

Town of Center Harbor  
Nichols Memorial Library  
Board of Trustees Meeting

-Approved 1/24/2022-

Minutes – December 27, 2021

Call to Order: Meeting called to order at 10:00 am. In attendance: Trustees Ann Xavier, Sandy Frost, Stephany Marchut Lavallee, Karen Ponton; Bette Miller (non-voting); Library Director Aisilyn Guivens; Excused: Ginny Fisher

1. Motion by K. Ponton, seconded by S. Lavallee: To approve the minutes of November 23, 2021 as written. Passed unanimously.
2. Chairperson A. Xavier gave her Report. She, Road Agent Jeff Haines and K. Ponton recently met onsite with a roofing contractor concerning the recurrent problem of moisture and water in the Library basement. An estimate to replace the roof and restore the integral gutter system was forwarded to the Selectmen, who reviewed it at their December 22<sup>nd</sup> meeting. They will be seeking additional estimates and may propose funds be added to the *Building & Maintenance ETF* for 2022. A. Xavier reported that the State Attorney General's Office has questions about how the James E. Nichols Memorial Library Trust Fund was set up in 2006 under custody of the Trustees of the Trust Funds; the Selectmen are looking into this matter. She also reported that the Town has a \$1.2million insurance policy on the Library building and \$500,000 in contents insurance.
3. Treasurer's Report: Treasurer K. Ponton gave her Report (see attached). The balance in the MSVB checking account/Nichols Fund for November 30, 2021 is \$48,120.74. The Trustees reviewed expenses for November totaling \$4,055.87, noting the *Books & Periodicals YTD* line item expense is over budget. As mentioned in the Director's Report, Library Director A. Guivens will be developing a process to better track book and materials orders and manage these expenses in FY2022. The Trustees discussed the monthly versus quarterly cost for the computer maintenance contract. Motion by K. Ponton, seconded by A. Xavier: To switch from the monthly maintenance contract with Adel-XT to quarterly maintenance. Passed unanimously. Motion by K. Ponton, seconded by S. Frost: To authorize A. Xavier to sign the quarterly maintenance contract with Adel-XT. Passed unanimously. The Trustees briefly reviewed the proposed 2022 budget in light of the latest YTD figures. Motion by K. Ponton, seconded by A. Xavier: To increase the proposed line item for 2022 Legal & Professional Services from \$1,000.00 to \$2,000.00, with the additional \$1,000.00 coming from the Nichols Fund. Passed unanimously. This increase will not change the previously requested Town appropriation of \$81,550.00 for the Library. K. Ponton reported the Town auditor will

begin including the MSVB checking account/Nichols Fund in the Annual Town Audit. Motion by A. Xavier, seconded by S. Lavallee: To accept the donation of \$100.00 from [an individual]. Passed unanimously. Name kept confidential to protect donor's privacy. K. Ponton reported she sent a letter on November 27, 2021 to the trustee of the NMK Trust pursuant to RSA 564-B requesting a copy of the trust instrument, a trustee's report and an expected date of distribution.

4. Librarian/Director's Report: The Trustees welcomed A. Guivens to her first Board meeting as our new Librarian/Director. A. Guivens reviewed her Report (see attached Report and Items 5 & 10 below) with the Trustees. Along with the Board, she expressed her appreciation for the help Linda Hough has given her during the past 3 weeks and added that they work well together.
5. Unfinished/Continuing Business: The Trustees and the Director discussed hours for the Library to be open during the winter months. As A. Guivens noted in her Report, there have been few patrons in the early evening; Monday continues to be a busy day; and more patrons are coming in on Fridays and Saturdays. Motion by S. Frost, seconded by A. Xavier that: The Library be open 10:00am-4:00pm on Mondays, Tuesdays and Fridays, and 10:00am-1:00pm on Thursdays and Saturdays from January through March 2022. Passed unanimously. The Board considered staffing and scheduling needs for these winter hours. A. Xavier reported that the missing Library books are under investigation by the CHPD. Crane Cleaning will return their building key at the end of the month. The Town has contracted with a new cleaning service starting in January; they will need a key.
6. Building Committee chairperson B. Miller reported that she will try to reach a family member of the person, since deceased, who took the drone footage of the roof. She would also like to post the photos on the website, but is having difficulty accessing them from the jump drive. B. Miller is also looking into what may have happened to some of the Library's historic artifacts, such as letters ca. 1888 from John Greenleaf Whittier and NH Governor Sawyer that are noted in the Trustees' minutes of March 24, 2008. A. Xavier suggested the Building Committee inventory the Library's historic items, perhaps annually.
7. Bylaws Committee chairperson K. Ponton reported on recommended amendments to update the Library's current bylaws, dated November 25, 2019, to be consistent with NH RSAs and NHLTA recommendations. After discussion, motion by S. Lavallee, seconded by S. Frost: To amend *Bylaws Article III. Membership*, as presented, and delete last sentence under *XI. Amendments*. Passed unanimously. (See attached).
8. Policy Committee members A. Xavier, S. Lavallee and chairperson K. Ponton presented several personnel policies for the Board's review and action. After deliberation, motion by K. Ponton, seconded by A. Xavier that: The following personnel policies be approved:

- Definition of “immediate family” under Leave
- Bereavement Leave
- Jury Duty/Witness Leave
- Education Leave
- Equal Employment Opportunity
- American with Disabilities Act (ADA)
- Health & Safety Program
- Workplace Violence
- Workplace Searches
- No Smoking Policy

Passed unanimously. (See attached). Consensus of the Board was to refer the *Policy on Sick Leave* back to the Personnel Committee for clarification of when sick days accrue.

9. New Business: A. Guivens was asked to help A. Xavier prepare the Library report for the Annual Town Report. Four (4) Trustees are to be elected at the 2022 Town Meeting: One (1) Trustee for a 1-year Term expiring 2023, one (1) Trustee for a 2-year Term expiring 2024, and two (2) Trustees for a 3-year Term expiring 2025.
10. 12:17 pm – A. Xavier moved to go into a non-public session per RSA 91-A:3, II (a) to discuss personnel matters, seconded by S. Lavallee. Roll call vote: S. Frost – yes, S. Lavallee – yes, K. Ponton - yes, and A. Xavier - yes. Motion by K. Ponton, seconded by S. Frost: That L. Hough continue to work for the Library on a temporary basis on Mondays from 10:00am-4:00pm and add every other Saturday from 10:00am-1:00pm, starting the week of January 3, 2022 through March 10, 2022. Passed unanimously. At 12:45pm, K. Ponton moved to close the non-public session, seconded by S. Frost. Passed unanimously.
11. Meeting reconvened at 12:45pm by A. Xavier. Town Budget hearings are scheduled for Saturday, January 22, 2022 at 9:00am and Wednesday, February 2, 2022 at 6:00pm. Trustees are encouraged to attend.
12. Next meeting of the Library Trustees is Monday, January 24, 2022 at 10:00 am in the Library.
13. The Trustees wished the staff and one another “Happy New Year!”

At 12:47pm, S. Frost moved to adjourn, seconded by K. Ponton. Passed unanimously.

Respectfully submitted,

K. Ponton, Secretary pro-tempore  
att (4)

James E. Nichols Memorial Library

*November Treasurer's Report*

<b>Expenses</b>	<i>November 2021</i>	<i>2021 YTD</i>	<i>2021 Budget</i>
Gross Salaries	\$2,019.00	\$31,584.90	\$50,250.00
Health Insurance	Town		
Worker'sComp/Unemploymt	Town		
Fuel	Town		
Furnishings/Equipment		\$1,177.00 <i>(Air purifier)</i>	\$500.00
Repairs/Maintenance	\$532.50 <i>(\$170.00 Monthly Computer Maintenance, \$85.00 Change Passwords, \$277.50 Locksmith)</i>	\$3,673.43	\$2,500.00
Supplies	\$0.00	\$2,550.91	\$2,500.00
Cleaning Service	Town		
Electricity	Town		
Telephone	\$120.42	\$1,357.40	\$1,500.00
Travel		\$0.00	\$200.00
Collection Development		\$0.00	\$1.00
Books & Periodicals	\$1,383.95	\$12,426.24	\$12,000.00
Landscaping	Town	\$0.00	
Special Projects from Gifts <i>(SLSC Pass; NH Historical Society &amp; NHPA Memberships)</i>		\$400.00	\$100.00
Professional Development <i>(NH Library Trustees Association Membership)</i>		\$210.00	\$500.00
Program Projects	\$0.00	\$56.37	\$100.00

Miscellaneous	\$0.00	\$388.00 (Ads)	\$100.00
Computer Maintenance, Software Updates, Licenses	\$0.00 (Monthly fee – See above)	\$2,684.75	\$2,000.00
Legal & Professional Services		\$0.00	\$1.00
<b>Total</b>	\$4,055.87	\$56,509.00	\$72,377.00
<b>Nichols Fund</b>			\$6,201.00
<b>Town Appropriation</b>			\$66,176.00
<b>Receipts - Miscellaneous</b>			
Copier/FAX Fees	\$31.00	\$193.00	
Donations	\$24.00	\$686.00	
Lost Books		\$15.00	
Sale of Books		\$47.00	
<b>Total Misc. Receipts</b>		\$941.00	

# Director's Report

## December 27<sup>th</sup>, 2021

### **Collection Development and Maintenance:**

During the month of December, we have accepted four adult non-fiction books and fifteen periodicals along with one large print book. Four titles have also been withdrawn from our holdings. Old periodical editions dating farther than three months have also been removed and put out for patrons to take and keep. Several requests for books to be ordered have come in via email. A plan is being devised to organized book order requests to streamline the process and mitigate budget costs. Another area of focus is organizing the children's section and updating selection items.

### **Patron Services and Community Development:**

With the addition of Friday and Saturday hours, an increase in patron visitation has been seen in the last couple weeks. Mondays remain a popular and busy day. Both Monday and Tuesday are slower after 4:30-5:00 P.M. One patron expressed an interest in bringing preschool students to the library on Mondays. Patrons have been responsive and happy about the increase of hours of operation. An Instagram account has also been set up to reach a wider audience with the hopes of advertising programs and events through the library, along with important scheduling notes or changes. The Inter-Library Loan agreement has also been updated with the new director's information and signature.

### **Digital Services:**

OverDrive has been rebranded as the LibbyApp. It does not change the profiles of patrons but rather how it is accessed. Links have been updated on our page to direct patrons to the log in and instructions on accessing the LibbyApp have been added as well. A new log in for the library has been requested for the town website so that I can update if need be. A new account for OverDrive was set up for the new director. Discussion about patrons accessing the New Hampshire Downloadable Books took place between the director and Bobbi Slossar, our Technology Resources Librarian, regarding potentially adding a password for patrons to use alongside their card numbers.

### **Maintenance:**

Dave Crane has continued to offer cleaning services for the library, coming in on Mondays. Building needs have been collected and evaluated by trustees with a pending course of action. Areas of focus include the window shades, lights and the basement. Fading on certain books has been noted due to sun exposure. A form will be drafted to keep notes of weather reports as record of how it may affect the library building and its holdings.

### **Library Staff:**

A new director was hired and has started as of December 7<sup>th</sup>, 2021. Katie Wonders resigned from her temporary assistant position as of December 16<sup>th</sup>, 2021. Linda Hough continues to assist on Mondays and Tuesdays. Forms for Inter-Library Loans have been update to reduce the

amount of paper used and simplify processing for staff. A procedure binder, quarterly finance sheets and monthly patron request forms will also be drafted for reference and record keeping.

**Statistics:**

**Physical Circulation**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<i>Adult Reading</i>	142	128	113	98	171	365	469	465	466	395	353	214
<i>Youth Reading</i>	6	6	2	6	12	73	184	108	106	90	47	46
<i>Audio Books (CD)</i>	27	22	19	30	29	55	61	55	45	45	50	33
<i>DVDs</i>	26	20	23	21	77	150	204	139	92	64	84	65
<i>Interlibrary borrowing</i>	4	18	20	3	5	31	36	43	24	25	10	8
<i>Passes</i>							2	6	1	1		0
<b>Total In-Library</b>	<b>205</b>	<b>194</b>	<b>177</b>	<b>158</b>	<b>294</b>	<b>674</b>	<b>956</b>	<b>816</b>	<b>734</b>	<b>620</b>	<b>544</b>	<b>366</b>

**Digital Access Circulation**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<i>NH Downloadable Books</i>	196	187	215	197	198	133	123	148	151	163	202	136
<i>Hoopla</i>	48	52	37	48	46	33	40	57	50	22	49	26
<i>Kanopy</i>	34	12	22	33	14	13	14	13	11	21	26	29
<b>Total Digital Access</b>	<b>278</b>	<b>251</b>	<b>274</b>	<b>278</b>	<b>258</b>	<b>179</b>	<b>177</b>	<b>218</b>	<b>212</b>	<b>206</b>	<b>277</b>	<b>191</b>

**Grand Total Circulation**

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
483	445	451	436	552	853	1133	1034	946	826	821	557

**Unique Users**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<i>In-Library Active Borrowers</i>	27	25	31	30	50	93	117	112	96	82	67	71
<i>NH Downloadable Books</i>	34	29	29	30	28	29	26	31	29	28	32	28

<i>Hoopla</i>	10	8	9	10	14	13	8	14	13	22	23	11
<i>Kanopy</i>	6	3	4	5	2	2	3	3	2	4	4	6

*Respectfully Submitted,*

Aisilyn Guivens, Director

# **James E. Nichols Memorial Library Bylaws of the Board of Trustees**

## **I: Name**

This organization shall be called the James E. Nichols Memorial Library Board of Trustees (herein referred to as the Board).

## **II: Mission & Purpose**

A. The Mission of the James E. Nichols Memorial Library is:

- To make this Library open and free to all, not only to the residents of the town of Center Harbor, but equally so to the people and children of the surrounding towns, and that a most earnest and cordial welcome may be extended to the summer cottages and visitors<sup>1</sup>; and
- To provide materials, programs and services to meet the informational, educational, cultural, and recreational needs of Center Harbor, the surrounding community and its guests and visitors. By so doing, the Library hopes to promote the communication of ideas and to encourage an enlightened and enriched citizenship.

B. The purpose of the Board shall be to administer Library business on behalf of the James E. Nichols Memorial Library and the Town of Center Harbor, in keeping with this Mission.

## **III: Membership**

Pursuant to NH RSA 202-A :6, 10 and RSA 669:75:

A. The Board shall be composed of five (5) members elected at Town Meeting who shall be residents of Center Harbor.

B. The Board may recommend up to three (3) alternates to be appointed by the Center Harbor Board of Selectmen. Alternates shall not have a vote except when a trustee is absent and unavailable.

C. The term of office for Trustees shall be three (3) years, which shall be staggered, or until their successors are elected or appointed. The term of office for alternates shall be one (1) year.

D. Within two (2) months of notification of a Trustee vacancy, the Center Harbor Board of Selectmen shall appoint a qualified candidate, who may be recommended by the Board of Trustees, to fill that vacancy until the next Town Meeting.

E. Trustees shall not be compensated for services rendered as a Trustee.

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1 *Dedication of the James E. Nichols Memorial Library*. Bound manuscript, [n/d, ca. 1911]. Nichols Memorial Library, p. 41.

F. Trustees are prohibited from being employees of the Library due to conflict of interest. No member of a Trustee's immediate family shall be employed by the Library for the duration of the Trustee's tenure.

G. A Trustee Emeritus may be appointed by a two-thirds vote of the Trustees. A Trustee Emeritus shall be considered a lifetime member of the Board of Trustees without voting rights.

#### **IV: Duties of Trustees**

The Trustees, as the governing body of the James E. Nichols Memorial Library, shall:

1. Adopt bylaws, rules and policies for its own transaction of business and for the governance of the Library
2. Prepare an annual budget that indicates what public funding the Library will require, and submit this budget to the Center Harbor Board of Selectmen. A separate budget request shall be submitted for capital improvements of existing library property
3. Expend funds raised and appropriated by the Town for Library purposes
4. Use all monies from gifts, book sales, payments for lost or damaged books, income-generating equipment, and any other miscellaneous income for Library purposes. These monies shall be held in a non-lapsing, separate fund account
5. Expend income from the Nichols Memorial Library Trust in accordance with the conditions of James E. Nichols' bequest
6. Hire a Librarian, who shall not be a trustee; and in consultation with the Librarian, hire all other employees of the Library. Determine compensation and other terms of employment for all Library employees.

#### **V: Officers**

A. The Officers shall be a Chair, a Treasurer and a Secretary.

B. The Officers of the Board shall be elected at the first Board meeting after Town Meeting, and serve until the next Town Meeting or until the election of their successors. Officers may serve more than one (1) term.

C. A vacancy in a Office shall be filled by vote of the Trustees at the next regular meeting or a special meeting called for that purpose.

D. The Chair shall:

1. Preside at all meetings of the Board
2. Authorize calls for special meetings of the Board
3. Appoint all committees except those made by a motion passed by a majority of the Board

4. Be an authorized signatory on all Library accounts
5. Perform all other duties generally associated with the office.

E. The Treasurer shall:

1. Oversee the budget
2. Review all requests for disbursement of monies from the Town appropriation for the Library before submitting the requests to the Town for payment
3. Be responsible for all monies received from gifts, activities and the Nichols Memorial Library Trust, and any other miscellaneous income
4. Provide written monthly financial reports to the Board for approval
5. Be an authorized signatory on all Library accounts
6. Perform all other duties generally associated with the office.

F. The Secretary shall:

1. Keep a true and accurate record of all meetings of the Board
2. Make a draft copy of the minutes available to the public within five (5) business days of the meeting
3. Perform all other duties generally associated with the office.

## **VI: Meetings**

A. Within one (1) month after Town Meeting, the Board shall meet to set its schedule of regular meetings, which may be changed at any time at their discretion. Regular meetings shall be held at the James E. Nichols Memorial Library or other such place as the Board may choose.

B. All Trustee meetings shall be open to the public. Meeting dates shall be posted at least 24 hours in advance in the Library, and at the Town Hall and Post Office, and on the Library website.

C. A quorum shall consist of three (3) members of the Board.

D. The latest edition of *Robert's Rules of Order* shall govern the parliamentary procedures of the Board.

E. Trustees and alternates are expected to attend all Board meetings. However, for good cause, the Chair may excuse a Trustee from a particular meeting.

## **VII. Committees**

A. The Chair may appoint special committees as needed.

B. Each committee chair shall make periodic reports at meetings of the Board.

C. No committee shall have other than advisory powers.

## **VIII. Librarian**

A. The Board shall hire a qualified Librarian who shall be the executive administrative officer of the Library pursuant to NH RSA 202-A:15.

B. The Librarian shall recommend to the Board the appointment of other employees and specify their duties. The Board, in consultation with the Librarian, shall hire all employees.

C. The Librarian shall be responsible for:

1. Proper direction and supervision of the staff and volunteers
2. Care and maintenance of library property
3. Proper and adequate selection of library resources in keeping with the policies established by the Board
4. Efficient provision of library services to the public
5. Submitting a written report to the Trustees at all Board meetings
6. Any other duties generally associated with the position, as directed by the Board.

## **XI. Amendments**

The Board may amend these Bylaws at any regularly scheduled meeting at which a quorum is present, provided written notice has been given to all Board members at least five (5) days prior to the meeting.

*Amended December 27, 2021*

*Amended November 25, 2019*

*Approved March 28, 2011*

## LEAVE

**Definition:** For the purposes of these policies, “immediate family” is defined as spouse, domestic partner, parents, children, foster children, brothers, sisters, immediate in-laws, grandparents, grandchildren, step-parents, step-children, step-brothers and step-sisters of the employee.

### **BEREAVEMENT LEAVE**

Any employee bereaved by the death in his/her immediate family will be granted time off from work without loss of pay in accordance with the following policy:

Three (3) days of paid time off shall be granted to full-time employees in the event of the death of a member of his/her immediate family. This shall usually include the day before the funeral and the day after. Pay for a part-time employee shall be pro-rated based on the number of hours, if any, that the employee would regularly work on those days.

### **JURY DUTY/WITNESS LEAVE**

Any employee called for jury duty or subpoenaed as a witness shall be excused from work for the duration of the employee’s service. All benefits shall continue to accrue during such absence.

A full-time employee called for jury or witness duty shall be granted paid leave for the duration of the employee's service and shall be paid the difference between their regular day's pay and their jury pay. Pay for part-time employees shall be pro-rated based on the number of hours, if any, that the employee would regularly work on the days of jury duty.

Jury or witness duty for temporary employees will be considered an excused unpaid absence.

An employee summoned for jury or witness duty must inform his/her supervisor as soon as possible and provide a copy of the summons. If released from jury duty, the employee is expected to return to work. If chosen to sit on a jury, the employee should inform his/her supervisor how long the trial is expected to last.

### **EDUCATION LEAVE**

The Board of Trustees encourages staff to take advantage of continuing educational opportunities. At its sole discretion, the Board may grant paid or unpaid leave to full-time and part-time employees to attend workshops, training sessions, conferences or short-term courses. The Board may approve reimbursement for all or part of education and related expenses, if requested in advance in writing. All considerations and approvals for education leave and reimbursement shall be handled on a case-by-case basis.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The James E Nichols Memorial Library is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and Library needs. The Library will not discriminate against employees or applicants for employment on any legally

protected characteristic including, but not limited to: race, color, religion, age, sex, gender identity, sexual orientation, pregnancy, marital status, national origin, physical or mental disability, genetic information (including family medical history), or military service. This policy applies to all terms and conditions of employment including, but not limited to, recruitment, hiring, promotion, termination, furlough, recall, leaves of absence, compensation, and training.

### **AMERICANS WITH DISABILITY ACT (ADA)**

The James E Nichols Memorial Library prohibits any form of discrimination in hiring as well as in all terms and conditions of employment, against individuals with disabilities. The Library will make every effort to make reasonable accommodations to ensure equal opportunity in the application process, to enable qualified employees to perform essential job functions, and to enable disabled employees to enjoy the same benefits and privileges of employment as are enjoyed by employees without disabilities. An employee who because of a disability requires an accommodation to perform the functions of his/her job should notify the Library Board of Trustees. The Library will maintain all medical information in a confidential manner in accordance with the ADA.

## **EMPLOYEE SAFETY AND HEALTH**

### **HEALTH & SAFETY PROGRAM**

The Library is committed to providing a safe and healthy working environment for all employees. In order to identify and control work-related hazards, employees are required to bring known and potential hazards and safety issues to the attention of their supervisor and the Board of Trustees. Failure to do so may result in an injury that could otherwise have been avoided.

Any employee may submit suggestions to improve safety to the Board of Trustees.

### **WORKPLACE VIOLENCE**

Violence and verbal and physical threats of violence of any kind in the workplace or on Library property by employees will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. If an employee becomes aware of any violence or threat of violence, he/she must immediately report the matter to the Center Harbor Police Department and the Board of Trustees.

### **WORKPLACE SEARCHES**

To safeguard the safety and property of employees, patrons, visitors and the James E. Nichols Memorial Library and to help prevent the possession and use of illegal drugs on Library premises, it may become necessary to question employees and all other persons entering and leaving Library premises, and to inspect any packages, parcels, purses, handbags, briefcases, backpacks, lunch boxes, or any other possessions or articles carried to and from Library property. In addition, the Library reserves the right to search any employee's office, desk, files, locker, or any other area or article on Library premises in pursuit of safeguarding the safety and property of employees and the Library. Employees should understand that all offices, desks, files, lockers, and so forth are the property of the Library and are issued for the use of employees only during their employment with Nichols Library. Inspections may be conducted at any time at the discretion of the Board of Trustees.

Employees working on or entering or leaving the premises who refuse to cooperate in an

inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be reported immediately to the Center Harbor Police Department and may be subject to disciplinary action up to and including discharge.

**NO SMOKING POLICY**

The Library is committed to providing a safe, healthy and smoke-free work environment for employees, visitors and patrons. Consistent with this commitment and State Law, smoking is prohibited in the entire Library building and on its grounds. Employees wishing to smoke may do so only during authorized breaks and off of the Library grounds. Employees are required to comply with this no smoking policy. Any employee failing to comply with this policy will be subject to disciplinary action.