

April 28, 2022

Hello Trustees,

Before beginning, I want it to be clear that I speak only for myself. I do not speak on behalf of the Friends or anyone else.

Part of my duties as Director of the Library is to act as consultant to the Library Board. I find it difficult to express myself in a clear manner when conversations turn contentious and I was not able to do so at our last meeting. I have decided to write this letter to state my thoughts in opposition to the motion passed at the April 27, 2022 meeting in which the Library Board of Trustees is requiring the Friends buying agent (myself) to furnish the Library Board Financial Officer (FO) with copies of any vouchers submitted to the Friends. In addition to opposition to the motion itself, I am also concerned about the manner in which the vote was conducted,

Here is where you will please excuse me as I harken to the strains of "*autonomous entity*" and "*not subject to oversight*" and "*unethical coercion*". Maybe a *request* would be more suitable, because Friends and their members are not subject to Library Board oversight.

Firstly, I have questions about the validity of the vote on this motion. Having an ultimatum with threats of resignation if the measure did not pass, voiced before the vote was taken, would seem to me to nullify the vote as there is no way to know who was responding out of coercion or because they agreed with the value of the motion. There was no call to order or even a point of order made. The vote should not have continued under those conditions.

Secondly, I am surprised to find that we are again so worried about the overseeing of the Friends. I thought this issue had been laid to rest and I am trying to get to the crux of all this for a solution to emerge.

For clarity, this is my understanding of the situation. We have new members on our Board who are not acquainted with the Friends and their operations and raise valid questions to be answered. Until recently, there had been no memo of understanding in place between the two organizations to help out new arrivals and the current memo of understanding does not cover all situations. As time goes by more show up. As we see here, right now.

Regarding the need for the motion of April 27:

Questions asked by board members about the current relationship and financial practices between Friends and the Library are below and, in my understanding, these are the situations that have been put forth as reasons to justify increased scrutiny of Friends.

1. The Friends buying agent uses Library accounts and, there is concern that in some future time the Friends might not cover their bills making the Library liable for the loss, or the possibility of misuse of accounts which would result in liability for the library or its Board.

2. The Library FO states that the Friends budget report does not provide adequate information for him to judge the appropriateness and validity of Friends donations to the library. FO further asserts this information is crucial to the fulfillment of FO duties required by By-Laws.

My thoughts on this are that it is preferable to find solutions to concerns. In the situation of the account use, a stop-gap measure of more scrutiny does not alleviate the concern. Sitting down, discussing concerns and workability, developing a situation amenable to all is preferable to legislation and looking over shoulders to make sure.... As one who has long been familiar with Friends practices, I believe the scenario of Friends causing any liability to the library or board is highly unlikely. To make any policy based on this assumption or some other random future condition that "might come into existence" is ill advised.

Sorry for the cliché here, but we are "here now", we need to keep our "now" running smoothly and that must be the point of any policy. We don't need one more bit of busy work just to satisfy a curiosity with time on its hands, or to jump through hoops of fruitless and petty regulations that are there purely for the purpose of "making sure that" ... It's wasteful and time consuming. There is bigger and more compelling work to be done, and time is precious. The Friends don't need more review or to supply info...enough is enough ...their info is out for all to see or for the asking. Exactly what more is needed and is the trade-off in time justified? And who's time are we talking about here anyway??

The Library Board for the 22 years I have been here has always operated in good faith with the Friends and this is not meant to indicate that the current Board does not. Historically, the Board has always known about and approved of the Friends use of Library accounts and have never recommended changes to extant procedures. If this had been included in the memo of understanding then there would be no concern. It needs to get added. The Friends have never mis-used any account, defaulted on any bills or needed review by the Library Board, all this through at least 3 changes of Friends administration. They have a time-tested procedure that seems to work well for them. This is the first time any of this has been called into question. Why? I don't know. I believe that clarity on this should be added to the Memo of Understanding, so this will not come up again because it's embarrassing to ask the Friends to justify themselves more than they already do.

Friends don't need more review. They have never been a liability to the Library, just the opposite. They have helped bolster our services when funds were tight, donated so many items of value to our patrons and community, are a great public face of good cheer, and we repay them by asking to see their books just to be sure they won't be putting US in legal or monetary jeopardy? Maybe the Friends don't mind. But I do. It's not my way. It's tasteless to me, and the over reach is ethically inappropriate, more so because they have a competent Treasurer who puts out timely reports to anyone who asks. Their reports satisfy the NYS Comptroller's Office. What more information does the Financial Officer need to convince himself and the Board that the Friends are operating correctly where the library is concerned. What other special information is required that is not already given. Friends don't need increased library board review and I am surprised that the FO, with his considerable experience in Friends administration, cannot speak to the veracity of their operations and instead opts to insist on initiating and promoting policies of further scrutiny by the Library Board. I am not in agreement with this approach nor with the claim that it is "necessary". It's clearly over-reach into autonomous territory and should not be supported.

Secondly,

While I am Director of the Library, I also serve separately as buying agent for the Friends. Here, if a misunderstanding exists, I would like it to be made clear. **My work for the Friends is independent from my role as Director of the Library.** My work for the Friends is volunteer and is done outside of my Library Director work hours. My work for the Friends should in no way be included in evaluating my performance as Library Director. It is a separate job whose purpose is not to run the library, but rather to purchase appropriate materials for the Friends to donate. Friends donate widely to many organizations, not just the Library. .

I am not being contentious when I state that my work for the Friends does not fall under the oversight of the Library Board. In this position I answer to the Friends. Further, I am only a member of the Friends and do not serve in any decision making or representational capacity.

As such, when asked, It is not the place of the buying agent to decide whether or not to share Friends records with anyone but the Friends Treasurer. Sharing records would be to violate several privacy considerations and furthermore would create a situation that reeks of ethics violations. In other words, it stinks and no one wants to go there! With all due respect, the Friends buying agent has no authorization to do as you ask. If the Library Board feels that it **MUST** have Friends records, requiring the buying agent to furnish them is not the correct approach, the request has to go to Friends Treasurer. And it needs to be formal.

I am not sure you realize the scope of what you are requesting, and the level on which you are interacting. There are strong protocols involved in the sharing of Financial records. We are a small community where the lines between personal and professional can blur if we are not careful. We are not talking to Linda and Rich, our old friends. We are transacting government business. We are asking an autonomous entity to provide us with their records to review for the weakest of reasons and we look impertinent in the way chosen to request it. Friends' accounts are open information. But wanting to examine, in detail, their paperwork is an entirely different matter. Why are we doing this? In this light it looks petty. Who wants to write the letter to the Treasurer?

The Library should never appear to carry out it's business in haphazard manner. Protocols should be observed. Friends deserve the courtesy of framing this so-called "need of the board" (is it really?) as a *formal request*. Moreover, we have no right to do anything other than to ask respectfully in a formal letter to the Friends Treasurer. Letter should list exact info required, why you need it, and to what purpose will it be used. For those wishing to be informed on liability, one is responsible for the security of any information given, there are consequences for misuse of supplied information and if you store Friends records , or even library records on any computer, that computer and ALL the data it contains personal or otherwise, is liable for discovery (examination) should those records be subpoenaed for any reason.

Asking for records of an autonomous entity is an official action by the Board and should be in the public record along with Friend's response. After 911, the proper legal protocol for requesting records was drummed into our library staff heads as the specter of an information subpoena from homeland security loomed. Luckily it never materialized, at least not here.

A written request (at minimum) is always required. Casual conversation does not suffice. You may think that I am making too much out of all this, and to that I would say we need to do what is right and in a professional manner and sometimes this can feel like a very slow turning carousel of procedure. But, the slow turn does give one time to rethink actions.

Actually, when I think of everything involved in getting this info, I wonder if its worth it. Do we need it that badly? I think not. It is clear over reach. I think this entire issue should be dropped. In the by-laws FO is only required to review, not do in depth bookkeeping or perform an audit.

Then, to address the issue of account use. If the concern is deemed serious enough to warrant increased scrutiny, I believe some sort of in-person conference should be made with the Friends to adequately address Board concerns about shared accounts and to reach a clear consensus on how to proceed in the future making increased oversight unnecessary. This would be more effective than looking over shoulders for years to come.

Every time this “oversight” question comes up, I feel deeply that it is not the right approach. It feels like going too far beyond what is really necessary. There is no incentive to engage rather a demand to comply. Feels like micro-management, like Big Brother. Why?

My kids taught me that I couldn’t control everything and stay sane. Our reach has limits in whatever professional role we play. It is our duty to set and acknowledge healthy, workable and realistic limits. I suspect that the moving force behind all this has less to do with the Friends and is actually more about confusion about what the limits are in general, and I am sorry this confusion is happening.

There is much to be said about the necessity of setting and respecting healthy limits and the consequences of not doing so, the value of professional procedure, and the lack. It is a small thing that I am making big, because there’s a bigger principal involved here, one I feel strongly about. A bad precedent is being set not just in policy but in modus operandi and I feel that in good conscience I should point this out in the hopes of keeping us on our currently productive path.

In summary, this letter stands as my response to recent attempts to increase scrutiny of Friends records and to oppose the manner in which the vote on this matter was conducted. It is not an attempt to reprimand or create factions, just the opposite. Again, I am only allowed to offer council and it is my opinion that this endeavor should be dropped, I have no power to compel or wish to do so.

As is your right, you can do what you feel is best for the Library as a whole. But...really... when all is said and done, shouldn’t we be celebrating our gifts instead of examining this gift horse’s teeth?

Sincerely,

Alma Alvarez, Director

Town of Chester Public Library