



**LEBANON LIBRARY BOARD OF TRUSTEES
JUNE 27, 2023 - 7:00 PM
KILTON LIBRARY COMMUNITY ROOM OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

-
- 1. Call to Order**
 - 2. Approval of Minutes**
 - A. Approve the May 23, 2023 minutes
 - 3. New Business**
 - A. Approve the Treasurer's report
 - B. Presentation on Potential New Initiatives for Foundation Fundraising
 - C. Review Public Comments Policy Draft
 - D. Review Policy Review Calendar
 - E. Library portion of the Lebanon Strategic Plan Discussion
 - 4. Committee Reports**
 - 5. Other Business**
 - A. Attorney opinion on Trespass Policy Draft and Rules and Regulations Policy
 - B. Library director report
 - C. Deputy library director report
 - D. Form ad hoc committee on library closings
 - E. Vacant positions: alternate trustee, trustee rep to the library foundation, finance committee members
 - 6. Adjournment**

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

DRAFT

**LIBRARY BOARD OF TRUSTEES
REGULAR MEETING MINUTES
Kilton Library Community Room OR
Remote Via Microsoft Teams
LebanonNH.gov/Live
May 23, 2023
7:00 PM**

MEMBERS PRESENT: Francis Oscadal (Chair), Emma Wunsch (remote), Michael Stebbins, Ann Sharfstein, Phil Bush (alternate), Morgan Swan, Jeff Damren (alternate)

MEMBERS ABSENT: Doug Whittlesey (alternate), Kim Rheinlander

STAFF PRESENT: Sean Fleming (Library Director), Amy Lappin (Deputy Director) (remote); Nikki Rheame; Celeste Pfeiffer

1. CALL TO ORDER – Chair Oscadal called the meeting to order at 7:00 PM

Chair Oscadal opened the meeting at 7:00PM.

Phil Bush sat for Kim Rheinlander.

2. APPROVAL OF MINUTES

A. Approve the April 25, 2023 minutes

*Ms. Sharfstein MOVED to accept the meeting minutes of April 25, 2022, as amended.
Seconded by Mr. Stebbins.*

** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye; Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).*

3. NEW BUSINESS

A. Approve the library strategic plan

Celeste Pfeiffer presented the Library's Strategic Plan. This includes an updated Mission Statement.

Jeff Damren entered the meeting.

Chair Oscadal stated that he would change the emphasis in the weaknesses section to contain more positive, descriptive items.

The Board thanked staff for their work on the plan.

27 **Ms. Sharfstein MOVED to approve the Library Strategic Plan, with the awareness that small**
28 **changes may be made based on suggestions.**

29 **Seconded by Mr. Bush.**

30
31 *** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye;**
32 **Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).**

33
34 **B. Approve the Treasurer's report**

35 Mr. Stebbins explained that the Special Funds line has a deficit of approximately \$17,000. The
36 largest change in that account was a \$14,000 check to the State of Lebanon. The City budget is
37 underbudget by approximately \$13,000. Most of this is due to an underrun in wages.

38 **Mr. Swan MOVED to approve the Treasurer's Report, as presented.**

39 **Seconded by Ms. Sharfstein.**

40
41 *** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye;**
42 **Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).**

43
44 **C. Approve new substitute librarian job descriptions**

45 Director Fleming explained that substitute job descriptions have been created and titles for these
46 have been amended. Some of these changes include updates to the rate of pay for substitute
47 positions.

48 **Mr. Bush MOVED to approve the new job descriptions, as presented.**

49 **Seconded by Mr. Stebbins.**

50
51 *** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye;**
52 **Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).**

53
54 **D. Approve updates to the library appendix to the city handbook**

55 Director Fleming explained that this deals with who approves staff developments when an
56 employee is paying to take a course. Currently, the City Manager approves this, and the
57 employee must prepay for the class. Once passed, the employee is reimbursed. This can be
58 difficult for certain employees. The request is to change this to allow for the Library Director to
59 approve these courses and for the Library to pay for this ahead of time.

60 Ms. Sharfstein suggested including language that, if an employee will be paying for a course and
61 requesting reimbursement, they should request approval.

62
63 **Ms. Sharfstein MOVED to accept the amendment to the Library Appendix to the City**
64 **Handbook, with the amendments as discussed.**

65 **Seconded by Mr. Swan.**

** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye; Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).*

E. Vote to recommend Yuli Volentino for the vacant trustee position

Director Fleming explained that Ms. Volentino is a frequent Library user and has been involved in numerous Library activities. He stated that he believes Ms. Volentino would make a good Trustee.

*Mr. Stebbins MOVED to recommend Yuli Volentino as a Library Trustee.
Seconded by Ms. Wunsch.*

** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye; Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).*

F. Review canned language for the trustees

Celeste Pfeiffer explained that staff received quite a bit of hateful feedback after the last Drag Story Hour. She has drafted canned language in case hate speech is used in the future. Director Fleming noted that staff will speak with an attorney regarding this canned language and 1st Amendment rights.

Chair Oscadal stated that, later in the meeting, he plans to recommend adding a regular public comment period to the Trustees' agendas. Including a regular public comment period will allow for the public, as stakeholders in the Library, to comment on items. Guidelines for this public comment period could also be included.

4. COMMITTEE REPORTS

None at this time.

5. OTHER BUSINESS

A. Vote to approve trustee statement

The Board reviewed the draft Trustee statement.

*Mr. Swan MOVED to accept the Trustee statement, with the changes discussed.
Seconded by Mr. Stebbins.*

** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye; Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).*

B. Library Director's report

Celeste Pfeiffer stated that the Library has been donated 2-3 e-bikes from a lending e-bike library, Vital Communities. The Library will now be sponsoring this program.

Director Fleming asked if the Board would like to continue to meet in this space or alternate between spaces. Ms. Sharfstein suggested that meetings with public comment periods should likely be held in this space.

C. Library Deputy Director's report

Deputy Director Lappin stated that programming is ramping up at the Library.

In response to a question from Ms. Sharfstein, Deputy Director Lappin stated that there is an idea for a recording studio at the Library, in order for people to make recordings, play an instrument, create podcasts, etc. A meeting room could serve a dual purpose for this.

The Board discussed the possibility of including a regular public comment portion to the agenda. There was consensus to move forward with this item. Ms. Sharfstein and Mr. Damren agreed to draft guidelines for the Board's review at the next meeting.

6. ADJOURNMENT:

Mr. Swan MOVED to adjourn the meeting.

Seconded by Mr. Stebbins.

** Roll Call Vote on the MOTION passed: Francis Oscadal - aye, Emma Wunsch – aye; Michael Stebbins – aye; Ann Sharfstein – aye; Phil Bush – aye; Morgan Swan – aye; (6-0-0).*

The meeting was adjourned at 8:55 PM.

Respectfully submitted,
Kristan Patenaude
Recording Secretary

MTD AND YTD REVENUE/EXPENSE FOR CITY OF LEBANON

Balance As of 05/31/2023

GL Number	Description	Bdgt Amendments From PO Carryover	2023 Amended Budget	Activity For 05/31/2023	YTD Balance 05/31/2023	Encumbrance 05/31/2023	Available Balance 05/31/2023	% Bdgt Used
Fund: 1100 GENERAL FUND								
Account Category: Expenditures								
Department: 4550-0000 LIBRARY								
1100-4550-0000-1100-0000	FULL TIME WAGES	0.00	745,110.00	56,653.91	295,292.97	0.00	449,817.03	39.63
1100-4550-0000-1120-0000	PART TIME WAGES 20-24	0.00	53,590.00	18.55	434.65	0.00	53,155.35	0.81
1100-4550-0000-1125-0000	PART TIME WAGES 25-29	0.00	119,500.00	10,179.79	58,858.50	0.00	60,641.50	49.25
1100-4550-0000-1200-0000	TEMPORARY PT WAGES	0.00	84,020.00	8,877.87	38,090.39	0.00	45,929.61	45.33
1100-4550-0000-1300-0000	OVERTIME WAGES	0.00	1,000.00	11.96	116.45	0.00	883.55	11.65
1100-4550-0000-2100-0000	HEALTH/DENTAL INSURANCE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1100-4550-0000-2150-0000	LIFE & DISABILITY INSURANCE	0.00	9,370.00	699.95	2,134.93	0.00	7,235.07	22.78
1100-4550-0000-2200-0000	FICA & MEDICARE TAXES	0.00	76,690.00	5,638.55	29,231.26	0.00	47,458.74	38.12
1100-4550-0000-2301-0000	RETIREMENT: MUNICIPAL	0.00	102,780.00	7,967.21	41,502.63	0.00	61,277.37	40.38
1100-4550-0000-2450-0000	TRAINING/LICENSES/DUES	0.00	9,600.00	60.00	3,077.99	0.00	6,522.01	32.06
1100-4550-0000-2600-0000	WORKERS' COMPENSATION	0.00	3,540.00	264.00	1,399.47	0.00	2,140.53	39.53
1100-4550-0000-3000-0000	LEGAL SERVICES	0.00	2,000.00	0.00	0.00	0.00	2,000.00	0.00
1100-4550-0000-3410-0000	SOFTWARE: SUPPORT/SERVICE/SUBSCRIPTI	0.00	11,030.00	135.00	9,484.35	0.00	1,545.65	85.99
1100-4550-0000-4110-0000	WATER	0.00	2,000.00	504.58	988.95	0.00	1,011.05	49.45
1100-4550-0000-4120-0000	SEWER	0.00	1,500.00	440.74	849.18	0.00	650.82	56.61
1100-4550-0000-4225-0000	LAWN CARE/SNOW PLOWING	0.00	20,500.00	2,201.00	6,716.00	0.00	13,784.00	32.76
1100-4550-0000-4300-0000	REPAIR/MAINTENANCE SERVICES	16,438.00	41,938.00	1,456.73	10,998.56	15,921.00	(3,435.83)	26.23
2022				0.00	0.00	6,765.13		
2021				0.00	0.00	14,000.00		
2020				0.00	0.00	(2,310.86)		
1100-4550-0000-4420-0000	RENTAL OF EQUIPMENT & VEHICLES	0.00	3,200.00	260.53	1,398.26	0.00	1,801.74	43.70
1100-4550-0000-5000-0000	OTHER PURCHASED SERVICES	0.00	15,900.00	1,978.79	6,121.08	0.00	9,778.92	38.50
1100-4550-0000-5300-0000	COMMUNICATIONS	0.00	2,470.00	207.88	1,043.45	0.00	1,426.55	42.24
1100-4550-0000-5335-0000	INFORMATION ACCESS	0.00	6,900.00	0.00	2,780.00	0.00	4,120.00	40.29
1100-4550-0000-5400-0000	ADVERTISING	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0.00
1100-4550-0000-5800-0000	TRAVEL	0.00	17,150.00	597.50	3,500.20	0.00	13,649.80	20.41
1100-4550-0000-5875-0000	MILEAGE	0.00	1,250.00	107.42	834.54	0.00	415.46	66.76
1100-4550-0000-6000-0000	OFFICE SUPPLIES	0.00	2,500.00	52.77	942.36	0.00	1,557.64	37.69
1100-4550-0000-6100-0000	GENERAL SUPPLIES	0.00	20,000.00	975.47	9,991.13	0.00	10,008.87	49.96
1100-4550-0000-6220-0000	ELECTRICITY	0.00	87,910.00	3,327.70	44,511.76	0.00	43,398.24	50.63
1100-4550-0000-6230-0000	BOTTLED GAS	0.00	1,230.00	197.65	3,126.34	0.00	(1,896.34)	254.17
1100-4550-0000-6240-0000	FUEL OIL	0.00	2,500.00	0.00	1,291.48	0.00	1,208.52	51.66
1100-4550-0000-6260-0000	GASOLINE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1100-4550-0000-6400-0010	BOOKS/PERIODICALS/AUDIO/VISUAL SUPPL	0.00	50,000.00	3,615.74	17,576.17	0.00	32,423.83	35.15
1100-4550-0000-7500-0000	FURNISHINGS, SMALL TOOLS & EQUIPMENT	0.00	35,000.00	89.37	6,490.23	0.00	28,509.77	18.54
Total Dept 4550-0000 - LIBRARY		16,438.00	1,531,178.00	106,520.66	598,783.28	34,375.27	898,019.45	39.11
Expenditures		16,438.00	1,531,178.00	106,520.66	598,783.28	34,375.27	898,019.45	39.11
Fund 1100 - GENERAL FUND:								
TOTAL EXPENDITURES		16,438.00	1,531,178.00	106,520.66	598,783.28	34,375.27	898,019.45	
Current Year Exp.				106,520.66	598,783.28	15,921.00		
Prior Year Exp.				0.00	0.00	18,454.27		

Lebanon Public Libraries Trustee Accounts

Balance Sheet

As of May 31, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Citizens Bank - Carter Trust	0.00
Citizens Bank - Charter Trust	0.00
Ckbk MSB #926522757	0.00
Main MSB Checking Acct 773	13,548.79
Petty Cash - Lebanon	75.00
Petty Cash - West Lebanon	75.00
Salomon Smith Barney (deleted)	
CD Lane Dwinell 6.5% 2/23/01	0.00
CD-Budget Carryovr 6.5% 2/23/01	0.00
SSB Money Funds Cash Port A	0.00
Total Salomon Smith Barney (deleted)	0.00
Total Bank Accounts	\$13,698.79
Other Current Assets	
Amount Due Leb Libraries Found	0.00
Total Other Current Assets	\$0.00
Total Current Assets	\$13,698.79
Other Assets	
Long Term Assets- Other	
Savings Account MSB 5568114	86,490.94
Total Long Term Assets- Other	86,490.94
Total Other Assets	\$86,490.94
TOTAL ASSETS	\$100,189.73
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	0.00
Total Accounts Payable	\$0.00
Total Current Liabilities	\$0.00
Total Liabilities	\$0.00
Equity	
Net Assets	118,110.04
Opening Bal Equity	0.00
Unrealized Gain / Loss	0.00
Net Income	-17,920.31
Total Equity	\$100,189.73
TOTAL LIABILITIES AND EQUITY	\$100,189.73

Lebanon Public Libraries Trustee Accounts

Profit and Loss
January - May, 2023

	TOTAL
Income	
Interest Income -	3,205.33
Other Income	4,395.15
Total Income	\$7,600.48
GROSS PROFIT	\$7,600.48
Expenses	
Books/Subscr/CD/DVD/Tapes	4,024.32
Budget Deficit	14,360.97
Community Relations	310.99
Education/Staff Development	2,073.00
Entertainment	550.91
Miscellaneous Exp	46.99
Office/Operating Supplies	2,177.70
Postage/Delivery	64.37
Professional Fees	84.00
Programs	527.60
Repairs/Maintenance	609.94
Web Hosting/Domain Fees	690.00
Total Expenses	\$25,520.79
NET OPERATING INCOME	\$ -17,920.31
NET INCOME	\$ -17,920.31

Ideas for projects & collections for foundation fundraising

- Grounds beautification and better functionality for programs
 - Kilton
 - Wood fired oven; \$5,000 construction cost, ongoing cost for firewood \$1,000 annually
 - Fairy Ring of stones to do storytime around \$2,500
 - Edible landscape (12 blueberry bushes) \$1,000
 - Abenaki preservation garden \$500
 - Riser/platform and awning for performers and patrons, include furniture and electrical work \$7,500
 - Lebanon
 - Plant something nicer along the walkway \$2,000
- Turn a meeting room into a studio for voice recording, maintaining the functionality of a regular meeting space \$5,000
- Laptop Recycling Program; \$3,000 annually
 - Older used laptops will be purchased and IT staff will install user friendly Linux on them.
 - Patrons in need will be given a laptop.
 - IT Staff will provide support for the laptops.
 - 10-15 laptops
- Eliminate the non-resident fee, no access to Libby; \$15,000 annually
- Transform the unadorned, newly insulated corner in Lebanon at the children's entrance to a parent's corner with parenting collections and comfy seating. \$5,000
- Some major improvements to the Kilton Children's room \$10,000
 - sensory wall
 - endcap decorations
 - Installation of interactive furniture
- Parking expansion at Kilton Library and additional community garden beds. Cost includes acquisition of neighboring property, demolition of home, design of new space, and implementation; \$500,000 cost for the entire project, some of which would be borne by the City of Lebanon

- Add to the print and digital collections budget; \$10,000, ongoing annual commitment needed to fundraise this amount
 - Music Library – non-digital collections
 - Periodicals such as The Financial Times, The Economist, The Paris Review, International periodicals as an adjunct to the foreign language collection
 - Additional funding for the Cool Stuff collection

Laptop Donation Program Proposal

Jaki Frisina & Ron Houk

Introduction:

Access to technology is essential in today's society. However, not everyone can afford to buy a laptop. People caught by this digital divide may experience difficulty participating fully in educational, work, and/or personal activities. To bridge this gap, we are proposing a laptop donation program at the library to provide laptops to people in need.

Background

Previously, we had a laptop lending program, and patrons could borrow laptops to take home for a set period of time. Unfortunately, the majority of our laptops did not make it back to the library. This indicates a need that is greater than staying in good standing at the library.

Although the library currently has laptops for in-house use, there are patrons who struggle to make it to the library due to various transportation, childcare, or other schedule issues. These patrons would benefit from having a laptop at home.

Program Description:

The program will involve purchasing refurbished laptops in excellent condition, installing Linux on them, and distributing them to people who cannot afford to buy their own. We'll be using Linux because it is a secure, reliable desktop that offers free upgrades and generally works well with aging hardware. The laptops will be preloaded with essential open-source software and basic educational resources to aid the recipients' learning and help them become more self-sufficient.

Budget:

With an overall budget of \$3,000, we would be able to purchase 10-15 laptops at \$200-300 per laptop.

Program Impact:

This program will have an impact on our community, especially on low-income families, students, and seniors who cannot afford to buy their laptops. By providing them with free laptops, we will enable them to access online educational resources, apply for jobs, and access healthcare and other vital services. This program will contribute to equalizing the amount of time people must spend on accessing information and completing everyday tasks.

Conclusion:

We are seeking \$3,000 to launch a laptop donation program at the library to provide laptops to people in need. We believe that this program will have a significant impact on our community by bridging the digital divide and promoting equal opportunities for all.

Notes:

[A similar program in Massachusetts was recently in the news](#)

Lebanon Public Libraries Public Comment Policy

A. General Meeting Policy:

1. Meetings of the Board shall be open to the press and public.
2. The Public has no guaranteed right to speak per RSA 91-A:2. However, in the interest of encouraging public participation, The Board will provide opportunity for members of the public to provide input and comment at Board meetings consistent with the meeting and participation rules as described below.
3. This policy sets forth the standards and meeting rules that apply to the public in attendance at Board meetings and the opportunity for the public to provide comment at Board meetings.
4. These guidelines will be posted on the website of the Lebanon Public Libraries and hard copies will be available at meetings.

B. Opportunity for Public Comment:

The Board will provide the opportunity for members of the public to comment on library matters at all Board meetings. Exceptions to the public component periods may be made for emergency meetings or at meetings for which the sole purpose is to address one or more issues in a non-public session. If there will not be public comment available, this will be noted on the agenda.

In order to ensure that persons who wish to appear before the Board may be heard and ensure that the Board may conduct its business and meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings.

1. Members of the public shall not speak unless recognized by the Board Chair or other person presiding over the meeting ("Chair" shall apply to either in this policy).
2. The Board will generally schedule the public comment period at the start of the meeting, before the other agenda items.
3. The Board will provide a minimum of thirty minutes to hear general public comment. This period may be extended by a majority vote of the Board. If speakers do not fill the public comment period, the Board will move to table the remainder of the time until the end of the meeting. If insufficient speakers remain to fill the thirty minutes, the Board will close public comment.

4. Individual speakers will be allotted a maximum of three minutes per person, and each speaker will be permitted equal time. Each person may speak one time per meeting. Speakers may not relinquish allotted time to another speaker. The Board may at the outset of the public comment period increase or decrease the individual time limit for all speakers (maintaining at least thirty minutes in total). A member of the library staff will be the time keeper.
5. The Chair may recognize alternating Pro and Con speakers to an agenda topic in order to present multiple viewpoints.
6. The Board makes meetings accessible online in real time with meeting links included on the meeting notice. Although the Board will allow public comment remotely, attendance in person to offer public comment is highly encouraged. The Board cannot and will not assure that in all cases the technology will/can function adequately. If technological issues arise either before or during the meeting such that the comments are not reasonably audible at the meeting location, the Chair may terminate opportunity for remote public comment or terminate the speaker's comment period.
7. The Board will provide opportunity for written public comment for persons unable to attend the meeting. Written comments that meet the requirements of this paragraph and other provisions of this policy will either be (a) included in the materials publicly available at the meeting, (b) briefly described in the minutes (in the same manner as comments made in person), or (c) attached to the minutes. In the event that the full thirty minutes for public comment have not been exhausted, the Board may read the written comments aloud at the meeting on a first received basis until the comment period has expired. Written comments must be submitted at least three days prior to a Board meeting and shall be limited to 150 words. Anonymous written comments will not be accepted as part of public comment as meeting minutes must include the names of persons appearing at public meetings. Only one written comment is permitted per individual for each meeting.
8. In order to comply with the official minutes requirements, speakers shall identify themselves clearly for the record, stating their full names and their town/city of residence.
9. During the public comment period, an individual may offer comments on current agenda items only. In the interest of protecting personally identifiable information as well as other confidential information, comments (including complaints) regarding individuals, volunteers, or employees should be directed to the Chair, not in the public comment period.
10. Defamatory statements, comments threatening bodily harm, or other unprotected speech will not be tolerated.

11. Comments which do not adhere to the above provisions may be ruled out of order by the Chair.
12. Persons appearing before the Board are reminded that the public comment period is an opportunity for members of the public to provide their input to the Board but is not a question and answer session. Board members are without authority to answer spontaneously on behalf of the Board. Thus, in most instances, Board response, if any, will be deferred pending consideration by the full Board.

C. Meeting Disruptions.

The primary purpose of library board meetings is to conduct the business of the Board as it relates to policies, programs, and operations. While members of the public have the right to attend and offer input during the public comment period of meetings, they do not have the right to disrupt the meetings. Impermissible disruptions include but are not limited to:

- Shouting at any time or speaking while someone else has been recognized by the Chair
- Obstructing the view of others with posters or otherwise;
- Refusing to terminate public comment after that speaker's time has expired;
- Any other sustained or intentionally loud noises after the Chair has called for order; or
- Any other conduct intended to disrupt the meeting or person speaking.

If, after at least two warnings from the Chair, an individual continues to disrupt the meeting by words or actions, the Chair may direct the person to leave the meeting. Upon refusal, the Chair may request assistance from law enforcement officials to have the individual removed, with the potential for criminal charges.

Interruptions may result in a recess or, provided the thirty minutes for public comment has expired, adjournment of the meeting. The Chair may move to terminate the public comment period if the meeting is disrupted and a majority vote of the board would confirm the termination of the public comment period.

Contact Information:

The following contact information is provided to contact the Chair or the Board outside of Board Meetings:

ADD EMAIL AND/OR MAILING ADDRESSES HERE:

Policy Title	Responsible for reviewing? If changes are needed, a draft will be brought to the Trustees for approval	Last Updated	Next Review (no later than)	How often (minimum)	Notes
Alternative Work Arrangements Guide	Director, Deputy Director		11.2023	Annual review	
Alternative Work Arrangements Policy	Director, Deputy Director	11.22.22	11.2023	Annual review	
Arts Exhibits and Display	Deputy Director, Outreach & Programming Librarian	05.24.2016	6.2023	Every two years	Currently in progress
Bulletin Board Policy	Deputy Director	9.27.2016	9.2023	Every two years	
Child Safety Policy	Director, Youth Services Head, Deputy Director, Safety & Security Committee	9.27.22	9.2023	Every year	Currently in progress
Chromebook Policy (in house)	IT Librarian and Systems Librarian	8.1.2017	8.2023	Every two years	
Circulation Policy	Deputy Director	11.22.22	1.2024	Annual review	
Confidentiality Policy	Management Team	4.26.2016	7.2023	Every 3 years	
Interlibrary Loan Policy	Management Team	11.24.2015	10.2023	Every 3 years	
Kilton Exhibitor's Contract	Deputy Director, Outreach & Programming Librarian	?	3.2024	Every 3 years	Currently in progress
Complaint Policy	Board of Trustees	12.2022	12.2024	Every 2 years	
Library Appendix to the City of Lebanon Handbook	Director, Deputy Director, Management Team, Board	3.28.23	3.2024	Annual review	Ongoing
Materials Selection Policy	Management Team	9.27.2022	9.2024	Every 2 years	
Meeting Room Policy	Management Team	3.2022	3.2025	Every 3 years	
No Trespass Policy	Management Team	4.2022	7.2023	Annual review	
Outreach Policy	Deputy Director, Outreach & Programming Librarian	1.22.2013	10.2023	Every 3 years	Currently in progress
Overdue Fine Policy	Now part of the Circulation Policy				
Parental Leave Policy	Director, Deputy Director, Board	11.23.21	11.2024	Every 3 years	
Programs Policy	Outreach & Programming Librarian, Youth Services Head, and Management Team	3.28.23	3.2026	Every 3 years	
Public Access Internet Policy	IT Librarian and Systems Librarian	11.26.2013	10.2023	Every 3 years	
Reference Policy	Deputy Director with the Management Team	09.29.2020	9.2023	Every 3 years	
Rules and Regulations	Director, Management Team, and Safety & Security Committee	3.28.2017	9.2023	Every 5 years	

Policy Title	Responsible for reviewing? If changes are needed, a draft will be brought to the Trustees for approval	Last Updated	Next Review (no later than)	How often (minimum)	Notes
Safety Policy and Procedures	Director, Management Team, and Safety & Security Committee	9.27.2022	9.2023	Annually	
Service Animal Policy	Deputy Director	7.26.2016	9.2023	Every 5 years	
Social Media Policy	Outreach & Programming Librarian, IT Librarian, Systems Librarian and Management Team	2.25.2014	10.2023	Every 3 years	

TO: Sean Fleming, Director, Lebanon Public Libraries

FROM: C. Christine Johnston

DATE: June 1, 2023

RE: Library Regulations and Barring Patrons from Library

You have requested that I review the Library's policies, including the general regulations and the no-trespass policy. I have made some comments and recommendations on the no-trespass policy document and have included below an explanation for those recommendations as well as an explanation for information I believe should be added to the general regulations.

The fundamental issue with library access is that it is protected by the First Amendment to the US Constitution. Obviously, the First Amendment protects freedom of speech. However, the US Supreme Court has determined that the First Amendment necessarily protects not only the right to distribute information and ideas, but also the right to receive them. See, e.g., Stanley v. Georgia, 394 U.S. 577, 564 (1969); Martin v. City of Struthers, 319 U.S. 141 (1943). This right "includes the right of some level of access to a public library, the quintessential locus of the receipt of information." Neinast v. Board of Trustees of Columbus Metropolitan Library, 346 F.3d 585, 591 (6th Cir. 2003); see also Doe v. City of LaFayette, 377 F.3d 757, 763 (7th Cir. 2004); Kreimer v. Bureau of Police, 958 F.2d 1242, 1255 (3rd Cir. 1992).

Whenever the government seeks to regulate conduct protected by the First Amendment, the first question is whether the location is some kind of "public forum" where a certain amount of First Amendment activity must be permitted. Not every governmental property is a public forum. Some property (such as the police station) is used in the conduct of public services but is not open to the public to use for free expression. At the other end of the spectrum are places which are traditional open public forums, such as parks and commons, where the public has long gathered to express itself. In the middle are "designated" or "limited" public forums, which are places that the government has opened for some First Amendment activity but not all such activities. Courts that have considered library policies have tended to conclude that libraries are designated or limited forums, open for some First Amendment activities, but not all of them.

Because a public library is open to the general public as a designated or limited public forum, the library does not have unfettered discretion to decide who may come in and who may not. Kreimer, 958 F.2d at 1260. However, clearly-stated policies and rules can be used to place some constitutionally-permissible limits on what people can do there. The key is to determine what the purposes of the library are and which activities are permitted there in furtherance of those purposes. Without some explanation of those things in a use policy, it can be very difficult to defend a decision to remove someone from the library based on their conduct.

The reason this is important in the library context is that the restrictions placed upon people's access to the library (which is protected by the First Amendment) need to meet one of two tests:

- A. If a person is engaging in one of the stated purposes of the library, restrictions on their behavior will only be constitutional if those restrictions do not discriminate based on viewpoint, are narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication of the information otherwise obtainable in the library. See Cox v. Louisiana, 379 U.S. 356 (1965). It is reasonable to conclude that there is a significant governmental interest in creating and maintaining a library that is conducive to all patrons exercising their First Amendment right to receive information. Therefore, policies regulating behavior in the library should be tailored to that purpose so that they are not substantially broader than necessary. See Ward v. Rock Against Racism, 491 U.S. 781 (1989). Policies must also contain adequate standards to guide any officials who are making decisions in the implementation of the policy to prevent arbitrary decision making. See Thomas v. Chicago Park Dist., 534 U.S. 316 (2002).
- B. If a person in the library is engaging in some other activity that is not among the stated purposes of the library, restrictions on their behavior should pass muster if they are reasonable and are not an effort to suppress expression merely because library officials oppose the speaker's view. See Kreimer, 958 F.2d at 1262.

The library's policies should include a clear statement of the purposes for which it is open. If patrons are not provided with an understandable explanation of the conduct which is not acceptable, it will be very difficult to defend a decision to remove them from the library for violating the policy. For example, one library in Massachusetts included the following statement: "The Library is intended to provide a place for selecting materials, reading, researching, studying, writing, and attending library or community-sponsored programs and meetings." Lu v. Hulme, 133 F.Supp.3d 312, 326 (D.Mass. 2015). This, in turn, allows the library to explain in a clear manner that activities which either (1) are not part of the intended purposes for the library, or (2) impede the ability of other patrons to use the library for its intended purposes, are prohibited. In the Lu case noted above (a lawsuit brought by a patron who was excluded from the library), the court noted that the library policy clarified that the library was not open to all forms of First Amendment-protected activities, but rather only to facilitate the specific types of activities for which libraries are well-suited. As a result, the library was not required to permit the full range of expressive conduct that is available in other types of public forums. They were obligated only to permit the exercise of rights that were consistent with the nature of the library and consistent with the government's intent in designating the library as a public forum.

The policy must also include avenues for appeal (i.e., due process, which you have noted is among the Library's concerns). The No-Trespass Policy does this very well. I have offered a few suggestions in the document but on the whole I believe the process is fair and understandable. I do suggest, however, that there be a reference in the general regulations to the No-Trespass Policy so that patrons understand there is more than one policy which applies and they will be able to find what their appeal options are.

When a person is removed from the library or not permitted to return for some period of time, it is also necessary to provide some alternate channel by which they can access library services. This might take the form of electronic access to materials, allowing them to reserve material online and come in only to pick it up, or a requirement that the person make an appointment to be in the library so that they can be monitored for compliance with the policies. There is not a tremendous amount of case law to guide us on what an acceptable alternative would be. However, if a person is going to be barred from the library for any significant length of time really, anything longer than a week or two), a court is very likely to require that the library make reasonable efforts to provide alternative access of some sort.

Finally, with respect to the No-Trespass Policy, it is doubtful that a patron can be permanently banned from the Library. I have been unable to find any legal support for a permanent ban and I very strongly advise that this not be done.

Buildings and Grounds Issues

report generated on Jun 15, 2023

Fix the compost situation at Kilton

In progress

1. make additional bins
 - Assigned to:

Kilton Basix hvac controls system is five years past end of life

Done

1. get a quote from Alliance to replace with Niagara
 - Assigned to:

Kilton lights are out at above copier and front desk

To do

1. schedule the work
 - Assigned to:
2. ask Defiance Electric to replace the bulbs
 - Assigned to:

LAN rooms need separate key

Done

1. Completed 6/5/23. Jaki and Ron each have a key and one key is in the key boxes at both libraries.
 - Assigned to: amy.lappin@leblibrary.com

VT Life Safety inspection found issues to address at Kilton

We need storage in the staff room at Kilton

To do

1. purchase storage for bathroom
 - Due on: Jan 07, 2023
 - Assigned to: ken.louzier@leblibrary.com
2. move the lockers from the staff bathroom
 - Due on: Jan 28, 2023
 - Assigned to: ken.louzier@leblibrary.com

both key boxes need to be cleaned up

In progress

1. On Amy's calendar to complete
 - Assigned to: amy.lappin@leblibrary.com

burning bush needs to be removed at Leb Library

To do

1. talk to Kate about removal
 - Assigned to:

carpet square coming up in the Leb Teen room

To do

1. glue it down
 - Assigned to: ken.louzier@leblibrary.com

circular stairway needs better grip

To do

1. measure stairs to be able to order the tape
 - Assigned to: ken.louzier@leblibrary.com
2. Put tape down on stairs (Ken has tape)
 - Due on: Apr 01, 2023
 - Assigned to: ken.louzier@leblibrary.com

Done

1. Talk to contractor about sand tape options
 - Assigned to: ken.louzier@leblibrary.com

conduit outside the Tech Services entrance at Kilton is inadequately sealed

To do

1. cap it
 - Assigned to: ken.louzier@leblibrary.com

curb cut needed on Bank St by Lebanon Library for handicapped space

In progress

1. take pictures of area and send to DPW
 - Assigned to: amy.lappin@leblibrary.com

delay in lights coming on in the Kilton public restrooms

To do

1. Possible solution - have all the lights come on when someone enters the bathroom?
 - Assigned to:

embankment by ADA entrance at Leb needs to be seeded

In progress

1. Creighton Landscaping will be doing this work - including topsoil, seeding, hay. Est. \$900
 - Assigned to: amy.lappin@leblibrary.com

emergency exit door is rusting at Kilton

To do

1. Rust remover and paint
 - Assigned to: ken.louzier@leblibrary.com

exterior steel rusting at Kilton

To do

1. Make sure this is part of the painting contract, or that it gets done by library staff
 - Assigned to:

front stair treads at Kilton are in need of repair

In progress

1. get recommendations for contractor
 - Assigned to: ken.louzier@leblibrary.com

get an outside lockbox for both buildings

In progress

1. ordered from Amazon.
 - Assigned to: amy.lappin@leblibrary.com

growth on the membrane roof at Kilton

To do

1. contact Rodd Roofing about a maintenance program
 - Assigned to: ken.louzier@leblibrary.com

hvac building mgmt system is not operating correctly, not cycling heat pumps, and/or not showing what is really happening

To do

1. find out why the Alliance work on the controllers didn't fix our issues
 - Assigned to:

mowing and plowing/shoveling at Kilton needs to be reworked

To do

1. go out to bid/get quotes
 - Assigned to:
2. find out if DPW can take over mowing
 - Assigned to:

need better signs for water main in basement at Kilton

Done

1. put it up
 - Assigned to: amy.lappin@leblibrary.com

need to move table from Damren Room to Kilton staff room

need to mulch around the community garden beds

To do

1. schedule the work
 - Assigned to:

Done

1. find a company to do the work
 - Assigned to:
2. get the phone number from Ken's contact person
 - Assigned to:

need to test for radon at Leb Library

In progress

1. Bill from Upper Valley Radon will be conducting the test from Monday, June 12 - Thursday, June 15, 2023
 - Assigned to: amy.lappin@leblibrary.com

old Honeywell system at Leb is operating the hot water system, complicating the Niagara controls migration

To do

1. discuss with Alliance

- Assigned to:

one community garden bed needs to get fixed

To do

1. clamp and reinforce corners
 - Assigned to:

paint the exterior of Kilton

To do

1. schedule the work
 - Assigned to:

Done

1. contact George Hadlock in the spring 603-448-7645
 - Due on: Apr 10, 2023
 - Assigned to:
2. find out when Hadlock intends to do the work
 - Assigned to:
3. sign contract with Hadlock painting
 - Assigned to:
4. contact contractors
 - Assigned to:

panel is popping off on woodwork by bus stop

Done

1. find contractor to do the work
 - Assigned to: ken.louzier@leblibrary.com

parking lot at Kilton is getting cracks

prevent the pickup shed from rotting at Kilton

To do

1. shim the base up
 - Assigned to:

problems with lights at Kilton

To do

1. find out if there is grant money from the IRA available
 - Assigned to:
2. The lights sometimes will not come on/stay on in the patron areas - fix this.
 - Assigned to:
3. Eliminate the delay that occurs between flipping the switch on all overhead lights in patron areas and when they finally come on.
 - Assigned to:

In progress

1. get pricing from Green Mountain Electrical Supply/Andrew Hatch/Teddy
 - Assigned to:

Done

1. determine what bulbs we have in the fixtures Eric was looking at
 - Assigned to: ken.louzier@leblibrary.com
2. determine cost for upgrading lighting to LED, improving the entire lighting system
 - Assigned to:

put a data port on the YA room side of the wall off of the CR office at Kilton

Done

1. talk to Odie
- Assigned to:

radiators spitting at Leb Library

To do

1. contact an hvac co before the winter heating season
- Due on: Sep 30, 2023
- Assigned to:

roof drains need to be cleaned at Kilton

To do

1. schedule the work
- Assigned to: ken.louzier@leblibrary.com

roof leak showing on beams Tracy St side of Kilton
sink drips in Kilton staff bathroom

In progress

1. schedule Mark from Twin State Plumbing to do the work
- Assigned to:

stripe the parking lot at Kilton

To do

1. find a contractor to get the work done
- Assigned to:

switch over to safety outlets in the Damren Room

To do

1. schedule the work
- Assigned to:

Done

1. get a quote from Defiance Electric to get the work done
- Assigned to:

ugly end of self-check desk needs to be fixed at Kilton

To do

1. find contractor to do the work
- Assigned to: ken.louzier@leblibrary.com

using too much electricity at Kilton

To do

1. make sure we receive final report
- Assigned to:

Done

1. get quote for further work from RBG

- Assigned to: