

Town of Esopus Library
November Board of Trustees Meeting
Tuesday, November 23, 2021

Agenda

Call to order	Jim Fitzmorris
Approval of October Board Meeting Minutes – 10/26/21	
Public Comment	Public
Treasurer’s Report/Finance Committee	Gilbert Ramos
Director’s Report	Brooke Dittmar
Friends	Susan Leiching

Committees

1. Buildings and Grounds – Jim Fitzmorris
2. Governance and Personnel – Susan Leiching
3. Research and Development – Gilbert Ramos
4. Sustainability - Don Carragher

Executive session to discuss matters pertaining to a staff member

Adjournment

Resolutions:

2021-36 – 2022 Holiday Closings

2021-39 – Payment of October Claims

2021-40 – Personnel Actions – E. Peterson and S. Doctoroff

2021-41 – MHLS Direct Access Plan

TOWN OF ESOPUS LIBRARY BOARD OF TRUSTEES MEETING MINUTES October 26, 2021

Board Members Present: Gilbert Ramos, Jim Fitzmorris, Reggie Heffernan, Nancy Beranek, Shannon Harris, Laura Lauria and Susan Leiching (arrived after Director's Report)

Board Members Excused: Don Carragher

Board Members Absent:

Staff Present: Brooke Dittmar, Mary Garraty

I. CALL TO ORDER –

The meeting of the Town of Esopus Library Board of Trustees was called to order by President Jim Fitzmorris at 6:05 pm.

II. APPROVAL OF MEETING MINUTES

Written minutes for September monthly Board meeting held on September 28, 2021 were submitted and open for review.

- A motion to accept the minutes of the September 28th Board meeting was made by Nancy Beranek and seconded by Reggie Heffernan.
AYE: 6; NO: 0; ABSTAIN: 0
Board Members Excused: Don Carragher
Board Members Absent: Susan Leiching

III. FOUNDATION

Motion Approval of slate of officers from Foundation Board of Trustees. The Foundation Board of Trustees have voted at their October 5th, 2021 meeting to accept the following Slate of Officers for the 2022 year. The officers are to serve a one-year term.

President	Chet Allen
Vice President	Donna McAuley
Secretary/Treasurer	Marion Zimmer

- A motion to accept the Foundation Board of Trustees slate of officers was made by Shannon Harris and seconded by Gilbert Ramos.
AYE: 6; NO: 0; ABSTAIN: 0
Board Members Excused: Don Carragher
Board Members Absent: Susan Leiching

IV. TREASURER'S REPORT/FINANCE – Gilbert Ramos

Written report was submitted. Gilbert reviewed the Finance committee meeting minutes. The committee discussed the payments made on the vouchers. The committee needs to move the finance November meeting to November 15th at 4:00 pm.

- **Resolution #33 of 2021 (Payment of September Claims):** The Board of Trustees of the Town of Esopus Library accepts and approves the payment of claims from September 1, 2021 to September 30, 2021 for items in the amount of \$13,167.43. A motion to accept the resolution was made by Reggie Heffernan and seconded by Nancy Beranek.
 AYES: 6 NAYS: 0; ABSTENTIONS: 0
 Board Members Excused: Don Carragher
 Board Members Absent: Susan Leiching

V. DIRECTOR'S REPORT – Brooke Dittmar, Director

Written report submitted. Brooke reviewed the Director's report. Brooke asked if anyone had questions about her report. Brooke reviewed the hoopla database use statistics. She also noted that the library has a new Clerk. Her name is Marilyn Genter. The library will be doing truck or treat.

VI. FRIENDS -- Susan Leiching

Susan reported that the Book sale PR is in progress. Bruderhof will help set up and tear down tables for the book sale. The book sale set up is on Nov 5 at 4 pm. A few other items to note is that January 2022 is annual membership drive for Friends. The year 2022 is also the 100th year anniversary of the library. The Friends next meeting is scheduled for November 17th. They will have elections at that time. Book donations will be accepted starting on November 15th.

VII. COMMITTEE REPORTS

- **Buildings and Grounds**– Jim Fitzmorris
 Written report submitted. Jim reviewed the meeting minutes. The committee met a week early due to Indigenous Peoples' Day on October 11th. The committee discussed interior lighting. Installation took place of the new lights. Agape has submitted an estimate of \$2800 to replace the bridge over the pond. Power washing the deck, clearing brush and landscaping were also discussed to be done in the future.
- **Governance and Personnel** – Susan Leiching
 Written report submitted. Susan reviewed the meeting minutes. The committee has updated the Grievance policy as well as updated Whistleblower policy. Both of these policies will be submitted for approval. Susan completed a webinar on legal issues. She learned that the Board is supposed to review all policies every 5 years. Mary will provide total list of policies for them to review.
 - **Resolution #34 of 2021 (Grievance Policy Update - Section 16 of Personnel Policy Manual):** The Board of Trustees of the Town of Esopus Library accepts the changes to the Grievance Policy located in Section 16 of the Personnel Policy Manual. A motion to accept the resolution was made by Jim Fitzmorris and seconded by Shannon Harris.
 AYES: 7 NAYS: 0; ABSTENTIONS: 0
 Board Members Excused: Don Carragher

Board Members Absent:

- **Resolution #35 of 2021 (Personnel Actions - M. Genter):** The Board of Trustees of the Town of Esopus Library accepts the hiring of M. Genter. A motion to accept the resolution was made by Shannon Harris and seconded by Jim Fitzmorris.
AYES: 7 NAYS: 0; ABSTENTIONS: 0
Board Members Excused: Don Carragher
Board Members Absent:

- **Resolution #38 of 2021 (Whistleblower Policy and Procedure Update):** The Board of Trustees of the Town of Esopus Library accepts the changes to the Whistleblower Policy located in the Library Policy Manual and the Personnel Policy Manual. A motion to accept the resolution was made by Gilbert Ramos and seconded by Reggie Heffernan.
AYES: 7 NAYS: 0; ABSTENTIONS: 0
Board Members Excused: Don Carragher
Board Members Absent:

- **Research and Development** – Gilbert Ramos
Written report submitted. Gilbert reviewed the meeting minutes. The committee discussed the possibility of contacting Congressman Delgado and Assemblyman Cahill for grants. They also reviewed the grant application for the Dan Jewett/Mackenzie Scott foundation.

- **Sustainability Committee** – Don Carragher
Written report submitted. Reggie reviewed the committee meeting minutes. Don reviewed the sustainability action point matrix during the committee meeting. The following two items were discussed: A disaster response plan as well as preparation for a building expansion fund.

Resolution 36 (Holiday Closing for 2022) was discussed. The Board decided to move this resolution to next month as more research was needed.

Shannon Harris had a conflict and left at 6:40 pm.

Resolution #37 of 2021 (Lukatis Donation): The Board of Trustees of the Town of Esopus Library accepts the quarterly share of income in the amount of \$574.80 from the Lukatis Trust into the operating funds for the library. A motion to accept the resolution was made by Gilbert Ramos and seconded by Jim Fitzmorris.
AYES: 6; NAYS: 0; ABSTENTIONS: 0
Board Members Excused: Don Carragher
Board Members Absent: Shannon Harris

The December Board of Trustee meeting was discussed as it falls in between Christmas and New Year's. The Board decided to move the December Board meeting. The November meeting remains as scheduled, and December will be moved to Jan 4th.

VI. ADJOURNMENT

There being no further business or discussion, Reggie Heffernan made a motion to adjourn and it was seconded by Gilbert Ramos. The meeting was adjourned at 7:00 p.m.

AYES: 6; NAYS: 0; ABSTENTIONS: 0

Board Members Excused: Don Carragher

Board Members Absent: Shannon Harris

Prepared by Mary Garraty, Secretary to the Town of Esopus Library Board of Trustees

Buildings & Grounds
Committee Meeting
November 8, 2021

Attendees: Don Carragher, Brooke Dittmar, Jim Fitzmorris, Gilbert Ramos, Shannon Harris

The Committee discussed the presence of several large Burning Bush shrubs on library property. These plants are invasive, and we will develop a plan to remove them and perhaps replace them with a native species.

Gilbert received an estimate of \$2800 from Agape toward removing the old pond bridge and constructing a new one. We intend to get second/third estimates from competitors, and selecting the contractor whose work best fits our interests re: design, materials and budget.

Discussion continued regarding:

- Deck maintenance, i.e. refurbishing furniture/power washing deck
- Clearing brush/vines/limbs etc. along tree line
- Landscaping

Next meeting will be December 13 @ 4:00pm.

Submitted by
Jim Fitzmorris, Chairperson

Buildings & Grounds
Committee Meeting
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We will find out what structural/safety codes apply to a new pond bridge, as it will need to support pedestrian traffic for years to come.

Deck maintenance: Jim examined the underside of the deck and will shore up areas where nails are protruding from beams/joinery.

Don spoke of possibly working with a computer recycling group that's forming in Kingston with assistance from the Office of Aging. This could be an opportunity to donate our library's old computer equipment—minus hard drives—and support a local operation.

Next meeting will be December 13 @ 4:00pm.

Submitted by
Jim Fitzmorris, Chairperson

Director's Report to the Board
November 23, 2021
Brooke Dittmar

Earlier this fall Shannon, our Children's Programmer, did a program series on Butterflies. These sessions were held outside, the participants learning about and observing the stages it goes through, starting with the caterpillars that were caught for this purpose. The participants helped to let the Monarch butterflies go in the community garden. Well attended: Adult and Teen Programmer started the beginning of November.

The "Trunk or Treat" event mentioned at last month's meeting was a great success! It was well attended, and lots of trunks provided lots of candy to the participants!

The Central Library/Collection Development Advisory Committee approved a Central Library Development Aid/Central Book Aid budget that now covers the Encore contribution that had been coming from the Director's Association Members Capital Fund. The Capital Fund's revenue comes from the member libraries' "assessment". This change in funding will take a \$17,000 expense out of the libraries' direct expense responsibility.

For quite some time MHLS has been in talks with some of the surrounding library systems and Overdrive to come together under a Reciprocal Lending Agreement. The other systems involved are Ramapo Catskill Library System, Upper Hudson Library System, and Westchester Library System. This agreement would make many more eBooks available for our patrons' use than the number that are currently available. Overdrive is asking that the participating libraries commit to spending the amount that was spent in the 2018-2019 year. This is not a problem for our library system, as, for example, our spending for eBooks already surpassed that amount (\$300,000) in August, with 4 additional months of purchasing still remaining in the year. The Westchester Library System has decided not to participate for the time being.

I have included usage stats for our Overdrive account, for the past year. As you will see, usage has been consistently strong.

	Overdrive Stats 2021									
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
eBbooks	653	565	662	591	635	608	587	610	546	559
eAudio	317	290	332	343	377	334	367	392	345	429
eVideo	8	5	3	0	1	4	12	1	4	2
eMags	125	118	119	130	71	99	82	109	119	
Unique Users	190	198	200	208	186	188	203	202	208	204

Our new patron computer has arrived, and has been set up for use. This replaces one of our older patron computers. This Wednesday one of the Mid-Hudson Library System IT folks will be onsite to update all of our computers.

The staff has developed current displays on a number of topics, including Native American Culture, Sojourner Truth, Thanksgiving, Kindness (Teen Room) and Dinosaurs (Kids' room).

I contacted, Dale Larkin, who did an excellent job of painting the lines and directional indicators in our parking lots a few years ago, to ask for a seal coating and line painting quote. I haven't received it yet, but it is too cold to do it now. As previously discussed in the Buildings and Grounds Committee, he will move over the disabled space from its current location, which is partially in the driveway to the lower lot. The lower driveway (from the lower parking lot to Canal Street) was first paved about 5 years ago, so I will look to see if it needs coating along with the older section. I also spoke with them about avoiding the cement parking blocks when they are plowing this winter.

The electric service breakers on the digital sign tripped twice in one week earlier in the month. Since then there has been no problem.

Starting December 1st we will have our traditional "Food for Fines", in which each item donated for the food bank wipes out \$3.00 in fines for the person donating food. This year we will also have a lottery for a really nice basket containing winter-themed items for a prize. Those people that donate 10 items will get a raffle ticket, making them eligible to win the basket.

As I estimated, when developing the 2022 budget, it has recently been announced that the New York State minimum wage will increase to \$13.20/hour. This is a 5.6% increase.

We will be developing an interest survey on Survey Monkey, and a link will be posted on the website, Facebook, and Instagram. Printed copies will be available at the circulation desk. It will be advertised on each of these platforms, to draw attention to the library's desire for people's participation.

The Friends' book sale made over \$1,500. Congratulations to them for a successful sale! It was fun to be involved with a sale again, after so much time.

The Esopus Business Alliance (EBA) meeting was hosted by the Woodcrest Church Community (Bruderhof) this past month. It was very interesting to tour their factory, where they make durable products for use by those with physical handicaps. When we left, they gave us each a 1 lb bag of "Rifton" coffee beans. I had never been to Woodcrest, and enjoyed the visit. I have been invited to dine at their Maple Ridge location., and the Mount location has had gatherings each year around Christmas time. In a normal year, they host carol singing in the chapel, with many varied cookies and beverages downstairs afterward. Last year they had an outside event, during which observers stayed in our cars, driving from one vignette to another. It was a very nice distanced event, although it was a cold and snowy night for those involved in the various scenes.

Other meetings and trainings I attended this past month:

Central Library/ Collection Development meeting - Ulster County Library Association representative

Friends of the Town of Esopus Library meeting

MHLS Director's Association (DA) meeting

Introduction to the New York State Digital Equity Portal

Ulster County Library Association

Town of Esopus Library
Finance Committee
November 15,2021

The payment of claims for \$18094.40 was reviewed by the Finance committee and a resolution for approval by the Board of Trustees will be presented to the Board on November 23rd. Meeting.

Reggie received an application to apply for battery backup for digital sign. The committee will review the application to see if there is a benefit for the library.

Many of the policies in the financial section of internal policies have not been updated in more than five years. The committee intends to begin with fund balance policy and proceed through the manual and update policies as needed until all are addressed.

A request was made that zoom program attendance numbers be provided so as to survey what programs are being attended. Also requested were usage numbers for hoopla as were provided at the September meeting, on a monthly basis at each board meeting. It would be a good practice to have quantitative data to know how the library is doing.

Respectfully,

Gilbert Ramos-Chairperson

Attending, Brooke Dittmar, Susan Leiching, Reggie Hefferman

**Town of Esopus Library
Governance and Personnel Committee**

**November 9, 2021
(2nd Tuesday, @ 4pm)**

Attendance: Susan Leiching, Brooke Dittmar, Nancy Beranek, Jim Fitzmorris

The meeting was called to order at 4:05 PM

The committee reviewed the role of the trustee found in the Library Manual. The description needs updating in reference to the Trustee Manual and description found in other areas of the manual. A work in progress.

Meeting adjourned at 5:00 pm

Respectfully submitted,
Susan Leiching, Chairperson

**Next meeting is December 8, 2021
4:00 PM**

Town of Esopus Library
Research and Development Committee
November 10,2021

The Research and Development committee did not meet.

Gilbert Ramos Chairperson

Town of Esopus Library

Sustainability Committee Nov. 10.2021

Present: Brooke, Reggie, Laura, Donald.

The committee continued the discussion on the implementation of a Disaster Response Plan and the need for Library expansion.

Next mtg, Dec.8.2021 5pm.

Submitted by Donald Carragher

Mid-Hudson Library System Plan of Service 2022-2026

Free Direct Access Plan

INTRODUCTION

The Free Direct Access Plan (FDAP) is a State approved agreement between the Mid-Hudson Library System (MHLS) and the State Education Department's Division of Library Development of the New York State Library and is required by Commissioner's Regulations 90.3 (a) through (d)(4).

The FDAP reflects MHLS's commitment that no resident in the area served by MHLS will be excluded from direct or on-site access to the resources of any of the system's member libraries on the basis of age, cultural, economic or civic status. The FDAP provides the process for member libraries to identify and place restrictions on excessive and unfair use of resources that have a negative impact on services a member library provides their resident borrowers¹.

MHLS serves the public libraries of five counties, Columbia, Dutchess, Greene, Putnam and Ulster. All public libraries in these counties are members of MHLS with the exception of Ulster County, where seventeen of the county's twenty-one public libraries are MHLS members and the remaining four libraries are Ramapo-Catskill Library System members.

1. ***Describe how all individuals residing within the boundaries of the system but outside a member public library's chartered service area will receive library services.***

- A. All residents in the area served by MHLS enjoy the same rights of direct access to MHLS member library resources by the system-wide acceptance of a borrower's card, which is issued free and without charge by any member library to all eligible residents in the area served by MHLS.

¹ CR 90.3 (a) - Resident borrower is defined as an individual who resides within the boundaries of the chartered service area of a public library as defined in section 253 of the Education Law and who is a library cardholder at that library.

- B. Exceptions to Direct Access: MHLS member libraries may implement, at their discretion, the following limited restrictions, on individuals residing outside the library chartered to serve area for services funded with local public funds².
- 1) Member libraries may give preference to the residents of their taxing district for attendance at library programs.
 - 2) Member libraries may give preference to the residents of their taxing district for the use of computers and Internet resources.
 - 3) Member libraries may restrict the loan of special, pilot or experimental collections to the residents of their taxing district, (such as e-readers, equipment, and museum passes), in compliance with MHLS Resource Sharing Standards³.

The entitlement to library services and borrowing privileges outlined in this FDAP shall be forfeited by any individual who fails to observe the rules and regulations or follow the policies of MHLS member libraries and/or MHLS.

2. Describe (a) how the system will assure that those persons living within the system boundaries in an area where a member library chooses to withdraw from the system, or (b) where a chartered and registered library was never a member of the system, will be served by the system.

- A. In the event a library withdraws from MHLS, residents of the library's chartered service area will continue to be entitled to on-site access as specified in #1, above, including the Exceptions to Direct Access.
- B. Residents served by a newly chartered and registered library which have not joined MHLS, will be entitled to on-site access as specified in #1, above, including the Exceptions to Direct Access.

² *Local Public Funds* are funds reported by a MHLS member library as local public operating fund receipts in the library's Annual Report for Public and Association Libraries to the State of New York.

³ Special collections, containing unique items not commonly circulated among member libraries, may be excluded from the holds system and that checkout and check in of said items be done only at the owning library. This is adjudicated by the Resource Sharing Advisory Committee.

3. Describe what the system considers serious inequities and hardship and the criteria used by the system to make the determination.

- A. MHLS considers “serious inequities and hardships” to be those conditions which adversely affect residents of the chartered areas of member libraries and/or significantly deprive resident borrowers of the opportunity to borrow library materials.
- B. The criteria used by the system to make the determination of serious inequities and hardship are:
- 1) Excessive use of a library’s collection by residents outside the library’s chartered to serve area.
 - 2) Excessive use of a library’s collection by residents of a single geographic and/or administrative area⁴ outside the library’s chartered to serve area which is: (1) served by a chartered public library, and (2) does not provide equitable funding⁵ for library services.
 - 3) Excessive use of a library’s collection by residents of a geographic and/or administrative area that is: (1) not within a chartered public library service area, and (2) does not provide equitable funding⁶ for library services by contract for library service with MHLS or a MHLS member library or MHLS member libraries.
 - 4) An unserved municipality has refused to contract for library services used by its residents over a period of 2 years where written documentation verifies that repeated requests for funding for services have been denied.
 - 5) An unserved municipality has refused to charter or provide funding for library services where chartering or funding ballot initiatives have been voted down in two successive years.

4. Describe what constitutes excessive out of chartered service area borrowing in the system.

- A. MHLS considers “excessive out of chartered service area borrowing” to be:

⁴ ILS Town Code data is used to determine geographic or administrative area(s).

⁵ *Equitable funding* of library services is defined as the average Total Local Public Funds per capita for all MHLS member libraries within the county they are located, based on the average of the last three years, as reported by MHLS member libraries in their Annual Report for Public and Association Libraries to the State of New York.

⁶ Ibid.

- 1) 51%⁷ of the member library's total circulation based on a three-year average⁸ to residents of all geographic and/or administrative areas⁸ outside the library's chartered service area.
- 2) 40%⁹ of the member library's total circulation based on a three-year average¹⁰ to residents of a single geographic and/or administrative area¹¹ which is: (1) served by a chartered public library, and (2) does not provide equitable funding¹² for library services.
- 3) 5%¹³ of a member library's total circulation based on a three-year average¹⁴ to residents of a geographic and/or administrative area¹⁵ that is: (1) not within a chartered public library service area, and (2) does not provide equitable funding¹⁶ for library services by contract with MHLS or a MHLS member library or MHLS libraries.

5. *Unserved and Underserved Populations*

5.a *Describe the unserved¹⁷ and the underserved¹⁸ populations within the system.*

Unserved populations exist in some areas of Columbia, Dutchess, Greene, and Ulster Counties. Putnam County has no unserved population. The areas of unserved populations have been mapped by the NYSED Division of Library Development: <http://www.nysl.nysed.gov/libdev/libs/pldtools/plsmaps/mhls.htm>

⁷ Percent same as current Direct Access Plan; Percentage based on ILS Circulation Data by Terminal & Town Code ⁸ ILS Town Code

⁸ Three-year average will not take 2020 into account due to the anomaly of the pandemic.

⁹ Percent same as current Direct Access Plan; Percentage based on ILS Circulation by Terminal & Town Code

¹⁰ Three-year average will not take 2020 into account due to the anomaly of the pandemic.

¹¹ ILS Town Code

¹² *Equitable funding* (see footnote 5)

¹³ Percent same as current Direct Access Plan; Percentage based on ILS Circulation by Terminal & Town Code

¹⁴ Three-year average will not take 2020 into account due to the anomaly of the pandemic.

¹⁵ ILS Town Code

¹⁶ *Equitable funding* (see footnote 5)

¹⁷ CR 90.3 (a) - Unserved means those individuals residing in geographic areas that are within the boundaries of a public library system but outside the boundaries of a chartered service area of a library which is a member of that system.

¹⁸ CR 90.3 (a) - Underserved means those individuals residing in geographic areas that are within the chartered service area of a member library and which the public library system has identified as having an inadequate level of local income to support the delivery of acceptable library services.

There are currently no underserved populations within MHLS (see 5.b, below, for MHLS criteria to identify underserved populations).

5.b -Describe the criteria used by the system to identify libraries having an inadequate level of local income to support delivery of acceptable library services (underserved). List those libraries so identified.

The MHLS criteria for determining an “inadequate level of local income to support delivery of acceptable library services (underserved)”, is the member library’s ability to comply with minimum standards for public libraries as described in New York State education law and New York State Commissioner’s Regulations (http://www.nysl.nysed.gov/libdev/excerpts/finished_regs/902.htm). Each member library reports on their compliance with the NYS minimum standards in their Annual Report for Public and Association Libraries to the State of New York. If the library is in compliance with the minimum standards, or if the Commissioner of Education has granted a waiver from one or more of the standards, the library is deemed to have an adequate level of support.

5.c-Describe the actions the system will take to expand the availability of library services to unserved and underserved individuals residing within the boundaries of the system.

MHLS and its member libraries have a successful history of sharing resources and providing library services to residents in the area served by MHLS, including persons in unserved areas. MHLS will assist libraries in securing sustainable funding so they can better serve library patrons, including residents in unserved areas. MHLS will provide consulting services to member libraries and report to the MHLS Board of Trustees and the MHLS Directors Association regarding unserved areas. MHLS will work with member libraries to advocate for and to negotiate fair and equitable contracts with unserved communities in order to ensure the availability of library service for the residents of underserved communities. MHLS will work with member libraries serving residents in unserved areas to ensure adherence with the FDAP, which guarantees no resident in the area served by MHLS will be excluded from direct or on-site access to library resources.

5.d-Provide a timetable for such actions All

of the efforts in 5.c will be ongoing.

5.e-Identify who will be responsible for carrying out these actions.

The MHLS Executive Director, MHLS Assistant Director, and the MHLS Library Sustainability Coordinator will be primarily responsible for carrying out these actions.

6. Describe the conditions under which modifications to the free direct access plan can be made:

6.a-Without the prior approval of the Commissioner of Education.

- (1) MHLS member libraries that experience excessive out of chartered service area borrowing, as defined in Section 4, above, may submit to the MHLS Executive Director a claim of serious inequities and hardship. A claim must: (1) be in writing; (2) be based on the official approval of the claim by the member library's board of trustees at a public meeting; and (3) include documented efforts by the library director and board of trustees to secure adequate support from the area(s) in its claim of serious inequities and hardships.
- (2) MHLS will act within 90 days on a claim of serious inequities and hardships as defined in Section 4, above.
 - a) On receipt of a claim, MHLS staff will verify the levels of library use leading to the claim, as well as, verify any other criteria in the claim that may be applied under the FDAP. Verification by MHLS will be transparent but authoritative.
 - b) The MHLS Executive Director will report MHLS findings regarding the claim to the director and board of trustees of the member library submitting the claim.
 - c) The MHLS Board of Trustees will review, at a public meeting of the Board, all claims of serious inequities and hardships submitted to MHLS and the findings of MHLS staff

regarding a claim. The MHLS Board will decide if a claim of serious inequities and hardship is valid.

- (3) Based on the MHLS Board accepting a claim of serious inequities and hardship as valid, MHLS staff will confer with the MHLS Directors Association to implement one or more of the following:
- a) Restrict system wide loaning of non-print materials purchased with local funds;
 - b) Restrict patron-placed holds and staff-placed holds.

6.b-With the prior approval of the Commissioner of Education.

- (1) Proposed restrictions to library service or access beyond those defined in this FDAP, must be approved by MHLS Board of Trustees and the MHLS Directors Association prior to transmission to the Commissioner of Education for approval.
- (2) A request for restrictions beyond those defined in this FDAP must be accompanied by the following, in a form acceptable to the Division of Library Development:
 - a) Documentation of the completion of the serious inequities and hardships claim process as described in 6.a, above;
 - b) A clear description of the proposed restrictions and modifications to the FDAP being requested provided such modifications do not include charging for library services;
 - c) Description of the anticipated impact on resident and non-resident¹⁹ borrowers after modifications are approved and implemented;
 - d) Provision of a time frame for the beginning and end of such restrictions and modifications to the FDAP.

7. Describe how the system will assure that member libraries are complying with the system free direct access plan approved by a majority of member libraries.

¹⁹ CR 90.3 (a) - Non-resident borrower means an individual who resides outside the boundaries of the chartered service area of a public or association or Indian library as defined in section 253 of the Education Law and who is a library cardholder at that library or at another member library system or who is a system cardholder.

- A. Based on the recommendation of the MHLS Directors Association, the adoption by the MHLS Board of Trustees, and the approval by the Commissioner of Education, the FDAP will be distributed to all member libraries and posted on the MHLS website. MHLS will lead a discussion on the approved FDAP at a regular meeting of the MHLS Directors Association to review the plan in detail and reinforce the importance of compliance with the plan. MHLS staff will be responsive to any queries or concerns regarding the FDAP.
- B. MHLS member libraries, Board of Trustees, and staff recognize the MHLS Plan of Service, of which this FDAP is a part, is an agreement between MHLS and the State Education Department and is required by Commissioner's Regulations 90.3 (a) through (d)(4).

8. *Describe how the system obtained member library input to the plan for free direct access.*

- A. An ad hoc committee of member library directors was convened to discuss the existing plan and to make recommendations to update the plan.
- B. A draft of the plan was reviewed by the MHLS System Services Advisory Committee, the MHLS Personnel & Planning Committee and was unanimously endorsed by both the MHLS Directors Association and the MHLS Board of Trustees.

Endorsed by the MHLS Directors Association: June 9, 2021

Endorsed by the MHLS Board of Trustees: July 14, 2021