

Jacob Edwards Library

January 15, 2004 3:00 p.m. Trustees' Minutes

Call to Order: Vice- Chairman Muschler called meeting to order at 3:05 p.m.

Attendance: Ms. Dacoles, Ms. Muschler, Mr. Mills, Mr. Lachapelle, Mr. Gaine, Ms. Urell

Secretary's Report: Minutes of December meeting accepted with corrections as follows:

Fourth paragraph: Library Budget FY04: Second sentence should read: "Mr. Carlisle reported that free cash is roughly \$2.2 million with an \$800,000 surplus from **FY02** funds."

Eighth paragraph, halfway through, sentence should read: "All vouchers for payments drawn on all account should go to the Town **Accountant**."

Fourteenth paragraph: Treasurer's Report, sentence should read: "Ms. Dacoles reported that the balance in Wells grant is \$5800 and that the Fleet endowment includes Ted Lewis, Ryan and **Edwards** funds." , Mr. Lachapelle moved to approve with corrections, Mr. Mills seconded. Voted and approved.

Treasurer's Report: Written report attached. Mr. Lachapelle moved, Mr. Mills seconded. Approved.

Approval of Trustees' Invoices: Invoices paid throughout month. Mr. Mills moved, Mr. Lachapelle seconded. Approved.

Nominating Committee Report: Ms. Muschler reported that the Town Manager has informed Trustees that he doesn't intend to appoint a Town Trustee at this time.

Vice- Chairman's Report: Ms. Muschler introduced Gary Bridgman, whom she and Ms. Dacoles had consulted to assist Trustees with information about Trusts. Mr. Bridgman is an accountant and attorney associated with the American Optical Foundation. Mr. Bridgman has studied the history of the library and bequests to determine if the Jacob Edwards Library should qualify as a charitable organization. He reviewed the background of the Edwards Trusts that designate Trustees and the methods by which the Trustees are established. Mr. Bridgman concluded that the library is a separate legal entity and that it should be established as a 501C3, tax exempt organization, and registered with the Massachusetts Attorney General. Mr. Bridgman noted that all funds bequeathed or given to library were to be used for a charitable purpose.

Mr. Lachapelle moved to request Mr. Bridgman to proceed to apply for 501C3 status; Ms. Dacoles seconded. Motion Approved.

Mr. Bridgman said he will do the application on a *pro bono* basis.

Mr. Bridgman was thanked for his presentation and asked to begin work on 501C3 status. Mr. Bridgman left the meeting.

Correspondence: Ms. Urell reported that the Friends of the Library had received donations in memory of Gilda Thomas from Sylvia Lenti, Honey Meyer, and Gerald and Lore Knoose.

Report of the Library Director: Ms. Urell presented a request for approval of a course for Tuition assistance from Ms. Morrissey for LSC 524. Approved.

Mr. Gaine moved to approve *Policy on Privacy, Subpoenas, and Search Warrants*. Draft policy was distributed in November after discussions about Patriot Act and libraries. Ms. Dacoles seconded. Trustees voted to approve.

Ms. Urell reported on results of Directors' Roundtable on Decertified Libraries. Trustees discussed policy as it would apply to Central Massachusetts communities. Mr. Lachapelle moved to approve *Policy Regarding Lending Library Materials to Residents of Decertified Communities*; Mr. Mills seconded. Trustees voted to approve.

Ms. Urell will ask for proposals from library planners to conduct long range planning later this year to comply with MBLC requirements.

Old Business: Trustees will meet on March 10th in late afternoon for a retreat prior to beginning Long Range Planning. Ms. Muschler asked Trustees to review the Trustees Handbook and the 1989 Long Range Plan in preparation for the meeting.

New Business: Mr. Gaine made a motion to retain legal counsel to respond to Mr. Carlisle's request about Trusts and to assist the Trustees in clarifying their position with the Town. Mr. Lachapelle seconded; Approved. Mr. Gaine asked Ms. Muschler to retain an attorney for the Trustees.

Meeting adjourned at 4:30 p.m. Next meeting is February 19th, 3:00 p.m.

Submitted by Ruth Urell, Clerk of the Trustees



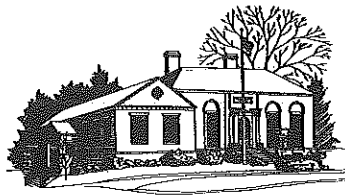
Jacob Edwards Lib Trustees Meeting 1-15-04

	12-18-03	1-15-04	
Sov.	27,704.52	27,316.52	(388.)
Savers	16,400.93	16,209.88	(191.)
Savings	31,107.44	31,113.14	+5.
	<u>75,212.89</u>	<u>74,639.54</u>	<u>(673.)</u>

	Income	Expenses
Sov.		PLA Conf Reg 2.
Savers	Dirlam/Mills Trust 1000.00	B.B. Poinsettke 9
Savings	Interest - <u>5.70</u>	Wells Grant 119.
	<u>1005.70</u>	<u>1579.6</u>

J. Edwards
1-15-04

CC MT
C/M
RL



Jacob Edwards Library

Policy on Privacy, Subpoenas, and Search Warrants

The Jacob Edwards Library strives to protect the privacy of patron information that is not considered a public record under General Laws, c.78, §7. This statute states library records “that reveal the identity and intellectual pursuits of a person shall not be considered a public record.” Accordingly, the Library considers circulation and registration records with identifying information such as name, address, telephone number and email address, as well as materials borrowed or accessed electronically, not to be part of the public record. Nevertheless, pursuant to a subpoena, search warrant, or as otherwise required by law, such records may be disclosed to proper authorities. No confidential information on library patrons will be revealed to authorities without presentation of a subpoena or search warrant.

The Jacob Edwards Library will retain only as much information about library patrons as required to provide services. Personal information on patrons will be discarded as soon as it is no longer needed. The library keeps no permanent record of internet sites visited, electronic databases used, or searches performed by patrons. While the Library will endeavor to protect the privacy of patrons’ use of library computers, patrons should be aware, when using Library computers, that the Library cannot and does not guarantee privacy. Patrons should not have an expectation of total security in a networked system of shared public-access computers.

Approved by the Jacob Edwards Library Board of Trustees January 15, 2004



Jacob Edwards Library

Policy Regarding Lending Library Materials to Residents of Decertified Communities

The Trustees of the Jacob Edwards Library strive to uphold the standards of public library service required for a community to be certified by the Massachusetts Board of Library Commissioners to participate in the State Aid to Public Libraries program. Communities that do not meet MBLC standards and are not granted a waiver are “decertified”. The closing of a public library for “any reason other than the undertaking of a project to improve library service (construction, automation preparation or inventory) or the occurrence of a natural catastrophe (including a limited emergency closing due to illness or death)”¹ results in immediate decertification.

The regulations governing this program state that “all public libraries participating in the direct state aid grant program must be willing, on a reciprocal basis, to extend direct access and services to nonresidents who are cardholders in other libraries participating in the state grant program...”². The regulations do not oblige participants to lend materials to residents of decertified communities, only to provide “access to reading and reference rooms under the same conditions as residents of the [local] community.”³

Full use of the Jacob Edwards Library by residents of decertified communities would be an inappropriate reliance on the taxpayers of Southbridge. Permitting such use would subsidize library services to a community unwilling to support its own public library. Therefore, the Jacob Edwards Library will not lend library materials to residents of decertified communities, either through direct borrowing or through inter-library loan and network transfers.

1..Massachusetts Board of Library Commissioners. “Policy, FY2004 State Aid to Public Libraries Program, The Closure of a Public Library”. Approved January 9, 2003. (State Aid Policies are approved annually.)

2. 605 CMR 4.01

3. Ibid.

Approved by the Jacob Edwards Library Board of Trustees January 15, 2004



Jacob Edwards Library

February 18, 2004 3:00 p.m. Trustees' Meeting Minutes

Call to Order: Vice- Chairman/Acting Chairman Muschler called meeting to order at 3:00 p.m.

Attendance: Ms. Dacoles, Ms. Muschler, Mr. Lachapelle, Mr. Mills, Ms. Urell

Ms. Muschler welcomed Cassandra Acly, Economic Development Director for the Town of Southbridge, to the meeting.

Ms. Acly spoke about her activities on Long Term Planning for the Town and solicited input from the Library Trustees.

Ms. Acly described the planning efforts as balance between affordable housing, open space, business and industry. The process has been ongoing for two years and many public meetings have been held. This is not meant to be a comprehensive plan; the goals are limited to the issues described above and the final plan will reflect public input and conversations with town committees and boards.

Ms. Acly said an important point related to the library that has been repeated throughout the process is how important the downtown area is to local business representatives and residents. The Trustees stated that the library is a vital part of the downtown and can play an active part in the downtown. If the library were open more hours, it would be a more inviting and active presence on Main Street. Ms. Acly said that the arts are well-supported in town. Ms. Urell said that the townspeople had made an important investment in the library by funding the updated facility and that the library needed ongoing financial support for its operating budget.

Ms. Acly described the work of the Redevelopment Authority and reviewed discussions about a parking facility on Central Street. She discussed an Urban Renewal Plan and the cost of \$175,000, for a plan. Mr. Mills inquired about fire station improvements or relocation and Ms. Acly provided information about preliminary discussions regarding Wardwell Court, which property abuts the library. Ms. Acly reviewed the process of boards reviews and approvals necessary for any downtown building projects.

Ms. Acly informed the Trustees that the last public meeting of the Long Term Planning group would be held on March 18th and shortly thereafter the Long Range Plan would be presented to the Town Council for approval.

Ms. Acly was thanked for coming to the meeting and left.

Chairman's Report: Ms. Muschler resumed the regular business of the monthly meeting of the Trustees.

As Acting Chairman, Ms. Muschler shared a thank you note from Marilyn Travinski, Chairman, for a fruit basket she received from the Trustees.

Secretary's Report: Minutes of January meeting approved. Ms. Dacoles, Mr. Lachapelle

Treasurer's Report: Written report attached. Mr. Mills moved, Mr. Lachapelle seconded. Approved. Ms. Dacoles reported that she had received a letter from Robert Carlson who is taking over management of Maxwell's trusts, except for endowment account. The other Trustees present were given a copy of the letter.

A letter from Gary Bridgman to the Trustees was discussed; Ms. Muschler will send a letter to Mr. Carlisle, Town Manager, with Mr. Bridgman's findings.

Gary Bridgman is applying for 501C3 status for the Trustees.

Ms. Dacoles expressed a need for a file cabinet for use by the Trustees to be kept at the library. The Trustees would like to have a high-quality locking four-drawer cabinet for their documents. Ms. Urell suggested that one could be kept in the Ammidown History Room, since there is currently a two-drawer Trustees' file there. Mr. Mills made a motion to purchase a cabinet; Mr. Lachapelle seconded. Ms. Urell will order one on the Trustees' behalf.

Report of the Library Director: A written report was sent to the Trustees before the meeting.

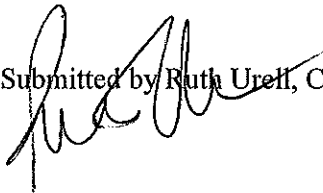
Ms. Urell informed the Trustees that the Board of Library Commissioners had granted the Town of Southbridge a waiver of the Municipal Appropriation Requirement at its February 5th meeting, along with several other communities in Central Massachusetts. The waiver certified the library to receive \$24,879.76 in State Aid to Public Libraries for FY04.

Old Business: Ms. Muschler reminded **Trustees that a retreat is planned for March 10th at 4 p.m.**

New Business:

Meeting adjourned at 4:30 p.m. Motion Ms. Dacoles, second Mr. Mills.

Submitted by Ruth Urell, Clerk of the Trustees



Raph

Jacob Edwards Library
Trustee Meet'g
2-19-04

1-15-04

2-19-04

SOV	27,316.52	26,071.07	(1245.45)
Savers	16,209.88	14,200.96	(2008.92)
Savings	31,113.14	31,118.33	5.19
	<u>74,639.54</u>	<u>71,390.36</u>	<u>(3249.18)</u>

Income

Expenses

Int. 5.19

2 Wells Bank Mobile	313.05
" "	1695.87
1. PIA Airlines Fuel	447.00
Morrissey Traction	725.00
Bowyer Old Marsh	23.45
Paolletti - Basket MT	50.-
	<u>3254.37</u>

5.19

Maxwell / Edward \$1,568,000 6/30/03
cc. R U 1608
C M 1638 12/31/03
Grace + Ellen
Endow 18,000 → \$451,300 Ryan



Commonwealth of Massachusetts Board of Library Commissioners

648 Beacon Street • Boston, Massachusetts 02215-2070
(800) 952-7403 in state • (617) 267-9400 • (617) 421-9833 fax

February 5, 2004

Ms. Marilyn Travinski, Trustee Chair
105 Chapin St.
Southbridge, MA 01550

re: Jacob Edwards Memorial Library

Dear Ms. Travinski:

On February 5, 2004, Southbridge was granted a waiver of the FY2004 MAR and certified to receive State Aid to Public Libraries awards. The Board of Library Commissioners is pleased to announce that the Town of Southbridge will receive State Aid to Public Libraries in these amounts:

FY2004 Library Incentive Grant (LIG)	\$ 9,680.80
FY2004 Municipal Equalization Grant (MEG)	\$ 13,621.32
FY2004 Nonresident Circulation Offset (NRC)	\$ 1,577.64
Total	\$ 24,879.76

Southbridge may also receive an additional State Aid to Public Libraries payment in the last quarter of FY2004 if sufficient undistributed funds remain in the state's account for this program. In that case, you will be notified of the second amount.

When certifying Southbridge, the Board reviewed the library's compliance in FY2003 with the minimum standards of public library service and the municipality's compliance in FY2004 with the minimum appropriation requirement.

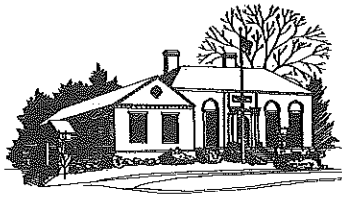
The State Aid to Public Libraries program is funded through Chapter 26, Acts of 2003, which states that the awards "...shall be expended by the public library...without appropriation..." Consequently, the FY2004 awards cannot be counted as part of municipally appropriated funds when measuring compliance with the appropriation requirement.

A letter has been sent notifying the treasurer in your municipality that the Board has asked the State Treasurer's office to issue Southbridge a check for the above awards.

Sincerely,

Robert C. Maier
Director

Enclosures: Ch.26, Acts of 2003, FY2004 State Aid to Public Libraries Fact Sheet
cc: Ms. Ruth Urell, Director, Jacob Edwards Memorial Library, Southbridge
Chief Municipal Official, Southbridge



Jacob Edwards Library

March 25, 2004 4:00 p.m. Jacob Edwards Library Trustees' Minutes

Call to Order: Vice- Chairman (Acting Chairman) Muschler called meeting to order at 4:00 p.m. This is a special meeting to discuss the budget. Other business will not be conducted.

Attendance: Ms. Dacoles, Ms. Muschler, Mr. Mills, , Mr. Gaine, Ms. Urell

Ms. Muschler reviewed a letter from the Town Manager to the Trustees and Library Director about the current year budget.

The trustees and the library director reviewed budget history, budget and expenditures for current year, and funding sources.

The trustees decided to transmit \$17,000 of Trust income to the Town before June 30, 2004, as they had previously committed to do, and as they had informed the Town Manager they intended to do.

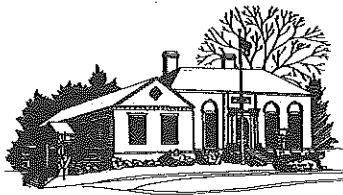
Mr. Gaine moved that the Trustees deposit \$17,000 with the Town Treasurer for the purpose of additional funding for Jacob Edwards Library books and materials for FY04. Mr. Mills seconded. Unanimously approved.

Trustees drafted a response to Mr. Carlisle, Town Manager, to inform him of their intentions and request a meeting with him about the budget.

Meeting adjourned at 5:20 p.m.

Respectfully submitted,

Ruth Urell, Clerk



Jacob Edwards Library

April 15, 2004 3:00 p.m. Trustees' Meeting Minutes

Call to Order: Vice- Chairman/Acting Chairman Muschler called meeting to order at 3:05 p.m.

Attendance: Ms. Dacoles, Ms. Muschler, Mr. Lachapelle, Mr. Mills, Mr. Gaine, Ms. Urell

Secretary's Report: Minutes of February meeting approved. Ms. Dacoles, Mr. Lachapelle
Minutes of March meeting approved. Ms. Dacoles, Mr. Mills

Treasurer's Report: Written report attached. Mr. Mills moved, Mr. Lachapelle seconded. Approved.
Four-drawer fireproof file cabinet for trustees' documents has been received.

Invoices approved: Mr. Lachapelle, Mr. Mills.

Report on Budget: Mr. Mills reporting. Mr. Mills, Mr. Gaine, and Ms. Urell met with Mr. Carlisle, Town Manager, and Paul Mormino, Town Hall Special Projects, on April 13th at 2 p.m.

Mr. Carlisle commenced the meeting with a recap of the 2004 budget. He accepted the proposal of the Trustees' to give \$17,000 to the Town to add funding to the library's book budget and the use of the State Aid account to pay part-time salaries for the 04 budget.

The '05 Library Budget was discussed at length. Mr. Mills and Mr. Gaine agreed to bring the request for a \$17,000 Trustees' contribution for the '05 budget to the full Board of Trustees.

Trustees voted to contribute \$17,000 to the Town of Southbridge in FY05 to support the library budget on the recommendation of Mr. Mills and Mr. Gaine.

Mr. Mormino asked Mr. Mills and Mr. Gaine to turn over Trust receipt and expenditure documentation to the Town.

Mr. Carlisle remarked that the library circulation is low. Mr. Mills responded that the library needs to be open longer hours for better public service. Ms. Urell responded that the staffing levels were low for the size of the community and the hours open.

Report of the Library Director: A written report was sent to the Trustees before the meeting.

Ms. Urell reported that the annual meeting of the Friends of the Jacob Edwards Library will take place on Thursday, April 29th, at 6:30 p.m. and will be followed by a program at 7 p.m. Ms. Linda Gray Kelly will perform her one-woman show, *Spoon River Anthology*.

Ms. Urell, Ms. Gartsu, and Ms. Morrissey will be at the Massachusetts Library Association Annual Conference in Falmouth on April 29th and April 30th.

The Town Council Education and Human Services Subcommittee meeting on the library budget is Tuesday, April 20, 2004, at 7:00 p.m. Ms. Dacoles, Mr. Lachapelle, and Ms. Urell will attend.

Meeting adjourned at 4:15 p.m. Motion Ms. Dacoles, second Mr. Lachapelle.

Submitted by Ruth Urell, Clerk of the Trustees

Jacob Edwards L. b.
Trustee Meeting
4-15-04

	<u>2-19-04</u>	<u>4-15-04</u>	
SOV.	26,071.07	26,244.05	
Savers	14,200.96	14,223.46	
Savings	<u>31,118.33</u>	<u>31,123.17</u>	
	71,390.36	71,590.68	+ 200.32

Expenses

Income

Rotary	309.✓	G Edwards	1600.
Mergeants	65.57	Lib. Ass.	22.50
Ins.	225.00	Int.	4.84
PLA Hotel	661.53		
Children Program	93.23		
" "	23.09		
" "	24.60		
QSH.C Membership	25.00		
	<u>1427.02</u>		<u>1627.34</u>

P. Edwards
4/15/04

May 20th, 2004 3:00 p.m. Trustees' Meeting Minutes

Call to Order: Vice- Chairman Muschler called meeting to order at 3:10 p.m.

Attendance: Ms. Muschler, Mr. Lachapelle, Mr. Mills, Mr. Gaine, Ms. Urell

Secretary's Report: Minutes of April meeting approved. Mr. Mills, Mr. Lachapelle

Treasurer's Report: Treasurer absent. No report.

Chairman's Report: Ms. Muschler consulted with Gary Bridgman about correspondence from the Town Manager. Mr. Bridgman will attend the meeting today to report.

Downtown Partnership: A flyer requesting financial support for downtown plantings was distributed. An invitation to attend a Downtown Partnership membership drive was extended to Trustees for June 2nd, 6 p.m., at the Arts Center.

Preservation Survey: The full report has been submitted by the Preservation consultant, Millie O'Connell. Trustees all would like a copy to review. Ruth will send it.

Mr. Bridgman's Report to Trustees: Mr. Bridgman is working on papers relative to the Trustees' tax-exempt status as a not for profit organization. If approved, it would be retroactive to 1940; if not approved retroactively, will most likely be approved from now forward. Mr. Bridgman researched the Edwards trusts and concluded that the current Board of Trustees, four Edwards and three Town appointees, is not a Town board and none of the Trustees are paid by the Town. Mr. Bridgman cited the lack of a decision in the Town of Melrose in which it wasn't decided whether the Board of Trustees is or is not a town body.

Mr. Gaine made a motion to ask Mr. Bridgman to write to the Trustees about his determination of their status in response to Mr. Carlisle's latest correspondence with the Trustees. Mr. Mills seconded motion. Approved.

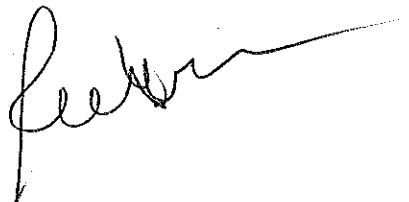
The Trustees reviewed the Town Charter with Mr. Bridgman regarding appointments to boards.

Mr. Bridgman was thanked for his work on behalf of the Trustees.

Ms. Muschler will communicate further with Mr. Bridgman about Trustees' status.

Meeting adjourned at 4:25 p.m.

Submitted by Ruth Urell



Paul Mills moved to accept
Approved 7/15/04

June 17, 2004 3:00 p.m. Trustees' Meeting Minutes

Call to Order: Vice- Chairman Muschler called meeting to order at 3:20 p.m.

Attendance: Ms. Muschler, Mr. Lachapelle, Ms. Dacoles. Recording Ms. Urell

Secretary's Report: Approval of May minutes deferred for lack of quorum.

Chairman's Report: Ms. Karen Harnois, Town Accountant, wrote to Ms. Muschler requesting the Trustees to deposit a check with the Town for FY05 contribution to library budget for \$17,000.

Ms. Muschler made a motion to pay \$17,000 to the Town towards the FY05 library budget from prior year's Trust income. Ms. Muschler requested Ms. Dacoles to get a receipt for the money that reflects it as a FY05 contribution. Mr. Lachapelle seconded the motion. Ms. Dacoles will do so and make copies for the Trustees.

Treasurer's Report: Given verbally.

Voted 7/15/04

Ms. Dacoles reports that she has given annual reports and bylaws from 1999 through 2003 to Gary Bridgman. Ms. Dacoles will file papers in Trustees' file cabinet in History Room. Requests for information from files will go to Treasurer or Trustees' chairman.

Invoices approved on a motion by Mr. Lachapelle, Second Ms. Muschler.

Librarian's Report: Emailed to Trustees prior to meeting.

Children's Program: Ms. Urell requested \$500 from the Trustees to support the Children's Summer Program. Mr. Lachapelle moved to approve, Ms. Dacoles seconded.

Voted 7/15/04

Tuition: Ms. Morrissey requested approval for tuition assistance for several Library Science courses to be taken during the summer. The request was approved within the guidelines of the tuition policy for up to 4 courses for a total reimbursement of \$1500, which is the per employee annual maximum amount. Mr. Lachapelle moved, Ms. Dacoles seconded.

Voted 7/15/04

Long Range Planning: The qualifications and proposals of four planners who responded to the request for proposals were reviewed and Vandermark Consulting was chosen as the most highly qualified consultant. Ms. Muschler recommended Sondra Vandermark's proposal be accepted and requested Ms. Urell to get a contract for her services. The Trustees will pay Ms. Vandermark's fee for the plan. The composition of the Planning Committee was discussed and meeting dates reviewed.

Old Business: Discussion of the recently-completed Preservation Survey was postponed due to lack of time.

Meeting adjourned at 4:35 p.m.

Submitted by Ruth Urell

[Signature]

Moved Jack Lachapelle

Approved 7/15/04

July 15, 2004 3:00 p.m. Trustees' Meeting Minutes

Call to Order: Vice- Chairman Muschler called meeting to order at 3:10 p.m.

Attendance: Trustees Muschler, Lachapelle, Dacoles Mills. Recording Ms. Urell. Guest: Gary Bridgman.

Secretary's Report: Mr. Mills moved to approve May 20th minutes. Voted and approved.
Mr. Lachapelle moved to approve June 17th minutes. Voted and approved.

Chairman's Report: Motion made to vote to approve three agenda items from June 17th meeting:

To pay \$17,000 to the Town towards the FY05 library budget from prior year's Trust income. Approved.

To allocate \$500 to support the Children's Summer Program. Approved.

To approve four Library Science courses for Ms. Morrissey beginning in the Summer, 2004, for a maximum amount of \$1500. Approved

Treasurer's Report: Reported balance of \$58,000. Invoices approved on a motion by Mr. Lachapelle.

Librarian's Report: Ms. Urell asked to have the minutes of Trustees' meetings made available as public record as they had been until recently when they were placed in a locked cabinet. Trustees agreed that the minutes would be made available.

Marcy portrait: Philip Klausmeyer has taken the portrait to repair and restore it. Preliminary estimate from Mr. Klausmeyer is roughly \$3000.

Mr. Klausmeyer recommended Susan B. Jackson of Harvard Art to repair and restore the frame for the Marcy portrait so that it will be ready when work on the portrait is completed. Mr. Klausmeyer does not work on frames. Ms. Jackson visited the library and has quoted the repair of the frame at \$2025 - \$2350. Trustees discussed the ownership and insurance of the portrait and reviewed their long-standing commitment to the restoration of the library paintings. Trustees discussed account balances and anticipated expenditures. Mr. Mills moved to approve the proposal from Ms. Jackson for the framework; Mr. Lachapelle seconded the motion. In favor: Mills, Lachapelle, Muschler. Opposed: Dacoles. Motion passed.

Study Rooms: Ms. Urell asked the Trustees to consider revising Study Room policy to eliminate the preferential booking privileges currently given to Literacy Volunteers and change the assignment of Study Rooms to a first-come, first-serve basis. Trustees asked Ms. Urell to review the policy with Literacy Volunteers coordinator and present revision proposal in September.

Chairman: Ms. Muschler presented Gary Bridgman to review work he has undertaken on behalf of the Trustees regarding various matters between the Trustees and Southbridge Town Manager Clayton Carlisle.

Old Business: Mr. Mills moved to correct minutes from August 2003 to: "It was unanimously decided that the library would not post notice at the library of any future meetings."

Mr. Mills moved to change the Tuition Policy to a Scholarship Policy and to set the amounts for FY05 at a maximum of \$1500 per employee and \$3000 total benefit for all library staff. Motion approved unanimously.

Meeting adjourned at 4:40 p.m. Next meeting is September 16th at 3:00 p.m.

Ruth Urell, Recording

Minutes
Trustee Special Meeting
August 5, 2004

Meeting was called to order at 3:05 p.m., with minutes taken by Susan Chaplin

Present at the meeting:

Paul Mills
Jack Lachapelle
Larry Gaine
Paula Dacoles
Dick Whitney
Gary Bridgman, Consultant

This special meeting was requested by Mr. Gaine and called by acting Chairman Mr. Lachapelle for the purpose of discussion concerning recent issues.

Mr. Whitney was welcomed to the board.

Mr. Gaine suggested a reorganization of the board, Mr. Mills nominated Mr. Lachapelle to serve as chairman, seconded by Mr. Gaine, a vote was taken and Mr. Lachapelle was elected unanimously.

The election of a co-chair was tabled until a later meeting.

The search committee will continue to function until the 2 vacancies on the board are filled.

A luncheon has been requested by the representatives of Fleet Bank for the purpose of discussing the investments and options available for said investments. A date of August 18 at the Vienna Restaurant has been proposed.

At this time the meeting was turned over to Gary Bridgman, counsel, for a discussion of the current issues as he sees them.

- 1) Can the board hold custody of trust funds, gifts given by individuals, or must they be held by the town.

His opinion: it is absolutely allowed for trustees to be custodian of these funds. He then presented the background to substantiate his opinion, the history of the trust funds given by the Wells family, which names the bank as trustee of funds given. The will reads, "I give to the trustees of the Jacob Edwards Library..." The trustees are named as benefactors in the will.

The interest from these trust accounts is available for the trustees to use for the betterment of the library, after discussion and a vote by the library trustees.

The Board of Library Commissioners has endorsed this interpretation.

Mr. Bridgman advises the trustees not turn over these funds to the town.

- 2) Mr. Bridgman has begun the procedure of applying for 501(c)3 status for the Jacob Edwards Library Trustees. This status will be retroactive. This status will confer on the trustees the duty to take care of private funds given to the library and state that it is the duty of the trustees to use these funds for the betterment of the library.

Discussion followed in which Mr. Mills said he believes the trustees act in an advisory capacity and also have responsibility for administering trust funds. Mr. Whitney questioned whether or not the trustees are a town board. Mr. Bridgman read the statement prepared in 1973 by town counsel, Walter Snyder, which reads in part, "care and management of the library by a board of trustees has been effected by the conditions of the Grace M. Edwards gift."

- 3) Mr. Carlisle has requested copies of all records pertaining to the library trustees, including financial records. Ms Muschler refused the request on the basis that the trustees are not a town board. Mr. Carlisle has now gone to the Secretary of State to complain. The trustees have offered him the possibility of having a town employee copy said records, an offer he refused. Mrs. Dacoles has now copied financial records and they have been forwarded to him, with information pertaining to private financial records redacted to protect the privacy of individuals. Mr. Bridgman has recommended that the town pay Mrs. Dacoles for her time to compile and copy these records.

A motion was made by Mr. Gaine that the board shall comply with the Secretary of States ruling with respect to the document request, Secretary of State case #04/118. The motion was seconded by Mrs. Dacoles and approved unanimously by those present. Mr. Whitney suggested a future board might be set up as a separate charitable organization. Again the Melrose case was mentioned and Mr. Bridgman reiterated that a town has no legal rights to take money of a gift made to the board of trustees.

- 4) An open meeting law violation allegation has been sent by Mr. Carlisle to the District Attorneys office. The alleged violation dates back to August 2003. The misunderstanding arose from minutes that were presented with errors and not corrected until the July 2004 meeting. A vote was taken at that time to correct the minutes and the corrected minutes will be forwarded to the appropriate parties when the corrections are approved with the acceptance of the July 2004 minutes at the August meeting.

The next meeting date was discussed and a motion was made by Mr. Whitney to meet at 11:30 a.m. on August 18, at the library and also to make the necessary changes to the notice posted at town hall concerning the August meeting date change. Seconded by Mr. Gaine, approved unanimously.

A discussion was then initiated by Mr. Whitney concerning the need for a review and possible revision of the trustee bylaws. Mr. Mills and Mr. Lachapelle both reiterated that this has been discussed in long range planning meetings and is something that will be worked on in the future.

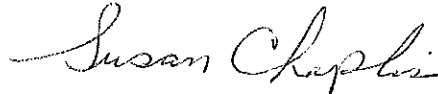
Mr. Whitney, after reviewing the bylaws, questioned the Trustees as to whether they believe they are a public board. Mr. Bridgman again stated that the trustees are not a town board. Mr. Mills assured Mr. Whitney this issue will be sorted out in the long range planning process.

Mr. Mills thanked Mr. Lachapelle for his recent letter to the editor but suggested that all items be channeled through the chairman and the counsel of Mr. Bridgman.

Mrs. Dacoles made a motion that all information regarding trustee matters and public statements be channeled through Mr. Lachapelle and Mr. Bridgman. Mr. Mills seconded and the motion passed unanimously.

A motion to adjourn was made by Mrs. Dacoles and seconded by Mr. Whitney. The meeting adjourned at 3:55 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Susan Chaplin".

Original minutes amended 9/1/04, as per Trustee request.

Motion to approve minutes as amended, made by Mrs. Dacoles, seconded by Mr. Gaines

Approved 9/1/04