



# Newmarket Public Library Board Agenda

Date: Wednesday, April 17, 2019  
Time: 5:30 PM  
Location: Newmarket Public Library Boardroom  
Newmarket Public Library  
438 Park Avenue  
Newmarket ON L3Y 1W1

## Pages

### 1. Adoption of Agenda Items

- 1.1 Adoption of the Regular Agenda
- 1.2 Adoption of the Closed Session Agenda
- 1.3 Adoption of the Consent Agenda Items

### 2. Declarations

### 3. Consent Agenda Items

- 3.1 Adoption of the Regular Board meeting minutes for January 16, 2019 and March 20, 2019 1
- 3.2 Adoption of the Closed Session Minutes for March 20, 2019
- 3.3 Strategic Operations Report for March, 2019
- 3.4 2019 First Quarter Library Statistical Data Report 10
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### 4. Reports

- 4.1 2018 Fourth Quarter Financial Report
- 4.2 2019 First Quarter Financial Report

- 4.3 Revisions to Code of Conduct, Oath of Office and Investigation Procedures

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**5. Business Arising**

5.1 Efficiency Review

5.2 Leadership by Design Board Orientation 2

5.3 Library Board Action List

**6. New Business**

**7. Closed Session**

7.1 That the Library Board move into a Closed Session to discuss matters pertaining to an identifiable individual.

**8. Dates of Future Meetings**

8.1 The next Regular Library Board meeting is scheduled for Wednesday, May 15, 2019 at 5:30 pm in the Library Board room.

**9. Adjournment**



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## **Newmarket Public Library Board**

### **Regular Board Meeting Minutes**

Wednesday, January 16, 2019  
Newmarket Public Library Board Room

**Present:** Joan Stonehocker, Chair  
Tara Brown, Vice Chair  
Kelly Broome  
Darcy McNeill  
Venkatesh Rajaraman  
Jane Twinney  
Tom Vegh

**Regrets:** Tara Brown  
Tom Vegh

**Staff Present:** Todd Kyle, CEO  
Linda Peppiatt, Deputy CEO  
Lianne Bond, Administrative Coordinator

The Chair called the meeting to order at 5:40 pm

#### **Adoption of Agenda Items**

1. Adoption of the Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of the Consent Agenda Items

The Chair asked if there were any additions to the agenda. One Item was added under New Business.

#### **Motion 19.01.327**

**Moved by Kelly Broome**

**Seconded by Venkatesh Rajaraman**

**That** Agenda items 1) to 3) be adopted as amended.

**Carried**

## **Declarations**

None were declared.

## **Consent Agenda Items:**

4. Adoption of the Regular Board Meeting Minutes for Wednesday, December 19, 2018
5. Strategic Operations Report for November, 2018
6. Fourth Quarter Statistical Report
7. Monthly Bank Transfer

### **Motion 19.01.328**

**Moved by Darcy McNeill**

**Seconded by Jane Twinney**

**That** Consent Agenda items 4) to 7) be received and approved as presented.

**Carried**

**Note:** The Fourth Quarter Statistical Report was deferred to the next Library Board meeting.

## **Reports**

There were no reports

## **Business Arising**

8. Library Board Action List

The Library Board reviewed the Action list.

### **Motion 19.01.329**

**Moved by Jane Twinney**

**Seconded by Venkatesh Rajaraman**

**That** the Library Board receive the Action List as presented.

**Carried**

## **New Business**

9. Security Concerns

The Library Board discussed the news article on the Newmarket Today website and the safety and security concerns of the Library.

**Dates of Future Meetings**

The next Regular Library Board meeting is scheduled for Wednesday, February 20, 2019 at 5:30 pm in the Library Board room.

**Adjournment****Motion 19.01.330**

**Moved by Kelly Broome**

**Seconded by Venkatesh Rajaram**

**That** there being no further business the meeting adjourn at 6:04 pm.

**Carried**

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Joan Stonehocker, Chair

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Todd Kyle, Secretary/Treasurer



# Newmarket Public Library Board

## Minutes

Date: Wednesday, March 20, 2019  
 Time: 5:30 PM  
 Location: Newmarket Public Library Boardroom  
 Newmarket Public Library  
 438 Park Avenue  
 Newmarket ON L3Y 1W1

Members Present: Darryl Gray  
 Leslee Mason  
 Art Weis  
 Jane Twinney  
 Victor Woodhouse

Members Absent: Darcy McNeill  
 Kelly Broome

Staff Present: Lianne Bond, Administrative Coordinator  
 Linda Peppiatt, Deputy CEO  
 Todd Kyle, CEO

Guests: Guests: Ian McDougall, Commissioner, Community Services,  
 Town of Newmarket (left at 6:40 pm)  
 Lynn Geogoff, Director, Human Resources Director, Town of  
 Newmarket (left at 7:00 pm)

### 1. **Welcome**

The CEO welcomed the new Library Board members and gave an overview of the documents included in the Library Board orientation package.

### 2. **Appointment of Library Board Officers**

The CEO called for the nomination of Library Board Chair.

#### **Motion 19-03-01**

**Moved by** Jane Twinney

**Seconded by** Darryl Gray

That Darcy McNeill is appointed to the position of Chair for Newmarket Public Library Board.

**Carried**

**Motion 19-03-02**

**Moved by** Jane Twinney

**Seconded by** Art Weis

That Jane Twinney is appointed to the position of Vice Chair for the Newmarket Public Library Board

**Carried**

**3. Adoption of Agenda Items**

3.1 Adoption of the Regular Agenda

3.2 Adoption of the Closed Session Agenda

3.3 Adoption of the Consent Agenda Items

The Chair asked if there were any additions to the agenda.

**Motion 19-03-03**

**Moved by** Victor Woodhouse

**Seconded by** Art Weis

That Agenda items 3.1 to 3.3 be adopted as presented.

**Carried**

**4. Declarations**

None were declared.

**5. Consent Agenda Items**

5.1 Adoption of the Regular Board Meeting Minutes for Wednesday, January 16, 2019

5.2 Strategic Operations Report for January and February, 2019

5.3 Monthly Bank Transfer

5.4 Southern Ontario Library Service Correspondence

Adoption of the Regular Board meeting minutes for Wednesday, January 16, 2019 were deferred to the next regularly scheduled Board meeting.

**Motion 19-03-004**

**Moved by** Darryl Gray

**Seconded by** Leslee Mason

That Consent Agenda items 5.2 to 5.4 be received and approved as presented

**Carried**

**6. Reports**

**6.1 Operational Efficiencies Implementation Update**

Background and overview of the joint Newmarket Public Library / Town of Newmarket efficiency review conducted in 2017 was provided to the Board. The Board viewed a presentation on the progress towards the implementation of the recommendations from the efficiency review.

**Motion 19-03-005**

**Moved by** Leslee Mason

**Seconded by** Art Weis

**That the Library Board receive the report and accompanying presentation on the Library operational efficiencies review.**

**Carried**

**6.2 Library - IT Shared Services**

The Board reviewed the report on the Library/Town of Newmarket Technology Shared Services review.

**Motion 19-03-006**

**Moved by** Darryl Gray

**Seconded by** Victor Woodhouse

**THAT the Library Board receive the report on Library-IT Shared Services Review;**

**AND THAT the Library Board direct the creation of a Service Level Agreement between the Library and Information Technology based on this report and any other input the Board may have;**



**AND THAT the Library Board request a joint Information Report be sent to Council to report on the review and any subsequent Board decisions.**

**Carried**

**7. Closed Session**

**Motion 19-03-07**

**Moved by** Darryl Gray

**Seconded by** Victor Woodhouse

That the Library Board move in to a Closed Session at 6:05 pm to consider matters about an identifiable individual.

**Carried**

**Motion 19-03-08**

**Moved by** Victor Woodhouse

**Seconded by** Darryl Gray

That the Library Board move out of closed session at 6:30 pm.

**Carried**

- 7.1 For the purposes of discussing personal matters about an identifiable individual

Motion arising from Closed Session:

**Motion 19-03-09**

**Moved by** Darryl Gray

**Seconded by** Victor Woodhouse

That the Library Board receive the closed session reported pertaining to personal matters of identifiable individuals.

**Carried**

- 7.2 For the purposes of discussing matters pertaining to Labour relations

**Motion 19-03-10**

**Moved by** Art Weis

**Seconded by** Victor Woodhouse

That the Library Board move in to a second closed session at 6:40 pm to discuss Labour relation matters.

**Carried**

**Motion 19-03-11**

**Moved by** Victor Woodhouse

**Seconded by** Darryl Gray

That the Library Board move out of closed session at 7:00 pm.

**Carried**

**Motion 19-03-12**

**Moved by** Leslee Mason

**Seconded by** Art Weis

Motion Arising from Closed Session:

That the Library Board receive the report on Labour relations.

**Carried**

**8. Business Arising**

**8.1 Leadership by Design Board Orientation Exercise Part 1**

The Board participated in Part 1 of the Leadership by Design Board Orientation exercise.

**8.2 Library Board Action List**

The list of outstanding Board action items will be reviewed by the CEO and Chair.

**9. New Business**

**9.1 2019 Newmarket Chamber of Commerce Home and Lifestyle Show**

The Library is participating in the Newmarket Chamber of Commerce Home and Lifestyle show being held at Ray Twinney Centre from March 29th to March 31st. Board members were invited to stop by the Library's booth.

**10. Dates of Future Meetings**

The next Library Board Regular meeting is Wednesday, April 17, 2019 at 5:30 pm in the Library Board room.

**11. Adjournment**

**Motion 19-03-14**

**Moved by** Art Weis

**Seconded by** Leslee Mason

That there being no further business the meeting adjourn at 7:20 pm.

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Jane Twinney, Vice Chair

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Todd Kyle, Secretary/Treasurer

# Newmarket Public Library Statistical Data - 2019

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## Library Card Holders

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NPL Card Holders	23,537	23,338	23,508									
Residents	20,795	20,583	20,709									
Non-Residents	2,742	2,755	2,799									

## New and Renewed Library Cards

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
New registrations	251	211	302										764
New non-resident	37	42	49										128
Renewed membership	801	628	788										2,217

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Website visits	16,627	14,307	17,118										48,052
PAC Account Logins	7,043	6,263	6,989										20,295
Room Rentals	60	69	65										194
Room Rental Hours	173	182	181										536

## Programs

### 5 Year Trend - year to date March 31

# of Programs Held	2015	2016	2017	2018	2019
Adult	61	70	73	92	67
Children's	349	412	301	254	243
Total Programs	410	482	374	346	310

Program Attendance	2015	2016	2017	2018	2019
Adult	636	495	679	1,394	970
Children's	2,852	3,169	3,237	2,691	2,275
Total Attendance	3,488	3,664	3,916	4,085	3,245

# Newmarket Public Library Statistical Data - 2019

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## Borrowing

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
eAudio books	1,789	1,627	1,809										5,225
eBooks	4,822	4,456	4,569										13,847
eMagazines	743	727	772										2,242
eMusic	3,223	2,359	2,621										8,203
eVideo	584	511	601										1,696
Backpack Kit	7	9	9										25
Book	27,233	24,011	29,644										80,888
Camcorder	-	-	2										2
CD-ROM/DVD-ROM	2	5	3										10
DVD/Blu-ray	4,171	3,579	4,248										11,998
eBook Reader	1	-	-										1
GPS	1	1	-										2
Green Screen	-	-	2										2
ILL	252	223	210										685
Language Kit	30	20	28										78
Laptop	56	39	38										133
Multimedia Kit	34	42	63										139
Music CD	227	245	277										749
Pedometer	1	1	1										3
Periodical	1,040	857	983										2,880
Portable Audio Book	17	24	29										70
Talking Book	610	497	747										1,854
Video Game	259	212	283										754
Total Borrowing	45,102	39,445	46,939										131,486

## Database Usage

Adult Subscriptions	4,381	3,396	4,896										12,673
Children's Subscriptions	457	402	332										1,191
York Info (Community)	148,251	94,705	90,171										333,127
York Info (Volunteer)	23,156	14,118	12,428										49,702
Total Database Usage	176,245	112,621	107,827										396,693

# Newmarket Public Library Statistical Data - 2018

## Library Card Holders

2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NPL Card Holders	23,992	23,607	23,809	23,747	23,694	23,941	24,048	23,873	23,880	23,891	23,834	23,645
Residents	21,466	21,071	21,226	21,135	21,081	21,306	21,383	21,190	21,186	21,174	21,110	20,931
Non-Residents	2,526	2,536	2,583	2,612	2,613	2,635	2,665	2,683	2,694	2,717	2,724	2,714

## New and Renewed Library Cards

2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
New registrations	254	220	396	204	215	460	363	302	334	263	193	233	3,437
New non-resident *	56	48	61	37	37	41	51	50	44	53	43	32	553
Renewed membership	706	653	682	698	682	685	1,069	899	694	653	598	410	8,429
Total 2018	960	873	1,078	902	897	1,145	1,432	1,201	1,028	916	791	643	11,866

\* included in New registrations

2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Website visits	15,959	13,788	16,400	14,560	14,054	14,191	17,470	16,851	14,544	14,097	13,035	11,987	176,936
PAC Account Logins	7,021	6,359	7,201	7,427	7,052	6,701	7,853	8,300	7,691	7,771	7,510	6,190	87,076
Room Rentals	74	73	89	74	80	66	68	67	66	64	46	39	805
Room Rental Hours	267	267	204	259	248	252	230	199	210	197	211	165	2,707

## Programs

### 5 Year Trend - year to date December 30

# of Programs Held	2014	2015	2016	2017	2018
Adult	247	256	254	310	359
Children's	1,345	1,320	1,308	1,282	888
Total Programs	1,592	1,576	1,562	1,592	1,247

Program Attendance	2014	2015	2016	2017	2018
Adult	2,229	2,660	1,961	2,627	8,064
Children's	13,794	13,566	12,276	12,516	12,030
Total Attendance	16,023	16,226	14,237	15,143	20,094

## Newmarket Public Library Statistical Data - 2018

### Borrowing

2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
eAudio books	1,255	1,114	1,293	1,344	1,225	1,441	1,502	1,653	1,527	1,638	1,458	1,484	16,934
eBooks	3,737	3,664	3,777	3,877	3,670	3,758	4,358	4,474	4,032	4,099	4,014	4,084	47,544
eMagazines	321	266	300	277	247	212	284	288	264	488	887	681	4,515
eMusic	2,747	2,815	3,590	2,896	2,357	2,717	3,124	2,632	3,484	3,195	2,666	2,555	34,778
eVideo	182	190	228	193	187	210	203	209	207	209	239	237	2,494
Backpack Kit	4	8	7	9	16	16	18	13	7	12	4	6	120
Book	25,015	23,217	26,214	25,055	26,060	26,084	33,471	32,471	27,545	26,905	24,745	22,296	319,078
CD-ROM/DVD-ROM	4	2	4	-	2	7	4	4	15	4	-	2	48
DVD/Blu-ray	4,007	3,464	4,365	3,705	3,646	3,704	3,891	4,199	3,704	3,407	3,363	3,147	44,602
eBook Reader	-	-	-	-	1	-	-	-	-	-	-	2	3
GPS	-	-	-	-	-	8	2	-	-	-	-	1	11
ILL	143	191	193	164	186	178	133	194	221	228	224	127	2,182
Language Kit	43	27	44	39	26	47	33	26	32	37	35	26	415
Laptop	29	44	41	47	64	61	48	46	53	53	49	33	568
Multimedia Kit	47	41	74	45	47	39	86	88	82	92	58	48	747
Music CD	248	227	379	360	333	285	305	314	350	305	240	251	3,597
Pedometer	1	2	3	-	5	3	4	4	1	2	2	-	27
Periodical	833	690	739	798	823	933	1,070	841	1,011	906	853	736	10,233
Portable Audio Book	5	9	9	8	5	6	15	10	20	23	22	26	158
Talking Book	686	623	696	655	760	658	679	700	606	725	572	536	7,896
Video Game	272	241	312	253	272	270	354	376	272	238	256	212	3,328
Total Borrowing	39,579	36,835	42,268	39,725	39,932	40,637	49,584	48,542	43,433	42,566	39,687	36,490	499,278

### Database Usage

Adult Subscriptions	2,104	3,530	3,051	5,038	3,236	2,451	2,742	2,557	2,905	4,756	3,015	5,737	41,122
Children's Subscriptions	210	263	365	247	482	422	307	197	232	232	168	381	3,506
York Info (Community)	139,809	130,230	149,855	179,945	153,681	153,896	153,175	129,586	154,878	192,335	171,101	191,104	1,899,595
York Info (Volunteer)	34,053	22,557	16,226	22,057	20,590	16,215	19,777	18,229	17,491	33,882	29,474	47,108	297,659
Total Database Usage	176,176	156,580	169,497	207,287	177,989	172,984	176,001	150,569	175,506	231,205	203,758	244,330	2,241,882



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## Library Board Report

To: Newmarket Public Library Board

From: Todd Kyle, CEO

Date: April 17, 2019

RE: **Newmarket Public Library Bank Account – Fund Transfer**

### **Recommendation:**

**The CEO recommends that the Library Board authorize the transfer of funds from the Newmarket Library bank account to the Town of Newmarket bank account through the following motion:**

**THAT** the Library Board directs the CEO to authorize the Town of Newmarket Treasurer to transfer the net closing balance at March 31, 2019 of \$9,525.08 from the Newmarket Public Library bank account to the Town of Newmarket bank account.



# By the numbers

## Newmarket Public Library 2016 figures



# 254,000

NO. OF VISITS TO THE LIBRARY



# 14,000

NO. OF PEOPLE  
ATTENDING  
LIBRARY  
PROGRAMS



# 6,500

NO. OF PEOPLE YORK  
INFO MATCHED WITH  
VOLUNTEER WORK

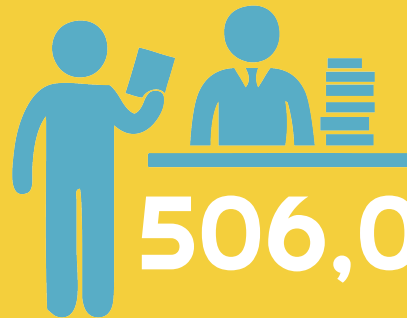


# 24%

OF COMPUTER  
USERS LOOKED FOR  
WORK ONLINE

# 17%

PERCENT  
OF  
DIGITAL  
MEDIA  
BORROWED



# 506,000

NO. OF ITEMS BORROWED  
FROM THE LIBRARY



# 1.89 MILLION

NO. OF TIMES ONLINE  
RESOURCES ACCESSED



# 25,000

RESIDENTS WITH A  
LIBRARY CARD



# 145,000

WEBSITE VISITS



# 30,000

E-MUSIC STREAMS  
& DOWNLOADS

# \$7.85

RETURN ON EVERY  
\$1 INVESTED  
IN THE  
LIBRARY



# 3,700

E-NEWS SUBSCRIBERS



### Newmarket Public Library

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## Library Board Report

To: Newmarket Public Library Board

From: Todd Kyle, C.E.O.

Date: April 17, 2019

RE: **Revisions to Code of Conduct, Oath of Office, and investigation procedures**

### Background:

Recent changes to the *Municipal Act* require councils and local boards to establish a Code of Conduct for their members as well as a method of investigating alleged breaches of the Code. Upon investigation, it was determined that Library Boards are not considered “local boards” for the purposes of the Act. However, the library’s existing Code and investigation methods, as well as its Oath of Office, were reviewed in conjunction with the Town Clerk and a revised draft of the library’s Governance Policy was developed in order to address some areas which required clarification.

The primary clarification required surrounded the Library Board’s investigation of alleged breaches of members’ Code of Conduct. The current investigation method, as detailed in the Governance Policy, requires a member to resign their position if the Board requests it; when signing the Oath of Office, members indicate that they will “immediately resign my position as Director of the Library in the event that I, or my colleagues on the Board, have concluded that I have breached my Oath of Office”. However, legal advice has indicated that only Council is given the authority under the Public Libraries Act to appoint members to the Board, so therefore only Council can remove a member. In addition, the Policy is silent on the matter of referral to the Town’s Integrity Commissioner process for investigating Code breaches, as this process did not exist when the Policy was drafted.

To remediate this shortcoming, drafted changes to the Policy would eliminate the Board’s power to demand a resignation and instead allow them to request a resignation and to then refer the matter to Council if the request is rejected by the member. Council would then be able to use their own Integrity Commissioner process to investigate if they so wish. In addition, the Code of Conduct was re-drafted to include wording from the Toronto Public Library’s code.

### Conclusion:

A revised draft of the Governance Policy has been prepared to address the issues discussed here and changes are summarized in Appendix A, with the entire affected section in Appendix B. The remainder of the Policy has been reviewed for currency, and short of a small number of minor numbering and grammatical errors, does not need further revision. The current Oath of Office has yet to be administered to new Board members pending these revisions.

**The following motion is recommended:**

**THAT the Library Board receive the report on revisions to Code of Conduct, Oath of Office, and investigation procedures;**

**AND THAT the Library Board approve the recommended revisions to Section 2 of the Governance Policy;**

**AND THAT the Library Board authorize the CEO to make minor corrections to the remainder of the Governance Policy, with a final copy to be presented to the Board;**

**AND THAT the Library Board authorize that the revised Oath of Office be administered to all members once approved.**

## Appendix A: Summary of recommended changes to the Governance Policy

Section	Current wording	Proposed wording
2.1 Oath of Office and Confidentiality	Confidentiality means Directors may not relate such matters to anyone including immediate family of Directors.	Confidentiality means Directors may not relate such matters to anyone including immediate family of Directors, <b>unless required by law or authorized by the Board to do so.</b>
(same)	Immediately resign my position as Director of the Library in the event that I, or my colleagues on the Board, have concluded that I have breached my 'Oath of Office'.	<b>(remove)</b>
2.2 Code of Conduct	Directors are expected to comply with the prescribed Code of Conduct that encourages the development of a spirit of collective decision-making, shared objectives and shared ownership of and respect for Board decisions.	Directors are expected to comply with the <b>following</b> Code of Conduct that encourages the development of a spirit of collective decision-making, shared objectives and shared ownership of and respect for Board decisions.
(same; replacing the entire Code)	<p>Directors and CEO of the organization will at all times conduct themselves in a manner that:</p> <ul style="list-style-type: none"> <li>a) Advocates for and supports the goals and mission of the Library;</li> <li>b) Supports the objectives of the Library;</li> <li>c) Serves the overall best interests of the Library rather than any particular constituency</li> <li>d) Brings credibility and good will to the Library;</li> <li>e) Respects principles of impartiality and due process;</li> <li>f) Demonstrates respect for individuals in all manifestations of their cultural and linguistic diversity and life circumstances;</li> <li>g) Respects and gives fair consideration to diverse and opposing viewpoints;</li> </ul>	<ul style="list-style-type: none"> <li><b>a) Serving the Community:</b> Members will serve and be seen to serve Library users and their community in a conscientious and diligent manner.</li> <li><b>b) Respect:</b> Members will treat Library users, volunteers, staff and fellow Board Members with respect. In the performance of their duties, Members will not abuse, bully or intimidate others and Members will fulfill their responsibilities in ensuring that the Library is free from discrimination and harassment.</li> <li><b>c) Board Meetings:</b> Members will honour the Board Governance Policy and this Code of Conduct at Board Meetings. Members understand that these meetings are public and that their behaviour affects the image of the Newmarket Public Library. Members will be courteous and refrain from using offensive</li> </ul>

	<p>h) Demonstrates due diligence and dedication in preparation for and attendance at meetings, special events and in all other activities on behalf of the Library;</p> <p>i) Demonstrates good faith, prudent judgement, honesty, transparency and openness in their activities on behalf of the Library;</p> <p>j) Ensures that the financial affairs of the Library are conducted in a responsible and transparent manner with due regard for their fiduciary responsibilities and public trusteeship</p> <p>k) Avoids real or perceived conflicts of interest;</p> <p>l) Conforms with the By-law and policies approved by the Board, in particular this Code of Conduct, the Oath of Office and Confidentiality and Conflict of Interest policies;</p> <p>m) Publicly demonstrates acceptance, respect and support for decisions legitimately taken in transaction of the Library's business.</p>	<p>language, and will show respect for diverse and opposing viewpoints.</p> <p><b>d) Public Servants:</b> Members will respect the role of Library staff as public servants who provide professional and politically neutral advice to the Board.</p> <p><b>e) Privacy and Confidential Information:</b> Members will respect the privacy of others and will not disclose or release by any means to any Member of the public, any confidential information acquired by virtue of their role at the Library. Members will maintain this obligation even after Members leave the Board. Members will only disclose confidential information if required by law, or authorized to do so by the Board.</p> <p><b>f) Support of the Board's actions:</b> While Members may have dissenting views on decisions taken by the Board and are permitted to discuss those views publicly, they shall nonetheless demonstrate acceptance, respect and support for all decisions legitimately taken in transaction of the Library's business.</p> <p><b>g) Conflict of Interest:</b> Members will abide by the Conflict of Interest Policy as outlined in the Board Governance Policy section 2.3.</p> <p><b>h) Improper Use of Influence:</b> Members will not use their positions at the Library to improperly influence others for private gain or to gain preferential treatment for their family, friends or organizations with which Members are associated.</p>
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		<p><b>i) Political Neutrality:</b> Members will not use Library facilities, equipment, supplies, services (including staff services) or any other resources for election campaign or campaign-related activities. Members will not use a position of authority at the Library to compel staff or volunteers to engage in partisan political activities.</p> <p><b>j) Gifts:</b> Members will remain free from any improper influence, or the appearance of improper influence, in the performance of their duties. When outside individuals or organizations give Members gifts in connection to their position at the Library, they will only accept gifts that:</p> <ul style="list-style-type: none"> <li>i. are infrequent and the value is reasonable;</li> <li>ii. arise out of activities or events related to the Member's official duties;</li> <li>iii. are within the normal standards of courtesy, hospitality or protocol; and</li> <li>iv. do not compromise or appear to compromise the integrity of the Member or the Library.</li> </ul>
2.3.3 Disposition of Complaints and Disputes involving Directors	a) A committee of the Board shall review any complaints that a Director has violated any provision of the Library's By-laws, Governance Policies, Code of Conduct, Oath of Office and Confidentiality Agreement. The committee shall be comprised one Town councillor and two citizen representatives.	a) A committee of the Board shall review any complaints <b>from staff, the public, or Directors</b> that a Director has violated any provision of the Library's By-laws, Governance Policies, Code of Conduct, and Oath of Office and Confidentiality. The committee shall be comprised of <b>one Director who is also a councilor and two Directors who are citizen representatives.</b>
(same)	h) The ruling of the Board shall be final. Should the Director refuse to	h) <b>The Board shall make a ruling as to whether a violation has occurred and</b>

	<p>abide by the ruling, the Board may table the matter pending determination of disciplinary action. Such action may include formal or informal censure by the Chair or the Board, suspension or a request for the Director's resignation.</p>	<p>on the Committee's recommended resolution. Recommendations may include disciplinary action such as formal or informal censure by the Board or a request for the Director to resign or to take a leave of absence. Should the Director reject such a request, the Board may refer the matter to Town of Newmarket Council as the body with the sole authority to appoint Directors.</p> <p>i) Notwithstanding this process, a Director who is also a Town councilor may separately be subject to investigation and/or discipline by Town of Newmarket Council for the same matter.</p>
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## **Appendix B: Recommended new text of Section 2 of the Governance Policy**

### **2. BOARD DIRECTORS**

Each Director is expected to become an active participant in a body that functions effectively as a whole. In addition to assisting in the exercise of the major duties of the Board outlined above, Directors are responsible to exercise due diligence in the performance of their duties.

Responsibilities include:

- a) To be informed of the legislation under which the Library exists and Library's by-laws mission, values, code of conduct, and policies
- b) To keep informed about the activities of the Library and its community,
- c) To attend Board meetings regularly, serve on committees of the Board and actively contribute to the work of the Board;
- d) To exercise the same degree of care, diligence and skill that a reasonably prudent person would show in comparable circumstances;
- e) To explicitly voice at the time a decision is being taken, any opposition to a decision being considered by the Board;
- f) To ask the Directors to review a decision if he, or she, has reasonable grounds to believe that the Board has acted without full information or in a manner inconsistent with its fiduciary obligations;
- g) To support Board decisions made in good faith in a legally constituted meeting, by Directors;
- h) Know and respect the distinction in the roles of Board and staff consistent with the principles underlying these governance policies;
- i) Exercise vigilance for and declare personal conflict of interest in accordance with the Library's By-laws and policies and the *Municipal Conflict of Interest Act*.

#### **2.1 Oath of Office and Confidentiality**

Respect for confidentiality is the cornerstone of trust and confidence as well as a legislated obligation. Directors must at all times respect the confidentiality of any patron names and/or circumstances that might identify patrons. Similarly, all matters dealt with by the Board during closed session meetings and matters related to personnel and/or collective bargaining must be held in strictest confidence. Confidentiality means Directors may not relate such matters to anyone including immediate family of Directors, unless required by law or authorized by the Board to do so. The duty of confidentiality continues indefinitely after a Director has left the Board.

Directors shall agree to an Oath of Office and Confidentiality upon joining the Board.



I, insert name, a Director of the Newmarket Public Library, declare that, in carrying out my duties as a Director, I will:

1. Exercise the powers of my office and fulfill my responsibilities in good faith and in the best interest of the Library;
2. Exercise these responsibilities, at all times, with due diligence, care and skill in a reasonable and prudent manner.
3. Respect and support the Library's By-laws, policies, Code of Conduct, and decisions of the Board.
4. Keep confidential all information that I learn about patrons, personnel, collective bargaining and any other matters specifically determined by board motion to be matters of confidence including matters dealt with during closed session meetings of the Board.
5. Conduct myself in a spirit of collegiality and respect for the collective decisions of the board and subordinate my personal interests to the best interests of the Library.
6. Immediately declare any personal conflict of interest that may come to my attention.
7. Comply with the Municipal Conflict of Interest Act, the Municipal Freedom of Information and Protection of Information and Protection of Privacy Act.

## **2.2 Code of Conduct**

Directors are expected to comply with the following Code of Conduct that encourages the development of a spirit of collective decision-making, shared objectives and shared ownership of and respect for Board decisions.

- k) Serving the Community:** Members will serve and be seen to serve Library users and their community in a conscientious and diligent manner.
- l) Respect:** Members will treat Library users, volunteers, staff and fellow Board Members with respect. In the performance of their duties, Members will not abuse, bully or intimidate others and Members will fulfill their responsibilities in ensuring that the Library is free from discrimination and harassment.
- m) Board Meetings:** Members will honour the Board Governance By-law and this Code of Conduct at Board Meetings. Members understand that these meetings are public and that their behaviour affects the image of the Newmarket Public Library. Members will be courteous and refrain from using offensive language, and will show respect for diverse and opposing viewpoints.
- n) Public Servants:** Members will respect the role of Library staff as public servants who provide professional and politically neutral advice to the Board.
- o) Privacy and Confidential Information:** Members will respect the privacy of others and will not disclose or release by any means to any Member of the public, any confidential information acquired by virtue of their role at the Library. Members will maintain this

obligation even after Members leave the Board. Members will only disclose confidential information if required by law, or authorized to do so by the Board.

- p) **Support of the Board's actions:** While Members may have dissenting views on decisions taken by the Board and are permitted to discuss those views publicly, they shall nonetheless demonstrate acceptance, respect and support for all decisions legitimately taken in transaction of the Library's business.
- q) **Conflict of Interest:** Members will abide by the Conflict of Interest Policy as outlined in the Board Governance Document section 2.3.
- r) **Improper Use of Influence:** Members will not use their positions at the Library to improperly influence others for private gain or to gain preferential treatment for their family, friends or organizations with which Members are associated.
- s) **Political Neutrality:** Members will not use Library facilities, equipment, supplies, services (including staff services) or any other resources for election campaign or campaign-related activities. Members will not use a position of authority at the Library to compel staff or volunteers to engage in partisan political activities.
- t) **Gifts:** Members will remain free from any improper influence, or the appearance of improper influence, in the performance of their duties. When outside individuals or organizations give Members gifts in connection to their position at the Library, they will only accept gifts that:
  - i. are infrequent and the value is reasonable;
  - ii. arise out of activities or events related to the Member's official duties;
  - iii. are within the normal standards of courtesy, hospitality or protocol; and
  - iv. do not compromise or appear to compromise the integrity of the Member or the Library.

### **2.3 Conflict of Interest Policy**

Directors shall act at all times in the best interests of the Library rather than particular interests or constituencies. This means setting aside personal self-interest and performing their duties in transaction of the affairs of the Library in such a manner that promotes public confidence and trust in the integrity, objectivity and impartiality of the Board. Directors shall serve without remuneration. No Director shall directly or indirectly receive any profit from his or her position as such. The pecuniary interests of immediate family members of a Director are considered to also be the pecuniary interests of the Directors.

Directors may be paid reasonable expenses incurred by them in the performance of their duties. It is recognized that some Board Directors who are Councilors of the Town of Newmarket will have different roles at different times and any determination as to a conflict of interest will be governed by the *Municipal Conflict of Interest Act*.

#### **2.3.1 Principles for Dealing with Conflict of Interest**

- a) A Director must openly disclose a potential, real or perceived conflict of interest as soon as the issue arises and before the board or its committees deal with the matter at issue;
- b) If a Director is not certain he or she is in a conflict of interest position, the matter may be brought before the Chair, the Board or a committee of the Board for advice and guidance;
- c) If there is any question or doubt about the existence of a real or perceived conflict, the Board will seek legal advice as to how to proceed under the *Municipal Conflict of Interest Act*;
- d) It is the responsibility of other Directors who are aware of a real, potential or perceived conflict of interest on the part of a fellow Director to raise the issue for clarification, first with the Director and, if still unresolved, with the Board Chair, who will seek legal advice;
- e) The Director must abstain from participation in any discussion on the matter, shall not attempt to personally influence the outcome, shall refrain from voting on the matter and unless otherwise decided by the Board, may be required to leave the meeting room for the duration of any such discussion or vote;
- f) The disclosure and decision as to whether the matter needs to be referred for further investigation with respect to the *Municipal Conflict of Interest Act* shall be duly recorded in the minutes of the meeting.

### **2.3.2 Interest on the part of a Director**

Interest includes, but is not limited to:

- a) Any circumstance that may result in a personal or financial benefit to a Director or their family or business associate. This includes, but is not limited to, accepting any payment for services rendered to the Library, including contracted work or honoraria; accessing financial or other resources for personal use, i.e. transportation, training costs, supplies, equipment, etc.
- b) Personal interests which conflict with the interests of the patrons, or that are otherwise adverse to the interests of the Library;
- c) Seeking, accepting or receiving any personal benefit from a supplier, vendor, or any individual or organization doing or seeking business with the Library;
- d) Any involvement in the hiring, supervision, grievance, evaluation, promotion, remuneration or firing of a family member or business associate, of the Director;
- e) Individuals who serve as Directors on the same board with members of their family or others with whom they have a direct business or personal relationship will be subject to an immediate perception of apparent conflict of interest.

### ***2.3.3 Disposition of Complaints and Disputes involving Directors***

- a) A committee of the Board shall review any complaints from staff, the public, or Directors that a Director has violated any provision of the Library's By-laws, Governance Policies, Code of Conduct, and Oath of Office and Confidentiality. The committee shall be comprised of one Director who is also a councilor and two Directors who are citizen representatives.
- b) This committee shall similarly review disputes between Directors that interfere with the ability of the Board to carry on its business;
- c) Complaints of a serious nature may be referred to an independent arbitrator;
- d) Allegations of illegal activity shall be immediately referred to the appropriate authorities for investigation. Any Director against whom such allegations are made shall take a leave of absence from the Board pending completion of the investigation;
- e) The review of complaints or disputes shall include an opportunity for the Directors concerned to present their positions;
- f) Every attempt should be made to resolve matters expeditiously and fairly;
- g) The recommendations regarding resolution of matters shall be brought to the Board for approval;
- h) The Board shall make a ruling as to whether a violation has occurred and on the Committee's recommended resolution. Recommendations may include disciplinary action such as formal or informal censure by the Board or a request for the Director to resign or to take a leave of absence. Should the Director reject such a request, the Board may refer the matter to Town of Newmarket Council as the body with the sole authority to appoint Directors.
- i) Notwithstanding this process, a Director who is also a Town councilor may separately be subject to investigation and/or discipline by Town of Newmarket Council for the same matter.