



Massachusetts Library Association

Executive Board Meeting

Worcester Public Library

October 11, 2013

Present: Nancy Sheehan (Public Relations Co-Chair), Jocelyn Tavares (Public Relations Co-Chair), Jackie Rafferty (Intellectual Freedom Chair), Steve Spohn (MLS Rep), Elizabeth Hacala (Executive Manager), Margaret Cardello (Member/Guest), Maureen Ambrosino (Vice President), Sandy Leifeld (Paralibrarian Section Chair), Kathy Lowe (MSLA Rep), Sharon Shaloo (Exec Director of Mass. Center for the Book/Guest), Dinah O'Brien (Past President), Noelle Boc (Youth Services Section Chair), Sharon Colvin (Youth Services Section), Sunny Vandermark (Archivist), Elizabeth Marcus (President), Michelle Filleul, (Conference Committee Co-Chair), Beverly Shank (Legislative Comm Co-Chair), Susan McAlister (Legislative Comm Co-Chair), Nancy Rea (ALA Councilor), Krista McLeod (NELA Rep.)

The meeting was called to order at 10:15am

President Elizabeth Marcus asked for acceptance of the Consent Agenda, and unanimous consent was given.

Business pulled out of the Consent Agenda was put on the table:

Legislative Committee: Susan McAlister introduced Sharon Shaloo, Executive Director of the Massachusetts Center for the Book . Sharon informed the Board about H3292, a bill that has been introduced by Rep. Kate Hogan to provide a place for the Center for the Book under state statute. Sharon discussed the history of the Massachusetts Center, and how it differs from, or is similar to other state centers. The Center is in jeopardy, and is seeking a way to keep its mission closely allied with libraries. H3292 would place the Center under the auspices of the MBLC. In addition to the bill that would establish the Center, there is a concurrent movement to get a state budget line item for \$250,000 to fund the Center. Sharon emphasized that this would not be sought to take away from other library programs or services, but would be new money that would provide for the Center. She also explained that the Center would have the ability to raise private funding as well, which would help to sustain it and expand its programs. The emphasis would be on providing and coordinating literary programming for libraries. Several members spoke in favor of the Center's work, and many members had questions about strategies for advocating for the Center. Susan McAlister said that Legislative Committee would be involved in strategizing to make sure the message about this bill was part of the Association's Legislative Agenda for the coming year. Susan presented the following motion from the Legislative Committee:

Motion: To endorse H3292, a bill to establish the MA Center for the Book in statue, and to promote funding for the Center. The Legislative Committee is directed to determine an advocacy strategy to support the passage of this bill.

From Legislative Committee (no second required)

Passed unanimously.

Susan McAlister then introduced Margaret Cardello, who introduced the topic of H59. This is a bill from the Governor's Office that would significantly change retirement rules and benefits for state and municipal employees and would impact many of our members in a negative way. Margaret reviewed the provisions in the bill, which include doubling the number of years current employees would need to work before being able to be vested in the system, significant increases in retiree's health insurance costs, etc. Maureen Ambrosino read from an email she had received from her legislator in response to her inquiry, which further illuminated the way the bill would impact public sector employees. Board members expressed particular concern that this bill would change benefits for current employees, and that it was unfair to change the rules on people in the middle of their careers. It was generally agreed that MLA should oppose this bill and there was lively discussion about the options that MLA had in expressing opposition to this bill. Options include testifying at an upcoming public hearing on the bill (scheduled for October 31 at the State House), informing members about this bill so they could contact their legislators, and allying with unions, the MMA, professional associations and others that may oppose this bill.

Motion: That MLA President or designee should attend the October 31 public hearing and testify in opposition to this bill.

Motion: Maureen Ambrosino

Second: Nancy Rea

Passed unanimously.

President Marcus said she would attend the hearing and asked Margaret, Maureen and Dinah O'Brien to assist her in getting information to prepare her testimony.

Susan and Beverly announced that with Kathy Lowe's assistance they had secured the Great Hall and the Lobby of the Grand Staircase for MLA/MSLA Legislative Day on Monday March 31st, 2014. Also, the "Breakfast-on-Breakfasts" program last week went well, with 17 people in attendance from around the state. Also, the Committee is open to nominations for the 2014 MLA Advocacy Award.

Conference Committee: Michelle Filleul passed on a request from Ruth Urell asking people to sign up for helping out at the MLA/MCB/MBLC table at the Boston Book Festival which will be held on October 19th in Copley Square.

Intellectual Freedom Committee: Jackie introduced the topic of the situation that occurred at the Medfield Library recently in which a 17-year-old, developmentally delayed girl had been taken from the Library. (Jackie had forwarded details of the case to the Board in her report filed for this meeting.)

Following this incident the police took the cameras from the Medfield Library, which did not require a warrant. Following that the police wanted to take the Library's server. Because of privacy laws the Medfield Director was concerned about allowing the server to be removed without a warrant. After Town Council advised that the Library should turn over the computer, the Trustees voted to give the server to police without a warrant. The girl was subsequently rescued. After the situation concluded the ACLU decided to send a letter to the Trustees of the Library clarifying what happened and delineating police responsibility in getting warrants for seizure of library records. NELA had been contacted by ACLU and asked to co-sign the letter, but NELA referred the request to MLA, for two reasons—1) it was a case that dealt with state law and it was more appropriate for the state association to speak on it, and 2) the Medfield Director is current President of NELA, and signing such a letter may have given the appearance of a conflict of interest. Since the letter needed to be signed right away, Jackie had consulted with the Intellectual Freedom Committee and with the Administrative Committee. The Admin Committee voted to co-sign the letter with ACLU and that has been done. Jackie pointed out that MA. Chapter 78 laws concerning library privacy may be outdated in light of new media we are dealing with in libraries. Also she talked about the ACLU's references in the letter to the right of police to take computers without warrants due to "exigent circumstances" (that is, emergencies.) This is something that many librarians do not know about. Jackie said that the MLA Intellectual Freedom Committee needs to do some education about this type of problem, and is talking with the NELA IF Committee about issuing a "white paper" on police relations with local libraries. Jackie said that all libraries should have updated policies. President Marcus requested support from the Executive Board for sending the letter.

Motion: To affirm the action of the MLA Administrative Committee in co-signing the letter to the Medfield Board of Trustees, in which the ACLU outlines its opinions of the actions of the Trustees and makes recommendations for future actions.

Motion: Susan McAlister

Second: Krista McLeod

Passed unanimously.

Member of the Board added that a program on this topic should be conducted for Trustees either at the MFOL/MLTA Conference or by the MBLC. Jackie briefly mentioned two additional items—1) a patron complaint that was received by the OCLN Network related to the privacy of library records in the consortium, and 2) the recent groundswell of opposition to the USA Patriot Act reauthorization.

NELA: Krista reported that NELA would be hosting a training for professional associations on the topic of fundraising. Three seats have been reserved for each state association in this training. The training will take place on Friday afternoon November 15th at the Plaistow Library. Krista will forward the invitation to the Board and the Admin Committee can decide who can go.

YSS/Jordan Miller: The Jordan Miller Committee is planning to do a program. Noelle Boc asked the Board to review procedures for using the Jordan-Miller fund. Members of the Board and the Executive Manager advised her that the Executive Board would need to approve expenditures from the fund.

Elizabeth Hacala said that generally the bills are paid out of the general fund, and then a transfer is made from the Jordan Miller account to reimburse the general fund. YSS is also having a retreat and they will be looking for assistance from the new Association Manager with registration.

ALA Councilor: Nancy Rea passed out her report and copies of ALA President Barbara Stripling's document, "A Declaration of the Right to Libraries". Nancy reminded people to sign on to this document through the ALA web site.

Old Business

Conference Update: Michelle Filleul reported that Elizabeth Hacala is volunteering to help out at the next Conference Site Visit, and Michelle expressed the Committee's appreciation for this. The Conference will be held May 6,7,8, 2014, and the theme will be "Expedition Library—Let's Go!"

New Business

President Marcus reported that in the process of hiring a new Executive Manager she had consulted with an attorney about the contract, and the attorney was very clear that MLA should not treat this person as an independent contractor anymore. The relationship is clearly an employee-employer relationship and the IRS would consider it to be so. There is a lot of potential liability in the event that MLA does not hire properly for this position. We will need to pay worker's compensation insurance and unemployment insurance. We will need to set up a payroll system. There really is not any option since this would be appropriately complying with the law. Krista McLeod and Steve Spohn spoke about NELA's recent experience having to do the same thing, but they were doing it to comply under an IRS audit. They said it was better to be pro-active about this concern now. Sharon Shaloo mentioned that a payroll service such as ADP will help a small organization like ours to ensure that we are complying with the laws. Elizabeth Hacala as outgoing Executive Manager, spoke in favor of making this transition, saying that it will protect both MLA and the new manager and that it was a good thing for the long-term viability of MLA.

Motion: That MLA will become an employer.

Motion: Susan McAlister

Second: Beverly Shank

Passed unanimously.

President Marcus presented a draft of an offer letter detailing the duties of the new position to the Board. She said the attorney had recommended putting this information in an "offer letter" format rather than in a contract. She reviewed the specifics of the letter, and emphasized that it is a customer service and administrative position, rather than being an "executive director"-type position.

Motion: To change the title of the "Executive Manager" position to "Association Manager" and convert it from a contract position to an employee position.

Motion: Dinah O'Brien

Second: Susan McAlister

Passed unanimously

President Marcus told the Board that Elizabeth Hacala had decided to step down from the Executive Manager position and withdraw her name from consideration for the new position due to family concerns. President Marcus presented the resume of Sarah Hagan with the recommendation of the Admin Committee that she be hired as the new Association Manager. She could start anytime after October 15, but with the need to work out details of our new employer status Betsy is recommending that the start date be November 1, 2013. Elizabeth expressed her willingness to help train Sarah, and the Board appreciated this offer.

Motion: To hire Sarah Hagan as the new Association Manager for MLA.

Motion: Michelle Filleul

Second: Noelle Boc

Passed unanimously.

President Marcus expressed the appreciation of the Board and the Association to Elizabeth Hacala for her ten years of service, and presented her with a gift as a token of appreciation. Elizabeth spoke and thanked her many friends on the Board, and promised to stay in touch and involved with libraries. The Board gave her their thanks and a round of applause.

There was some discussion about transferring the materials Elizabeth has that belong to the Association to the Archives or to Sarah. Sunny said she would work with Elizabeth on cleaning this material out to determine what should be archived. Also, the PO Box will need to be changed.

Announcements:

- Former President Katie Baxter is moving to Alaska to become the Library Director at the brand-new Kodiak City Public Library on Kodiak Island.
- Next Thursday will be the Massachusetts Book Awards at the State House.
- The next Board Meeting will be held December 13th, 2013 at the Minuteman Library Network Headquarters in Natick.

Respectfully Submitted,

Krista I. McLeod

Secretary Pro Tem

