

**NIAGARA FALLS PUBLIC LIBRARY BOARD**  
**MINUTES OF THE REGULAR MEETING**  
February 17, 2021

The regular meeting was held virtually on Zoom  
Committee-of-the-Whole session was held virtually on Google Meet

**PRESENT:** A. Andres-Jones (Chair), J. Anstruther (Vice-Chair), L. Lococo, K. Letourneau, B. Ness,  
D. Parakh, T. Tredwell, K. Tsiantoulas

**STAFF:** A. Subnaik Kilgour, K. Rimnyak

**GUESTS:** Tiffany Clark, Director of Finance, City of Niagara Falls  
Ken Todd, Chief Administrative Officer, City of Niagara Falls  
C. Morrow, Crawford Smith & Swallow Inc.

**CALL TO ORDER:**

Meeting called to order at 4:37 pm

**THE ACKNOWLEDGEMENT STATEMENT WAS READ INTO THE MINUTES**

*The Chonnonton people have called these lands where we are gathering home for thousands of years and more recently, the Anishnaabe and the Haudenosaunee have been sharing the land as One Dish, One Spoon Treaty territory. We would like to acknowledge the enduring resilience of the First Nations, Metis and Inuit people who call this territory home.*

**1. APPROVAL OF AGENDA**

**MOTION: 2021-12** To approve the agenda of February 17, 2021  
**MOVED BY:** B. Ness  
**SECONDED BY:** J. Anstruther  
**MOTION CARRIED**

**2. DISCLOSURE OF PECUNIARY AND CONFLICT OF INTERESTS**

None

**3. 2020 SURPLUS DISCUSSION**

A discussion ensued between the Library Board and T. Clark, Director of Finance and Ken Todd, CAO regarding the treatment of the anticipated 2020 operating surplus. Christine Morrow of Crawford, Smith and Swallow, the Library and also the City's Auditor was present for the discussion. The Library Board has not made a decision regarding the 2020 Operating Surplus. Highlights included:

- City Finance would like the Board to consider returning funds from the Library's anticipated 2020 surplus

- City Finance requested the Library's forecasted surplus for 2020 from Library Staff twice throughout 2020 in order to apply for COVID-19 relief grant funding from the Province [most recent forecast was \$720,611]
- The grant application requested all consolidated entities be included in the application which includes the Library
- It would put the City in a hardship if the Library were to keep their entire 2020 surplus
- Board expressed concern with how they would fund capital projects if the surplus were to go to the City rather than being moved into Library reserves.
- Building Condition Assessments have been received for Victoria Library and Chippawa Library. Projected costs are significant with over \$579,000 in recommended maintenance and repair to the Library building
- City recommends using a Debenture for large capital projects as rates are low. Financially it makes more sense to debenture than to keep money in reserves
- The Library Board expressed concern over taking on more debt as they already have a Debenture for \$1.1 million for the HVAC installation of 2016.
- The Board also expressed concern that the City may not be in a position to assist with further Operating dollar requests for additional funds to pay for the new debt
- It was understood by both parties that the 2020 audit would need to be completed prior to determining the surplus amount

**T. Clark and K. Todd departed at 5:14 pm**

A discussion ensued between the Library Board and C. Morrow of Crawford Smith and Swallow regarding the treatment of the anticipated 2020 operating surplus.

- C. Morrow confirmed the Library is audited separately, has separate financial statements and is incorporated in the Public Libraries Act
- The Board is appointed by and accountable to City Council
- Municipality's include Libraries in their consolidated statements
- In the past the Board has never had to treat a surplus as restricted funds, any surplus was allowed to be moved into Library reserves
- C. Morrow recommends the Board obtain a separate legal opinion
- It is unknown if the surplus being requested is a cash accounting surplus or the audited surplus which includes several adjustments.

**MOTION: 2021-13** To direct Alicia Subnaik Kilgour to reach out to the appropriate contacts at the Ministry of Culture initially, and then if required, seek a legal opinion on the status of the library as an independent entity and how that impacts financial decisions.

**MOVED BY:** D. Parakh

**SECONDED BY:** J. Anstruther

**MOTION CARRIED**

**C. Morrow departed at 6:19 pm**

**4. APPROVAL OF MINUTES**

**MOTION: 2021-14** To accept the minutes of December 16, 2020, January 20, January 22, February 3rd and February 10, 2021 as amended.

**MOVED BY:** J. Anstruther

**SECONDED BY:** B. Ness

**MOTION CARRIED**

**5. BUSINESS ARISING FROM THE MINUTES**

None

**6. CORRESPONDENCE**

Fiscal Period Reminder, Canada Revenue Agency  
Library Board Management Letter, Crawford Smith & Swallow LLP  
Library Board Post Audit Letter, Crawford Smith & Swallow LLP  
Christmas Card from Neighbour  
Message from Chair, Federation of Ontario Public Libraries  
Letter of K. Todd, CAO, City of Niagara Falls  
Letter to L. Forman, CEO, Grand River Employment and Training  
Ontario Library Service Board, SOLS and OLS-North  
Letter to K. Dockstader, Niagara Regional Native Centre  
Engagement Letter, Crawford Smith & Swallow LLP  
Independence Letter, Crawford Smith & Swallow LLP  
Updated Provincewide Shutdown, SOLS and OLS-North

**MOTION: 2021-15** To accept the correspondence of February 17, 2021

**MOVED BY:** K. Tsiantoulas

**SECONDED BY:** J. Anstruther

**MOTION CARRIED**

**7. BOARD INFORMATION AND EDUCATION**

OLA FOPL Pre-Budget Submission  
Expanded Library Broadband from Government of Ontario  
Ontario's Broadband and Cellular Action Plan  
Warming Stations Media Release  
City of Niagara Falls 2021 Operating Budget Presentation Slides

**8. ARTICLES OF INTEREST**

Niagara Falls Public Library

*MacBain centre library branch not impacted by YMCA closure* | Niagara Falls Review

*Warming stations opened in Niagara Falls* | Niagara Falls Review

Other

*What about Databases and E-Resources? Accessible Websites and Web Content Requirements* | Let's Talk Libraries

**9. FINANCE COMMITTEE**

a) The Library cheque/EFT registers were read into the minutes

December 1-31, 2020 – 2020 Fiscal Year	\$106,690.27
January 1-31, 2021 – 2020 Fiscal Year	\$103,712.50
January 1-31, 2021 – 2021 Fiscal Year	\$53,567.78

**MOTION: 2021-16** To accept the cheque/EFT registers of December 1-31, 2020 and January 1-31, 2021

**MOVED BY:** J. Anstruther

**SECONDED BY:** K. Letourneau

**MOTION CARRIED**

b) Library EFT registers that were not reported prior were directed to be included in the minutes

January 1 – November 30, 2020 - 2020 Fiscal	\$299,746.51
EFT – All of 2019 Fiscal Year	\$373,698.80
EFT – All of 2018 Fiscal Year	\$431,703.89
EFT – All of 2017 Fiscal Year	\$116,802.44
EFT – All of 2016 Fiscal Year	\$87,644.04

**MOTION: 2021-17** To accept the EFT registers for all of 2016, 2017, 2018, 2019, and January 1-November 30, 2020

**MOVED BY:** J. Anstruther

**SECONDED BY:** K. Tsiantoulas

**MOTION CARRIED**

c) Monthly revenue and actuals reports was provided for December 2020 and January 2021

**MOTION: 2021-18** To accept the reported revenues and actuals of December 2020 and January 2021

**MOVED BY:** B. Ness

**SECONDED BY:** K. Letourneau

**MOTION CARRIED**

d) The following financial reports were provided for the Board's review

- Updated 2020 Forecast
- Capital Projects and Reserve Funds Report
- 2021 Operating Budget Revisions

**MOTION: 2021-19** To approve the 2021 Operating Budget revised to a 1.9% increase as presented at the February 17, 2021 meeting.

**MOVED BY:** K. Letourneau  
**SECONDED BY:** D. Parakh  
**MOTION CARRIED**

## **10. CEO REPORT**

### **A. Subnaik Kilgour**

- We are currently in the Grey Zone of the provinces COVID-19 colour framework, which has been changed to now allow for computer access.
- The *COVID-19 Response Framework: Keeping Ontario Safe and Open – Lockdown Chart for Niagara Falls Public Library* is currently being updated and will be provided to the Board once the updates are finalized.
- Executive Assistant position (maternity leave) has been posted.
- Position of Project Management Coordinator (1- year contract) will be posted shortly. This position's duties will include capital planning, tendering, and coordination at a higher level with consultants and contractors.
- Work at Stamford Library began without notice causing an unsafe work environment. Staff were redeployed and the branch was closed until February 17<sup>th</sup>. The wall dividing the spaces is now up allowing for staff to return, however noise is still an issue. Different options for Pick-Up are currently being considered and explored.
- Building Condition Assessment Reports for Victoria Library and Chippawa Library have been shared with the Board. The Library was included in these assessments in 2018 when the City contracted these assessments for many city facilities. A Capital Plan for each location addressing the recommended repairs and maintenance will need to be developed.
- The Project Management Coordinator will prepare these capital plans while working with Library Staff.

**MOTION: 2021-20** To accept the CEO report for February 17, 2021  
**MOVED BY:** J. Anstruther  
**SECONDED BY:** L. Lococo  
**MOTION CARRIED**

## **11. NEW BUSINESS**

The following items were provided for the Board's review:

1. Occupational Health and Safety Policy
2. Violence and Harassment Policy
3. City of Niagara Falls Procurement Policy
  - i. By-Law No. 2021-04
  - ii. Procurement Procedures
  - iii. Quick Reference Guide
  - iv. City Staff Recommendation to Council

**MOTION: 2021-21** To approve the *Occupational Health & Safety Policy* effective February 17, 2021.  
**MOVED BY:** J. Anstruther  
**SECONDED BY:** K. Tsiantoulas  
**MOTION CARRIED**

**MOTION: 2021-22** To approve the Violence and Harassment Policy effective February 17, 2021.  
**MOVED BY:** J. Anstruther  
**SECONDED BY:** K. Tsiantoulas  
**MOTION CARRIED**

## **12. OTHER BUSINESS**

The following items were provided for the Board's review:

1. December 2020 Qualitative Statistics
2. December 2020 Quantitative Statistics
3. January 2021 Qualitative Statistics
4. January 2021 Quantitative Statistics

## **13. COMMITTEE-OF-THE-WHOLE SESSION**

**MOTION: 2021-22** To move into Committee-of-the-Whole  
**MOVED BY:** K. Tsiantoulas  
**SECONDED BY:** J. Anstruther  
**MOTION CARRIED**

### **T. Tredwell lost connection prior to the Board moving in-camera, exact time unknown**

The Niagara Falls Public Library Board went "in camera" at 7:17 pm in order to address matters pertaining to:

- Labour relations or employee negotiations;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**MOTION: 2021-23** To rise from Committee-of-the-Whole  
**MOVED BY:** B. Ness  
**SECONDED BY:** J. Anstruther  
**MOTION CARRIED**

The "in camera" session was completed at 7:35 pm

## **14. ADJOURNMENT**

Meeting adjourned at 7:36 pm

NEXT MEETING  
at Victoria Avenue Library

March 17, 2021

April 21, 2021

May 19, 2021