new statute. Most of those parrot the language of the statute, without otherwise defining “extraordinary circumstances”. The model laws offered by COOG and by the New York Conference of Mayors (NYCOM) also parrot the statute. In my (personal) view, a looser definition promotes participation in government. Why should a Board member have to choose between taking a vacation or discharging their governmental duties? From a legal perspective, you may focus on the words in the statute - “or any other significant … factor or event that precludes the member’s physical attendance at such meeting.” There is a rule of statutory construction called ejusdem generis, which states that where there is a general term, such as “extraordinary circumstances,” followed by examples, such as “disability, illness, caregiving,” then the general term is interpreted to include only items of a similar nature as the specified examples. However, I believe that the phrase “or any other significant … factor or event …” provides wide discretion to the Board and the Board is not limited to factors similar to the specified examples._

_The Board might want to follow the lead of other jurisdictions and the COOG and NYCOM models, and parrot the statutory language. That would give each Board member discretion to exercise their own judgment in determining whether a “significant factor or event” precludes their in-person attendance of the meeting._

_Note that if the Board adopts a resolution to implement the statute, the statute requires that a quorum of the Board must attend in-person at one or more locations where the public can physically attend, and the public must be given notice of the location(s)._  

_A public hearing must be held prior to adopting the resolution. The statute does not address the type or timing of the notice. My recommendation is publication and posting of the notice at least 5 days prior to the hearing date._  

**NOTE:** COOG is the Committee on Open Government

**August**

I will be in the Adirondacks from August 5-14 and hopefully unreachable. Also, August 21 through September 4 will be hectic for me as SUNY is starting its fall semester. Steve and June will be covering for me at these times.