2015

LIBRARY DIRECTOR EVALUATION – CAROLYN KARWOSKI

GENERAL STATEMENT

In May of 2014, four (4) new board members of a five (5) member library board were duly elected. From the inception of the board transition the library director's relationship with the new library board has been strained and has continued to rapidly deteriorate to the point where the majority of the board believes that the library director/library board is beyond repair.

CUSTOMER SERVICE & COMMUNITY RELATIONS

- Level of patron satisfaction – **patrons seem generally satisfied with the level of service at the library; the children's department seems to be a strong point managed by Denise Lyle.**
- Customer service received by patrons – **patrons seemed general satisfied with the customer service they received.**
- Consistent application of policies that affect public – **Fair application of policies**
- Services are communicated to the public effectively - **Needs Improvement**
- Working relationships and cooperative arrangements with government officials, community groups and organizations – **Poor ; library board members receive frequent complaints about lack of engagement and follow-up by the Director; failed to engage the community groups throughout the budget process and budget vote; no engagement with community groups**
- Awareness of community needs – **seems wholly unaware and indifferent to community need to be involved, engaged and informed about library happenings despite constant direction given by board members. Examples are lack of engagement of community volunteers and the community need for transparency and information regarding all library meeting and budget information**
- Mechanisms are in place to hear from patrons and the community-at-large – **Board members have received complaints about the lackof follow-up when contacting the library to address concerns**
- Library is being marketed to community – **The marketing of the library generally is a strong point. However, the marketing of special library events i.e the budget hearings and the budget vote were very poor.**

ORGANIZATIONAL GROWTH

- The library is making progress on its long-range plan (LRP) – **Unknown. Library Director has failed to give a recent report.**
- Services to meet the goals and objectives of the LPR are carried out with the staff and trustee involvement – **Unknown. Library Director has failed to communicate status of LPR**
- Goals and objectives are evaluated regularly – **Unknown. Library Director does not appear to have a LRP even informally . There seems to be a lack of global thinking on behalf of the library director**
- Creativity and initiative are demonstrated in creating new services/programs – **FAIR**

Received as to receipt only
C. Karwoski 6/29/15

ORGANIZATIONAL GROWTH, CONTINUED

- Collection is responsive to community needs – **No evidence submitted either way; not sure if any analysis has been done**
- The library is responsive to changes in the community - **No evidence submitted either way; not sure if any analysis has been done**
- Staff are aware of the library's long-range plan, policies and activities - **No evidence submitted either way; not sure if any analysis has been done**
- There is a working knowledge of significant developments and trends in the field - **No evidence submitted either way; not sure if any analysis has been done**
- Building and grounds are kept up and needed repairs and maintenance are done on a timely basis

Comment: While the Board is aware that we hired an expert to assist with the LPR, the Board expects that the Library Director would have an informal plan that she is using until a permanent LPR is adopted. If the Library Director has such a plan,it has not been articulated to the Board. The Library Director seems to be operating more like a department head rather than the head of the organization.

ADMINISTRATION & HUMAN RESOURCE MANAGMENT

- Work is effectively assigned, appropriate levels of freedom and authority are delegated: **Department heads seem to be available to work independently and have the authority to run their departments effectively**
- Job description are developed; regular performance evaluations are held and documented; **Board is unaware of any employee evaluations that the library director has done**
- Personnel policies and state and federal regulations on workplaces and employment are effectively implemented – **Fair**
- Policies and procedures are in place to maximize volunteer involvement – Poor. **No efforts have been made to maximize the volunteer roster despite constant urging by the Board. Failed to use volunteers to Go Out the Vote campaign for even menial task such as handing out flyers etc.**
- Staff development and education is encouraged. **Unaware of training of staff members**
- Staff understand how their role at the library relates to the mission. **Unaware of the staff knowledge of the library director's mission**
- Library climate attracts, keeps, motivate a diverse staff of top quality people. **Yes, this is a strong point for the library.**

FINANCIAL MANAGEMENT/LEGAL COMPLAINCE/FUNDRAISING

- Adequate control and accounting of all funds takes places; library uses sound financial practices: **Poor: Despite constant consultation by the board, Director fails to obtain comparative pricing in many instances, make purchases without board approval and makes hires and gives pay increases without board approval.**

- Budget is prepared with input from staff and trustees; the library operates within budget guidelines. **Poor: The budget process proved to be very challenging. Inaccurate information and poor planning on the Director's part required the Board to have at least 3 special meetings to get to a final product that could be presented to the public. The Director seemed detached from the process and attempted to rely on board members and consultants for constant guidance on budgetary issues.**
- Official records and documents are maintained, library is in compliance with federal, state and local regulations and reporting req uirements (such as annual report, payroll withholding and reporting, etc). **Unaware of status at this time. Director has not reported back on these issues.**
- Positive relationships with government, foundation and corporate funders are in place **Needs improvement**
- Positive relationships with individual donors is established. **Unaware of status at this time. Director has not reported back on this issue.**
- Funds are disbursed in accordance with budget, contract/grant requirements and donor designations. **Poor: Due to lack of proper preparation to present items within a timely fashion to the board, items are sometimes in jeopardy of not being paid on time. Also, better budget planning is needed, particularly for fixed expenses.**

BOARD OF TRUSTEE RELATIONSHIP

- Appropriate, adequate, and timely information is provided to the board: **Poor: Despite the fact that the Board has consistently requested that information be provided to the respective committees and the Board prior to placement on the Agenda, the Director still places items on the Agenda that have never been presented to the Board prior to placement on the Agenda.**

  The information often provided to the Board is not accurate and Board members constantly have verify the information provided to the Board by the Director. This is particularly prevalent during the budget preparation and budget vote processes.

- Support is provided to board committees **Poor: With regard to the Budget and Finance Committee, the Director relies heavily on the board members to do the work rather than properly utilize her support staff to present sound competent financial information to the committee.**

  With regard to the Election Committee, the Director failed to properly engage the Committee in the election process. Despite constantly being told by the Board President to engage Trustee Davis in election process, the Director failed to do so.

- The board is informed on the condition of the organization and all important factors influencing it. **Poor: The Director seems to operate with her own set of priorities and fails to follow-up properly items that the Board have indicated were Board priorities.**

BOARD OF TRUSTEE RELATIONSHIP COMMENTARY

In May of 2014, four (4) new board members of a five (5) member library board were duly elected. From the inception of the board transition, the library director's relationship with the new library board has been constantly strained and has continued to rapidly deteriorate to the point where the majority of the board believes that the library director/library board relationship is beyond repair.

Below is a list of circumstances which illustrate the library director/library board relationship and which the Board will seek to employ the appropriate disciplinary actions, up to and including termination:

(1) On the first night of the new board induction, the Director presented her choice of Assistant Director candidate for board approval. She failed to mention that the candidate was her personal friend who lived in Connecticut. She also failed to inform the Board that she failed inform the Board that she failed to interview a very active community member for the position. These failure caused a very embarrassing public backlash from the community.

(2) On or about June 10, 2014, the Board of Trustees were presented with a handbook written by Jerry Nichols. At the time, the Director indicated that it was an excellent resource for the new Board to use as a guide. The Board agreed and all parties understood that in the absence of a newly adopted board resolution the Handbook would control.

In July of 2014, the Board President was informed from the City Civil Service Department that the Director had given a $10,000.00 raise to the Chief Account Clerk who had been advised by Civil Service Board that the raise must be approved by the Board.

Upon investigation, it was discovered that the Library Director and the Chief Account Clerk had conspired to circumvent the Board to give him a $10,000.00. The Board advised the Library Director that the board must approve all salary increases. This is based on the following found in our Trustee Handbook:

A. On page 22, under the Fiduciary Responsibility section, it states that "ALL expenses must be approved by the Board at a legally held meeting."
B. On page 23, under the Personnel section, it states "According to Education Law Section 226 all personnel actions must be approved by the Board of Trustees at a legal meeting." It means that the Board means that the Board creates all positions, establishes salaries, and formally appoints the staff upon the recommendation of the director.
C. Labor Resolution adopted 4/16/14 states that the Board of Trustees is responsible for staff negotiations.

The Board of Trustees advised the Library Director that it viewed her actions as a serious, perhaps criminal, breach of trust and that it set a very negative tone for our dealings with her. She had been also just been admonished in her 2014 review by the previous board for

the same actions. The Board indicated that she would receive a written reprimand and other possible disciplinary action the Board deemed necessary.

(3) Director continues to hire staff and give pay increases without board approval despite admonishments in the above section 2 above and reprimand in 2014 Director's review.

(4) Director failed to take control and ownership of the 2015-16 budget process. Her staff provided the Board with several incorrect budget proposals which required the Board to schedule several budget meetings and ultimately required the budget vote to be pushed back from its original date. The Director seemed to blame the Board for the delays.

(5) Director failed to make adequate preparations for the budget vote. Failed to adequately inform the public of the upcoming vote and failed to present a proposal to the board for doing so. Failed to adequately engage the community to inform them of the vote by using volunteers, attending community meetings and scheduling several information sessions. Also, during the last week prior to the election the Director used the time to be off-site at conferences rather than promote the vote and/or do outreach.

(6) Director still fails to inform the Board of her vacation time unless despite previous reprimand in her 2014 evaluation by the previous board.

(7) Director failed to be prepared for the May 2015 regularly board meeting on time despite being told in advance that the meeting needed to start on time because we would lose a quorum due to other engagements. After failing to be prepared for the meeting, the Director informed the Board of her availability to attend a Special Meeting necessitated by her failure to be prepared.

(8) Director failed to be prepared for the Special Meeting of May 28, 2015. Many errors in the financial information, etc. Director has consistently defended administrative staff despite their poor work product.

(9) Director takes compensatory time without board approval unbeknownst to the board until recently. This action is not sanctioned by the Board or in the Handbook.

(10) Director disobeyed a direct order from the Buildings and Grounds Committee to refrain from ordering furniture until it could examine all its options to restore existing furniture.

(11)Director has failed to complete several tasks that the Board have indicated were a priority

(12)Director puts her personal schedule and priorities ahead of the library. For example, she always indicates her availability for special board meetings even when she and her staff are responsible for the need of the special meeting. Moreover, her focus seems to be more on her own professional development than the needs of the library.

MOUNT VERNON
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WWW.MTVPL.ORG

July 11, 2016

Carolyn Karwoski
42 Longview Avenue
Stamford, Connecticut 06905

Dear Ms. Karwoski:

Please find enclosed a copy of your 2016 annual performance evaluation. As you know, you were directed to attend a meeting to discuss this evaluation on June 20, 2016 and you refused to appear without explanation. This evaluation will now be a part of your personnel file and you will be given 30 days from the date of this letter to provide a written response.

As always, if you have any questions, comments or concerns, the Board remains open to communication and will meet with you at a mutually convenient time to discuss your 2016 annual evaluation. Please contact me at 917-597-1270 with questions. Thank you for in advance for your cooperation in this matter.

Very truly yours,

Brian G. Johnson
Chairman of the Personnel Committee
Mount Vernon Library Board of Trustees

Oscar Davis, Jr.
Acting President

I have rec'd the document attached to this letter
C. Karwoski
7/11/16

2016 LIBRARY DIRECTOR EVALUATION – CAROLYN KARWOSKI

GENERAL STATEMENT

As stated in the evaluation the Library Director received from the Board on June 29, 2015, the library director's relationship with the library board has been strained and has continued to rapidly deteriorate to the point where the majority of the board still believes that relationship with the library director/library board is beyond repair. In fact, the library director has been entrenched in her defiant attitude toward the Board as a whole and paints the Board in a negative view to outside entities and internal employees. Most recently, the Library Director refused to attend a meeting to discuss this evaluation scheduled by the Personnel Chairman and President on June 20, 2016 at 5:30PM and failed to give any reason as to why she refused to attend.

CUSTOMER SERVICE & COMMUNITY RELATIONS

- Level of patron satisfaction – **patrons seem generally satisfied with the level of service at the library; the children's department seems to be a strong point.**
- Customer service received by patrons – **patrons seemed generally satisfied with the customer service they received. However, complaints about the circulation have not been dealt with and no corrective actions or discipline has been done to offending employees to the board's knowledge.**
- Consistent application of policies that affect public – **Fair application of policies**
- Services are communicated to the public effectively - **Needs Improvement**
- Working relationships and cooperative arrangements with government officials, community groups and organizations – **Poor; library board members receive frequent complaints about lack of engagement and follow-up by the Director; She failed to engage the community groups throughout the budget process and budget vote as instructed by the board; no engagement with community groups (2016) Failed to recognize or know the Westchester County Community College public relations liaison; also, failed to establish a relationship with a key community group, the Fleetwood Neighborhood Association, despite frequent requests from Board members; failed to schedule a budget vote meeting with this organization despite several directives to do so.**
- Awareness of community needs – **seems wholly unaware and indifferent to the fact that the community needs to be involved, engaged and informed about library happenings despite constant direction given by board members. Examples are lack of engagement of community volunteers and the community need for transparency and information regarding all library meeting and budget information.**
- Mechanisms are in place to hear from patrons and the community-at-large – **Board members have received complaints about the lack of follow-up when contacting the library to address concerns; Board members still receive complaints that follow through on important funding opportunities are almost missed regularly; almost lost 5-6 summer jobs for youth due to almost missing deadline but for board intervention.**
- Library is being marketed to community – **The marketing of special library events i.e the budget hearings and the budget vote were very poor.**

ORGANIZATIONAL GROWTH

- The library is making progress on its long-range plan (LRP) – **Recent report provided to the Strategic Planning Committee for its review and consideration.**
- Services to meet the goals and objectives of the LPR are carried out with the staff and trustee involvement – **not applicable at this time**
- Goals and objectives are evaluated regularly – **Aside from the draft long range plan, there does not seem to be any global thinking taking place. No plans have been presented to deal with the very critical need to address customer service issues.**
- Creativity and initiative are demonstrated in creating new services/programs – **FAIR**

ORGANIZATIONAL GROWTH, CONTINUED

- Collection is responsive to community needs – **No evidence submitted either way; not sure if any analysis has been done; Director failed to provide any evidence of community interaction, such as attendance to daytime programming as frequently directed by board.**
- The library is responsive to changes in the community - **No evidence submitted either way; not sure if any analysis has been done.**
- Staff are aware of the library's long-range plan, policies and activities - **No evidence submitted either way; not sure if any analysis has been done.**
- There is a working knowledge of significant developments and trends in the field - **No evidence submitted either way; not sure if any analysis has been done.**
- Building and Grounds are kept up and needed repairs and maintenance are done on a timely basis. **Director failed to adequately address the Building and Grounds issues until the Board propose and recommended a consultant to analyze the day-to-day Building and Grounds.**

  Comment: While the Board is aware that we hired an expert to assist with the LPR, the Board expects that the Library Director would have an informal plan that she is using until a permanent LPR is adopted. The Library Director has just submitted a strategic plan to the Board.**(2016)**

ADMINISTRATION & HUMAN RESOURCE MANAGMENT

- Work is effectively assigned, appropriate levels of freedom and authority are delegated: **Assistant Director would frequently complain about the Director's lack of work ethic and that the Director would give her most of the administrative tasks to do. Department heads seem to be available to work independently and have the authority to run their departments effectively. However, the Board has received some troubling reports that the Director has made decisions without consulting the department heads.**
- Job descriptions are developed; regular performance evaluations are held and documented; **Board is unaware of <u>any</u> employee evaluations that the library director has done for any employee despite repeated requests.**
- Personnel policies and state and federal regulations on workplaces and employment are effectively implemented – **Fair. However, there needs to be a sexual harassment nor a**

hostile workplace policy in place and there is currently no sexual harassment or hostile work place training.

- Policies and procedures are in place to maximize volunteer involvement – **Poor. No efforts have been made to maximize the volunteer roster despite constant urging by the Board. Failed to use volunteers to Go Out the Vote campaign for even menial task such as handing out flyers etc.**
- Staff development and education is encouraged. **Unaware of training of staff members**
- Staff understands how their role at the library relates to the mission. **Unaware of the staff knowledge of the library director's mission**
- Library climate attracts, keeps, motivate a diverse staff of top quality people. Unaware that this has been analyzed recently.

FINANCIAL MANAGEMENT/LEGAL COMPLIANCE/FUNDRAISING

- Adequate control and accounting of all funds takes places; library uses sound financial practices: **Poor: Despite constant consultation by the board, Director fails to obtain comparative pricing in many instances, make purchases without board approval and makes hires and gives pay increases without board approval. (2016) Despite Board approval continues to use out of state vendors.**
- Budget is prepared with input from staff and trustees; the library operates within budget guidelines. **Better than 2015, but Board was still presented with a budget with errors.**
- Official records and documents are maintained, library is in compliance with federal, state and local regulations and reporting requirements (such as annual report, payroll withholding and reporting, etc). **The Director's 2015 evaluation went missing; The Board requests contracts and other documents that were not provided. Director has not reported back on these issues. Records are often unorganized and misplaced.**
- Positive relationships with government, foundation and corporate funders are in place **Needs improvement (2016)**
- Positive relationships with individual donors is established. **Unaware of status at this time. Director has not reported back on this issue.**
- Funds are disbursed in accordance with budget, contract/grant requirements and donor designations. **Poor: Due to lack of proper preparation to present items within a timely fashion to the board, items are sometimes in jeopardy of not being paid on time. Also, better budget planning is needed, particularly for fixed expenses.**
- **Very little fundraising done; Director failed to maximize the Westchester Library System fundraising efforts by posting her own solicitations two days before the end of the campaign.**

BOARD OF TRUSTEE RELATIONSHIP

- Appropriate, adequate, and timely information is provided to the board: **Poor: Despite the fact that the Board has consistently requested that information be provided to the respective committees and the Board prior to placement on the Agenda, the Director still places items on the Agenda that have never been presented to the Board prior to placement on the Agenda. (2016)**

Topic

Director Evaluation - 2014

Customer Service & Community Relations

- **Highlights**
  - Patron satisfaction has improved overall
  - Service changes have been communicated to public effectively
  - Awareness of community needs (e.g. computer classes, changes to CyberCorner, fiction room re-openin etc.)
- **Areas of Concern**
  - Marketing
    - Communications to patrons needs improvement; email is a particular point of pain
    - Dissemination of monthly calendar to newspaper outlets
  - Patron Policies
    - Require reassessment and/or better advertisement
      - Example: Code of Conduct - too small to see when entering building from Second Avenue Entranc
  - Community Outreach
    - Most outreach is heavily focused on budget vote
    - More outreach to church groups (including synagogues), the Wartburg and local businesses
      - Start holding SCORE seminars or counseling sessions here!

Organizational Growth

- **Highlights**
  - Good working knowledge of significant developments and emerging trends in the field of librarianship
  - Improvements under Dormitory Grant
    - Examples: moving security scanners to rotunda area, stairs, doors, etc.
- **Areas of Concern**
  - Long range planning
    - Board has made several attempts to get this plan (to no avail)
    - Board was invited but not provided information (in particular, preliminary ideas from staff)
    - **This must be a priority**!
  - Building Maintenance & Upkeep
    - Overtime issues should have been addressed months ago
    - Staffing Plans should be implemented post-haste
      Examples: Emergency FT cleaner, demotions and terminations
  - Hiring Decisions
    - Mostly made without board consideration
      Examples: Children's Librarian, Promotion w/in Children's
    - Director's role should be recommendations to the board first

Administration & HR Management

- **Highlights**
  - Staff development and training is encouraged
  - Staff has better understanding of how their roles affect the library's mission
- **Areas of Concern**
  - Staff Autonomy
    - More monitoring by department heads is needed
  - Performance Evaluations
    - None given by department heads to their subordinates
    - Counseling memos are not used effectively for staff discipline

Financial Management, Legal Compliance & Fundraisir

- **Highlights**
  - Compliance with federal reporting have been kept up to the present
    What about seeking an extension to filing the 990? Juan should be taking care of this.
  - Better relations with government funders (specifically the mayor and WLS)
- **Areas of Concern**
  - Accounting Controls
    - Hudson Valley Bank - BoT does not receive regular statements (i.e., during board meetings)
    - Check card concerns could have easily been dealt with via PayPal and PayPal Debit Card
  - Budget Preparedness
    - Perception that budget is always a work in progress

Board of Trustee Relationship

- **Highlights**
  - Director reports have been presented clearly in meetings
- **Areas of Concern**
  - Hiring decisions communicated after appointment
  - Vacation time not communicated beforehand to prepare for sudden changes
    Example: Christmas leave not communicated; end of year checks almost went unsigned!
    - Scheduled vacation time should be given to the board for the rest of the year
  - Access to Director's Office
    - Cut off by maintenance
    - Chase USB left in an insecure location (supply room)

Director's Evaluation Date: 1/20/16

Levels: Poor, Fair, Good, Excellent

Customer Service & Community Relations

• Level of patron satisfaction	Good
• Customer service received by patrons	Excellent
• Consistent application of policies that affect the public	Fair
• Services are communicated to the public effectively	Fair
• Working relationships and cooperative arrangements with government officials, community groups and organizations	Good
• Awareness of community needs	Good
• Mechanisms are in place to hear from patrons and the community-at-large	Fair
• Library is being marketed to the community	Fair

Comments:

Organizational Growth

• The library is making progress on its long-range plan (LRP)	Good
• Services to meet the goals and objectives of the LRP are carried out with staff and trustee involvement	Good
• Goals and objectives are evaluated regularly	Poor
• Creativity and initiative are demonstrated in creating new services/programs	Good
• Collection is responsive to community needs	Good
• The library is responsive to changes in the community	Good
• Staff are aware of library's long-range plan, policies and activities	Fair
• There is a working knowledge of significant developments and trends in the field	Excellent
• Building and grounds are kept up and needed repairs and maintenance are done on a timely basis	Poor/Fair

Comments:

Administration & Human Resource Management

• Work is effectively assigned, appropriate levels of freedom and authority are delegated	Fair
• Job descriptions are developed; regular performance evaluations are held and documented	Poor
• Personnel policies and state and federal regulations on workplaces and employment are effectively implemented	Good
• Policies and procedures are in place to maximize volunteer involvement	Fair
• Staff development and education is encouraged;	Excellent
• Staff understand how their role at the library relates to the mission	Good
• Library climate attracts, keeps, and motivates a diverse staff of top quality people	Fair/Good

Comments:

Financial Management / Legal Compliance / Fundraising

• Adequate control and accounting of all funds takes place; library uses sound financial practices	Poor
• Budget is prepared with input from staff and trustees; the library operates within budget guidelines	Good
• Official records and documents are maintained, library is in compliance with federal, state and local regulations and reporting requirements (such as annual report, payroll withholding and reporting, etc.)	Fair
• Positive relationships with government, foundation and corporate funders are in place	Excellent
• Positive relationships with individual donors is established	Fair
• Funds are disbursed in accordance with budget, contract/grant requirements and donor designations	Poor

Comments:

Board of Trustee relationship

• Appropriate, adequate, and timely information is provided to the board	Fair
• Support is provided to board committees	Good
• The board is informed on the condition of the organization and all important factors influencing it	Good

Comments:

Additional Comments:

Overall Approximate Level: Fair/Good

1/16/16

Response to evaluation:

I disagree in principle with the content of this evaluation. I was told at the meeting in June that this was not a formal evaluation. I asked for verification on what kind of response was needed and why question went unanswered, which is why I choose to respond with a the letter.

- Library services are communicated to the public via email, flyers and well as postings within the library. We continue to add patrons to our email list. The library also has a Facebook and Twitter account, where programs and services are posted. Programs and services are also on the website and we have a Welcome to the Library Brochure and a children's library brochure that are given to new borrowers. This is an ongoing process.

- I disagree strongly to the idea that there is a lack of engagement with the community. I have worked hard to strengthen ties with local groups, including partnering with some of these groups, allowing use of the meeting room and meeting with other groups to discuss issues and involvement and partnering possibilities.

- I disagree strongly with the statement that I am unaware and indifferent to the community. This is not the case at all.

- I have worked to address complaints and concerns. I have met with users and talked with some over the phone and via email to address these kinds of issues.

- The library has been making strong progress on the strategic plan. This should be finished by March 1, 2016. The consultant, Alan Burger, has met and reported to the Board, and I have reported in my monthly report and answered questions about the progress by the Board.

- There were no adult and teen programs when I took over as Director. The only programs were a few children's story programs at that time. I have worked with children's, teen and adult staff to devise a variety of programming including, music, author, craft, plays, community speakers and a whole variety of programming for all ages at the library.

- When I arrived at the library, very few new materials were being purchased for the collection. The children's department had practically no DVDs in the collection and no new fiction materials including board books, series books and graphic novels. The adult library had no shelves to house new materials and was purchasing a small selection of non-fiction books using CL funds. The new fiction titles were mostly being purchased in paperback, including past bestselling titles. We have developed a popular reading collection that includes all the new bestsellers as they are published. New shelving was purchased to house the new materials and I have received many compliments from our users on the updates to the collection and all our new materials including the Blu-ray DVDs that have been added to the collection. Updates to the collection are now taking place on an ongoing basis including updating of reference resources and online databases. The library has added ABC-Clio African American database as well as

Hoopla, a database that includes films, music, audiobooks, e-books, and comics for the exclusive use by Mount Vernon library patrons. The library also has an Overdrive advantage program that has e-materials for the exclusive use by the library's patrons and supplements those available county wide through WLS. This alleviates long waits for e-books by library patrons. The library collections have improved and grown under my leadership, to better serve the users of the library by the community.

- The library is responsive to community changes and has added programs and services to reflect these changes. Changes to the community is reflective in the collection as well. For instance, the library has held information sessions for various community programs including the changes to the Affordable Care Act. Health navigators work with patrons at the library. We try to make sure that community posters for various events from non-profits are available in the library. One of the needs of the community is GED classes. To that end the library allows the Board of Education to hold these classes in the community room on a regular basis.

- The staff is well aware of the work we have been doing on preparing the strategic plan, aware of library procedures and policies. Staff meetings are held on a regular basis as are management meetings.

- I have a strong knowledge of significant developments in the field. I am a member of NYLA, ALA and PLA. I work with the county directors monthly at the PLDA meetings as well as through committees. I have repaired our standing with WLS and the public library directors. I attend the monthly PLDA meetings.

- I have an operating plan that I have shared with the Board.

- The use of volunteers has been ongoing. I have worked with Westhab job center to provide voluntary opportunities for clients in circulation and in maintenance. The library has utilized volunteers in the children's and teen areas and since the hire of an Assistant Director, more volunteers are being used on a regular basis. Many volunteers are also working here at the library for the Friends of the library as well. We will continue to develop the volunteer program. Volunteers need training and supervising and this is sometimes difficult with the number of staff that we currently have to perform these responsibilities.

- Staff development is always encouraged. Staff have attended conferences, workshops and have participated in webinars and collection development demos on an ongoing basis. WLS always have opportunities and training for library staff. WLS has also just hired a trainer who has been to the library to provided SIRSI training to staff. Opportunities are always available and I try to share notices with staff for training and encourage participation.

- The library director does not have a formal mission statement. The Library has a mission statement and staff are familiar with that statement. A copy of the statement is on the website.

- I have consistently obtained comparative pricing when necessary. The library has long established work with certain vendors. Since the new board wants 3 prices, we are trying to the best of our ability to get the comparative pricing unless it is on the state contract. The only purchase besides the day to day items, is the furniture which was purchased in budget and from

the state contract. I had no idea that there was discussion of not ordering furniture at one of the meetings, at the time of the furniture purchase.

- I only gave one pay increase that was promised. It was my mistake to do that without first seeking Board approval.
- The only hires that have been made in advance of board approval has been library aides. There was one instance of having a part time children's librarian start before approval because we needed that person to work because our part time children's librarians had all left at the same time. The Trustee Manual allows for this: "Often simple staff appointments such as pages or part time staff cannot wait until the next board meeting. In such cases retroactive appointments are commonly made.
- The budget was not prepared incorrectly. Both the treasurer and I worked very diligently on the draft budgets. We were continuously asked for additional financial information which was provided to the best of both our abilities. Some personnel costs for part time workers seemed to be a sticking point because it was hard to predict how many hours would be used for part time staff. I dispute a reliance on consultants for this process.
- Official records and documents are maintained and the library is in compliance with federal, state and local regulations. Clerical staff has spent much time in a total reorganization of these records in the past 18 months.
- Funds are disbursed in accordance with budget. Proper preparation is maintained. Expenses are only signed off by the Board on a monthly basis, which sometimes puts us behind in payments. I have been advocating for paying bills on a biweekly basis.
- I dispute that information is presented to the Board is not accurate. We do the best job we can in making sure this information is timely and accurate.
- I dispute that sound financial advice is not provided to the Board.
- I report to the board, once a month on the organization.
- The director and library staff did the best they could with the 2015 budget vote. Because of the date change and because the budget amount was late to be approved, it thru the process off. I did mail out information to the community and we had a community wide information session. I agree that improvements need to be made so that the process is more seamless and that more voter turnout is encouraged.
- I inadvertently did not inform the prior Board of my vacation week in 2013. That was my mistake. Since then I have informed the Board of my vacation time. I also inform Administrative Assistant Mary Harper of vacation and other time away from the library. This includes any meetings and events that I need to attend as Library Director.
- I do not take compensatory time off without Board Approval. I do not received compensatory time.

- I disagree and dispute statement #12. The library and serving the community is my number one priority. Any training or professional development only improves the organization.

Comments: I have a record of success as the library director for the Mount Vernon Public Library. When I took this job I was tasked with improving staff morale, work to get our 501©3 status back and win the first budget vote for the library.

Staff Morale has improved.

The 501©3 was restored retroactively. This saved the library a large tax bill if we had to pay corporate taxes.

Managed the 2014 budget vote which won by 77%.

Consultants are sometimes needed because their expertise is important to the success of the institution.

Managed a DASNY grant that had been languishing, unused from a prior administration. This grant enabled the library to replace the exterior doors that were in very bad shape. It also allowed for an update to the foyers on both the 1st and 2nd avenue entrances. It will contribute to replacing the community room doors.

Received a new construction grant to build a new children's bathroom.

Cleaned up the building of old signs. Added new signage throughout the building

Repaired the rusted shut children's emergency exit doors and replaced the lighting by the door that was broken.

Repaired the emergency exit doors on the main floor of the library.

Managed the relocation of staff office when the ceiling fell down. Managed the repair of the ceiling. Updated the administrative offices as well as the children's offices.

Did not try to hire a personal friend as Assistant Library Director. I worked with a committee of staff to interview selected candidates for the open position of Assistant Library Director. One of the candidates was a former colleague of mine in Stamford, CT. She was extremely qualified for the position, especially in the area of English as a second language and literacy. I did not push the committee to recommend her hire. It was a joint decision. She would have been an asset to the library. There are no rules on who is interviewed and the librarian from the community had recently been interviewed for another position.

Carolyn Karwoski

1/15/16

[EXHIBIT "A"]

December 12, 2016

Mr. Oscar Davis, Jr.
President, Board of Trustees
Mount Vernon Public Library
28 South First Avenue
Mount Vernon, New York 10550

Re: Letter of Resignation

Dear President Davis:

Please accept my resignation as Executive Director of the Mount Vernon Public Library, effective December 12, 2016.

Sincerely,

Carolyn Karwoski

Carolyn Karwoski

November 17, 2016

VIA HAND DELIVERY

Ms. Carolyn Karwoski
Library Director
42 Longview Avenue
Stamford, Connecticut 06905

Re: Amended Charges of Misconduct and/or Incompetence

Dear Director Karwoski:

Pursuant to the applicable provisions of the New York Civil Service Law, the Mount Vernon Public Library Board of Trustees ("Board"), on behalf of the Mount Vernon Public Library ("Library"), presents the following Amended Charges of Misconduct and/or Incompetence against you. As set forth below and in your capacity as Library Director, you have engaged in insubordination, committed multiple improper acts, and failed to adequately perform certain duties required by your position in violation of the rules and procedures set forth in the Board's Trustee Handbook ("Handbook"), the New York Education Law, the New York Public Officers Law, the Library's By-Laws, and the directives and resolutions of the Board; and, thereby, engaged in misconduct and/or incompetence as defined under Section 75 of the Civil Service Law ("Section 75"). Pursuant to Section 75, you have the right to a public hearing and representation with respect to these Charges as set forth below.

CHARGE ONE – GRANTING A SALARY INCREASE WITHOUT BOARD APPROVAL

You engaged in misconduct in violation of the Handbook's rules and procedures, the New York Education Law, and the directives of the Board on or about July 9, 2014, by granting Chief Account Clerk Juan Jaramillo a $10,002 salary increase without the permission or approval of the Board.

CHARGE ONE – SPECIFICATION

The Trustee Handbook states that "[a]ll expenses must be approved by the [B]oard at a legally held meeting." Handbook, p. 22 (emphasis in original). Furthermore, "[a]ccording to Education Law Section 226 all personnel actions must be approved by the Board of Trustees at a legal meeting. . . . [This] mean[s] that the [B]oard . . . establishes salaries," Handbook, p. 23 (emphasis in original), and the Board "must ultimately approve all . . . salaries . . . ." Handbook, p. 29 (emphasis in original). Finally, the Handbook makes clear that the Board "has sole authority over the expenditure of funds appropriated for Library purposes [and] [a]ll expenditures of library

funds must be approved by [the Board]." Id. at 34. The Board highlighted the importance of seeking Board approval before granting wage increases in your 2015 Performance Evaluation.

On July 9, 2014, you granted Chief Account Clerk Juan Jaramillo a $10,002 salary increase. You granted this increase without the permission or approval of the Board. Furthermore, it appears you conspired with the Chief Account Clerk in order to circumvent the Board in granting this salary increase by never seeking the approval of the Board and allowing Mr. Jaramillo to process his own increase in the Library's system.

By approving such a substantial salary increase without the knowledge or permission of the Board, you violated Education Law Section 226, the Handbook's rules and procedures, and the directives of the Board; and, as such, engaged in misconduct and/or incompetence under Section 75.

CHARGE TWO – PURCHASING FURNITURE AND EQUIPMENT WITHOUT BOARD APPROVAL

You engaged in a violation of the Handbook's rules and procedures and the Board's directives in or about October 2014 by approving the purchase of furniture and equipment for the Library without Board approval.

CHARGE TWO – SPECIFICATION

As stated above, the Handbook requires that "[a]ll expenses must be approved by the [B]oard at a legally held meeting" and the Board "has sole authority over the expenditure of funds appropriated for [L]ibrary purposes." Handbook, pp. 22, 34 (emphasis in original). The lone exceptions pertain to limited cases of "petty cash, recurring utilities, or subscriptions," Handbook, p. 34. In addition, "[a]ll expenditures of [L]ibrary funds must be approved by the [Board] prior to the expenditure." Id. at 34.

In or about September 2014, you were specifically instructed not to purchase any furniture until after the Library's Buildings and Grounds Committee explored the possibility of restoring the Library's existing furniture. However, in direct contravention of the Board's directive and the rules set forth in the Handbook, in or about October 2014, you approved the purchase of new furniture for the Library without the Board's knowledge or permission Board approval. This purchase cost the Library $5,394.48 – an unapproved expenditure.

By approving such a substantial purchase without the knowledge or permission of the Board, you violated the Handbook's rules and procedures, as well as the Board's directives; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE THREE – FAILURE TO KEEP THE BOARD INFORMED OF FINANCIAL MATTERS AND ENGAGING IN FINANCIAL TRANSACTIONS WITHOUT BOARD APPROVAL

You have engaged in violations of the Handbook's rules and procedures, and failed to the follow Board's directives, by failing to keep the Board apprised of financial matters impacting the Library.

CHARGE THREE – SPECIFICATION

The Handbook states "[e]ffective Board meetings include reports from the Director . . . on new service initiatives" including "[s]ignificant changes in day-to-day operations, the facility, web site or budget [and] [u]pdate[s] on internal projects." Handbook, p. 23. These reports are important because they keep "trustees up to date on all aspects of the Library and allows for a meaningful and appropriate interchange between trustees and Library staff." Id.

You have failed to timely inform the Board of matters regarding the Library's need for account transfers. For example, during a Working Session on May 11, 2016, the Board informed you that you had to make the Board aware of any need for fund transfers. This direction was in response to a $75,000 of the Library's funds, without Board approval, into the operating account in order to cover payroll expenses. Shortly after the Working Session, you informed the Board, for the first time, that another $75,000 transfer was necessary in order to cover the upcoming payroll. This type of last minute request, which should have been raised during the Working Session, demonstrated your failure to communicate important matters to the Board in a timely manner.

You also failed to inform the Board of the existence of a bank account opened on behalf of the Library. Specifically, an account was opened in the Library's name at Sterling National Bank ("Sterling") on or about November 8, 2013. When the Board discussed the possibility of moving its accounts from Chase to Sterling with you in or about August 2014, you did not disclose the existence of the Sterling account opened in 2013 even though you had been utilizing the account. The Board did not learn of the existence of this account, or your transactions, until the Library moved its accounts from Chase to Sterling on or about August 2014.

You also provided the Board with false information to shield the fact that you were using the Library's credit card to pay an unapproved vendor. Specifically, when the Board asked you about the Library bulletin, you claimed that Chelsea Hamlet had volunteered to draft the bulletin without charging a fee. On or about November 2, 2016, the Board discovered that Ms. Hamlet had not been providing her services for free, and you had instead used the Library's credit card to pay her to draft the bulletin without the Board's knowledge or approval.

By failing to keep the Board apprised of these issues and engaging in unauthorized financial transactions while misleading the Board, you have violated the Handbook's rules and procedures; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE FOUR - FAILURE TO TIMELY CREATE A LONG RANGE PLAN

You have engaged in misconduct by failing to create a long-range plan ("LRP") in violation of the Handbook's rules and procedures and the Board's directives.

CHARGE FOUR – SPECIFICATION

As stated in the Handbook, the LRP is one of the most important documents for a public library. See Handbook pp. 1, 14, 31, 33. The LRP is the document that guides the Library's long-term plans for future operations, is crucial in the development of the budget, and is the document against which the Director's performance is to be evaluated. Id.

In your 2014 Performance Evaluation, the Board made clear that your failure to provide the Board with an LRP was an "Area of Concern." In order to help you complete this task, the Board engaged an expert to assist you in creating an LRP. In your 2015 Performance Evaluation, presented to you on or about June 30, 2015, the Board again addressed your failure to submit even a draft LRP in spite of multiple requests from the Board. The Board continued to direct you to create an LRP on a regular basis until you finally submitted a draft version in or about August 2016.

By failing to timely complete an LRP despite requests and assistance by the Board, you violated the Handbook's rules and procedures and the Board's directives; and, as such, you engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE FIVE – FAILURE TO ADEQUATELY CONTRIBUTE TO THE 2015 BUDGETING PROCESS

You engaged in misconduct in violation of the Handbook's rules and procedures by failing to adequately prepare for, or even adequately participate in, the Library's 2015 budgeting process.

CHARGE FIVE – SPECIFICATION

The Handbook states that in larger libraries, like the Mount Vernon Public Library, "[the] budget preparation is primarily the responsibility of [L]ibrary management" i.e., the Library Director. Handbook, p. 33. Moreover, "[d]irectors must be full partners in the budget development process in libraries of all size. As the manager of the [L]ibrary, the [D]irector has an important perspective on the [L]ibrary's programs, services, and costs that trustees do not." Id. The Handbook further states the "*best budgets are developed in relationship to the library's long range and strategic planning processes.*" Id. (emphasis in original) (see Charge Three). Finally, the Handbook makes clear that a "key concept" in managing a successful library is the certainty that "the [B]oard has the information it needs at the right time." Id. at 18.

During the 2015 budgeting process, you failed to adequately perform your responsibilities. For example, despite your integral role as the Library's manager, you were unprepared for budget meetings. Specifically, the information you presented to the Board at these

meetings was incomplete and/or riddled with inaccuracies. Because of your oversights and errors, the Board was required to hold multiple Special Meetings to address the incomplete and/or inaccurate information you provided. As a result, the budget vote had to be delayed in order to allow the Board an opportunity to gather the requisite information that you did not timely provide. Furthermore, you compromised the integrity of the budgeting process by failing to complete an LRP as described in Charge Three above.

By failing to adequately contribute to the budgeting process, you violated the Handbook's rules and procedures, and Board directives; and, as such, you engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE SIX – FAILURE TO ADEQUATELY PUBLICIZE THE 2016 BUDGET VOTE

You engaged in conduct in violation of the Handbook's rules and procedures and the Board's directives by failing to adequately publicize the Library's 2016 budget vote.

CHARGE SIX – SPECIFICATION

The Library "has a responsibility for telling the Library's story to the taxpayers, donors and funding bodies that support it" as they have a "vested interest in a strong and vital community library." Handbook, p. 46 (emphasis added). As such, the Library must "look for ways to form networks and coalitions of [L]ibrary advocates." Id. Another "critical aspect of public relations" is inviting elected officials "to public events at the [L]ibrary" and ensuring they are "on the mailing list for all [L]ibrary publications." Id. The publicizing and promotion of voter turnout for budget votes is a seminal event for the Library.

Your failure to adequately promote the 2016 budget vote was egregious. During Board meetings in early 2016, the Board specifically directed you to meet with the Fleetwood Neighborhood Association (the "FNA") and other groups on the North side of the City in order to promote voter turnout from that area. The Board explained why support from this area of the City is crucial for the long-term health of the Library. Trustee Gleason expressly offered to assist you in setting up a meeting with the FNA. Despite this clear directive and offer of assistance, you did not contact the FNA regarding a meeting until Thursday, April 28, 2016 – only five (5) days before the vote – and so there was not enough time to conduct a meeting with this group before the vote. Furthermore, you did not conduct, or attempt to conduct, any other type of meetings with North side residents. Your failure to adequately communicate with these voters caused negative repercussions with North side voters, including causing members of the City Council and other public officials to complain to the Board about the Library's perceived lack of transparency regarding the budget vote.

Also, you failed to utilize volunteers to help publicize and promote the budget vote. You did not ask volunteers to hand out flyers or perform other tasks that would have promoted the vote and increased voter turnout.

Furthermore, the mailings you prepared to promote the budget vote were untimely and inaccurate. The budget vote was scheduled more than eight (8) months in advance and, yet,

you did not present the Board with a copy of the flyer until April 21, 2016 – only twelve (12) days before the vote. On that day, you stated that copies of the flyer had already been made (without the Board's approval) and changes could not be made because there was not enough time to reprint all of the flyers and meet the deadline required by law. Furthermore, it would have cost the Library an additional $4,400 to reprint all of the flyers. The Board explicitly directed you to confirm the accuracy of the statements contained on the flyer. However, the flyer that was distributed to the public contained material errors regarding the Library, the budget, and the effects of the budget on the taxpayers. Members of the public and local government complained to the Board regarding the inaccuracy of the flyer.

By failing to publicize the 2016 budget elections, you violated the Handbook's rules and procedures and the Board's directives; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE SEVEN – FAILURE TO NOTIFY THE BOARD OF FORMER TRUSTEE MCINTYRE'S RESIGNATION

You engaged in conduct in violation of the By-Laws and the Handbook's rules and procedures by failing to inform the Board of former Trustee McIntyre's resignation.

CHARGE SEVEN – SPECIFICATION

According to the Handbook, "[i]n order to avoid surprise issues, the [Board meeting] agenda should be developed by the [D]irector, reviewed with the Board President and sent out to the [B]oard well ahead of time with all pertinent materials." Handbook, p. 21 (emphasis added). Also, it is crucial for the Board to have "the information it needs at the right time." Id. at p. 18. Furthermore, under Article IV, Section 7 of the By-Laws, "[a]ny Trustee may resign at any time by submitting his or her resignation to the President or Secretary of the Board. . . . The resignation shall be recorded as Board correspondence." (emphasis added).

On January 19, 2016, then-Trustee Sean McIntyre emailed you and then-President Na'im Tyson a formal letter of resignation. This letter was to be recorded as Board correspondence. However, you did not place it on the agenda for the January 20, 2016 or February 22, 2016 Board meeting. You also did not alert the Board of Trustee McIntyre's resignation at either meeting despite the Board specifically asking about his absence multiple times in open and executive sessions. As a result, the Board did not learn of Trustee McIntyre's resignation for almost five (5) weeks, and was forced to call a Special Meeting in order to address the vacancy left by Trustee McIntyre.

By failing to truthfully answer Board members direct questions regarding Trustee McIntyre's status and/or otherwise notifying the full Board regarding Trustee McIntyre's resignation, as described above, you violated the By-Laws, Board directives, and the Handbook's rules and procedures; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE EIGHT – FAILURE TO POST MEETING NOTICES AS DIRECTED BY THE BOARD

You engaged in conduct in violation of the By-Laws by failing to schedule a special meeting as directed by the Board.

CHARGE EIGHT – SPECIFICATION

Article VI, Section 3 of the By-Laws states "[s]pecial meetings of the Board shall be held . . . upon the written request of two (2) or more members of the Board."

On or about February 25, 2016, when the Board finally learned of Trustee McIntyre's resignation through its own investigation, Trustee Johnson and Trustee Davis notified you in writing that a special meeting was being called for Tuesday, March 1, 2016, to discuss the resignation. You were also directed to post notices regarding the meeting. However, you failed to post the notices as directed, and Trustee Davis was required to post the necessary notices.

By failing to post meeting notices as directed by two (2) members of the Board, you violated the By-Laws and Board directives; and, as such, you engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE NINE – REFUSAL TO MEET WITH THE BOARD

You engaged in a violation the Board's Directives by refusing to meet with the Board.

CHARGE NINE – SPECIFICATION

You were explicitly directed to meet with the Board on June 20, 2016, so the Board could present you with your 2016 Annual Review. However, you refused to attend this meeting because you claimed that you had already received your Annual Review earlier in the year. When you were informed that the review you had received was not your Annual Review, you still refused to meet with the Board.

By failing to meet with the Board as directed, you violated the By-Laws and the Board's directives; and, as such, you engaged in insubordination constituting misconduct and/or acts of incompetence under Section 75.

CHARGE TEN – ALLOWING STAFF TO PERFORM OUT-OF-TITLE WORK

You engaged in conduct in violation of the Handbook's rules and procedures and the Board's resolutions multiple times from June 29, 2015 through June 11, 2016, by allowing Library employees to work in titles for which they had not been approved by the Board.

CHARGE TEN – SPECIFICATION

The Handbook states the Board "must approve all appointments, titles and salaries." Handbook, p. 29 (emphasis in original). Accordingly, the Board's resolutions regarding staff appointments specify the title in which an individual is permitted to work, the rate at which the individual is to be paid, and the number of hours per week the individual is permitted to work. Regularly assigning individuals to work out of their approved titles requires the Library to pay additional wages to individuals who may not be qualified to perform these out of title duties.

You allowed the following individuals to work out of their approved titles, and therefore receive pay in excess of the amounts approved by the Board, in violation of the Handbook and the Board's resolutions:

- Part-Time Aide Amanda Nunez worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; and (2) February 22, 2016, to March 5, 2016;
- Part-Time Aide Andre Concepcion worked as a Clerk during the periods of: (1) December 14, 2015, to December 26, 2015; (2) February 8, 2016, to February 17, 2016; (3) February 22, 2016, to March 4, 2016; and (4) March 6, 2016, to March 19, 2016;
- Part-Time Aide Danielle Barden worked as a Clerk during the period of June 29, 2015, to July 11, 2015;
- Part-Time Aide Debbie Kershaw worked as a Clerk during the periods of: (1) June 29, 2015 to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, through February 16, 2016; and (4) February 21, 2016, through March 19, 2016;
- Part-Time Aide Debra Baker worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 16, 2016; (4) February 23, 2016, to March 5, 2016; (5) March 8, 2016, to March 18, 2016; and (6) May 25, 2016 to June 11, 2016;
- Part-Time Aide Doris Summers worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 19, 2016; (4) February 22, 2016, to February 27, 2016; (5) May 15, 2016 to May 28, 2016; and (6) May 25, 2016, to June 11, 2016;
- Part-Time Aide Ebony Harrison worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 16, 2016; (4) February 22, 2016, to March 4, 2016; and (5) March 7, 2016, to March 19, 2016;
- Part-Time Aide Edna Garrett worked as a Clerk during the period of June 29, 2015, to July 11, 2016;
- Part-Time Aide Emma Marria worked as a Clerk during the period of June 29, 2015, to July 11, 2016;
- Part-Time Aide Ernestina Addoh worked as Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 16, 2016; (4) February 22, 2016, to March 5, 2016; and (5) March 8, 2016, to March 19, 2016;

- Part-Time Aide Janice Williams worked as a Clerk during the period of February 8, 2016, to February 20, 2016;
- Part-Time Aide Jerome Wilson worked as a Clerk during the periods of: (1) December 14, 2015, to December 26, 2015; (2) February 8, 2016, to February 21, 2016; (3) February 23, 2016, to March 4, 2016; and (4) March 8, 2016, to March 19, 2016;
- Part-Time Aide Julia Henry worked as a Clerk during the periods of: (1) February 8, 2016, to February 16, 2016; and (2) March 6, 2016, to March 19, 2016;
- Part-Time Aide Jillian Guy worked as a Clerk during the period of December 14, 2015, to December 26, 2016;
- Part-Time Aide Sonya Tareke worked as a Clerk during the period of June 29, 2015, to July 11, 2015;
- Part-Time Aide Tashawna Isaac worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 17, 2016; (4) February 22, 2016, to March 5, 2016; (5) March 6, 2016, to March 19, 2016; and (6) May 25, 2016, to June 11, 2016; and
- Part-Time Aide Williams Valentine worked as a Clerk during the periods of: (1) June 29, 2015, to July 11, 2015; February 8, 2016, to February 21, 2016; and (3) March 6, 2016, to March 19, 2016.

By allowing the above-named individuals to work in titles and receive rates of pay not approved by the Board, you violated the Handbook's rules and procedures, as well as the directives of the Board as set forth in its resolutions; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE ELEVEN – ALLOWING PART-TIME STAFF TO WORK IN EXCESS OF APPROVED HOURS

You engaged in conduct in violation of the Handbook's rules and procedures and the Board's resolutions multiple times from June 29, 2015 through July 23, 2016, by allowing part-time Library employees to work in excess of 17.5 hours per week.

CHARGE ELEVEN – SPECIFICATION

The Handbook states the Board "must approve all appointments, titles and salaries." Handbook, p. 29 (emphasis in original). Accordingly, the Board's resolutions regarding staff appointments specify the title in which an individual is permitted to work, the rate at which the individual is to be paid, and the number of hours per week the individual is permitted to work. Specifically, the Board's resolutions have stated that part-time employees are to work no more than 17.5 hours per week.

You allowed the following part-time employees to work in excess of 17.5 hours per week in violation of the Handbook and the Board's resolutions:

- Part-Time Aide Aleek Ephraim worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 13, 2015, to December 26, 2015; and (3) May 15, 2016, to July 9, 2016;
- Part-Time Aide Amanda Nunez worked in excess of 17.5 hours per week during the periods of: (1) December 14, 2015, to December 26, 2015; (2) February 22, 2016, to March 5, 2016; and (3) May 15, 2016, to June 25, 2016;
- Part-Time Aide Andre Concepcion worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; (2) December 14, 2015, to December 26, 2015; (3) February 8, 2016, to February 17, 2016; (4) February 22, 2016, to March 4, 2016; (5) March 6, 2016, to March 19, 2016; and (6) July 10, 2016, to July 16, 2016;
- Part-Time Aide Debbie Kershaw worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015 to July 11, 2015; (2) February 8, 2016, through February 16, 2016; (2) February 21, 2016, through March 19, 2016; and (3) May 15, 2016, to July 2, 2016;
- Part-Time Aide Debra Baker worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; (2) February 8, 2016, to February 16, 2016; (3) February 23, 2016, to March 5, 2016; and (4) March 8, 2016, to March 18, 2016;
- Part-Time Aide Doris Summers worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; and (2) May 25, 2016, to June 25, 2016;
- Part-Time Aide Edna Garrett worked in excess of 17.5 hours per week during the period of June 29, 2015, to July 11, 2016;
- Part-Time Aide Ernestina Addoh worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; and (2) February 22, 2016, to March 5, 2016;
- Part-Time Aide Jerome Wilson worked as a Clerk during the periods of: (1) February 8, 2016, to February 21, 2016; (2) February 23, 2016, to March 4, 2016; and (3) March 8, 2016, to March 19, 2016;
- Part-Time Aide Jillian Guy worked in excess of 17.5 hours per week during the periods of: (1) December 14, 2015, to December 26, 2016; and (2) May 15, 2016, to May 28, 2016;
- Part-Time Aide Tashawna Isaac worked as a Clerk during the periods of: (1) February 8, 2016, to February 17, 2016; (2) February 22, 2016, to March 5, 2016; and (3) March 6, 2016, to March 19, 2016;
- Part-Time Aide William Valentine worked in excess of 17.5 hours per week during the periods of: (1) June 29, 2015, to July 11, 2015; February 8, 2016, to February 21, 2016; (3) March 6, 2016, to March 19, 2016; and (4) May 15, 2016, to July 23, 2016;
- Part-Time Aide Susan Dugaw worked in excess of 17.5 hours per week during the period of May 15, 2016, to June 25, 2016;
- Part-Time Aide David Cambillo worked in excess of 17.5 hours per week during the period of May 15, 2016, to July 23, 2016;
- Part-Time Aide Melissa Glazer worked in excess of 17.5 hours per week during the period of May 25, 2016, to June 11, 2016;

- Part-Time Aide Logan Brown worked in excess of 17.5 hours per week during the period of May 25, 2016, to June 25, 2016;
- Part-Time Aide Abe Ramsey worked in excess of 17.5 hours per week during the period of June 12, 2016, to June 25, 2016;
- Part-Time Aide Julia Henry worked in excess of 17.5 hours per week during the period of July 17, 2016, to July 23, 2016; and
- Part-Time Aide Leon Murphy worked in excess of 17.5 hours per week during the period of July 10, 2016, to July 23, 2016.

By allowing the above-named part-time employees to work in excess of 17.5 hours per week, you violated the Handbook's rules and procedures, as well as the directives of the Board as set forth in its resolutions; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE TWELVE – APPOINTING EMPLOYEES TO NEW ROLES WITHOUT BOARD APPROVAL

You engaged in conduct in violation of the Handbook's rules and procedures, the Board's resolutions, and Board directives by promoting Tisha Blackmon from a part-time to a full-time position and Scott Griffith from a Librarian II to a Librarian III position without Board approval.

CHARGE TWELVE – SPECIFICATION

The Handbook states the Board "must approve all appointments, titles and salaries." Handbook, p. 29 (emphasis in original). Accordingly, the Board's resolutions regarding staff appointments specify the title in which an individual is permitted to work, the rate at which the individual is to be paid, and the number of hours per week the individual is permitted to work. Furthermore, the Board has informed you numerous times that expenditures related to such appointments must be approved by the Board in advance.

The Board approved Tisha Blackmon's appointment as a part-time clerk on or about December 4, 2015. On or about September 6, 2016, you appointed Ms. Blackmon to the role of full-time clerk without Board approval. This unapproved appointment caused the Library to incur additional expenses related to Ms. Blackmon's wages and health insurance benefits.

The Board approved Scott Griffith's appointment as a Librarian II in or about July 2013. On or about June 29, 2016, you appointed Mr. Griffith to the position of Librarian III without Board approval. This unapproved appointment caused the Library to incur additional expenses related to Mr. Griffith's wages.

By appointing Ms. Blackmon to a full-time role without Board approval, you violated the Handbook's rules and procedures, the Board's resolutions, and the Board's directives to you; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE THIRTEEN – INADEQUATE MANAGEMENT OF LIBRARY PERSONNEL

You engaged in conduct in violation of the Handbook's and By-Laws' rules and procedures and the Board's directives by failing to adequately manage and supervise Library personnel.

CHARGE THIRTEEN – SPECIFICATION

The Handbook states the Director is "responsible for the management and supervision of all . . . [L]ibrary employees." Handbook, p. 28. Section 6 of the By-Laws also states the Director is "responsible . . . for the employment and direction of the staff . . . ." The Board has also noted that it is your responsibility to conduct staff evaluations in your 2014 and 2015 performance evaluations.

Based on complaints received by the Board, the Library staff does not have confidence in your ability to manage the Library or its personnel. Staff members have complained that you have not been honest with them regarding changes to the Library, specifically with regard to changes in the layout and operations of the Reference Department. In addition, you have failed to ensure that staff receive adequate training for the scanner that was installed in May 2016. Furthermore, to the Board's knowledge, you have not conducted any employee performance evaluations since you assumed the position of Director.

Furthermore, you have allowed employees to take paid time off to which they were not entitled. For example, Assistant Director Elaine Braithwaite was permitted to take paid time off in 2016 even though she had not accrued this time under Library policies.

By failing to effectively manage Library employees, you have violated the rules and procedures set forth in the Handbook and By-Laws, as well as the directives of the Board set forth in your performance evaluations; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

CHARGE FOURTEEN – SUBMITTING INCOMPLETE INFORMATION TO A GOVERNMENT AGENCY AND FAILING TO INFORM THE BOARD OF LEGAL CLAIMS AGAINST THE LIBRARY

You engaged in conduct in violation of the By-Laws' rules and procedures by submitting incomplete information to the Connecticut Department of Labor on the Library's behalf and failing to timely inform the Board of legal claims against the Library.

CHARGE FOURTEEN – SPECIFICATION

Section 6 of the By-Laws states that the Director "shall have charge of the administration of the [L]ibrary under the direction and review of the Board."

On or about July 16, 2016, on behalf of the Library, you responded to the claim for unemployment benefits Elaine Braithwaite filed with the Connecticut Department of Labor. On the forms, you stated the Library would be responding to Ms. Braithwaite's claims in writing. However, you did not state on the forms that Ms. Braithwaite had been terminated for cause. By failing to provide this information, you may have waived the Library's right to contest Ms. Braithwaite's claims, thereby exposing the Library to financial responsibilities to which it may not have otherwise been liable.

You have also failed to timely inform the Board of claims filed against the Library. For example, on or about June 22, 2016, the Library received a claim from Denise Lyles for unemployment insurance. However, you did not inform the Board of this claim until almost a month later on July 19, 2016. Similarly, on or about June 1, 2016, the Equal Employment Opportunity Commission notified the Library that Elaine Braithwaite was filing a charge of discrimination. Again, you did not notify the Board of this charge until July 19, 2016.

By failing to properly respond to Ms. Braithwaite's claims for Unemployment benefits on behalf of the Library, and by failing to timely notify the Board of legal claims against the Library, you violated the standards set forth in the By-Laws; and, as such, engaged in misconduct and/or incompetence under Section 75.

CHARGE FIFTEEN – FAILURE TO MAINTAIN LIBRARY RECORDS

You engaged in conduct in violation of the By-Laws' and Handbook's rules and procedures, as well as the New York State Public Officers Law, by failing to properly maintain Library records.

CHARGE FIFTEEN – SPECIFICATION

Section 6 of the By-Laws states that the Director "shall have charge of the administration of the [L]ibrary under the direction and review of the Board." Furthermore, the Handbook states that "[t]he day-to-day management of the [L]ibrary . . . is the [L]ibrary [D]irector's responsibility." Handbook, p. 28. Furthermore, the Freedom of Information Law ("FOIL"), as set forth in New York State Public Officers Law §§ 84-90, requires the Library to maintain its records in a manner that would allow members of the public to review them upon request.

On or about March 14, 2016, Trustee Johnson asked you to provide him with a copy of your 2014 Performance Evaluation for his review. Even though you were given a copy of this Performance Evaluation so you could include it in the Library's records, you informed Trustee Johnson that the copy was not in the Library's files. Based on your negative response to your 2014 Performance Evaluation, the Board believes you purposefully failed to file the Performance Evaluation in order to prevent it from becoming part of the Library's public records.

By failing to properly maintain Library records, you violated the rules and procedures set forth in the By-Laws, Handbook, and FOIL; and, as such, engaged in misconduct and/or incompetence under Section 75.

CHARGE SIXTEEN – FAILING TO PARTICIPATE IN THE DIVISION OF LIBRARY DEVELOPMENT REGISTRATION PROCESS

You engaged in conduct in violation of the By-Laws' rules and procedures and Board directives by failing to provide the Division of Library Development (the "DLD") and the Board with the information necessary to complete the DLD registration process.

CHARGE SIXTEEN - SPECIFICATION

Section 6 of the By-Laws states that the Director "shall have charge of the administration of the [L]ibrary under the direction and review of the Board."

Since 2014, the Board has directed you to submit to the DLD the information necessary to complete the registration process for the Library. To date, you have not submitted any information to the DLD. Recently, the DLD has reached out to the Board requesting the information. As such, in or about October 2016, Trustee Johnson directed you to provide him with the necessary information so he could assist you in the process. To date, you have not provided him with any such information.

By failing to participate in the DLD registration process, you violated the rules and procedures set forth in the By-Laws and the Board's directives; and, as such, engaged in insubordination and other misconduct and/or incompetence under Section 75.

* * *

You are allowed until Friday, November 25, 2016, to make and file your answer in writing to these Amended Charges of Misconduct. Your answer must reach Oscar Davis, Jr., c/o Mount Vernon Public Library, 28 South First Avenue, Mount Vernon, New York 10550, at or before five o'clock in the afternoon on November 25.

You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present any witnesses and other proof you may have in defense of these Amended Charges of Misconduct. Robert J. Ponzini, Esq., of the firm Gaines, Novick, Ponzini, Cossu & Venditti, LLP, will serve as Hearing Officer. The Hearing will begin at 3:00 p.m. on Monday, November 28, 2016, at the offices of Jackson Lewis P.C., 44 South Broadway, 14th Floor, White Plains, New York 10601. Additional hearing dates will be scheduled, if necessary.

Your unpaid administrative leave/suspension remains in effect.

If you are found guilty of any of the above Amended Charges of Misconduct, the penalty or punishment imposed on you may consist of either dismissal from services, suspension without pay for a period not exceeding two months, a fine not exceeding $100, or a reprimand. Because of the nature and severity of the misconduct for which you are charged, and because the Board "must look for a new person" when the Library Director "has truly demonstrated a

continuing, documented inability to manage the [L]ibrary effectively," the penalty sought for the above described misconduct and incompetence is dismissal from your employment with the Library. See Handbook, p. 32.

All future correspondence and communications addressed to you in connection with these Amended Charges of Misconduct will be mailed to your latest address on file with the Library, which is 42 Longview Avenue, Stamford, Connecticut 06905, unless you request in writing that the same be sent to you or a legal representative at a different address.

Sincerely,
BOARD OF TRUSTEES FOR THE
MOUNT VERNON PUBLIC LIBRARY

Oscar Davis, Jr.
President
Board of Trustees