



Buffalo & Erie County Public Library Board of Trustees
Executive Committee Meeting Report
March 26, 2020

Present via conference call: Executive Committee Chair Kathleen Berens Bucki; Vice Chair Kimberly Johnson; members Sheldon Berlow, Katie Burd, and Elaine Panty; ex-officio members Frank Housh and Ted Johnson. Present in person were Library Director Mary Jean Jakubowski, Deputy Director - Chief Operating Officer Jeannine Doyle, Deputy Director - Chief Financial Officer Ken Stone, Assistant Deputy Directors Dorinda Darden, Maureen McLaughlin and Joy Testa Cinquino, Library Administrative Manager Tracy Palicki, and Human Resources Manager Judy Fachko. Assistant Deputy Director Dawn Peters and Secretary to the Director Maria Borowiak were present via conference call.

Per State of New York Executive Chamber Executive Order No. 202.1 issued March 7, 2020 - *Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency - Suspension of law allowing the attendance of meetings telephonically or other similar service*, Chair Bucki called a Special Meeting of the Executive Committee to order at 3:08 p.m. in the Joseph B. Rounds Conference Room at the Central Library to discuss the current status of library operations and next steps regarding the Central Library and Buffalo Branch Libraries in light of the Coronavirus (COVID-19). A quorum was present. No members of the public were present.

At the March 16, 2020 Special Meeting of the Buffalo & Erie County Public Library (B&ECPL) Executive Committee, the Committee unanimously approved closing to the public the Central Library and Buffalo Branch Libraries beginning March 17, 2020 through March 31, 2020. At the March 19, 2020 B&ECPL Board of Trustees meeting, Chair Bucki called for this Special Meeting of the Executive Committee to occur to make decisions regarding extending the closure of the Central Library and Buffalo Branch Libraries beyond March 31, 2020 in light of the COVID-19 pandemic.

Director Jakubowski shared that as the COVID-19 pandemic progresses, the B&ECPL continues to monitor any new local, state and federal directives that are coming through. Because of this crisis, proposed Resolution 2020-11 - Approval of New State of Emergency/Quarantine Leave Policy & Compensation for B&ECPL Part-time Employees is being put before the Committee as an Action Item. This proposed resolution including the new policy was e-mailed to the full Board in advance, noting such action was on the agenda to be considered by the Executive Committee. As Trustee Panty does not have e-mail, this information was delivered to her in person.

Chair Bucki, having held discussion with Director Jakubowski regarding the advancement of the COVID-19 pandemic, asked the Executive Committee for their thoughts on how long the Central Library and Buffalo Branch Libraries should be closed beyond March 31, 2020. Committee members shared varied thoughts ranging from selecting a reopening date, to closing until further notice. Trustees noted the extent of the COVID-19 pandemic continues to be undetermined, with the peak, according to health officials, not yet reached. There are many unknowns which makes it very difficult to choose a reopening date. Discussion ensued.

Director Jakubowski suggested the Committee follow suit with the Superintendents of local school districts who currently have indicated schools will reopen on April 20, 2020. It is recognized this date is subject to change. She further noted that the Executive Committee could subsequently change this date - opening earlier or later depending on the status of the COVID-19 pandemic. Trustee Burd pointed out that a significant amount of time has passed since they originally chose this date, and we are now better informed as to the severity of this pandemic, suggesting a specific date not be assigned. Other Committee members felt piggybacking on this date may confuse the public.

After further discussion, the Committee assembled the following language to put forth: The Central Library and Buffalo Branch Libraries shall remain closed until such time as the guidance of the Governor of the State of New York supports reopening. The Buffalo & Erie County Public Library Board of Trustees and/or Executive Committee shall reconvene as necessary. Trustee Panty made a motion, Trustee Berlow made a second, and this was approved unanimously and assigned Resolution 2020-12.

Following approval of Resolution 2020-12, Trustee Berlow emphasized that in our message to the public we be straightforward, making the public aware we are doing the best we can. Trustees further discussed they felt it was important in our public message that we let them know the B&ECPL will continue to closely monitor the COVID-19 situation, noting that when State directives permit, the Committee will reconvene and reopen the libraries. It was also discussed and suggested that contract libraries be encouraged to follow the Executive Committee's Resolution for their respective libraries.

Chair Bucki entertained a motion to consider and approve Action Item Resolution 2020-11 - Approval of New State of Emergency/Quarantine Leave Policy & Compensation for B&ECPL Part-time Employees. Director Jakubowski noted she feels this action is best for this institution; our part-time employees make up over half of our employees, and if we would lose them over this timeframe, it would be very difficult to reopen libraries when the time comes to do so. She further noted, the funds have already been budgeted.

Director Jakubowski requested a change be made in the Policy Section 3.C to now read:

"Paid leave under this policy will not start until the first full pay period after the later of the declaration by the System Board described in II.B or the employee's first day of absence under III.A." instead of "Paid leave under this policy will not start until one full pay period after the later of the declaration by the System Board described in II.B or the employee's first

day of absence under III.A.” Trustee Kimberly Johnson moved, Trustee Panty seconded, and this amendment was approved unanimously.

Director Jakubowski requested a change be made in proposed Resolution 2020-11, in the second RESOLVE, to remove the words “who have been” as follows:

RESOLVED, that all non-represented staff and part-time represented staff who are not covered under the emergency closure provision of a collective bargaining agreement, ~~who have been~~ employed by the B&ECPL or any of its Contract Libraries, shall be compensated for pay period 7 at a rate equivalent to the average number of hours worked over the 3 previous pay periods not to exceed 19 hour/week, 38 hours/pay period; and be it further... Trustee Berlow moved, Trustee Kimberly Johnson seconded, and approval of this amendment was unanimous.

Following additional discussion, on a motion by Trustee Berlow, second by Trustee Panty, Resolution 2020-11 as amended was passed unanimously by the Executive Committee. Pursuant to the B&ECPL Board of Trustee Bylaws, Article VI (1) gives the Executive Committee the powers and duties of the Board of Trustees.

Following approval of Resolution 2020-11, Trustee Ted Johnson led conversations about possible future federal funding/stimulus packages and unemployment. Director Jakubowski shared that the details of such programs are not yet known. As more details become available, Library Administration will review and keep the Board informed. B&ECPL is doing the best it can, given the circumstances put forth during this unprecedented situation. Deputy Director Stone also shared information with trustees regarding the B&ECPL being self-insured for unemployment, FMLA and disability. Deputy Director Doyle pointed out the state and federal programs are currently moving targets, with new laws and stimulus packages coming through. The B&ECPL worked hard to incorporate all current mandates into the resolution/policy to be sure we are not undercutting our part-time employees. Trustee Ted Johnson concluded this discussion, stating he appreciates everything that has been done and feels the passing of Resolution 2020-11 is the right thing to do as an institution.

A memo from Chair Bucki has been prepared and will go out to all part-time employees notifying them of the passing of Resolution 2020-11 along with a copy of the new policy. Supervisors will be asked to contact employees affected.

The Executive Committee meeting adjourned at 3:56 p.m. on a motion by Trustee Panty, with a second by Trustee Kimberly Johnson.

Respectfully submitted,

Kimberly Johnson