

05.12.17 - SC Meeting Minutes

SPECIAL SYSTEM COUNCIL MINUTES

BERGEN COUNTY COOPERATIVE LIBRARY SYSTEM

Closter Public Library

May 12, 2017

PRESIDING: Kurt Hadeler, Mahwah

NOT PRESENT: Little Ferry

Sign-in sheet is attached to the minutes in the BCCLS office

1. Call to Order

Kurt Hadeler called the meeting to order at 9:54 am.

2. Minutes of the Previous Meeting on March 9, 2017

Will be approved at the next regularly scheduled System Council on June 15, 2017

3. Public Portion

Kurt Haderler introduced Melanie Anzidei of The Record; Michael Cerone, attorney for the Rochelle Park Library Association; and Michael Kazimir, Elizabeth Kroll and Robert Davidson of the Township of Rochelle Park. Michael Cerone, Esq. was the only member of the public to speak. He noted that the Rochelle Park Library has been operating outside state law (including controlling bank accounts and meeting minutes) and BCCLS Bylaws as they are neither a municipal nor an association library. The Rochelle Park Library Association (RPLA) is not running the library and the Township changed their Table of Organization so they could hire the current Director. He hopes the Rochelle Park Library will municipalize and can rejoin BCCLS.

4. Rochelle Park Library Association - Vote on Recommendation of Termination of BCCLS Membership

Kurt Haderler recapped the timeline of events for everyone:

- **11/2/16** - RPLA sent a notice to the BCCLS Executive Board advising that the Rochelle Park Library is not compliant with BCCLS Bylaws.
- **12/14/16** - The BCCLS Executive Board held a hearing to discuss compliance/non-compliance with members of the 2016 and 2017 Executive Boards and the attorneys for the Township of Rochelle Park and the Rochelle Park Library Association and they were found to be not in compliance. BCCLS Bylaws provide 30 days for a non-compliant library to present a plan to comply with the Bylaws, but Rochelle Park was given 45 days (until approximately 2/2/17).
- **2/8/17** - Since the RPLA was still in non-compliance and no plan had been submitted by the regularly scheduled Executive Board meeting, the Executive Board recommended a reduction of BCCLS privileges, including:
 - a) Rochelle Park cardholders will not be able to borrow materials owned by BCCLS 76 other members.
 - b) Rochelle Park cardholders will not be able to borrow items through eBCCLS digital collection.
 - c) Rochelle Park Library computers purchased through and maintained by BCCLS for patron use will not have internet access.
 - d) A statement will be posted to the BCCLS website indicating that the Rochelle Park Library Association is in non-compliance of BCCLS Bylaws.

If a plan was not presented by the Executive Board meeting on April 12, the Executive Board might recommend termination of Rochelle Park's membership to the System Council.

- **3/2/17 and 3/7/17** - The Township of Rochelle Park filed a lawsuit to prevent BCCLS from reducing privileges or taking any other action, and the judge granted a temporary injunction until the case was resolved. The injunction did not prevent the System Council from voting on the recommendation, only enacting it.
- **3/9/17** - At the System Council, the membership voted [Yes (73), No (1) and Abstain (2)] on the Executive Board's motion to reduce privileges due to Rochelle Park's non-compliance of the Bylaws.
- **4/12/17** - No plan was received by the monthly Executive Board meeting and a motion was made to recommend termination of privileges at the next System Council.
- **5/5/17** - During the court hearing, the judge stated that he reviewed all of the legal documents presented and lifted the injunction which allowed BCCLS to proceed with reducing privileges as per the System Council vote. Since no plan had been presented, the System Council was able to vote to terminate Rochelle Park's membership.

A membership discussion followed: is Rochelle Park still considered a library by the state since they are neither an association or municipal library (the state will make that determination), what is the status of the court case (3/5/17 - preliminary injunction, 5/5/17 - primary injunction and the formal court case has not yet occurred, but BCCLS can take action while the trial is proceeding), what is the provisional time line (reduction of privileges will possibly take place early next week, BCCLS will extract their patron and bibliographic data for them, coordinate e-mail transition, removal of BCCLS software from computers and termination of privileges will occur in early June), will lend & send be turned off (yes), is the trial still happening (yes), will a formal timeline be given to directors to share with their staff and board members (yes), have they paid their BCCLS invoice (the first half that was due was paid), will there be an informational flyer to explain the situation to patrons (yes), will there be a message on the BCCLS website (yes), when will libraries receive revised BCCLS bills that show the impact of losing Rochelle Park's portion of shared services (their invoice was about \$18,000; the lowest BCCLS bill, and should not be a big impact; if necessary, BCCLS will use reserves to make up for the shortfall), will lend & send be disabled electronically (yes, expiration dates will be adjusted accordingly and alerts will pop up if Rochelle Park patrons visit other libraries to borrow materials), will Rochelle Park receive a pro-rated refund for their paid invoice (this will be reviewed based on the official date of termination, extraction fee for bibliographic and item records, and any other outstanding obligations).

Kurt Haderler read the BCCLS Bylaws - Section 5. Withdrawal, Reduction in Privileges and Termination of Membership: Removal of Membership. He again noted that this is not a decision made lightly. It was also pointed out that patrons of Rochelle Park could have continued to receive BCCLS privileges if a plan was presented to become compliant with BCCLS Bylaws, but no plan was submitted. *It was MOVED BY: Samantha McCoy* *Seconded by: Kathleen McGrailto*
vote on the Executive Board's recommendation of termination of Rochelle Park's BCCLS membership.

A voice vote was taken and the motion passed: Yes (73), No (2) and Abstain (1). The motion will go into effect.

5. Membership Hearing

- Kurt Hadeler thanked Stephanie Bellucci, Gretchen Kaser and Matthew Latham for running to finish the term of Gina Webb-Metz who took a non-director position within BCCLS. Please cast votes via Election Buddy.
- Susan Kumar invited everyone to the 100th anniversary celebration of Palisades Park on Saturday, June 17, 2017.

6. Next Meeting System Council: Thursday, 6/15/17 at 9:30 am - Hasbrouck Heights

7. Adjournment *It was MOVED by: Chris Doto Seconded by: Christine Hartiganto
adjourn at 10:42 am. Unanimously approved.*

dms: 5/15/17