



# Newmarket Public Library Board Agenda

Date: Wednesday, October 16, 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. Deputation

- 3.1 Request for Library to create a Human Rights and Anti Harassment/Discrimination Policy

**Note:** Kayla Scott will be in attendance to provide deputation on this matter.

### 4. Consent Agenda Items

- |     |   |    |
|-----|---|----|
| 4.1 | Adoption of the Regular Board meeting minutes for Wednesday, September 18, 2019 | 1  |
| 4.2 | Adoption of the Closed Session Minutes for Wednesday, September 18, 2019        |    |
| 4.3 | Strategic Operations Report for September                                       | 7  |
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**5. Reports**

**6. Business Arising**

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**7. New Business**

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**8. Closed Session (If Required)**

**9. Dates of Future Meetings**

The next regularly scheduled Newmarket Public Library Board meeting will be held on Wednesday, November 20, 2019 at 5:30 pm in the Board room.

**10. Adjournment**



# Newmarket Public Library Board

## Minutes

Date: Wednesday, September 18, 2019  
 Time: 5:30 PM  
 Location: Newmarket Public Library Boardroom  
           Newmarket Public Library  
           438 Park Avenue  
           Newmarket ON L3Y 1W1

Members Present: Darcy McNeill, Chair (joined by phone)  
                       Jane Twinney, Vice Chair  
                       Kelly Broome  
                       Darryl Gray  
                       Victor Woodhouse

Members Absent: Leslee Mason  
                       Art Weiss

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

The Vice Chair called the meeting to order at 5:30 pm

### 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

#### **Motion 19-09-49**

**Moved by** Kelly Broome

**Seconded by** Darryl Gray

**That** agenda items 1.1 to 1.3 be adopted as presented

**Carried**

## 2. **Declarations**

None were declared.

## 3. **Consent Agenda Items**

- 3.1 Adoption of the Regular minutes for Wednesday, June 19, 2019
- 3.2 Adoption of the Special Meeting minutes for August 6, 2019
- 3.3 Adoption of the Closed Session minutes for August 6, 2019
- 3.4 Strategic Operations Report for June, July and August, 2019
- 3.5 Second Quarter Statistical Report
- 3.6 Monthly Bank Transfer
- 3.7 Second Quarter Financial Statement
- 3.8 Annual Renewal of Policies

### **Motion 19-09-50**

**Moved by** Kelly Broome

**Seconded by** Victor Woodhouse

**That** Consent Agenda items 3.1 to 3.8 be approved and adopted as presented.

**Carried**

## 4. **Business Arising**

### 4.1 Marketing and IT Realignment Agreements

A high-level summary on the marketing and I.T. realignment agreements was presented to the Library Board. The Board tabled this item so that further discussion could be held in Closed Session as it related to personal matters about an identifiable individual.

### 4.2 Library Advocacy during Election Campaigns

The Library Board discussed the proposed revision to the Town of Newmarket Use of Corporate Resources and Election Campaign Activities Policy related to Library advocacy during election campaigns.

### **Motion 19-09-51**

**Moved by** Victor Woodhouse

**Seconded by** Darryl Gray

**That** the Library Board receive the report on Library Advocacy during election campaigns;

**And That** it be added to the Action List further discussion.

**Carried**

#### 4.3 2020 Operating and Capital Budget Requests

The Library Board reviewed the draft 2020 Operating and Budget Requests.

**Motion 19-09-52**

**Moved by** Victor Woodhouse

**Seconded by** Darryl Gray

**That** the Library Board approve the 2020 Operating and Capital Budget requests for submission to the Town of Newmarket Council.

**Carried**

#### 4.4 Library Board Action List

The Library Board reviewed the Action List.

**Motion 19-09-53**

**Moved by** Kelly Broome

**Seconded by** Victor Woodhouse

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

**Carried**

### 5. New Business

#### 5.1 Reciprocal Borrowing Request from Bradford West Gwillimbury Public Library

The Board reviewed the report regarding Bradford West Gwillimbury Public Library's request to have a reciprocal borrowing arrangement with Newmarket Public Library.

**Motion 19-09-54**

**Moved by** Darryl Gray

**Seconded by** Kelly Broome

**That** the Library Board approve a reciprocal borrowing agreement with Bradford West Gwillimbury Public Library contingent on similar approval by the Bradford West Gwillimbury Public Library.

**Carried**

## 5.2 Drug and Alcohol Policy

The C.E.O. recommended that the Library Board adopt the Town of Newmarket Drug and Alcohol Policy to apply to library employees which aligns with new legislative frameworks surrounding cannabis, smoking and vaping.

**Motion 19-09-55**

**Moved by** Victor Woodhouse

**Seconded by** Darryl Gray

**That** the Library receive the report on Drug and Alcohol Policy;

**And That** the Library Board approve the Drug and Alcohol Policy as presented to be applicable to Library employees.

**Carried**

## 5.3 York Region Inclusion Charter

The report on the York Region Inclusion Charted asked that the Library Board endorse the York Region Inclusion Charter so that it can be shared in the Library facility as well as on the Library website.

**Motion 19-09-56**

**Moved by** Darryl Gray

**Seconded by** Kelly Broome

**That** the Library Board receive the report on York Region Inclusion Charter;

**And that** the Library Board endorse the Inclusion Charter for York Region;

**And that** the wording be customized so it is applicable to Newmarket Public Library as an employer and as a public service provider and be brought to the Library Board.

**Carried**

**6. Closed Session (If Required)**

**Motion 19-09-57**

**Moved by** Victor Woodhouse

**Seconded by** Kelly Broome

**That** the Library Board move in to closed session at 6:22 pm to discuss personal matters about an identifiable individual.

**Carried**

**Motion 19-09-58**

**Moved by** Victor Woodhouse

**Seconded by** Kelly Broome

**That** the Library Board move out of Closed Session at 6:37 pm.

**Carried**

Motion arising from Closed Session:

**Motion 19-09-59**

**Moved by** Darryl Gray

**Seconded by** Kelly Broome

**THAT** the Library Board receive the report on Marketing and IT realignment agreements;

**And That** the Library Board authorize the C.E.O. to execute and implement the one-year pilot Information Technology Joint Steering Committee, effective October 15, 2019;

**And That** the Library Board authorize the C.E.O. to execute and implement the one-year pilot Service Level Agreement Between Town of Newmarket Recreation & Culture/Marketing & Sponsorship and Newmarket Public Library, effective October 15, 2019;

**And That** the Library Board direct the C.E.O. to report on a regular basis to the Board on the progress and outcome measures related to these pilots and make recommendations to the Board regarding the future status of the agreements after the completion of the pilot year.

**Carried**

**7. Dates of Future Meetings**

7.1 The next Regular Board meeting is scheduled for Wednesday, October 16, 2019 at 5:30 pm in the Library Board room.

**8. Adjournment**

**Motion 19-09-60**

**Moved by** Victor Woodhouse

**Seconded by** Kelly Broome

**That** there being no further business the meeting adjourn at 6:38 pm.

**Carried**

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Jane Twinney, Vice-Chair

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Todd Kyle, Secretary/Treasurer





## Strategic Operations Report: September, 2019

	<b>Igniting Community Dialogue, Discovery and Debate</b>	<b>Leading a Learning Community</b>	<b>Readying our Capabilities</b>
<b>Collaborative Relationships</b>	<ul style="list-style-type: none"> <li>• First <i>Cultural Connections</i> Indigenous film/discussion program to be held October 9</li> <li>• Library partnered with community to celebrate Franco-Ontarian Day</li> <li>• Debut <i>Tea for Thought</i> program in partnership with Global Intersections met with modest success</li> <li>• Canning &amp; preserving workshop with York Region Food Network successful- 29 attendees</li> </ul>	<ul style="list-style-type: none"> <li>• 322 attended the opening screening for Southlake Cinemania; Upper Canada Mall and Timeless Harmony spa donated door prizes</li> <li>• October 21 Cinemania screening is <i>The Public</i>, about homeless in public library</li> <li>• Library working with Southlake RHC on Books For Babies giveaway program for newborns</li> <li>• Coffee program with local coffee shops was sold out</li> </ul>	<ul style="list-style-type: none"> <li>• The Lendery display units arrived; donation day held and drive continuing; donated items being catalogued in preparation for launch later this year; webpage updated</li> </ul>
<b>Spaces</b>	<ul style="list-style-type: none"> <li>• Staff in negotiation with York Support Services Network to provide occasional on-site crisis counselling in library space</li> </ul>	<ul style="list-style-type: none"> <li>• Staff leading yoga for beginner program; first 4 sessions sold out at 12 attendees each</li> </ul>	<ul style="list-style-type: none"> <li>• Custom shelves ordered to relieve issue of books on floor in main floor fiction section</li> <li>• Music CD collection being weeded and will soon move into smaller section to free up space</li> </ul>
<b>Positioning</b>	<ul style="list-style-type: none"> <li>• Staff attended Community Roundtable on Homelessness</li> <li>• Pop-up library held at Southlake hospital</li> </ul>	<ul style="list-style-type: none"> <li>• Staff did outreach presentation to newcomer students at local high school</li> </ul>	<ul style="list-style-type: none"> <li>• Online registration process now features a survey of where registrants heard about the program. One upcoming program</li> </ul>

	<b>Igniting Community Dialogue, Discovery and Debate</b>	<b>Leading a Learning Community</b>	<b>Readying our Capabilities</b>
	and Fire open house; total of 390 contacts and 7 new library memberships		results: NPL e-mail (7), social media (4), webpage (3), posters in library (2), Town e-mail (1).
<b>Resources</b>	<ul style="list-style-type: none"> <li>Film Fridays program continued with an average of 8 people attending each time</li> </ul>	<ul style="list-style-type: none"> <li>Children's magic and story show held with one week notice due to unexpected opportunity; marketing efforts resulted in rapid sellout of 40 spaces</li> </ul>	<ul style="list-style-type: none"> <li>Since 2017 launch of Hoopla 1,871 patrons have borrowed 13,944 unique titles; average 66 new users per month.</li> </ul>
<b>Organization &amp; Operations</b>	<ul style="list-style-type: none"> <li>Library hosting Mohawk College student placement</li> <li>Senior staff attended N6 leadership symposium on diversity in the workplace</li> </ul>	<ul style="list-style-type: none"> <li>Staff attended TIFF Film seminar to learn &amp; network re Southlake Cinemania</li> </ul>	<ul style="list-style-type: none"> <li>HR Generalist with 1/5 time for library HR support has been hired and will start soon</li> <li>Printing of due date receipts by staff made optional depending on patron's preference</li> </ul>



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## Library Board Report

To: Newmarket Public Library Board  
From: Todd Kyle, C.E.O.  
Date: September 18, 2019  
RE: Third Quarter Financial Statement

### Background:

The Library continues to be on target for the third quarter of 2019 in both expenditures and revenue, and there are no significant issues to report at this time that might affect our ability to meet budget for 2019.

**NEWMARKET PUBLIC LIBRARY****3rd QTR Income Statement Comparison of 2018 Actual to 2018 Budget and 2017 Actual**

05/10/2018

**EXPENSES****MATERIALS**

	2018 3rd QTR	2018 ANNUAL BUD	2017 3rd QTR	Q3 2018 Vs Q3 2017	% of Budget
Books	\$100,896	\$155,864	\$97,171	(\$3,725)	65%
Reference Materials	10,817	10,500	9,966	(850)	103%
Magazines & Newspapers	9,932	13,200	11,910	1,978	75%
Electronic Materials and Subscriptions	111,551	126,065	116,875	5,324	88%
Talking Books	6,049	9,900	5,794	(255)	61%
Compact Sound Discs	21	200	37	16	10%
DVD/Console Games	10,631	18,500	10,365	(266)	57%
Book Binding and Materials Processing	25,118	30,471	23,539	(1,580)	82%
<b>Sub-Total</b>	<b>\$275,014</b>	<b>\$364,700</b>	<b>\$275,657</b>	<b>\$643</b>	<b>75%</b>

Overall timing of purchases

**FACILITIES AND EQUIPMENT**

Janitorial Contract	\$26,496	\$44,680	\$29,696	\$3,199	59%
Janitorial Supplies	3,365	4,393	2,257	(1,108)	77%
Equipment-Repairs/Maintenance Contracts	48,472	89,499	47,998	(474)	54%
Building-Repairs/Maintenance Contracts	21,642	24,400	17,044	(4,598)	89%
<b>Sub-Total</b>	<b>\$99,975</b>	<b>\$162,972</b>	<b>\$96,994</b>	<b>(\$2,981)</b>	<b>61%</b>

Timing of invoices

Additional purchases in 2018

Timing of building repairs and maintenance

**CAPITAL**

Minor Capital	\$701	\$4,156	\$1,214	\$513	17%
Asset Replacement Fund	167,663	223,550	167,663	-	75%
<b>Sub-Total</b>	<b>\$168,363</b>	<b>\$227,706</b>	<b>\$168,877</b>	<b>\$513</b>	<b>74%</b>

**UTILITIES**

Hydro	\$61,498	\$89,964	\$66,553	\$5,056	68%
Heat	6,987	10,000	6,872	(115)	70%
Water	2,656	3,633	3,212	556	73%
<b>Sub-Total</b>	<b>\$71,141</b>	<b>\$103,597</b>	<b>\$76,637</b>	<b>\$5,497</b>	<b>69%</b>

Changes to hydro billing structure

**ADMINISTRATION - Salaries, Wages & Benefits**

Salaries and Wages	\$1,470,437	\$2,026,056	\$1,396,274	(\$74,163)	73%
Employee Benefits *	267,485	433,932	255,782	(11,704)	62%
<b>Sub-Total</b>	<b>\$1,737,922</b>	<b>\$2,459,988</b>	<b>\$1,652,056</b>	<b>(\$85,867)</b>	<b>71%</b>

EA &amp; step increases in 2018

ASO - timing of usage

**ADMINISTRATION - General**

Stationery and Office Supplies	\$1,205	\$2,800	\$649	(\$556)	43%
Photocopier/Microfilm Lease & Supplies	3,074	3,000	3,308	234	102%
Health and Safety	590	2,400	541	(49)	25%
Program and Project Costs	16,188	36,898	19,411	3,224	44%
Coffee Supplies	634	1,000	694	60	63%
Circulation and Processing Supplies	7,672	14,800	13,445	5,773	52%
Miscellaneous Expense	1,141	4,655	874	(267)	25%
Telephone and Internet	4,310	7,550	6,928	2,618	57%
Audit Legal and Finance	0	4,000	0	-	0%

Fewer attendees in 2018, offset below in revenue

Timing of purchases

One DSL line replaced with town internet &amp; merchant fees charged to Bank fees in 2018 - see partial offset below

**NEWMARKET PUBLIC LIBRARY****3rd QTR Income Statement Comparison of 2018 Actual to 2018 Budget and 2017 Actual**

05/10/2018

<b>EXPENSES</b>	<b>2018 3rd QTR</b>	<b>2018 ANNUAL BUD</b>	<b>2017 3rd QTR</b>	<b>Q3 2018 Vs Q3 2017</b>	<b>% of Budget</b>	<b>Comments</b>
<b><u>ADMINISTRATION - General Continued</u></b>						
Consulting Fees	1,018	\$14,400	\$13,879	\$12,861	7%	Less consulting in 2018
Postage and Freight	3,618	6,325	3,380	(238)	57%	
Advertising	15,019	17,700	12,257	(2,762)	85%	Timing of expenses
Education and Training	6,162	11,400	11,018	4,856	54%	Timing of staff/mgmt training
Copyright fees	509	500	509	-	102%	
Other Fees	458	600	397	(61)	76%	
Travel Expense	3,061	6,650	2,280	(781)	46%	
Memberships and Subscriptions	7,578	10,845	4,281	(3,297)	70%	Timing of membership invoices
Conference/Seminar Fees & Expenses	11,234	12,000	10,829	(405)	94%	
Bank Charges	1,391	2,600	0	(1,391)	54%	Merchant fees charged to connectivity in 2017, offset above
Transfer to LTD. Reserve	28,301	42,556	28,012	(288)	67%	
<b>Sub-Total</b>	<b>\$113,161</b>	<b>\$202,679</b>	<b>\$132,692</b>	<b>\$19,530</b>	<b>56%</b>	
<b>TOTAL EXPENSES</b>	<b>\$2,465,577</b>	<b>\$3,521,642</b>	<b>\$2,402,913</b>	<b>(\$62,664)</b>	<b>70%</b>	

**3rd QTR Income Statement Comparison of 2018 Actual to 2018 Budget and 2017 Actual**

<b>REVENUES</b>	<b>2018 3rd QTR</b>	<b>2018 ANNUAL BUD</b>	<b>2017 3rd QTR</b>	<b>Q3 2018 Vs Q3 2017</b>	<b>% of Budget</b>	<b>Comments</b>
Municipal Grant	\$2,386,839	\$3,182,452	\$2,330,589	\$56,250	75%	Higher grant in 2018
Provincial Grant	96	64,401	0	96	0%	
Program Fees	20,478	44,700	24,360	(3,882)	46%	Fewer attendees for fee based programs in 2018
Photocopier/Microfilm Receipts	8,260	6,500	7,643	616	127%	
Room Rentals	27,672	36,242	25,690	1,982	76%	More use in 2018
Coffee Supplies Recovered	761	1,000	792	(32)	76%	
Fines	20,125	39,247	23,939	(3,814)	51%	Extended loan period for DVDs and video games late in 2017
Financing from D.C.	93,750	125,000	93,750	-	75%	
Sundry Receipts	23,451	18,800	24,483	(1,032)	125%	Lower 211 project payment/reimbursement in 2018
Non-Resident Fees	455	300	570	(115)	152%	
Donations Received	790	3,000	4,188	(3,398)	26%	GIC redeemed in 2017
Gain/Loss on Disposal	117	0	4,033	(3,916)		More assets sold off in 2017
YRT Tickets/Passes	-	0	(5,247)	5,247		No longer a YRT ticket agent in 2018
YRT Commission	0	0	155	(155)		
<b>TOTAL REVENUES</b>	<b>\$2,582,794</b>	<b>\$3,521,642</b>	<b>\$2,534,946</b>	<b>\$47,848</b>	<b>73%</b>	
<b>SURPLUS/(DEFICIT) CURRENT</b>	<b>\$117,217</b>	<b>\$0</b>	<b>\$132,033</b>	<b>(\$14,815)</b>		



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## Library Board Report

To: Newmarket Public Library Board

From: Todd Kyle, CEO

Date: October 16, 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 September 30, 2019 of \$10,980.78 from the Newmarket Public Library bank account to the Town of Newmarket bank account.



## Newmarket Public Library – Action Tracking List

Item No.	Target Date	Item description	Assigned action	Status / Date of Completion
9-11a	Ongoing	Policy reviews	<ul style="list-style-type: none"> <li>Board to consider policies according to policy review schedule</li> <li>Revise Governance Policy to comply with new Code of Conduct and integrity investigations rules</li> <li>Revise section on Gifts</li> <li>Approve full revised Governance Policy</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>April 2018 Code of conduct and investigations sections revised except for section on Gifts</li> <li>May 15, 2019 Board approved revisions to Governance policy</li> </ul>
2-13	Ongoing	C.E.O. Annual Performance Review	<ul style="list-style-type: none"> <li>Library Board Chair and Vice Chair to prepare and report to Board</li> </ul>	Next review due May 2019
1-15	TBD	Annual Report to the Community	<ul style="list-style-type: none"> <li>TBD</li> </ul>	Last report completed October 2017
2-15	June 2019	Library facility and service delivery options	<ul style="list-style-type: none"> <li>Motion 16.09.144 “And that the Library Board apportion up to \$50,000 of the Alternative Service Delivery capital project to a facility needs study, if and when Council indicates its willingness to support it”</li> </ul>	<ul style="list-style-type: none"> <li>Deferred by Town of Newmarket Council to fall of 2017 after completion of the Joint Efficiency Review.</li> </ul>

Item No.	Target Date	Item description	Assigned action	Status / Date of Completion
			<ul style="list-style-type: none"> <li>Motion 18.02.265 “And that the Library Board request the Library facility needs study be considered by the Town of Newmarket Council in the first or second quarter of 2019” Board to reconsider study</li> </ul>	<ul style="list-style-type: none"> <li>Council declined to include a study in its Strategic Priorities for 2019-2023</li> <li>CEO to work with ToN staff on a joint effort to doing a facility study (Motion 19-05-32)</li> </ul>
<del>1-19</del>	<del>June 2019</del>	<del>2020 budget</del>	<ul style="list-style-type: none"> <li><del>Draft budget request to be presented to board for approval</del></li> </ul>	Completed <ul style="list-style-type: none"> <li>To Board for approval September 18, 2019</li> <li>Approved for submission September 18, 2019</li> </ul>
<del>2-19</del>	<del>TBD</del>	<del>Collective Agreements (2019 - )</del>	<ul style="list-style-type: none"> <li><del>Updates and discussions as negotiations progress</del></li> <li><del>Board to ratify agreement when negotiated</del></li> </ul>	Completed <ul style="list-style-type: none"> <li><del>Board briefed March 2019</del></li> <li><del>Negotiations began April 2018</del></li> <li><del>Library Board and Union ratified as of August 19, 2019</del></li> </ul>
8-15	TBD	Strategic planning	<ul style="list-style-type: none"> <li>TBD</li> </ul>	<ul style="list-style-type: none"> <li>Current plan ended 2016. Previous board moved to update actions only but this not completed.</li> </ul>
3-19	May 2019	Library Board orientation	<ul style="list-style-type: none"> <li>Leadership by Design presentations to be held at first 3 board meetings</li> <li>N6 Library Board orientation session May 11</li> </ul>	<ul style="list-style-type: none"> <li>Part 1 and 2 completed – April 17, 2019</li> <li>3 Board members attended N6 Orientation session May 11</li> </ul>



Item No.	Target Date	Item description	Assigned action	Status / Date of Completion
4-19	May 2019	Library Operational Efficiencies Review	<ul style="list-style-type: none"> <li>• Board to consider recommendations</li> <li>• Board to give input into marketing and IT SLAs in light of Library-IT Shared Services Review</li> <li>• Board to consider report on benefits and risks of marketing and IT recommendations May 2019</li> <li>• CEO to report on regular basis on the progress and outcome measures related to these pilots (motion 19-09-59)</li> </ul>	<ul style="list-style-type: none"> <li>• Board approved implementation of recommendations February 2018 but reserved approval of marketing and IT sections pending draft Service Level Agreements</li> <li>• Marketing and IT SLAs discussed April 2018</li> <li>• Marketing and IT Agreements to Board September 18, 2019</li> <li>• Board authorized one-year pilot Information Technology Joint Steering Committee</li> <li>• Board authorized one-year pilot Service level Agreement with Town of Newmarket Recreation and Culture/Marketing and Sponsorship</li> </ul>
5-19	TBD	Library Advocacy	<ul style="list-style-type: none"> <li>• CEO to bring Library Advocacy items to Board for endorsement outside of election campaigns as coordinated by library associations.</li> </ul>	



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## Library Board Report

To: Newmarket Public Library Board

From: Todd Kyle, C.E.O.

Date: October 16, 2019

RE: **Reducing barriers to borrowing**

### Background:

Staff have been doing research and considering a number of options to reduce barriers to library membership and borrowing in order to more equitably serve the community as well as to encourage increased library use. This is consistent with a North American-wide effort to reduce or eliminate fines and other barriers to borrowing among public libraries. This effort was also supported by a customer comment that made an eloquent case for the removal or reduction of overdue fines, which tend to penalize and discourage library use among those who can least afford to pay the fines. This report outlines the options that staff have determined are feasible, considering the financial, technological, and procedural implications.

### Changes to procedure:

Some of these changes involve changes to the library's practice that are not explicitly outlined in Board policy or decision. These are outlined here for the Board's information.

### Collection agency threshold

The Library retains a collection agency, Unique Management Solutions (UMS), a North American leader in public library collections. For many years the practice has been to refer to UMS outstanding debts that reach a minimum of \$25.00, following staff collection efforts and a warning. A collection fee of \$15 is then added in order to cover the UMS fee. Debts incurred by adults and left unpaid after collection efforts cease are reported by UMS to a credit bureau.

At the \$25 cutoff level, referred debts have frequently consisted only of fines, rather than replacement costs (levied at 5 weeks overdue), often causing considerable frustration on the part of affected users. To remedy this, as of May 2019, the Library has raised the minimum to \$50.00. Initial reports from staff indicate that the volume of referred accounts has diminished, resulting in fewer upset users. It is too early to assess any financial impact, but it is important to note that the Library pays a fee to UMS regardless of whether the debt is recovered.

## **Purging fines**

Historically, the Library has not had a practice of eliminating debts that are unlikely to be recovered, even after the UMS process ends unsuccessfully. At the same time, under Ontario law, debts are not enforceable in court after a period of 2 years from the last attempt to contact the debtor for collection. The result is that our records contain many dormant and suspended user records, constituting a likely discouragement for those users from ever using the library again.

As a first step to rectify this situation, the Library has undertaken a process to purge old, inactive user records, including those with fines or material replacement charges owing. This purge has been performed on data carried over from our previous Integrated Library System to the current one, that is, records prior to 2010.

Going forward, the library is proposing an annual purge of this type whereby debts for which last contact was more than 2 years ago would be deleted except those over \$100, which would be deleted after 5 years. This would be a more manual process which would still leave the inactive user records intact, to facilitate easier re-registration with the library.

It is important to note that this purging process does not affect our Audited Financial Statements, nor the number of active cardholders as reported in the provincial Annual Survey of Public Libraries (ASPL). The debts are almost certainly unenforceable, and the materials long assumed lost and removed from the catalogue, leaving no likely financial impact to the Library. However, it is important to note that while unpaid debts previously referred to UMS and reported to a credit bureau would be purged, no notice would be sent to reverse any negative credit rating. Users would need to contact the library for proof the debt was forgiven in order to remediate their credit score.

As this action might be considered a broad policy direction, a suggested motion to this effect is contained below.

## **Changes to policy:**

### **Fines amnesty**

In the past, the Board has authorized occasional “Food for Fines” events in partnership with the Newmarket Food Pantry. During a scheduled week announced only slightly in advance, library users were invited to return overdue material directly to staff who would then waive all associated charges in exchange for a Food Pantry donation. The benefits of this approach were that it encouraged return of long overdue materials, allowed users to return to library borrowing, and assisted the Pantry. However, this practice was discontinued when it was noted that users sometimes retained overdue materials in anticipation of a future amnesty.

Nonetheless, there are other approaches that could be taken to such an amnesty that might allay such concerns, such as conditions under which fines on materials previously returned would be eligible. To that end, it is proposed that the Board delegate the authority for

occasional, irregular amnesty periods, in conjunction with a community benefit, to the C.E.O. so that permission need not be sought each time. A related motion is suggested below.

### **Renewal limits**

The limit to how many times a library user can renew an item is 3 for most material types, as long as there are no outstanding requests for the item. In most cases, this means a user can borrow an item for a maximum of 12 weeks, at which time the item must be returned and can be re-borrowed once it has been shelved. Given the demands of users who often ask if the item can be checked in on the spot and handed to them for immediate re-borrowing, it has become our practice to make up to 2 exceptions, making sure to record the transaction as an extra renewal rather than a new borrow (which would allow 3 more renewals).

To increase customer convenience and to encourage additional borrowing periods, it is proposed that the renewal limit be raised to 5, but without routine exceptions. This is consistent with many of our neighbouring libraries, and would require a change to the Membership Policy. There is some potential for revenue loss, as additional renewals may allow users to avoid a fine for delaying return. A motion to this effect is suggested below.

### **Card renewal threshold**

Currently, library membership must be renewed once per year in order for the Library to confirm a user's residency and contact information. This has been the subject of a number of complaints because of the inconvenience. It is important to note, however, that users are notified well in advance; that our practice is to give a grace period if the user claims not to have known and cannot produce ID; and that there is an option to reply to the notification e-mail to renew for online access only (with full access being restored once ID is produced on the next in-person visit).

However, many area libraries only require renewal every 2 years, and so it is proposed that the same change be made here. There are some small risks—residency and contact information may be more likely to be out of date; some collection of fines might be delayed (renewal also entails paying all outstanding debts). A motion to this effect is suggested below.

### **Eliminating fines for children**

There is a growing trend across North America for public libraries to eliminate overdue fines for some or all categories of users. The reason is that fines discourage library use, especially among those segments of society who cannot afford to pay fines, whose cards are often disproportionately under suspension because of unpaid fines. In particular, children suffer because parents are particularly afraid of borrowing materials when children cannot return them on their own. This reduces access to materials that would encourage early literacy, having a direct effect on Early Development Instrument (EDI) scores of Kindergarten students. Moreover, research cited by the American Library Association suggests there is little to no

evidence that nominal fines encourage prompt return of materials, and that eliminating overdue fees can increase circulation rates and even overall book return rates.

At this point I am recommending the elimination of fines for materials that are in the children's section and that are taken out on the card of a child up to the age of 12. This would include books, magazines, and audio, but not DVDs, video games, and devices. All other conditions of return enforcement would apply. The replacement cost and a processing fee of \$5.00 would be levied when the item is 5 weeks overdue, thereby suspending borrowing privileges, with the replacement cost waived if the item is returned. Accounts would still be referred to the collection agency with an added fee, but not reported to a credit bureau if they are on a child's card. Canadian examples of partial or libraries that have eliminated children's fines include Brampton Public Library, Oakville Public Library, Vancouver Island Regional Library, and the public libraries of Prince Edward Island.

Besides encouraging greater borrowing for children, this policy may also encourage more registration for children's cards. Because NPL's fine rates vary by material type/audience rather than cardholder age, many parents don't bother getting separate cards for their children. A lower fine rate only for children's items borrowed on a child's card may provide an incentive to do so. In addition, users will be encouraged to request that fines incurred prior to the policy change be waived—even if they are no longer a child—and staff will be authorized to do so, thereby encouraging borrowers with suspended cards to return to library use.

If this policy were adopted, there would be a budget impact. Currently, the budgeted revenue target for fines is approximately \$38,000, with 2018's actual revenue at \$27,500. Fine revenue has decreasing across North America for over a decade due to 24-hour return options, automated renewal and reminder software, and increasing e-borrowing, and NPL is no exception to this trend. The Board's strategy to deal with the revenue gap has been to reduce the revenue target incrementally so that it would eventually be corrected to actuals. It is estimated that the proposed policy change would reduce revenues by roughly \$6000 per year. At this point, the recommended strategy is to accelerate the revenue target reductions beginning with the 2021 budget year, once the impact is more accurately quantified. Further fine eliminations might be considered in the future depending on the success of this proposal.

If this proposal were accepted, the fine structure would be as follows:

**Adult material**

- 20 cents per day per item
- \$5 maximum per item
- Borrowing privilege suspended at \$10

**Teen material**

- 10 cents per day per item
- \$1 maximum per item
- Borrowing privilege suspended at \$10

**Kids material**

- 5 cents per day per item
- \$1 maximum per item

- No fines if cardholder is 12 years of age or younger
- Borrowing privilege suspended at \$10

### **Movies and video games**

- \$1 per day per item
- \$10 maximum per item

### **Other special items**

- Fines are noted on special items, such as eReaders and laptop computers.

### **Exceptions**

- There are no fines for seniors 65 and older, except for inter-library loans and laptops

### **Other fees and replacement costs**

When an item is five weeks overdue, we send a bill for the cost of the item plus a \$5 non-refundable processing fee. If you return the item, you do not owe the replacement cost. If we must send your account to a collection agency, we add a \$15 non-refundable fee.

Fine rates are not part of the Borrowing Policy but have been passed by Board motion in the past. A motion to effect the above rates is suggested below.

### **Processing fee**

As previously mentioned, NPL charges a \$5.00 non-refundable processing fee at the same time as billing the user for the replacement cost of a long-overdue item; at the same time, fines cease to accumulate. The replacement cost is cancelled if and when the item is returned; the fines and processing fee are not. However, it is the practice of many libraries to cancel the processing fee as well under these circumstances. In NPL's case, we have not adopted that practice, mainly because it would provide a disincentive to timely return or replacement of the item.

Frequent patron feedback indicates that there is some frustration over charging this fee when the library will not in fact need to replace the item and pay the costs of processing it (either internally or via the vendor). Our position in response has been that when an item is long overdue, the Library still has to mail a bill, manually check in the item, and depending on the time lapsed, re-enter the item into the database. In addition, NPL's fine rates and maximum fines per item are actually low in comparison to some of our neighbours, so the \$5 fee could be seen as equalizing the difference. Finally, if the processing fee were to be removed for returned items, there would then be no incentive to return kids items in the case outlined above. Therefore no change is recommended in this area at this time.

### **Conclusion:**

**The following motion is recommended:**

**THAT the Library Board approve the changes to the Borrowing Policy and associated practices as follows:**

- a. Forgiving of unpaid debts after a two-year collection period, except for those over \$100, which would be forgiven after a five year period**
- b. Arranging occasional amnesty periods in conjunction with a community benefit;**
- c. Increasing renewal limits from three to five;**
- d. Changing the card renewal threshold from one year to two;**
- e. Eliminating fines for children's materials taken out on a child's card, and waiving historical fines meeting these conditions upon user request.**



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## Library Board Report

To: Newmarket Public Library Board

From: Todd Kyle, C.E.O.

Date: October 16, 2019

RE: **eContent for Libraries campaign and resolution request**

### Background:

Libraries across Canada, including Newmarket Public Library, are increasingly being tasked with providing to their users electronic books, including electronic audiobook files. Out of a materials budget of roughly \$375,000, NPL spends close to \$150,000 on electronic materials, including eBooks and eAudio. However, libraries are increasingly struggling to develop these digital collections due to prohibitively expensive pricing models. Moreover, some important titles, including Canadian ones, are not made available to Canadian libraries by multinational publishers.

Unlike with print books, publishers are able to restrict sales to public libraries because libraries can only access eBooks through licensed platforms featuring acceptable digital rights management. For example, most of the “big five” North American publishers sell to public libraries a time-limited license (2 years) at a price significantly higher than retail, meaning libraries have to re-purchase the item after 2 years to maintain access. In a recent development, one publisher announced that sales of all new eBook titles would be “embargoed” –that is, not offered for sale to public libraries through the platforms they subscribe to—for a certain period after publication, except for a single copy per library or consortium (NPL is part of the Ontario Download Service consortium). Audiobooks are particularly challenging, where titles published by Amazon’s imprint Audible are entirely unavailable to public libraries.

For publishers, the reasons for the restrictions are falling sales. They place the blame for this on easy access to eBooks in libraries. However, the library community’s position is that this is misguided, and that publishers need libraries as much as libraries need publishers. Evidence suggests that sales of all book formats are strengthened, not harmed, by discovery and exposure to library patrons. In addition, the sale at lower prices of self-published material through platforms like Amazon, as well as increasing eBook piracy, are all factors that may be harming the sales of traditional publishers. The overall position of the library community is that the restrictions and costs make it difficult for libraries to provide important services that contribute to thriving and engaged communities, including vulnerable groups like seniors, low income families, youth and new Canadians.



A North American effort to improve access to eBooks has coalesced around a campaign called #eContentForAll that is being led by the Urban Libraries Council (ULC) in the U.S. and the Canadian Urban Libraries Council/Conseil des bibliothèques urbaines du Canada (CULC/CBUC) in Canada, in addition to the #eBooksForALL campaign from the American Library Association (ALA). In addition to staff and user education through social media and other efforts such as the [www.econtentforlibraries.org](http://www.econtentforlibraries.org) website, Library Boards and municipal councils are being asked to lend their support.

CULC/CBUC is asking municipal leaders to recognize the important role that libraries play in our communities and to help to advocate for a solution to the barriers that Canadian libraries face in accessing ebooks and other econtent. Accordingly, it is requesting that Boards and municipalities formally indicate their support of CULC's/CBUC's campaign to improve Canadian public libraries' access to ebooks and other econtent by passing a resolution and forwarding notice of that resolution to local federal Members of Parliament. Although libraries are governed provincially, the federal government is being targeted as it is best placed to provide a comprehensive, Canada-wide solution to the digital access issue. The federal government, for example, is responsible for trade and competition policy, as well as publishing subsidies.

A draft municipal motion is included in Attachment 1, based on a similar motion passed by Toronto City Council. I ask for your assistance in obtaining Newmarket Council endorsement of the attached draft resolution.

## **Conclusion:**

**The following motion is recommended:**

**THAT the Library Board seek Newmarket Council's endorsement of a draft resolution outlined in Attachment 1, requesting the Town of Newmarket to:**

- a. indicate their support for CULC's/CBUC's efforts to increase access to ebooks and other econtent for library users in Newmarket and across Canada**
- b. call on the federal government to investigate the barriers faced by libraries in acquiring ebooks and other econtent and the problems that poses for vulnerable demographic groups in Canada; and**
- c. ask the federal government to develop a solution that increases access to ebooks and other econtent across Canada and assists libraries in meeting the cost requirements to acquire ebooks and other econtent.**

## **Appendix 1: Draft Resolution for Newmarket Council**

WHEREAS, the Town of Newmarket recognizes the important role that libraries play in our community. Libraries and the early literacy programs that they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally, vulnerable demographic groups, including seniors, low income families, youth, and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials, and

WHEREAS, libraries in our community recognize that our users increasingly seek to access e-books and other e-content offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and

WHEREAS, libraries must be in a position to offer e-books and other e-content to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials.

Now, therefore be it resolved that the Town of Newmarket does hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to ebooks and other econtent for library users in Newmarket and across Canada;
2. Call on the federal government to investigate the barriers faced by libraries in acquiring ebooks and other econtent and the problems that poses for vulnerable demographic groups in Canada; and
3. Further ask the federal government to develop a solution that increases access to ebooks and other econtent across Canada and assists libraries in meeting the cost requirements to acquire e-books and other e-content.