

MEETING OF THE
BOARD OF LIBRARY TRUSTEES
JUNE 25, 2015

MINUTES

Call to Order

Chairperson Heather Calvin called the meeting to order at 7:05 pm. Attending were trustees Adam Delmolino, Kathy Fennelly, Diane Gordon, Barbara Muldoon, Frank Murphy, and Joyce Radochia. Also attending were the library director, Andrea Nicolay, Town Counsel, Doug Heim, and the president of the Friends of Fox, Hilary Rappaport.

Town Counsel Doug Heim (Winfield Robbins Art Prints)

Attorney Heim gave a Power Point presentation on the Robbins Art & Print Trust Funds, which provided an overview of the history of the creation of the trusts, and permissible uses for the proceeds. According to Attorney Heim, the language used in relation to the prints does apply to other forms of donated art.

The original trust, established in 1893 by Winfield Robbins, began with his gift of books, prints, framed portraits, engravings, and other forms of art. A gift of \$25,000 provided for the "care, preservation, and increase of my collection of prints." Caira and Ida Robbins increased the original collection of approximately 130,000 and cared for collection; provisions of Winfield Robbins will provided that disbursement of the interest of the fund and supervision of the collection should be under the sole control of Caira Robbins. In 1949 Ida Robbins' will provided an additional \$30,000 to library in trust for prints; the library could spend only the income generated by the funds.

At present, Arlington does have clear title to these funds, and an obligation to oversee and provide for the increase, care, and preservation of the collection. Limitations upon Use of Funds: The collection consists of approximately 150,000 prints and other pieces of art, some of which are on permanent loan. While some have value, the majority have only modest artistic significance and value. Current value of the print funds is approximately \$575,000.

The trustees asked Attorney Heim to review the potential uses of the funds as well as actions the board and the town of Arlington could take in order to make better use of the large amount of money tied up in funds with limited allowable uses.

One possible avenue for freeing up the funds is through the use of the Cy Pres Doctrine, which Attorney Heim described to the board. There are two legal issues: did Winfield, Ida, and Caira Robbins have a charitable intent, and if so, if the income can no longer be used for original purposes (frustrated purpose) would the court

allow the funds to be used for the next best use. If the attempt were successful Attorney Heim said that the money would go to the library, not to the town.

The legal process would involve the following steps:

1. Place a warrant for annual Town Meeting asking its approval to dispose of the collection;
2. Donate, sell, or otherwise dispose of the print collection in its entirety;
3. Allow a "Friendly Suit" in probate court pursuant to MGL c. 214 sec. 3 (10)
4. Include or work through the Attorney General's office;
5. If Probate Court allowed, then funds would be available for another library purpose.

Ten citizens could both initiate the warrant article and begin the "friendly suit." Donation, selling, etc. would be the least risky part of the process.

Before we can take any action, we need an updated evaluation of the collection. Ms. Nicolay and Attorney Heim will consult the Attorney General's office and look into options.

Security of Special Library Materials

Ms. Nicolay has spoken with previous Robbins Library directors and with Nancy Gentile about additional steps the library can take to safeguard our art collection. Ms. Gentile had previously recommended a new lock on the room storing some prints, and the board voted funds in a previous meeting for that purpose. She will be putting together a comprehensive proposal for FY 2016 which will be ready for the August meeting.

Trustees asked if we need to do anything now other than the new lock, and Ms. Nicolay said no, not at this time.

Approval of Minutes

The board read the minutes of the May meeting. Ms. Fennelly moved approval, with the correction of a typographical error, and Ms. Radochia seconded the motion. The board unanimously approved the corrected minutes.

Communications

There were no communications.

Community Time

Ms. Calvin asked the Friends of Fox representative, Hilary Rappaport, if she wished to comment at this time but she said that she was here for the agenda item about a proposed change of hours at Fox Library, later on the agenda.

Election of Officers

The nominating committee, Ms. Fennelly and Ms. Radochia, presented the following slate of officers for consideration for FY 2016: Chairman: Diane Gordon; Vice

Chairman: Adam DelMolino; Trust Fund Liaisons: Barbara Muldoon and Frank Murphy. The board unanimously approved the slate.

Director's Report

The director reviewed the highlights of the Director's Report for Late May and Early June, including staff attendance at the upcoming American Library Association conference in San Francisco, the hiring of a new part time technology librarian, Barbara Andrews, and a progress update on the RFID project.

Summer reading programs will be running for all ages.

Ms. Nicolay has met with Diversity Taskforce of Vision 2020 for preliminary planning for the community read, Arlington Reads Together.

She will have more information at the August board meeting.

Staff Development Day

The Town Manager, Adam Chapdelaine, is supportive of a staff development day but would like to keep Fox open on that day, so that some library services are available to the town. Ms. Nicolay noted that since everyone cannot go to conferences, this is an opportunity to do something for all staff. This will take place in the fall.

Ms. Fennelly moved to approve a staff development day, and Ms. Gordon seconded the motion. The board unanimously approved the motion.

Fox Branch Library Hours

Mr. Delmolino, who is the trustees' liaison to the Friends of Fox, and Ms. Nicolay went to the Friends of Fox meeting last month. The Friends would like to fund Saturday hours (9 – 5) at the Fox Library.

Two main questions arise: union issues/staffing and sustainability.

The trustees discussed the latter issue. Mr. Delmolino said that the Friends of Fox proposed funding Saturday hours at Fox for three years with funds from The Little Fox. The trustees discussed what, if any, proof would be necessary for the Friends to provide that they are able financially to honor this commitment. Additional data will be gathered. The Town Manager is aware of this proposal.

We will not be voting on this until the August board meeting at the earliest.

Ms. Nicolay reported that she looking at a possible shift in Wednesday hours at Fox hours from current hours of 12 – 8 back to the previous hours of 12 – 9. Keeping the Fox open until 9 would allow accessible adult programming at Fox. The director has met with Fox staff about this potential shift. If this were to be done from September to January on a pilot basis no union issues would be involved. Staff indicated that they are willing to go along with the shift, although it is more comfortable to get out at 8. An important consideration is the impact on patrons. Currently the Fox is very busy at 12:00, another important reason why we want to do this on a trial basis. An alternative solution would be to keep the current hours and to extend an extra hour occasionally for programming.

Mr. Delmolino moved to shift the hours at Fox Library from 12 – 8 to 1 – 9 from September 2015 to January 2016. Ms. Fennelly seconded the motion and the board unanimously approved the motion.

Foundation Liaison Update

Ms. Fennelly, liaison to the Foundation, said that the members at their recent meeting discussed their annual report, town day assignments and the big news that the website, Arlington Libraries Foundation.org, finally went live. A board member of the Foundation is doing all the social media (Linked-In, Facebook, etc.)

Friends Liaison Updates

Mr. Delmolino reported on the Friends of Fox meeting under another agenda item. Mr. Murphy had a discussion with Steven Gilligan, Town Treasurer, Richard McElroy, Treasurer of the Friends of Robbins, and Sally Naish, the President of the Friends of Robbins about possibility of setting up trust funds.

Unanticipated Items

There were no unanticipated items.

Date of Next Meeting

The next board meeting will be August 11.

Adjournment

The board moved to adjourn at 9:15 pm.

Respectfully submitted,

Joyce H. Radochia
Secretary Pro Tem.

Materials Distributed:

- Meeting agenda
- Robbins Print Collection Overview
- May 2015 Meeting Minutes
- Late May/Early June 2015 Director's Report
- Projected Saturday Staffing Costs for Fox Branch Library