

SUFFOLK COUNTY VANDERBILT MUSEUM

BOARD OF TRUSTEES

Minutes

A regular meeting of the Suffolk County Vanderbilt Museum Board of Trustees was held on November 6, 2002 in the Planetarium Lobby, Centerport, New York.

The following were in attendance:

Dr. Steven Gittelman - President

Dr. Anthony Pecorale - Treasurer

Marjorie Kossoy Fuhrmann - Secretary

Edward J. Hahn - Trustee

Dr. William Rogers - Trustee

Bertram E. Seides - Trustee

Deborah Gray - Trustee

J. Lance Mallamo - Executive Director

Rita Beckman - Staff

Bill Dieck - Staff

Zach Studenroth - Staff

Barbara Oster - Staff

Mike Carroll - Staff

Anthony Camilli - Staff

Lou Marciano - Staff

Leslie Tannen - Todd Shapiro & Associates

Ann Marie Pastore - Stenographer

Absent:

Michael Broxmeyer

Carl Luecke

William Macchione

Donna deLuca Periconi

Susan LeBow

R. Douglas Shaw

(Dr. Steven Gittelman called the meeting to order at 8:15 p.m.)

DR. GITTELMAN:

This is a regular meeting of the Board of Trustees of the Suffolk County Vanderbilt Museum. I want to thank all guests for being in attendance. Do we have a list of attendees?

MS. PASTORE:

Yes.

DR. GITTELMAN:
We do have a quorum. We are now operating at thirteen Trustees.

MS. FUHRMANN:
Fifteen minus three.

DR. GITTELMAN:
Minus two.

MR. MALLAMO:
One is the end of the year.

DR. PECORALE:
Well, we certainly can move forward with the reports.

DR. GITTELMAN:
As long as we have seven, we're a quorum.

DR. PECORALE:
The Public Relations' Report can go forward.

DR. GITTELMAN:
No, no, we have a quorum.

MS. FUHRMANN:
We have a quorum.

DR. PECORALE:
Even if he was out of the room, we could still -

DR. GITTELMAN:
Right. Okay, so as is our custom we invite any attendees to ask the Board questions or to make comments. Is there anybody who is so inclined? If not, thank you for attending. May we have approval of the minutes, Marge.

MS. FUHRMANN:
Thank you, Steve. I move that the minutes for the meeting held October 2, 2002 be approved as presented with no comment or revision.

DR. PECORALE:
Second.

DR. GITTELMAN:
Discussion? All in favor? Opposed? It passes unanimously. (Vote: 7/0/0/6
Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

Public Relation's Report, Todd Shapiro and Associates.

MS. TANNEN:
Good evening, everybody. We have a number of tapes to show you tonight. Do you want us to show all of them or -

DR. GITTELMAN:
Perhaps an example of each.

MS. TANNEN:
Okay. We had Mark McHugh interviewed by two television stations concerning the Space Shuttle Atlantis. I think maybe we'll just see one, if it's all right with everybody. We also have one on the magic show, which takes place every weekend, but in particular we were doing the publicity for the Halloween weekend.

VIDEO PRESENTATION: 8:25 P.M. - 8:30 P.M.

10/7/02	LI News Tonight	Space Shuttle
10/23/02	News 12	Mummy

MR. MALLAMO:
Thank you, Leslie.

DR. GITTELMAN:
Thank you for that report, Leslie. Each year we form a Nominating Committee. We form it at the November meeting. Traditionally, we have chosen an odd number of Trustees. Our bylaws say three. We do this by a nomination at this meeting and then we vote them in. They form the Nominating Committee. In January they come back with a slate of nominations, which is merely their suggestion for whom they view as an appropriate slate. Nominations from the floor are permitted in January, and then a vote is held for the officers to act at the January meeting. The way we do this is that Trustees present can nominate - I believe you can nominate a Trustee present or absent to be on the Nominating Committee. Then we need a second, we would write down the list, see who we have, and go from there. Marge.

MS. FUHRMANN:
I'd like to nominate Bert.

DR. GITTELMAN:
Do I have a second for Bert?

MS. GRAY:
Second.

DR. GITTELMAN:
Do I have another nomination?

DR. PECORALE:
I nominate Carl.

MS. FUHRMANN:
As always.

DR. GITTELMAN:
Do we have a second for Carl Luecke?

MR. SEIDES:
Second.

DR. GITTELMAN:
Can we have one more so we can have an odd number?

MR. SEIDES:
I nominate Donna.

DR. GITTELMAN:
Okay, Donna Periconi. Do I have a second?

MS. GRAY:
Second.

DR. GITTELMAN:
We have three. Does anybody wish to nominate a fourth or fifth?

DR. PECORALE:
I move the nominations be closed.

DR. GITTELMAN:
Do we have a second for a motion to close the nominations?

MR. HAHN:
Second.

DR. GITTELMAN:
All in favor of closing the nominations? Opposed? Given that there is no one opposed, do I have a motion to accept the slate of nominees?

DR. PECORALE:
I move that the Secretary cast one ballot.

MS. FUHRMANN:
I so cast.

DR. GITTELMAN:
I have a motion. Do I have a second?

MS. GRAY:
Second.

DR. GITTELMAN:
All in favor? Opposed? Motion carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw.)

We would ask that the committee come back with its recommendation in January.

MS. FUHRMANN:
I so cast.

DR. GITTELMAN:

She so casts.

MS. FUHRMANN:

I know it's a formality, but -

DR. GITTELMAN:

With that being done, we look forward to hearing from you. Education and Exhibits, Marge.

DR. PECORALE:

You will appoint the Chairman of that Committee to set the meeting dates and everything, right? That's the way we have always done it.

MS. FUHRMANN:

Yes.

DR. GITTELMAN:

Then I will appoint Bert, since he was forced to be so chosen, and he was almost the whole committee.

DR. PECORALE:

You have to just get in touch with those people.

DR. GITTELMAN:

Okay, Education and Exhibits, Marge.

MS. FUHRMANN:

Thank you, Steve. Okay, the Planetarium attendance is up comparing October 2001 to October 2002. They are in the process of updating school programs and also the holiday show "Star of Wonder" and "Wonders of the Winter Sky."

The adult education program currently being run at the Vanderbilt next week will be meeting at Jones Beach so they may observe the Leonid meteor showers.

Stephanie has been concentrating and cleaning the antelopes this month. They are all very clean, including their eyeballs, which have been polished.

Betsy is happy to report that she has completed cleaning the wet fish and the preserved fish - not cleaning, I'm sorry - cataloging the wet fish. She's well along cataloging the preserved fish. Reaccreditation is on target.

The mummy school programs are totally booked through March with many additional dates to year's end filled and habitats and homes is also very well booked.

The dinosaur programs, there are two of them. One, a younger students' program, is doing very well as it is part of the younger school curriculum. The program geared for third through fifth grade is taking a little longer to take hold as it is not part of the school curriculum but with word of mouth it is building. Overall, school programs are up for October 2002 as compared to October 2001.

Capital projects in the mansion are all well underway. The ship model room is being restored and then will be revised.

Florence is working with Bert, and they are working on the photographs for reaccreditation.

In the spring of 2003 we will be again featured on A&E on their "American Castles" series.

On December 2nd at one o'clock Florence will preside at her last meeting as President of the Long Island Museum Association. The meeting will take place at Nassau Museum of Fine Arts. The exhibit they will be concentrating on is the "World of Teddy Roosevelt." The speakers will be the Curator and the Director of Education. She has almost finished the list of the boxed archives. These lists will be made available through various personnel here at the Museum to researchers.

Decorating for the holidays will begin in approximately two weeks. Eight local garden clubs will be decorating the mansion for the holidays. The theme is 1939 at the Vanderbilt.

Everyone is working hard toward reaccreditation as it is coming up on us. Things are going very well. That's our report.

DR. GITTELMAN:
Development, neither Carl or Michael are here.

MR. MALLAMO:
Zach is here.

DR. GITTELMAN:
Zach.

MR. STUDENROTH:
Yes, I'll just jump in. Carl and Mike asked me to give a brief report at the meeting knowing that they wouldn't be able to attend. At our most recent meeting, our primary discussion focused on the scheduling and some of the details for the gala next summer. August 1st has been selected by the committee as the date. That was one of the two dates that had been proposed. Evidently Madeline Kole is available for either one, so that was the choice of the committee.

I believe we had circulated a proposed budget, which does project a profit of \$50,000 for the event next summer. The committee had discussed additional means of raising money, which is to have a drawing or a raffle. They are looking for additional support from the Board - some Member of the Board who could potentially serve on this committee to either head that up or to help steer that toward a profitable addition for the event, which could net an additional \$10,000. Yes?

MS. FUHRMANN:
What kind of raffle? What do you mean?

MR. STUDENROTH:
Well, it would entail the solicitation of goods and/or services from merchants and other service providers that can be raffled for a profit.

MS. FUHRMANN:
Are you looking for one big thing or -

MR. STUDENROTH:

A day of beauty, for example.

MS. FUHRMANN:

So you're looking for a series of things.

MR. STUDENROTH:

Yes, such as a limousine ride that could transport you and a partner to a fabulous restaurant and tickets for a Rangers' game, etc. That's the kind of thing, biddable items that could potentially - these are all gifts, of course, so that could generate an additional profit. That would be one way to guarantee a net of \$50,00 for the event, which is the projection. That was the main focus of the meeting. That's what I have to report. Any questions from the Board? Okay, thank you.

DR. GITTELMAN:

Tony, Finance Report.

DR. PECORALE:

Each Member of the Board has a copy of our Treasurer's Report. It is actual through the end of September. We are working on the October numbers to get to the actuals. At the present time, we are running, as easily noted, a deficit for the year of approximately \$33,000. Our funds are still tight, but we seem to be showing some improvement. Particularly it should be noted that the Museum store has become profitable and that our admissions are actually up for the year, even though we took a dive in September, which is normal and occurs regularly because of the students going back to school. We usually have a drop in the attendance during the month of September.

We can also report that there has been a request to renew the endowment guarantee, and that is before the Legislature and will be considered sometime soon. All Trustees are requested to speak with their Legislator to ensure that that gets serious consideration.

I'd be happy to answer any questions anyone might have about the Treasurer's report. You have a copy of all the numbers to date. Things are looking better, too, with the endowment as I understand it. That would be helpful if the market continues to improve.

DR. GITTELMAN:

Personnel Committee.

MR. MALLAMO:

There was no meeting this month.

DR. GITTELMAN:

I need to appoint a new chair to that committee. I would ask if there is a volunteer. Since it's coming to the end of the year, I will find a volunteer by January.

Membership, Doug Shaw is absent. Is there a report?

MR. STUDENROTH:

No, there's no report.

MR. MALLAMO:

I will say we had a positive experience for our Halloween weekend. We took in a number of new family members.

MR. STUDENROTH:

Twenty-four, I believe.

MR. MALLAMO:

Twenty-four family memberships were sold.

DR. GITTELMAN:

Tony.

DR. PECORALE:

Are we still giving a gift of some sort to people who become members? Is that still in our plan?

MR. MALLAMO:

We do have, depending on the membership category, we do have gifts available.

DR. PECORALE:

Good.

MR. MALLAMO:

I think that day children got an alien space bottle.

MS. FUHRMANN:

I still have mine.

MR. MALLAMO:

It's certainly very practical.

MS. FUHRMANN:

I use mine.

DR. GITTELMAN:

Dinosaur Committee, Ed.

MR. HAHN:

Lance and I met last Wednesday, October 30th with the Vice President from NYIT, Alexandra Logue, and the attorney for NYIT, Douglas Catalano. There was a mutual exchange of information. They did advise us that there is litigation pending for an accounting involving CSTL and a number of legal issues they're involved in. Hopefully the dialogue will continue, but it's rather apparent that there is not going to be a quick and easy resolution. I'll keep you posted.

DR. GITTELMAN:

Any other questions, comments? Okay, Lance.

MR. MALLAMO:

Well, I hoped you noticed even in the dark the tremendous amount of work that's going on on the grounds, including the installation of our new iron fence, which we think is absolutely magnificent. To see the chain link go and the beautiful decorative iron fence has really been a thrill. The mansion has also received the new awnings this week. It has been in the planning stages for a number of years.

The heat in the mansion was turned on for the first time today. This is the replacement heating system that's been installed. In the days ahead, more and more rooms will be added to that.

I do apologize for not having heat in this building tonight. We have gone through a massive project of converting from oil to gas heat, including the installation of new gas mains. While the gas is brought to each building, all of the connections haven't been, so this building we expect to have heat by late next week. Then it will continue to the boathouse and the Hall of Fish. Ultimately, all of the buildings will be connected. Wouldn't you know, this would be the coldest November in years. They're working as hard as they can to get everything hooked up. They're just aren't enough workers in Suffolk County to get work like this done anymore. It seems that there are a lot of projects going on right now.

We're really very pleased with not only the work but the quality of the work that's going on. The electrical system in the mansion, new fixtures are being installed, and we have a sub contractor hopefully that will be restoring the historic lighting sconces in the mansion in time for the holidays. Our new courtyard lighting and electric should be installed in time for the holiday season. We're looking forward to not blowing circuits or when we have events in the courtyard.

We have a number of items to do with reaccreditation, which is due in early December. We know this is a massive project, and there were a number of areas where we do need Board action taken. These items are listed on the agendas in your packet. I have copies, and I believe we did send or forward copies of these documents.

There is only one that you didn't have, but you should have in your packet tonight, and that's listed as the borrower/lender policy. The Museum has always had a Code of Ethics. We'll take them one at a time. In response to the number of institution issues around the country, the most sensational of which was the sensational exhibit at the Brooklyn Museum where conflicts of interest were unearthed. The AAM is now requiring each accredited museum to approve an institutional code of ethics. This is aside from an individual or employee or staff professional code of ethics. They want a museum policy where the ordinance of conflicts will be adhered. I hope everyone has had time to review this. The wording that we have presented here to you does conform to the wording that is highly recommended by the AAM.

DR. GITTELMAN:

Okay, we need a -

DR. PECORALE:

Do you want these separate?

DR. GITTELMAN:

Yes.

MR. MALLAMO:

I think it would be helpful to have them separately.

DR. GITTELMAN:

We need a motion, please, for the approval of the ethics.

DR. PECORALE:

I'll move the approval of the Code of Ethics.

DR. GITTELMAN:

Do I have a second?

MS. FUHRMANN:

I'll second.

DR. GITTELMAN:

Discussion? I have a few minor points. You'll have to excuse me, but in the first paragraph, second line, Nazi is spelled wrong.

MS. FUHRMANN:

That's not the right one.

MR. MALLAMO:

You're on the wrong one.

DR. GITTELMAN:

Excuse me.

MR. MALLAMO:

You're on "d." We're on "Institutional Code of Ethics."

DR. GITTELMAN:

Okay, sorry. I'll take the first page of that one, too. The third paragraph down, last line, am I on the right one now?

MR. MALLAMO:

Okay.

DR. GITTELMAN:

It's just a typo.

MR. MALLAMO:

It's just a typo here. This is only a draft. We will make all of the corrections.

DR. GITTELMAN:

Okay, other than that, I have no questions. Deborah.

MS. GRAY:

Who developed the Code of Ethics? Who wrote this?

MR. MALLAMO:

I did.

DR. GITTELMAN:

Wait, you did or you took this from -

MR. MALLAMO:
From the suggested guidelines of the AAM.

DR. GITTELMAN:
Verbatim?

MR. MALLAMO:
Actually, this one, Zach, you prepared this, correct?

MR. STUDENROTH:
Yes, basically the suggested language reads as a generic "the museum shall," and we virtually verbatim transposed that into "the Suffolk County Museum shall." We have included all clauses, all intensions.

MS. GRAY:
So nothing is excluded.

MR. STUDENROTH:
Correct.

MS. GRAY:
And nothing new was included.

MR. STUDENROTH:
That's correct.

MR. MALLAMO:
Other than the Museum's name.

DR. PECORALE:
I don't have a problem with anything that I have read here. You did fax this to me. I have a question now based upon the question that was asked a minute ago. Has this been run by our attorney?

MR. MALLAMO:
No.

DR. PECORALE:
I don't have a problem with us approving this tonight, subject to review by our Suffolk County Attorney. I just think it would be wise that we sort of float it by them.

DR. GITTELMAN:
Do we have a deadline for submission?

MR. MALLAMO:
This must be included in the packet by the end of this month.

DR. PECORALE:
Can we approve it subject to review by the attorney?

DR. GITTELMAN:
Sure.

MR. MALLAMO:
Sure, we can do that.

DR. GITTELMAN:
Which raises the question, if the attorney has questions -

DR. PECORALE:
Then it would come back to us.

DR. GITTELMAN:
But he has to submit it before we would meet.

MS. GRAY:
Well, then wouldn't the Executive Board -

DR. GITTELMAN:
I could convene an Executive Committee meeting on five days' notice.

DR. PECORALE:
I have no problem with that.

MS. FUHRMANN:
I'd be available.

DR. GITTELMAN:
And then the Executive Committee could ratify it, but there would be no opportunity for the Board as a whole to ratify the actions of the Executive Committee. I'm just giving you the lay of the land.

MS. GRAY:
Could I just make another suggestion, that we approve it as it stands subject to the attorney looking at it and then bring it back to the Board for any additional amendments that might be necessary so that you can submit it with full Board approval.

DR. GITTELMAN:
We don't have a Board Meeting -

MS. GRAY:
No, I mean after you submit it. If this is 100 percent what was suggested, then it will at a minimum meet your requirements for reaccreditation. The only issue would be if the attorney for the County wanted us to put something in that was particular to their needs.

DR. GITTELMAN:
There are the needs of the AAM, and then there might be subsequent needs of the County.

DR. PECORALE:

I think Bob should take a look at this.

DR. GITTELMAN:
Bob is no longer acting as counsel.

DR. PECORALE:
Well, who is now counsel to us?

MR. MALLAMO:
A young lady, Lori Pach. She just started yesterday.

DR. PECORALE:
I would like to meet Lori Pach.

DR. GITTELMAN:
She started yesterday, so she would like to meet us, too. Bob is now Elections Commissioner.

DR. PECORALE:
Send him our very best. Tell him that we'll miss him.

DR. GITTELMAN:
I spoke to him, and he said if we need his help, he would be glad to help. If there is a question in the interim, I think we should take Deborah's suggestion. I think we should approve this as written.

DR. PECORALE:
I'll accept that as an amendment to my original motion.

DR. GITTELMAN:
Do I have a second?

MR. HAHN:
I'll second.

DR. GITTELMAN:
Further discussion? All in favor? Opposed? Abstentions? It carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw) This is, for all intents and purposes the ethic's policy for the Museum.

MR. MALLAMO:
Yes, this is in addition to our professional Code of Ethics, which is already in place.

DR. GITTELMAN:
Correct.

MR. MALLAMO:
The next item would be approval of a bylaw revision in preparing the paperwork for reaccreditation. I discovered that we had not updated our bylaws relating to the credentials of the Executive Director and Assistant Executive Director, which is not currently a position at the Museum, but if such time as such position were to be created, the Suffolk County Legislature had made changes in this regard about four

years ago. We did not incorporate those changes into our bylaws, so the copy that you have in front of you, those are the sole changes to the bylaws that were made, specifically in the qualifications of Executive Director and Assistant Deputy or Deputy to the Executive Director.

DR. PECORALE:

Lance.

MR. MALLAMO:

Yes.

DR. PECORALE:

All of those changes when we pass them were run by our attorney and accepted. This constitutes a document that has already been reviewed by counsel.

DR. GITTELMAN:

And had been passed by the Suffolk County Legislature. This is law.

MR. MALLAMO:

This would bring our bylaws in conformance with the County.

DR. PECORALE:

So there is no need for this to be reviewed.

DR. GITTELMAN:

No.

DR. PECORALE:

I move that we accept this as presented.

DR. GITTELMAN:

Do I have a second?

MS. FURHMANN:

I'll second it.

DR. GITTELMAN:

Discussion? All in favor? Opposed? Abstentions? It carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

MR. MALLAMO:

The next item is the collection policy. We have a very extensive collection policy currently that we have not specifically addressed, the policy concerning Nazi era artifacts. This has to do with legal title and the acquisition of artifacts in our collection. We are not aware of any artifacts or items in our collection that are involved in this in any way. However, this is specifically the era of the late 1930's, early 1940's, which was a period of time when Mr. Vanderbilt lived here and was collecting. I do think it's appropriate that we do establish ourselves in conformance with the AAM policies.

MS. GRAY:

I'm going to ask the same question, has this been seen by anyone?

MR. MALLAMO:

This has not been seen by the County Attorney.

MS. GRAY:

I'll make the same suggestion that was made regarding the first amendment.

MS. FUHRMANN:

Motion.

DR. GITTELMAN:

Do I have a second?

MS. GRAY:

Second.

DR. GITTELMAN:

Any discussion other than the small typographical error? All in favor? Opposed? Abstentions? It carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

MR. MALLAMO:

The final issue is the borrower/lender policy. This specially - we had a policy on loans, incoming and outgoing loans, but the AAM has requested that museums establish very specific policy guidelines and procedures concerning borrowed objects and lender involvement in exhibitions. This is what this relates to. This also has not been forwarded back to the County Attorney, but I would suggest that we do that with the others. This is verbatim wording, only making changes to adapt to include our name. The only other change that I have included there within the incoming loan's policy guidelines, procedures and conditions, the one addition that we made is we have included Board Members, staff, donors, and it included County agencies or officials, which was not within the AAM request but I do think it would make sense to include that here. That is the one additional change that I had suggested.

DR. GITTELMAN:

Unfortunately, none of us have read this.

MR. MALLAMO:

I do apologize for that. This has only just been adopted.

DR. GITTELMAN:

We can't pass it without reading it, so we have to read it now. Everybody take a moment, please.

(Recess: 9:05 p.m. - 9:15 p.m.)

MR. MALLAMO:

This is what we presented to the AAM at our last self-study.

DR. GITTELMAN:

I apologize for stopping the show before, but we'll clear this up in a second.

MS. FUHRMANN:

I don't know. We don't have that many people here who have been here that long.

DR. GITTELMAN:

It doesn't matter. We have to reargue it.

MS. FUHRMANN:

We're missing something.

DR. GITTELMAN:

Do you mean on six?

MS. FUHRMANN:

Yes.

DR. GITTELMAN:

I know.

MR. MALLAMO:

Let me go back to the office.

DR. PECORALE:

I think we're going to need more than a few minutes to make the corrections.

DR. GITTELMAN:

But he needs it in order to submit this for reaccreditation. That's why I wouldn't normally do this.

DR. PECORALE:

When does he need this?

MS. FUHRMANN:

He needs it by the end of the month.

DR. GITTELMAN:

By the end of the month.

MR. MALLAMO:

May I ask a question? Did you vote on that policy already?

DR. GITTELMAN:

Yes.

MS. FUHRMANN:

Yes.

MR. MALLAMO:

Well, then that shouldn't be a problem because it's already been authorized. The only issues we are looking at here are incoming/outgoing loan policy, guidelines, procedures, and conditions one through six.

DR. GITTELMAN:

Can I have an approval for one through six?

DR. PECORALE:

On the incoming/outgoing loan policy loan guidelines?

DR. GITTELMAN:

Yes.

DR. PECORALE:

Only on that one section.

DR. GITTELMAN:

On the logic that everything else has already been approved by the Board. If he finds that and amends this, he has a complete policy. Fair enough?

DR. PECORALE:

Yes.

DR. GITTELMAN:

Can I have a motion to that effect?

MS. GRAY:

So moved.

DR. GITTELMAN:

Second?

MR. SEIDES:

I'll second.

DR. GITTELMAN:

Any discussion?

MS. FUHRMANN:

You're going to take -

DR. GITTELMAN:

We're going to take one through six and amend it to the existing policy if he finds the vote.

MR. MALLAMO:

Any ball park time when this would have occurred?

DR. GITTELMAN:

No, we'll have to figure that out. It was before you were here. I would say about five years ago.

MR. MALLAMO:

Because we've only changed the one through six, I can -

DR. PECORALE:

It was during Alison's time.

DR. GITTELMAN:

I'm saying about five years ago. Lance is here now approaching four years, so I'm saying five.

MR. MALLAMO:

I will dig this up. I had gone over this with a curator today, and she hadn't picked up on it.

DR. GITTELMAN:

Betsy was very, very involved. She probably will have it.

MR. MALLAMO:

These changes one through six, I'll amend that -

DR. GITTELMAN:

I have a motion, all in favor? Opposed? Abstentions? It carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

MR. MALLAMO:

But we are also including in that the policy on borrowed objects and lender involvement. This is a new page -- this page and the guidelines here one through six. The borrowed objects and lender involvement is, again, a verbatim recommendation of the AAM inserting our Museum's name.

DR. PECORALE:

As I recall, when they came here and there were some policies that they wanted us to - they just told us to do that before they were going to give us the five-year accreditation. If you're missing anything, they're going to certainly bring it to our attention.

DR. GITTELMAN:

Let me have a motion for approval and then I'll go into discussion.

DR. PECORALE:

I'll move to approve this one page, Suffolk County Vanderbilt Museum policy on borrowed objects and lender involvement.

DR. GITTELMAN:

May I have a second?

MS. GRAY:

Second.

DR. GITTELMAN:

Discussion? I want to bring up a point. Number 2 (a), we'll retain full decision making authority over the content and presentation of the exhibition. That relates to what the problem is with the other document, and that is where in the other document we disavow any responsibility to the items. Here we're taking full control.

When you take full control, you take responsibility. That's what was clarified in our discussions of some years ago.

DR. PECORALE:

You had a very definitive statement that you wanted put in there to not only clarify the responsibility but to clarify insurance and so on. I say, when you find that, you'll have the exact wording. I remember you were very vociferous in what you were looking for and we agreed.

DR. GITTELMAN:

We'll look for it. If not, we'll reconstruct it. Does anybody have any additional comments on this page? We have a motion and a second. All favor? Opposed? Abstentions? It carries unanimously. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

MS. GRAY:

May I ask a question? When you reviewed this prior to when you did it, and you moved from no responsibility to full responsibility, did people look at your insurance to make certain that the action you took would be covered by the extent of the value of the objects that you were taking responsibility for?

DR. GITTELMAN:

As I recall, part of the modification included the requirement to obtain insurance as needed. I could be wrong.

MS. GRAY:

Did we check to see if that occurred?

DR. PECORALE:

That's right. What you said is absolutely correct.

MS. FUHRMANN:

That is correct, and we had Carl review it.

DR. PECORALE:

Carl did it.

DR. GITTELMAN:

Yes, Carl did it.

MS. FUHRMANN:

Carl is in the insurance field.

DR. GITTELMAN:

I would tend to answer you in the affirmative, given that you're asking for recall of verbatim from five years ago.

MS. FUHRMANN:

But we're confirming your recall.

DR. PECORALE:

I am certain that there was an insurance provision in there.

MS. FUHRMANN:

That was covered. That was definitely covered.

DR. GITTELMAN:

And this emanates from the fact that I ran a major exhibit for four years. I was very aware of the clauses that went into such agreements. I used the verbiage from the contract that I had designed for that purpose. It had all the bells and whistles. More, Lance?

MR. MALLAMO:

That concludes my report.

DR. GITTELMAN:

That was the first time you had to leave the building in order to finish a report.

DR. PECORALE:

I would like to talk for a minute or two about you plan for the Christmas season. This is November, and our next meeting is December.

DR. GITTELMAN:

No, I'm going to correct you on that. I'm going to suggest our next meeting is January.

DR. PECORALE:

Well, then it's even more important that we get some input into the plans.

MR. MALLAMO:

We have a very extensive holiday program planned. I think we have a schedule of - Rita, could you tell Zach to get a schedule for everyone.

MS. BECKMAN:

Zach is gone.

MR. MALLAMO:

Could you get a schedule for everyone? They're probably on the desk by the receptionist. The day after Thanksgiving will begin our "Star of Wonder" program, which is our seasonal holiday program here at the Planetarium. The staff is updating that with new script, music, and visuals. It was getting quite dated.

We will also be - the house will be decorated as it was for the last year. We did the 1939 World's Fair. This year we're going to do the close of the Fair, 1940 in preparation for our interpretive program next year, which we are planning around the year 1942. There will be children's plays. We will be having a holiday buffet on December 17th - or is it 18th?

MS. BECKMAN:

The 13th.

MR. MALLAMO:

The 13th. We will be having a Sunday brunch featuring the sounds and music of Irving Berlin. This is a variation of the World's Fair Radio Program that we have been doing. It will be a different show from last year. That will take place here Sunday mornings in the Planetarium.

The tree lighting will be December 1st. In fact, the tree is arriving tomorrow. We will be having special holiday house tours in the evening hours from December 27th through the 30th. It looks like in addition to the regular theatrical and magic programs that we do every weekend, we do have a full holiday program going.

DR. PECORALE:

So the holiday brunch is going to be on -

MR. MALLAMO:

Sunday mornings, December 1st, 8th, 15th, 22nd, and the 29th. We are also doing that brunch for special group tours at other times. By special request some have been scheduled during the week and at other times on the weekend. As that does take place in the Planetarium, we have to do it at a time when it doesn't conflict with the public programming. We have had some requests for that.

DR. PECORALE:

That's the Sunday brunch.

MR. MALLAMO:

Right.

DR. PECORALE:

But what about the holiday buffet?

MR. MALLAMO:

The buffet is on Friday the 13th at six and eight p.m. It's listed here as holiday reception. In the past few years we have been doing wine and hors d'oeuvres. This year we will be going to a sit-down dinner. That dinner will take place here in the lobby. The whole lobby will be decorated. We started doing this two years ago, and it was very, very popular having part of the evening here in the Planetarium. Then we will be going on to the mansion for a house tour, and we'll have desserts and coffee in the Lancaster Room of the mansion.

DR. PECORALE:

So we're doing that on the 13th, the 6th and the 8th. Are we having Mrs. Astor?

MR. MALLAMO:

We will have special entertainment that night.

DR. PECORALE:

And have you decided what the fee is for that yet?

MR. MALLAMO:

Yes, I believe it's \$35. We have decided it, Tony, but I just don't remember it off the top of my head.

DR. PECORALE:

I assume you want us to tell you if we're planning on coming.

MR. MALLAMO:

That would be helpful because we do reach a capacity for these two feedings. It can sell out early.

DR. PECORALE:

So the 13th is the wine and dinner one, the 1st, 8th, 15th, and 22nd are the Sunday brunches.

MR. MALLAMO:

Right. That's a very nice program, excellent food. It's a nice break on a Sunday morning.

DR. PECORALE:

Is the Sunday brunch also going to include the house tour and the Planetarium?

MR. MALLAMO:

No, but there would be no reason that someone couldn't do that. The scheduling is such that it would work out.

DR. PECORALE:

And have you decided on a price for the Sunday brunch?

MR. MALLAMO:

That also is \$30. I believe it's \$28 for members.

DR. PECORALE:

And the other ones for the holiday buffet are -

MR. MALLAMO:

I think it's \$35.

DR. PECORALE:

And we still have the same thing we have had in other years where it's going to be restricted to a set number and after that -

MR. MALLAMO:

Yes, we have a maximum number of people we can fit in with the fire code. We just hope we have all the heat back by then.

DR. GITTELMAN:

Are we done with that? Can we move on?

DR. PECORALE:

It's just that you would like to know from us as soon as possible, I would assume.

DR. GITTELMAN:

We will obviously send this to the other Trustees.

MR. MALLAMO:

Yes.

DR. GITTELMAN:

Okay, the million dollar guarantee -- let me change that -- the annual guarantee that we receive from the endowment each year has been set at \$1.2 million per year. Each year we submit new legislation from a Legislative sponsor. Each year we attempt to get removed a clause, which limits the Museum to realize its capital gains obtained during that calendar year. This is opposed to the concept of gains that have accumulated in the fund since its conception.

According to the regents, which is what we're governed by, we can access gains that have been realized beyond the original principal which is some \$6 million to \$8 million. I forget the exact number.

Last year we submitted legislation through Legislator Cooper, and it was delayed to the beginning of this year. It lacked the clause and the realized gains during this calendar year, that clause was deleted. When the legislation was passed by the Legislature, unbeknownst to us it was passed with the offending clause, gains within the present year added. When the stock market plummeted this year, realized gains during this calendar year ceased to exist. Because they ceased to exist, the endowment was cut off. The endowment was cut off leaving the Museum with an approximate \$300,000 shortfall.

In order to cut off the possibility of such a shortfall a series of meetings began which Lance and I both attended, and we were given, with the help of a number of people, everyone from Bob Garfinkle to our accountant and our auditing firm, who provided expert testimony. What we did was present to the Legislature that, number one, the Legislature could allow us to invade the gains, whether they were realized or not, as long as they were in excess of the original principal.

We also presented to them that we were governed by the regents as opposed to straight IRS law. We also presented to them that they could hold us to realize gains during the year, but if they did so, they would probably have to substitute the shortfall with taxpayer dollars.

The Legislature is not inclined to substitute taxpayer dollars for the endowment funds, especially since there was \$1.6 million in cash available in the endowment. This whole process took a half dozen meetings. It required a Certificate of Necessity from the County Executive in order to get it on the schedule of the meeting of October something, maybe 19th, I'll guess.

MR. MALLAMO:

October 8th I believe.

DR. GITTELMAN:

The Legislature met and we had formulated a new bill after meeting with Budget Review and Counsel to the Legislature. Paul Sabatino drafted a new bill. It was a difficult experience. The Legislature went into public session, and their next scheduled meeting was November 19th because they had the budget to review on the meeting between October 8th and November 19th. The CN was necessary since we could not wait until November 19th since by November 19th we would be out of business. The Legislature ran in public session until midnight, and at midnight the County law is that they are adjourned. In order for them to open, they have to have a vote to extend the meeting. The vote failed. In order for them to consider our bill,

they had to extend the meeting. So we would have been dead at that point. The Presiding Officer graciously said, "But the Vanderbilt --" I'm telling you, they had ten pages worth of bills that had to go through. They reconvened at midnight, plus thirty or something and voted it through.

MR. MALLAMO:

It was more like one-thirty, wasn't it, Ann Marie?

MS. PASTORE:

Something like that.

DR. GITTELMAN:

And voted us through 18 zip. This was a very difficult process. It was not a pleasant process. It wasn't a friendly process. But one of the things that I think it did do was make very clear to the Legislature what our issue is next year. That clause must be removed. We have now made our Legislative sponsor very cognizant that the clause cannot be inserted at the last minute. This is critical for us, that they not do this again. I am confident that the Legislator involved did not know the clause was in there. His office was probably informed, but in the massive paperwork it never got to him.

We did get an extension, which covered this year. We would have been \$300,000 short. I think there was a certain amount we were getting anyway. What did they give us another \$200,000 or something? We're whole for this year. We will not be whole as of the expiration of the current bill. Lance and I have already submitted new legislation, or rather a request for new legislation. We are awaiting copy. On receipt of that copy, we will either know that the message has gotten through or the battle will begin anew. I suspect we will find out.

In a meeting with Paul Sabatino some issues were brought up as to what language we were speaking. He understands the language now. I received a letter from Paul on October 18th. I'm going to distribute this letter. It brings up the issue of Trustee attendance in a rather strong manner. If you would take a moment to read it.

In the year 2001, at the end of 2001 I submitted an attendance form to the Legislature. I did this when we went for a meeting I think it was at the end of 2001. I have not submitted an attendance form for the year 2002. In fact, I don't even have an accurate one compiled. But what I'm going to distribute to you now is one that I believe to be inaccurate. Lance and I have not crosschecked it. My recollection is that there was not a meeting every month this year.

MS. FUHRMANN:

No, I keep records.

DR. GITTELMAN:

I'm going to distribute these as a beginning point. This is what my staff compiled. It is not something that we have provided to the Legislature, only because it is a work in progress. When we have the final one I will provide it to the Legislature. Obviously, I haven't provided 2002. The year isn't over. At your leisure, please review this. I believe we didn't have a meeting in one month this year, yet this shows that we had a meeting every month. It could be - I did not check it personally against the minutes. I would ask our Secretary if she would do that.

In the letter received from Mr. Sabatino, you will note that he quotes two clauses. One clause states that you cannot miss four consecutive meetings. This Board, you will note by our bylaws, meets six times a year. You will note by the attendance schedules that I have accounted for twelve times a year, approximately, with a few years where we missed a meeting or two. For the nine years that I have been President, we have met twelve times or thereabout per year. I believe the County Code was based upon a six meeting schedule and missing four out of six meetings in a row was considered to be too great of a crime and that was the elimination of a Trustee.

What has been done in Mr. Sabatino's letter is he has taken a twelve meeting schedule and applied the same standard. We have appealed to Mr. Sabatino to no avail. At this juncture we have to take the law for what it is. In the second case, in Doug Shaw's case, the paragraph allows for excused absences due to illness or death. We will now require and request that any Trustee missing a meeting who would be kind enough to provide us with a letter where they were ill or where there was a death in the family; I would ask that they please provide those letters to me. We will record them as excused absences. We have not done that because we have never had this standard applied to us.

MS. FUHRMANN:

Can we retroactively apply that standard to Doug?

DR. GITTELMAN:

Well --

MS. FUHRMANN:

If these absences here were for death in the family or illness -

DR. GITTELMAN:

I have called Doug. He has not returned my calls. In each case, with each Trustee I had a conversation to review the options available to us in their particular case. I understand that Mr. LaBua spoke with Mr. Sabatino and explained to Mr. Sabatino that one of the absences was due to the death of his mother, and that Mr. Sabatino said it didn't matter - not that it didn't matter, but that it didn't change the situation. Yes, Deborah.

MS. GRAY:

Is there a provision in our bylaws for telephone conferencing in or do they have to be physically present?

DR. GITTELMAN:

Physically present. There is no provision in our bylaws to cover Section 184-7(f). I'm asking for a motion to add 184-7(f) as it appears in Suffolk County Code. I'm going to ask the Director to visit it and bring it to us at the next meeting, so that it will become part of the bylaws. A Trustee who reads the bylaws may not read the County Code. I would like it to be all-inclusive. From this point forward I would ask all Trustees to present me with reasons for excused absences and if possible - and it may not be possible - to contact me in advance before a meeting and if they could review their calendars I would like to retroactively record appropriate absences.

DR. PECORALE:

Could we go off the record for a minute?

DR. GITTELMAN:
We could take a short recess.

(Recess: 9:45 - 9:47 p.m.)

DR. GITTELMAN:
From this point forward we will go on the six meeting schedule that the bylaws states. I will call for special meetings as prescribed in the bylaws. I would ask that the Nominating Committee consider in making their nominations that those Trustees who become officers should expect to meet twelve times a year because the Executive Committee will be meeting on the alternating months. Of course, I will extend an invitation to all Members of the Board to join the Executive Committee at any of its meetings.

DR. ROGERS:
When are the next scheduled meetings, might I ask.

DR. GITTELMAN:
Good point. We're now jumping forward into January.

MS. FUHRMANN:
We are skipping December.

DR. GITTELMAN:
And I am proposing that we skip December, unless I am given information that requires me to call a meeting. We have a date for the December meeting, the 4th, and that would be the date. If I'm forced to call a meeting, I will inform everybody appropriately. The next meeting will be January. Would you come up with some scheme for picking meetings.

DR. PECORALE:
I'll say now, and we have stayed away from Tuesdays, that I cannot possibly ever attend a meeting on a Tuesday.

MS. FUHRMANN:
I can't do Mondays.

DR. PECORALE:
I'm just saying if you pick Tuesdays, I cannot attend. I'm not suggesting to you that you do what's in my best interest. You pick the days that are best for the group.

DR. GITTELMAN:
There are six meetings now. Can we rotate Monday through Thursday, avoiding Friday?

DR. PECORALE:
I almost prefer that you pick a particular day of the week that everybody seems to think is the best day, and we say that's the day we're going to meet because then we know that Thursdays are our meeting days.

DR. GITTELMAN:

All right. I'll run it by everyone. Does anybody have a problem with Wednesdays?

MS. FUHRMANN:
It depends which ones.

DR. GITTELMAN:
You can't knock out Monday and Wednesday.

MS. FUHRMANN:
I didn't say don't knock out Wednesdays, it's just - I'll take that back.

MS. GRAY:
Is the reason there are some problems with attendance because the days we're picking people aren't available or is it just other conflicts? If you don't really have a majority of the people here, it would almost seem like you should survey to see which week of the month and which day in the week the most people could attend, and then you might avoid having people who have conflicts.

DR. GITTELMAN:
What we have done is we have rotated dates really, Tuesday, Wednesday, Thursday because you can't accommodate everybody when you have a 15 person board.

MS. FUHRMANN:
Maybe she's right, though. Maybe because we rotated, it got too confusing and people get messed up.

MR. MALLAMO:
But when we tried to pick one day, that didn't work either.

MS. FUHRMANN:
Never mind. I'll be quiet again.

MR. HAHN:
And we have a yearly schedule. The schedule is given out for the year.

MR. MALLAMO:
Yes, we give the schedule out - we try to decide in December our January meeting.

DR. GITTELMAN:
It's six days out of a year.

DR. PECORALE:
So you're really talking January, March, May, etc.

MS. GRAY:
Why don't you propose a calendar and send it and see -

DR. GITTELMAN:
I need a date for January. I'd like to have that. Why don't we pick a date for January? Does anyone have a calendar out?

MS. FUHRMANN:
Yes.

DR. PECORALE:

I do. January 8th or 9th are fine for me.

MS. PASTORE:

What days are those because the Legislature meets on Tuesdays.

DR. PECORALE:

Wednesday and Thursday.

MS. FUHRMANN:

The 8th is a Wednesday and the 9th is a Thursday. How about the 9th?

DR. PECORALE:

I can't ever meet on a Tuesday.

DR. GITTELMAN:

Okay, January 9th. Does anybody have a problem with January 9th? Okay, so the next meeting is January 9th. We will determine the rest of the meeting schedule on that date.

DR. PECORALE:

I also think that the Legislature should take into consideration other meetings that we have to attend as part of our responsibilities to this organization. For example, I know I went to six meetings this whole summer dealing with the financial consideration that the Legislature imposed upon us. They were meetings that I had to go to. Those meetings that I have missed I can give you reasons why I missed each one of them and it wasn't because I was sick. Frankly, I went away on vacation. If vacation days are unacceptable - I'm saying this because I hope it's in the record, I want these Legislators to hear that there are reasons why people can't make meetings, and they are legitimate reasons.

DR. GITTELMAN:

What they are saying to us is that 25 percent of those - you can miss up to 25 percent of your meetings, but if you miss a meeting and you don't provide an acceptable excuse, which they define in the code, and it's worth reading, "No person shall be reappointed to a position under Subsection (a)," Subsection (a) is the appointment of Trustees, "unless such person shall have attended at least 75 percent of the regular and/or special meetings held by said Board of Trustees of said museum. Absences from such meetings caused by death in the immediate family of the Trustee, the children, parents, brothers, sisters, in-laws, and/or grandparents or caused by a verifiable illness shall not be counted for the purposes of this calculation of attendance." I ask you all to provide me with information on the meetings you have missed where you could provide me with information relating to those causes for past meetings and in the future.

MS. GRAY:

May I make a suggestion?

DR. GITTELMAN:

Yes, please.

MS. GRAY:

If the attempt is to show that people aren't absent, then maybe you should add a category excused.

DR. GITTELMAN:

We will be adding in a category of excused. I will provide, based on your input, a list of excused dates and absences to update this, and we will create an attendance chart. We will then provide our stenographer with the information for each meeting, since obviously the Legislature has used the record.

DR. PECORALE:

Do they want us to go back in the past?

DR. GITTELMAN:

I want us to go back in the past. I had nothing to argue with. That's the problem. Okay, I think that we move forward on the million-dollar guarantee and it's unfortunate that we were handled in this fashion on Trustee attendance. Unfinished business? New business? Yes, Bill.

DR. ROGERS:

I would like to get information, if possible, what is going on with respect to the airplane hangar and anything that pertains to the permanent dinosaur exhibit.

MR. MALLAMO:

I can update you that work is going on both in and around the hangar right now, most of which has to do with the sea wall project. But certain improvements to the building, such as the removal of the concrete block doorway in preparation for the restoration of the doorway into the building have occurred. This enabled them to actually do work on the sea wall, which is about 60 percent complete. That's going a little bit ahead of schedule. We expected that the sea plane hangar was going to be delayed a little, the construction, because of that. Now it looks like we'll be able to expedite that. The planning is underway for the building, and we have determined the preliminary concept scheme for the architect and where the building entrances and how the space is going to be laid out visually. Now we're just working on the design of the exhibit to fit into it so that it will fit in with the scheme for the building.

DR. ROGERS:

Has a complete set of architectural plans been presented for the hangar?

MR. MALLAMO:

No, we don't have a complete set of plans, but they are in the process of being completed.

DR. ROGERS:

Is there any estimated time as to when?

MR. MALLAMO:

I know that all of our capital projects are now being fast tracked. In fact, they have assigned an architect specifically to the Museum to fast track them. The Department of Public Works has received a fair share of criticism from the Legislature for the length of time it takes them to do many projects, not just for the Museum but across the County. They have really been fast tracking that and other projects over at the Museum. I would say that we will see this under construction by next summer.

DR. ROGERS:

And possible completion, three months, six months?

MR. MALLAMO:

It's probably going to take another year, Bill, to be honest with you. It may be that we can get portions of it ahead of time. Some of the items, like we may not be doing part of the boardwalk on the sea wall that we had initially planned. We may divert that money to replace the ramp behind the building, which we didn't have funding for initially, the big wooden ramp. We have applied for a grant for that funding, which we haven't heard on yet. But it may be that we can use those funds to do that, which would expedite the overall project. In fact, I would be happy to take you down there to see it. You will be amazed at just what occurred around the building. We have opened it up quite a bit and the flat area around it in conjunction with the sea wall is going to be great classroom space. We're also working on a capital project for the waterfront, which is funded for 2003. We have come up with a preliminary design in conjunction with all we have done with the sea plane hangar to work in the waterfront project because actually the access to the building is going to come from the waterfront project. You will be entering the building at the second level because we are not going to be using the lower level door for public access. That will be by this new boardwalk level, and initially I think when I had showed you our model, we were going to be accessing the building direct, front on. Now actually we're going to be constructing a walkway from the traffic circle near the sea plane hangar down to the second level of the building. You will actually enter on the side of the building, and then if you were to head north, you would head up toward the boathouse. It was very important that those two projects work together because one now depends on the other. That was at DPW's suggestion. This will improve and lower the overall cost of access rather than raise the whole road in front of the building.

DR. GITTELMAN:

Bill, if there is a day you want to come down, I'll come down with you.

DR. ROGERS:

Okay, thank you.

DR. GITTELMAN:

I receive my mail in my monthly folder. I would ask staff that if a letter comes in for me, I want a phone call because I might ask staff to open it up or you to open it up and let me see.

There has been no reason for an executive session. If there is no reason for an executive session, can I have a motion to adjourn?

DR. PECORALE:

Motion.

MS. FUHRMANN:

Second.

DR. GITTELMAN:

We are adjourned. (Vote: 7/0/0/6 Absent: Mr. Broxmeyer, Mr. Luecke, Mr. Macchione, Ms. Periconi, Ms. LeBow & Mr. Shaw)

(Dr. Gittelman adjourned the meeting at 10 p.m.)

SG/ap
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