



NYLA Council Meeting Minutes

Thursday, August 3, 2023

1:00 PM to 3:00 PM

In Person and via Web Conference

NYLA President, Arlene Laverde Presiding

In Attendance:

- | | |
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| <input checked="" type="checkbox"/> Arlene Laverde, <i>President</i> | <input checked="" type="checkbox"/> Jean Currie, <i>LTAS President</i> |
| <input checked="" type="checkbox"/> Lisa Kropp, <i>President-Elect</i> | <input checked="" type="checkbox"/> Joe Burke, <i>PLS President</i> |
| <input checked="" type="checkbox"/> Beth Merkle, <i>Immediate Past President</i> | <input checked="" type="checkbox"/> Dawn Pressimone, <i>SSL Representative</i> |
| <input checked="" type="checkbox"/> Kelly Harris, <i>Treasurer</i> | <input checked="" type="checkbox"/> Joyce Laiosa, <i>YSS Representative</i> |
| <input checked="" type="checkbox"/> Frank McKenna, <i>Treasurer-Elect</i> | <input checked="" type="checkbox"/> Rebecca Budinger-Mulhearn, <i>Councilor-at-Large</i> |
| <input checked="" type="checkbox"/> Keturah Cappadonia, <i>ALA Chapter Councilor</i> | <input checked="" type="checkbox"/> Laura Osterhout, <i>Councilor-at-Large</i> |
| <input checked="" type="checkbox"/> Julia Corrice, <i>ASLS President</i> | <input checked="" type="checkbox"/> Ginger Tebo, <i>Councilor-at-Large</i> |
| <input checked="" type="checkbox"/> Kerstin Cruger, <i>FLS President</i> | <input checked="" type="checkbox"/> Caitlin Kenney, <i>Councilor-at-Large</i> |
| <input checked="" type="checkbox"/> Michelle Isopo, <i>IDEAS President</i> | <input checked="" type="checkbox"/> Kristina Graves, <i>Councilor-at-Large</i> |
| <input checked="" type="checkbox"/> Amanda Perrine, <i>LAMS Representative</i> | <input checked="" type="checkbox"/> AnnaLee Dragon, <i>Executive Director (ex-officio)</i> |

Absent:

- Julie Delaney, *SMART President*
- Rakisha Kearns-White, *Councilor-at-Large*

Guests:

- Lauren Hoyt, *NYLA Director of Association Operations*
- Max Prime, *NYLA Director of Government Relations and Advocacy*
- Debra Armbruster
- Anita Baumann
- Madelyn Haussner
- Sara Johnson
- Susan Kirby-Lemon
- Bryan Rowzee
- Maureen Squier
- Lydia Willoughby

Council Meeting Agenda

1. Welcome / Review of Agenda

NYLA President Arlene Laverde called the meeting to order at 1:01pm and welcomed the group. Laverde requested two changes to the agenda. Under New Business, Laverde added "Letter of Support" and "President's Project."

MOTION I: Motion to approve the amended agenda.

Made by: Lisa Kropp Seconded by: Kelly Harris
Approved unanimously.

2. Approval of Minutes from June 15, 2023 NYLA Council Meeting

MOTION II: Motion to approve Minutes from June 15, 2023 NYLA Council Meeting.

Made by: Kelly Harris Seconded by: Kerstin Cruger
Approved unanimously.

3. Treasurer's Report

a. June Financial Statement

Treasurer Kelly Harris presented the budget vs actual statement as of June 30, 2023. The bottom line shows that we ran a deficit of \$185,826.64, when we had only budgeted for a deficit of \$140,465. But if you pull out the expenses for the unexpected basement repair (\$20,545.33 included in line 6630), the overage in the auditing fees (\$11,683.05 included in line 6020), and the overages in bookkeeping fees to assist with the audit (\$6,132.20), all of which Council was made aware of and agreed to because they were unavoidable and necessary, that means the actual deficit was only \$147,466.06 putting us only very slightly over the planned budget.

b. Audit Presentation by Ann DeLucco of BST & Co.

BST & Co. recently completed the audit for the fiscal year ending June 30, 2022. Due to many factors including the massive staff turnover, the lack of records kept, the introduction of an outside bookkeeper in the interim (Capital CFO), and BST being a brand new auditor to our organization, BST was unable to give an opinion on our financial statements for FY2021-2022. BST issued a disclaimer of opinion due to the lack of sufficient audit evidence for the period in question. Ms. DeLucco expressed that with a new Executive Director and external bookkeeper in place, and the current development of updated practices and procedures, she expects that next year's audit will be more complete and a smoother process, and that the year after that should show NYLA is much better shape. In terms of conducting the audit, Ms. DeLucco noted that she received full cooperation from both NYLA leadership and our external bookkeepers, who worked hard to provide whatever information was available to them.

Ms. DeLucco presented the following information regarding the communications all Council members received in advance of the meeting:

Internal control letter – This communication highlights any deficiencies that need to be corrected.

Deficiencies located:

- 1) Lack of reconciliation and internal controls for certain procedures. With the new people involved, BST does not expect this issue will persist into the future.
- 2) In relation to the Sections/Round Tables/Groups: As former auditors had noted, NYLA has not followed generally accepted accounting procedures (GAAP) with the way the unit transactions are recorded. BST understands that the Balanced Budget Task Force is working to correct this situation, but the way the unit transactions are being handled goes against GAAP in that the expenses and income are not being reported as part of the expenses and income of the entire association as they should be, instead being shown as liabilities.

Management letter – This communication is instructive suggestions to improve policies and practices.

- 1) An investment policy is needed, and hopefully a single custodian to manage those investments. Currently many separate investments with different custodians and there is not a clear goal or plan for those invested funds. Funds needed for scholarships likely should not be invested as they are required to be liquid to give the association ability to use them for their intended purposes.
- 2) The association does have a financial policies handbook that was last updated in 2016, but with the turnover and lack of institutional knowledge it has not been being followed. The handbook needs to be updated with policies that work for the association and offer checks and balances, and then it needs to be followed.

BST expects to start the FY2022-2023 audit this fall.

MOTION III: Motion to approve the Audit results as presented.

Made by: Lisa Kropp Seconded by: Joe Burke

Approved unanimously.

4. Unfinished Business

5. New Business

a. NYLA By-laws Revisions

Executive Director AnnaLee Dragon distributed a draft revision of the NYLA By-laws which had been reviewed by both the Executive Committee and NYLA's legal counsel. The changes being made are solely to bring the by-laws into alignment with the Council approved Balanced Budget Task Force recommendations. Council was asked to review the revisions and send any questions or comments to AnnaLee in advance of the September 14 Council meeting, which Council is expected to vote on these revisions. Once Council has approved the revisions, they will be posted online for review by the general NYLA membership for at least 30 days prior to the Annual Meeting to be held at NYLA Conference on Thursday, November 2, 2023. The general membership will vote on these revisions at that Annual Meeting.

b. New Committee Charges and Compositions

The draft Committee charges and compositions for the Governance Committee and the Sponsorship/Fundraising Committee were distributed in advance of the meeting and are also included in the draft revision of the by-laws. The creation of these Committees was approved as part of the Balanced Budget Task Force recommendations at the June 15, 2023 Council meeting. Council was asked to review the information provided and send any questions or comments to AnnaLee in advance of the September 14 Council meeting, which Council is expected to vote on these proposed charges and compositions.

c. Moving Funds from Fund for the Future for Cash Flow

The NYLA Council approved an operating budget at the June 15, 2023 Council meeting with an anticipated deficit of \$136,237. Executive Director AnnaLee Dragon requested a motion from Council to move \$70,000 from the Fund for the Future to the operational bank account for cash flow purposes.

MOTION IV: Motion move \$70,000 from the Fund for the Future to the operational bank account for cash flow purposes.

Made by: Kelly Harris Seconded by: Frank McKenna

Approved unanimously.

d. Municipal Libraries Round Table Formation

A petition has been advanced by NYLA Members Jessica Pacciotti and Rosemarie Gatzek to create a new NYLA Round Table to represent Municipal Libraries. They received all required signatures on this petition, and have provided both a charge for the group, and identified initial board members, as shown below:

Municipal Libraries Round Table - MLRT

Purpose: Municipal Libraries Roundtable provides its members, other New York Library Association divisions, members and affiliates, and the library and information science field with a

forum to support municipal libraries statewide by providing networking and resource sharing, and to assist in advancing NYLA's mission.

The Board of the MLRT Round Table will consist of: Jessica Pacciotti, President, Sara Johnson, Vice President, Beth Bermel, Treasurer.

MOTION V: Motion to approve the creation of the Municipal Libraries Round Table.

Made by: Lisa Kropp Seconded by: Kerstin Cruger

Approved unanimously.

e. Executive Session for Executive Director Annual Review

MOTION VI: Motion to amend the agenda to move the Executive Session for Executive Director Annual Review to the end of the meeting.

Made by: Lisa Kropp Seconded by: Kelly Harris

Approved unanimously.

f. Letter of Support for ALA/Emily Drabinski

NYLA President Arlene Laverde noted that both ALA and Emily Drabinski, current ALA President, have been under a lot of fire in the media lately due to President Drabinski's personal beliefs and her status as a member of the LGBTQIA+ community. The Montana State Library has severed its ties with ALA over this issue, and other states are receiving pressure to do the same. As NYLA believes in intellectual freedom, and supports both ALA and President Drabinski, President Laverde requested that NYLA Council make a public statement in support of both ALA and President Drabinski and reaffirm our commitment to protecting people's first amendment rights to freedom of speech and expression.

MOTION VI: Motion to have C Romeo draft a statement in support of ALA, Emily Drabinski, and intellectual freedom, to be approved by Council before release.

Made by: Kelly Harris Seconded by: Lisa Kropp

Approved unanimously.

g. President's Project

NYLA President Arlene Laverde proposed a President's Project involving creating a task force or committee to bring positive attention to librarianship and the positive work librarians are doing. Council member Joyce Laiosa pointed out that this vehicle already exists in the form of the NYLA Awards and Recognition Committee. Joyce and Arlene will work together to create a project statement about this collaboration and how NYLA and the Awards and Recognition Committee can do a better job of marketing these awards and the good work librarians are doing and will update the Council at the September meeting.

6. President's Report

Arlene Laverde submitted a written report. She added that she had attended an ALA meeting the day before the Council meeting with Chapter leaders from across the country regarding the backlash ALA and President Drabinski are facing.

7. President – Elect's Report

Lisa Kropp submitted a written report.

8. Past President's Report

Beth Merkle reported that she had drafted the Executive Director performance evaluation report summarizing the Director's narrative and Council's feedback. Beth met with the Executive Committee to develop recommended goals for the Executive Director for 2023-2024. Council will discuss this in Executive Session later in this meeting, and then the Executive Committee will meet with the Executive Director in the coming weeks to go over the results. The final report will go out to Council in September.

9. Executive Director's Report

AnnaLee Dragon submitted a written report.

10. Legislative Report

Director of Government Relations and Advocacy Max Prime noted that the legislature is currently not in session, although there is still activity ongoing. We have seen some of the bills that passed both houses move through to be delivered to the Governor for signing, specifically all of the DASNY eligibility bills for individual libraries have gone to the Governor to get signed. We should see the other library related bills that passed the legislature move to the Governor for signatures as well hopefully in the near future, including the 414 petition signature reduction, library materials definition expansion for schools for the purpose of library materials aid, the schedule for grants for preservation of library research materials for the academics, etc. NYLA has been contacted by the Executive Chamber for comment on 3 of the above-mentioned bills and has already provided our support in writing in response to those requests. The Legislative Committee is looking forward to next year and will meet in mid-August to determine our budgetary and legislative priorities for the upcoming session. Check the NYLA Legislative website for more information on the status of the NYLA legislative priorities.

11. Section/ALA/Committee Reports

Sections/ALA/Committees submitted written reports.

Beth Merkle asked who the current Chair is for the Civil Service Committee. Executive Director AnnaLee Dragon noted that Ron Kirsop, who had been Chair, had to step down due to other professional obligations and that Max Prime is working to identify a new Chair for the Committee.

Dawn Pressimone asked about the Governance Committee and Sponsorship/Fundraising Committee draft compositions. The draft composition said the Section Presidents would be appointed to the Governance Committee, but that is a one year position for most Sections. Dawn asked if a Section could designate an alternate appointee. Executive Director Dragon noted that the draft is just that, a draft, and is open for discussion by Council.

12. Executive Session for Executive Director Annual Review

MOTION VII: Motion to enter Executive Session to review the annual performance evaluation at 2:16pm.

Made by: Beth Merkle Seconded by: Lisa Kropp

Approved unanimously.

MOTION VIII: Motion to extend the Executive Session until 3:15pm.

Made by: Amanda Perrine Seconded by: Joe Burke

Approved unanimously.

MOTION IX: Motion to leave Executive Session at 3:10pm.

Made by: Jean Currie Seconded by: Caitlin Kenney

Approved unanimously.

MOTION X: Motion to approve the draft evaluation report and annual goals for the Executive Director.

Made by: Arlene Laverde Seconded by: Jean Currie

Approved unanimously.

13. Review/Adjournment

MOTION XI: Motion to adjourn the meeting.

Made by: Kelly Harris Seconded by: Jean Currie

Approved unanimously. The meeting was adjourned at 3:16pm.

Next Council Meeting: Thursday, September 14 via Zoom at 3:15pm.