

Niagara Falls Public Library Board of Trustees

**Minutes of Regular Board Meeting**

**Library-Conference Room**

**1425 Main Street, Niagara Falls, NY 14305**

**Wednesday, February 22, 2023**

**CALL TO ORDER.** The regular meeting of the Niagara Falls Public Library Board of Trustees was held in person on Wednesday, February 22, 2023, in the Conference Room 2<sup>nd</sup> Floor Main Library. The meeting was called to order by Board President Carmen Grant at 3:08 p.m.

**ROLL CALL:**

Present

Absent

Ms. Bailey

Dr. Carter

Dr. Foote (left 4:16 pm)

Ms. Glaser (left 4:00 pm)

Mr. Grant

Mr. King (left 4:15 pm)

Dr. Rahman (left 3:21pm)

Also present were Ms. Sarah Potwin, Executive Library Director, Mr. Pat Brown, PT Finance Manager-Library, Mr. James Roscetti, Library Attorney, Ms. Cecilia Driscoll, Librarian 1/union steward (arrived 3:21pm), Friends of the Library representatives Ms. Marilyn Lojek, President and Board Member Mr. Robert DiFrancesco.

**OPEN HEARING**

Mr. Grant introduced and welcomed Ms. Marilyn Lojek, recently elected President of the Friends of the Library replacing Mr. DiFrancesco in that role. Ms. Lojek is retired from the City school system and has been active with the Friends of the Library. On behalf of the Board, Mr. Grant expressed his appreciation for their service and efforts and said the Library will require their continued support.

**ADOPTION OF AGENDA.**

Ms. Potwin asked for an addition under new business for AIS computer system upgrades. Mr. Grant asked if there were any objections to adding this item to the agenda' hearing none the amended agenda was adopted upon a motion by Mr. Grant, seconded by Dr. Foote and carried.

**APPROVAL OF MINUTES.**

The January 25, 2023 regular meeting minutes were presented and reviewed. Adopted upon a motion by Dr. Foote, seconded by Ms. Bailey, and carried unanimously.



## FINANCIAL REPORTS

Mr. Brown referred to the December 2022 financial narrative and reports which were provided in the agenda packet consisting of operating and special revenue fund balance sheets, income and expense reports with comparison to budget and prior year and Dunlap Trust balance sheet.

He provided a detailed narrative analysis to supplement the financial reports, which was included in agenda packet, explaining balance sheet amounts, revenues and expenditures for operating fund and shared that the cash and financial position of the Library is good and there are no unusual accounts payables or liabilities and the year-end financial results did not have any unusual adjustments and are consistent with the monthly reporting of financial information (trends, forecasts) provided during the course of the year. Being the end of the year 12 months of the year expectation would be generally for most revenues and expenses to be about 100% respectively of budget and showing an operating deficit of \$120,823 if all budgeted revenues expenditures were actually received and spent as budgeted.

Mr. Brown highlighted the following from the financial reports:

- CASH DECREASED \$81,493 VS 12/31/21 LARGELY DUE TO USE OF OPERATING FUNDS/RESERVE TO PAY FINAL BILL FOR HISTORY ASSOCIATES (HISTORY INVENTORY PROJECT) OF \$155,001 NET OF TRANSFER FROM SPECIAL REVENUE
- DUE TO OTHER GOVERNMENTS \$9,307 REPRESENTS EXCESS FUNDING OVER THE BUDGETED CITY ALLOCATION PAID BY THE CITY THAT LIBRARY OWES BACK TO THE CITY. LAST YEAR THE CITY OWED THE LIBRARY \$39,799.
- FUND BALANCE TOTAL IS \$839,542 OF WHICH \$486,843 IS UNRESTRICTED/UNASSIGNED AND \$235,000 IS ASSIGNED FOR FUTURE REPAIRS/CAPITAL EXPENDITURES BUT MAY ALSO BE UNASSIGNED BY THE BOARD.
- REVENUES FOR 2022 WERE 98.96% OF BUDGET (1.04% UNDER BUDGET) AND EXPENDITURES WERE 89.2% OF BUDGET (10.8% UNDER BUDGET) WHEN ADJUSTED FOR ONE TIME/NON BUDGETARY REVENUES AND EXPENDITURES
  - REVENUES EXCEEDED BUDGET BY \$774,817 EXCLUDING BUDGETED REVENUE FOR RENT AND FUND BALANCE (WITH THESE BUDGETED AMOUNTS REVENUES EXCEEDED BUDGET BY \$533,994). PRIMARY REASON FOR EXCESS REVENUE WAS THE REBELLO BEQUEST OF \$675,618, \$85,669 IN GRANTS AND \$34,738 TRANSFER FROM SPECIAL REVENUE FUND AS NONE OF THESE AMOUNTS WERE BUDGETED.
- EXPENDITURES EXCEEDED BUDGET BY \$ 597,106 OR \$717,106 EXCLUDING \$120,000 OF BUDGETED RENT EXPENSE. PRIMARY REASON FOR EXCESS EXPENDITURES WAS \$675,618 CONTRIBUTION EXPENSE TO TRANSFER REBELLO BEQUEST TO TRUST FUND, \$189,739 IN EXPENSE FOR HISTORY ASSOCIATES BILL PAID FROM OPERATING FUNDS AND \$90,672 IN GRANT AND CAPITAL EXPENDITURES NONE OF WHICH WERE BUDGETED.
  - TOTAL EXPENDITURES FOR 2022 WHEN REDUCED BY/ADJUSTED FOR UNBUDGETED AMOUNTS OF \$675,618 CONTRIBUTION, HISTORY ASSOCIATES PHASE IV BILL OF \$189,739 AND GRANT EXPENSES OF \$85,669 WOULD RESULT IN ADJUSTED **BUDGETARY EXPENDITURES OF \$1,929,325 WHICH WOULD BE \$233,920 OR 10.8% UNDER BUDGET (FAVORABLE BUDGET VARIANCE).**
- EQUIPMENT/FURNISHINGS OF \$22,532 IS \$9,232 **OVER BUDGET** (169.4% OF BUDGET) DUE TO OFFICE CHAIR PURCHASES NOT BUDGETED AND FURNITURE PURCHASES ORIGINALLY TO BE COVERED BY SAM GRANT BUT WERE NOT ELIGIBLE FOR FUNDING RESULTING IN AN UNFAVORABLE BUDGET VARIANCE.



- OFFICE/LIBRARY SUPPLIES OF \$73,616 IS 143.64% OF BUDGET AND 22,366 **OVER BUDGET** PRIMARILY DUE TO COMPUTER MONTHLY SERVICE AGREEMENT AND ANNUAL LEASING OF COMPUTERS NOT BUDGETED RESULTING IN AN UNFAVORABLE BUDGET VARIANCE.
- CONTRIBUTION EXPENSE OF \$675,618 REPRESENTS TRANSFER OF REBELLO FUNDS TO TRUST ACCOUNT, NO BUDGETED AMOUNT SO **UNFAVORABLE BUDGET VARIANCE**.
- OPERATING DEFICIT FOR 2022 IS \$63,112 COMPARED TO BUDGETED DEFICIT OF \$120,823 IS A FAVORABLE VARIANCE OF \$57,711 (**DEFICIT LESS THAN BUDGETED**). IF THE HISTORY ASSOCIATES BILL WAS NOT PAID FROM OPERATING FUNDS, 2022 WOULD HAVE ENDED WITH AN OPERATING SURPLUS OF \$91,889 VS BUDGETED DEFICIT OF \$120,823 AND FAVORABLE BUDGET VARIANCE OF \$212,712.
- TOTAL REVENUES FOR 2022 COMPARED TO 2021 WERE \$773,492 HIGHER PRIMARILY DUE TO REBELLO BEQUEST OF \$675,618, GRANTS \$52,296, INTERFUND TRANSFER \$34,738 AND COUNTY, CENTRAL LIBRARY AID AND LLSA COMBINED \$11,833 HIGHER THAN LAST YEAR. WITHOUT REBELLO BEQUEST AND INTERFUND TRANSFER 2022 REVENUE WAS \$63,136 HIGHER THAN 2021 PRIMARILY DUE TO GRANT REVENUE AND COUNTY/STATE AID.
- EXPENDITURES FOR 2022 ARE \$1,022,020 HIGHER THAN 2021 PRIMARILY DUE TO 2022 COMPUTER LEASING/ SUPPORT SVCE \$45,368, GRANTS \$52,799, LOCAL HISTORY PROJECT EXPENDITURES \$193,854 AND CONTRIBUTION OF REBELLO BEQUEST TO TRUST FUNDS \$675,618. WITHOUT THE ONE TIME EXPENDITURES FOR GRANTS, LOCAL HISTORY PROJECT AND CONTRIBUTION TOTALLING \$922,271, 2022 EXPENDITURES WOULD BE \$1,958,084 COMPARED TO \$1,858,335 FOR 2021 OR \$99,749 HIGHER (5.4%) PRIMARILY DUE TO PAYROLL AND RELATED BENEFIT CONTRACTUAL INCREASES AND COMPUTER LEASING/MONTHLY SERVICE AGREEMENT.
- OPERATING DEFICIT FOR 2022 IS \$63,112 WHICH COMPARED TO BUDGETED DEFICIT OF \$120,823 IS A FAVORABLE VARIANCE OF \$57,711 (**DEFICIT LESS THAN BUDGETED**). IF THE HISTORY ASSOCIATES BILL WAS NOT PAID FROM OPERATING FUNDS, 2022 WOULD HAVE ENDED WITH AN OPERATING SURPLUS OF \$91,889 VS BUDGETED DEFICIT OF \$120,823 AND FAVORABLE BUDGET VARIANCE OF \$212,712.
  - 2021 ENDED WITH A SURPLUS OF \$200,490 WHILE BUDGETING TO USE \$84,681 OF FUND BALANCE RESULTING IN A \$285,171 FAVORABLE BUDGET VARIANCE.

Mr. Grant asked if any questions on the financial report. Dr. Rahman asked for clarification if the year ended with an operating surplus or deficit, Mr. Brown said there was an operating deficit of \$63,112. Mr. Brown added that there were a couple of small adjustments that would have to be made received from the city after these reports were prepared but will only result in a change of about \$1,295 for city phone charges so operating deficit will be more like \$64,407 and invited board members to contact him if any other questions on the Library financials.

The financial report was received and filed.



## **EXECUTIVE LIBRARY DIRECTOR'S REPORT.**

Ms. Potwin referenced her written report which was included in the agenda packet highlighting the following.

- Dates for holiday closures, meetings and days off
- Board agenda packet preference for board members, paper or electronic. Request made as we are trying to reduce paper use.
  - Bailey – electronic
  - Carter – paper
  - Foote – electronic
  - Glaser – electronic
  - Granto – paper
  - King - paper
  - Rahman – paper
  - Capein – electronic
  - DiFrancesco – electronic
  - Lojek – electronic
  - Roscetti - electronic
- **Lobbying in Albany**
  - Ms. Potwin reported that she will be attending Library Lobby Day with the Legislature in Albany on Feb. 27 & 28<sup>th</sup> and has submitted a letter to the editor about the importance of library funding and building community. City media policy requires all such communications be submitted to the City Administrator for approval, permission has been received.
  - Executive Budget released Feb. 1, 2023 includes
    - \$3.5 million reduction from FY 2023 Library Aid
    - \$20 million reduction from FY 2023 Library Construction

## **Noreen Hill Scholarship**

Presently we have raised \$1,050 for the NF Educational Foundation Scholarship memorializing Noreen Hill; a minimum of \$1,500 is required to begin the scholarship. Additional funds should be coming from fundraiser conducted by Noreen's family in Canada. Mr. King asked if we have reached the \$1,500 threshold, Ms. Potwin said we should reach it with the additional funds raised by Noreen's family. Mr. DiFrancesco asked if the scholarship amount to be awarded is \$1,500 or \$1,000; after some discussion it was determined that the annual scholarship amount awarded was to be \$1,000 and Mr. DiFrancesco clarified that it was to be awarded to a Native American student in the City school district. Ms. Potwin asked what happens to any excess funds, i.e. if we raise \$1,500 and award \$1,000 scholarship does the \$500 rollover to the following year. Mr. DiFrancesco said he was pretty sure it would and another scholarship could be awarded next year. Mr. Granto said so we have met the 1<sup>st</sup> year goal for scholarship and will have some excess funds to apply to 2<sup>nd</sup> year. It was agreed to have a scholarship in Noreen Hill's memory at least this year and next with one student of Native American decent receiving \$1,000 each year. Mr. Granto expressed concern as to how the scholarship is promoted, how do students know about the scholarships and application process. Scholarships are posted on website and guidance counselors are aware of them and the process. Dr. Footed suggested that if no Native Americans apply for the scholarship the money should stay in the account and rollover to the following year given that student is to be Native American in the City school district. Mr. Granto suggested that if a Native American student is eligible but not in the City school district they should be considered. Ms. Glaser asked if the Library would be interested in purchasing a table of 10 for the NF Educational Foundation annual dinner where scholarship will be presented? The board members agreed to purchase a table for the dinner, the foundation to submit a invoice for it.



### **Local History Hours**

Hours of operation were provided, presently 20 hours/week with recommendation to increase to 24 hours/week beginning April 1, 2023. The additional 4 hours/week would only change Wednesday's hours of operation presently 1-4 to 9-4 to be considered under new business.

### **DPW Building Repair Progress**

- Meeting to be held with Mr. Kinney to discuss items in need of repair:
- Rewiring Main Library public computer outlets/power source
- Drilling holes in cement to allow for hanging of Dunlap pictures on 1<sup>st</sup> floor
- Outlet replacement at LaSalle (since mid-December 2022)
- Re-seeding front lawn Main Library (discussed for nearly two years now)
- Trimming trees in front of Main Library to allow the flag to be flown (discussion precedes Mr. Kinney)
- Update on 1<sup>st</sup> floor light switch (lights on 24/7) order placed in fall of 2022)

### **Trustee Training**

State mandates training, NIOGA is offering various workshops in support of it. Ms. Potwin provided a schedule of the training workshops along with registration information. Ms. Bailey emphasized the importance of the training-it is not an option but state mandated. All board members have to complete the required training to avoid possible disciplinary action which could include jeopardizing state aid not to mention embarrassment for the library. She said there are online options that one may do from home by simply logging in to course to obtain the credit.

### **AIS Computer System Upgrade-switches, wireless, server Main Library**

Quote received of \$81,221.33 (local share approx \$12K) for upgrade of wifi infrastructure including new server, new back up battery packs, new wifi drops both inside and out in parking lot all to improve access to the internet at Main Library. Resolution for approval to be considered under new business.

### **Late Fine Free**

In Spring 2018, the NFPL board agreed to go fine-free for children's materials owned by NFPL; Since the City has agreed to increase library funding by \$135K for 2023 Ms. Potwin would like for the NFPL board to consider going fine-free on all NFPL-owned materials on July 1, 2023, as a measure of goodwill to our community. This will mean waiving late fines that have already been accrued (much of which we do not collect. Currently we have late fees on accounts dating back to before 2010.) The only past fees recommended we leave attached to a patron's account from 2017 forward, are the 10\$ collection fee, as well as the cost for lost items since 2017 (5 years). Any fees accrued in 2016 and prior are likely, not collectible. Late fees collected in a year average between \$4 500- \$5 500 in late fees, adult-only items, cumulative from both branches. The benefits can be measured in less aggression at the circulation counter towards staff, fewer overdue items, higher patron usage, and a higher return of materials for circulation to other individuals. Moving forward, it is proposed that we not charge late fees for NFPL-owned items, though when NFPL-owned items are not returned at 28 days, the computer system freezes the patron's access until the materials are returned (the 28-day freezing happens already.) To be clear, the 10 cents per day is not a penalty, though the lack of returned items and thus the freezing of borrowing privilege/computer usage is the penalty to bring items back. Three other libraries in the Nioga



Library System are fully late fine free. (Hoag, Wilson, Batavia). The NF library charges line for FY 2023's budget has been voted on, reflecting a planned fine-free status as of July 1, 2023.

The timeline for current overdue materials is as follows:

- 2 days before the item is due, patrons with an email on file received an email notification to renew or return their items

Due date

- 1 day grace period from the printed due date
- 7 days from the printed due date, 1st overdue notice generated
- 14 days from the printed due date, 2nd overdue notice generated
- 28 days from printed due date, 3rd notice is a bill for missing items, privileges are shut down
- 32 days from the printed due date, patron referred to a collection agency, Unique Management, where an additional 10\$ collection fee (non-waivable) is applied.

The NFPL's borrowing policy, dating back to 2014, will need to be updated, regardless of your decision to go fine-free as it is grossly out of date. A public education campaign will need to happen in order to educate our citizens that "*no late fees*" does not translate to "*no responsibility*". NFPL items are required to be returned on a timely basis for others to enjoy. Items, lost/damaged items still have a replacement fee and possibly a collection agency fee of 10\$. Other charges for lost cards, copying, printing, faxing, collection agency fees and researching will still continue.

Ms. Potwin said there are still consequences if material is not returned and welcomes discussion and will need a vote, perhaps at the next meeting, from the board to approve going fine-free for NFPL-owned materials as well as approval of the borrowing policy.

#### **Comments and Questions on Directors Report:**

Mr. Granto asked if there were any questions on the Directors report. Executive Library Director's report was received and filed

#### **PERSONNEL ACTIONS**

No activity to report

The acceptance of the personnel report was adopted as presented upon a motion by Ms. Glaser, seconded by Ms. Bailey and carried unanimously.



## **PRESIDENT'S REPORT**

Mr. Grant said he had nothing to report at this time.

## **OLD BUSINESS**

- a. Noreen Hill Scholarship
  - Discussed under Executive Library Director's report, no action required.
- b. Dunlap Trust
  - Nothing to discuss or act on

## **NEW BUSINESS**

- a. Re-instate Mr. Ken Hamilton as rep on NIOGA Board

### **Resolution**

Mr. Grant moved for approval the reappointment/re-instatement of Ken Hamilton as NF rep on NIOGA Board, seconded by Mr. King and carried.

- b. Local History Department hours to increase by four (4) hours/week effective April 1, 2023

Mr. Grant asked for a motion to increase hours of operation by 4 hours/week for a total of 24 hours/week for the local history department as outlined in the Executive Directors Report.

### **Resolution**

Dr. Foote moved for approval to increase hours of operation of the local history department by 4 hours/week to a total of 24 hours/week effective April 1, 2023, seconded by Mr. King and carried.

- c. Borrowers Policy/late fees

Ms. Potwin explained that the current borrowing policy adopted August 27, 2014 is in need of revision and presented a proposed amended policy for review and discussion. Most of the discussion was regarding the age category for Youth Cards section of the policy requiring individuals ages 5-17 having a parent/guardian present to obtain a library card. Ms. Glaser thinks age 17 is too high, at that age more should be expected of them as they are capable of and should accept responsibility on their own. Ms. Bailey disagreed saying many if not most libraries have the age of 17 as upper limit for a card. Ms. Glaser asked if 17 year olds are permitted to enter adult section/checkout materials, Ms. Driscoll said yes they can. Ms. Glaser said she doesn't understand why if a 17 year old is of age to enter adult section and check out materials they are not considered old enough to obtain a library card on their own without parent/guardian. Mr. Grant asked at what age may one obtain a youth library card, Ms. Potwin said ages 5-17 further explaining that youth ages 5-13 years will be coded as children and youth 13-17 will be coded as teens in the circulation system allowing them to borrow YA materials and graphic novels. Dr. Carter expressed concern that setting age of 17 may create a barrier to library access and availability if one is required to have a parent/guardian accompany them to obtain a library



card agreeing with Ms. Glaser that she thinks that a 17 year old is mature enough to obtain card on their own; if one can't obtain a library card on their own they may just give up on getting one, our goal should be to increase the availability and use of the library within reason.

Ms. Glaser feels one should be able to get a library card on their own at age 16. Ms. Bailey added best practices require ages 16 and under to have parent/guardian consent. Mr. DiFrancesco suggested a review of other library policies. Dr. Foote said she was ok with age 16 for library card, Mr. Granto agreed, Ms. Bailey raised the question as to legality of sending collection notices to an individual under age 18 (16 or 17 legal?)

Mr. Granto suggested this policy be tabled for now, that Members Glaser, Bailey & Carter maybe talk it over and work out differences and it can be further discussed and acted upon at the next meeting.

**Resolution:**

Ms. Glaser moved for tabling of the borrowers policy until next meeting, seconded by Ms. Bailey and carried.

d. Approve trust contribution to \$20k per year

Ms. Potwin explained that in past years and in the adopted 2023 budget, an annual transfer of \$18k from the Dunlap Trust funds has been made and is part of the budget as partial funding for local history department. The additional \$2k is to pay for annual cost of PastPerfect software to be used in the local history department. Mr. Brown added that although the trust is referred to as Dunlap, the trust funds consist of remaining original Dunlap funds plus Rawnye and Rebello donated funds with Dunlap funds making up about 9.17% of the total trust funds. The \$20k will come out of Rawnye/Rebello portions of the trust funds as the \$18k has in the past so the remaining original Dunlap funds are not impacted.

Mr. Granto asked if there were any questions; Dr. Rahman said reference to Dunlap Trust is confusing in that there are other funds ((Rawnye/Rebello) included in the trust and wants to make sure that is clear. Mr. Brown agreed but that is the name of the trust fund suggesting the resolution be specific as to the portion of trust funds transferred. Mr. Granto asked for a motion to increase the annual transfer from the Dunlap Trust funds by \$2k to a total of \$20k annually as explained above.

**Resolution**

Mr. King moved for approval to increase the trust transfer to operating fund by \$2,000 for a total trust transfer of \$20,000 to be taken from Rawnye/Rebello portions of the Dunlap Trust Funds as outlined above, seconded by Ms. Bailey and carried

e. AIS funding of \$81,221.33 (local share approx \$12K) for upgrade of wifi infrastructure

Mr. Granto asked for a motion to approve the AIS funding of \$81,221.33 as explained in the Executive Directors Report.



## Resolution

Dr. Foote moved for approval of AIS funding for wifi infrastructure, seconded by Ms. Bailey and carried. Mr. Granto went around the table asking all in attendance individually if they had any additional comments, questions on the agenda or other issues/matters they wished to discuss.

Ms. Bailey said she has a problem with the present library card policy in that two forms of identification, a valid identification and a current piece of mail with address, are both required to obtain a library card. She feels if one has a valid state/other government issued identification (like a driver's license) that should be sufficient wondering why additional documentation like a piece of mail is required. Mr. DiFrancesco said often a piece of mail, like a utility bill, with address is more reliable than the identification address.

Ms. Potwin said current mailing address is also required for any communications like billing/collection notices etc. Ms. Bailey said it just rubs her the wrong way requiring the two forms of identification and may be a barrier to and/or discourage people from getting library cards, most everyone carries identification with them and would expect to show identification to obtain a library card but likely are not be carrying a piece of mail with them also to show. Ms. Driscoll added that if the can show some other identification other than mail that is also acceptable. Dr. Carter agreed with Ms. Bailey that requiring a piece of mail may be a barrier to some obtaining library cards. Mr. Granto asked if people have been refused a library card without valid mail address proof, Ms. Driscoll said yes. Ms. Bailey would like to see the policy revised.

Mr. DiFrancesco confirmed his understanding of the Noreen Hill Scholarship is one \$1,000 scholarship to be awarded each year for at least two years if funding permits to a Native American student in the city school district. Ms. Bailey asked if there is any GPA requirements, Mr. DiFrancesco said there isn't. Mr. Granto asked about the general process for scholarship selection, how is it promoted and how do students know about them as he wants to make sure eligible students have equal opportunity for it and concerned that Native American students may not be aware of it. Ms. Lojek said the scholarships are posted on school district website and Mr. DiFrancesco added that the guidance counselors are aware of all available scholarships. Mr. Granto suggested we could expand the Hill scholarship if needed to include eligible students from Niagara Wheatfield if no Native American students are in the city school district.

## NEXT MEETING AND ADJOURNMENT.

The next regular meeting of the Library Board is scheduled for March 29, 2023, 3:00 p.m.in-person Main Library Conference Room, 2<sup>nd</sup> floor. The next Dunlap Meeting (Second Quarterly meeting 2023) is scheduled for Wednesday April 26, 2023 at 2.30 pm in person, Main Library Conference Room, 2<sup>nd</sup> floor.

Meeting adjourned at 4:18 pm on a motion by Ms. Bailey, seconded by Mr. Granto, and carried unanimously.

Recorded by: Patrick D. Brown  
Patrick D. Brown, P.T Finance Manager-Library  
Approved by: Don King  
Don King, Secretary