



Dedham Public Library

Massachusetts

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Tracy Driscoll, Chair
Rachel Tuerck
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Brad Bauer
Monika Wilkinson

DPL TRUSTEES MEETING MINUTES	
NOVEMBER 4, 2013, MAIN IN THE HISTORY ROOM 9:21A.M.	
MEETING CALLED BY	DPL Trustees
TYPE OF MEETING	Special Meeting
CHAIRMAN	Tracy Driscoll
SECRETARY	Cecilia Emery Butler
ATTENDEES	Brad Bauer, Cecilia Emery Butler, Rachel Tuerck, Tracy Driscoll, Monika Wilkinson
PUBLIC ATTENDEES	Mike Chalifoux, Rosemary Shrewsbury, Elizabeth Martin with The Dedham Times

The November 4, 2013 special meeting of The Dedham Library Board of Trustees was called to order at 9:21 a.m. by Chairperson Ms. Driscoll.

1. **PUBLIC INPUT:** Mr. Chalifoux commented I realize Town Meeting will be discussing the Charter; the Library Director should be hired by the HR department. The Trustees have lost her contract, HR should do the contract. By doing this the Trustees still have the

ability to set up the search committee and hire and review the Library Director. He then added that DLIT (Dedham Library Innovation Team) has filed their 990 report, no money has been donated to the library. No fundraising events were listed on the report. The computers that were donated to the library were not listed on the report. He stated that four members of the Trustees are members of DLIT. Ms. Wilkinson responded that DLIT does not have a membership; several Trustees support DLIT as well as the Friends and the Library. Ms. Driscoll replied that an attorney should do the contract. Mr. Bauer added it was Town Hall who lost the Library Director's contract on two occasions.

2. **Minutes of Sept 30:** No discussion Mr. Bauer made the motion for approval, Ms. Wilkinson 2nd. Mr. Bauer, Ms. Driscoll, Ms. Wilkinson, and Ms. Tuerck voted for approval. Ms. Emery Butler did not vote she was not at that meeting.
3. **Minutes of October 17:** Ms. Emery Butler commented that when the vote is not unanimous you have to state who voted which way. Mr. Bauer made the motion for approval with adding the members who voted each way, Ms. Wilkinson 2nd, all present voted for approval
4. **Financial Report:** Mr. Bauer commented that we still do not have the end of year fiscal report; we know what our budget was and what we spent. Ms. Shrewsbury responded that sections of the New World Program are not up to date. State Aide is up to date.
5. **Old/ New Business:** Ms. Driscoll stated that our next item is for tonight Mini Town Meeting, she has no concrete direction what other departments are taking. We are the only department that has State Laws that support us. Mr. Bauer stated that his wife Ms. Bauer has spoken with a member of Parks and Rec, they have no plan. He then added that some Town Meeting Members do not want the Town Administrator to have any more power. We should not confuse items. Mr. Bauer would lobby for a no vote on Article Nine. We want the library kept separate for Freedom of Speech. Towns the same size as Dedham all 23 of them have the same reporting structure as Dedham currently. We need to be careful about not confusing them. Ms. Wilkinson added we have been working on this for six weeks and for most Town Meeting Members this will be the first time they will hear it. Ms. Tuerck has made up a slide showing the current chain of command, as well as a slide showing the new chain of command if approved. Ms. Driscoll commented that HR is now in charge of all these people, how do we make it very clear. Ms. Wilkinson then stated that Article Nine is very flawed. Mr. Bauer suggested that we have a single sheet of colored paper and list the reasons why we want it to stay this way and signed by the Trustees who support it, Freedom of Information Act. Ms. Emery Butler added not very many people attend the Mini. Ms. Wilkinson responded with there are many issues in the Warrant this year and more members will show up. What are the four reasons that would convince others to support our position asked Mr. Bauer. Ms. Driscoll then added she doesn't understand

how the Home Rule Charter can supersede Mass General Laws. Mr. Bauer then commented why libraries should be separate. Ms. Tuerck suggested that we need to keep it short and sweet. Mr. Bauer then added the goal is a no vote on Article Nine. Ms. Driscoll then added that Article Nine is flawed because there was no outside input. Ms. Wilkinson commented that the new Charter puts too many decisions in the hand of the Town Administrator. Ms. Tuerck then added the ALA (American Library Association) supports the freedom of information act enacted 1966, the Mass General Laws were enacted in 1890, we should follow the MBLC (Massachusetts Board of Library Commissioners) recommendations, and Article Nine is flawed. Ms. Driscoll then commented that we need to keep the library separate. Ms. Tuerck then added, if you are going to be the manager, and be responsible for a person's evaluation, you should have day to day contact for observations. Ms. Tuerck stated the new Charter, no one thought through the increased responsibilities for the Town Administrator. Many questions unanswered, many unusual questions. Mr. Bauer then added the library should be independent of the Town Administrator. Ms. Tuerck then made the statement that this entire process has made me more articulate as to why we should do this. Ms. Emery Butler left the meeting at 10:32 am. Ms. Driscoll made the motion to adjourn at 11:35 a.m., Ms. Tuerck 2nd, all present voted to adjourn.

Respectfully submitted,

Cecilia Emery Butler

Attachments:

Agenda

Financial Report

Warrant Article Nine

Future Meetings:

Nov.14 Thursday 7:00 p.m. Endicott

Dec. 9 Monday 9:15 a.m. Main History Room.

P.S. These minutes were approved as written on 12-9-13

ARTICLE NINE: *By the Board of Selectmen.* To see if the Town will vote, to the extent that the Town takes positive action under Article 3, to authorize the Board of Selectmen to seek special legislation to further amend the Town Charter to make the Town Administrator the appointing authority for all department head-level positions, regardless of title, and further by providing that the Town Administrator shall supervise all positions so appointed with respect to day-to-day performance in accordance with personnel by-laws and policies, and if applicable, contracts or collective bargaining agreements, by making the following revisions:

Section 4-2(b) – delete the text thereof and revise to provide as follows:

(b) (1) To appoint for periods not in excess of five years, subject to the provisions of the civil service laws and of any collective bargaining agreements as may be applicable, all department heads, directors, principal deputies or principal agents of multiple member bodies other than those under the jurisdiction of the School Committee, and officers, and positions for which no other method of appointment is provided in this Charter; provided, however, that the Town Administrator shall consult with the appropriate elected or appointed multiple member body prior to hiring a department head, director, principal deputy or principal agent for a particular department. Subject to the provisions of the civil service laws and of any collective bargaining agreements as may be applicable, all appointments made hereunder shall be for employment “at will” provided they may be for periods not in excess of five years, and shall become effective on the fifteenth day following the day on which notice of the appointment is filed with the Board of Selectmen, unless, within that period, the Board of Selectmen by a vote of at least three of its members shall vote to reject such appointment, or, has sooner voted to affirm it. Copies of the notices of all such appointments shall be posted on the Town Bulletin Boards when submitted to the Board of Selectmen.

(2) To suspend or remove, any person appointed by the Town Administrator under Section 4-2(b)(1), provided, however, that if such person is the department head director, principal deputy or principal agent for a department for which policy is set by an elected or appointed multiple member body, the Town Administrator shall, except in circumstances in which the best interest of the Town require immediate action, first consult with such body with respect to such suspension or removal. The decision of the Town Administrator in suspending or removing any person appointed by the Town Administrator shall be final

Section 4-2(c) – Insert the following as a new subsection (c), and renumber the remaining sections of said Section 4-2 accordingly:

(c) The Town Administrator shall supervise and direct all appointed department heads, directors, principal deputies, and principal agents of elected and appointed multiple member bodies with respect to day-to-day performance, in a manner consistent with the Town's personnel by-laws and policies, and, if applicable, contracts or collective bargaining agreements, and shall, in connection therewith, provide for an annual review of such department heads, directors, principal deputies and principal agents with respect to day-to-day performance, either with or without the respective multiple member body.

Section 3-10(c), Parks and Recreation Commission, Powers and Duties – delete section in its entirety (which section authorizes Commission to appoint and remove Director of Parks and Recreation)

Section 6-7 – Delete in the first sentence the words, “except as otherwise provided herein”.

And that while the Board of Selectmen shall hereby be authorized to determine the proper form of the bill prior to submission to the General Court, such bill shall include a so-called “voter acceptance” provision requiring that prior to taking effect any amendment approved hereunder and enacted by the General Court be presented to the voters of the entire Town at an election; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto. *Referred to Finance Committee for study and report.*