

Request for Union Vale Restrictions | November 2019

Background:

As required by Commissioner's Regulations 90.3, the MHLS Free Direct Access Plan (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. However, the FDAP does provide a 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 borrowers.

The Town of Union Vale does not have their own library and residents from their town consistently use four other member libraries: Beekman, Dover, LaGrange and Millbrook. As a result of the provisions in the FDAP, restrictions were put in place in 2015 due to the unwillingness of the town to contract for library services. After restrictions were put into place a successful multi-year contract was negotiated and the restrictions were lifted later that year. We have since negotiated another contract that covered 2019. However, upon presenting the current town board with a contract for 2020-2021 (using the same contract language that has been in place since 2015; proposing a 2% increase for 2020 and no increase for 2021) the town board has declined to sign this contract. *For more information about the particulars of this situation please see these [answers to Frequently Asked Questions](#) provided to Union Vale cardholders in September.*

Issue:

The boards of the Beekman Library and the Millbrook Library have both formally made a claim of "serious inequities and hardship" to the MHLS Executive Director and are requesting that the MHLS Board enact systemwide restrictions* for Union Vale residents, should no contract be in place by December 31, 2019, based on the following facts:

1. The Town of Union Vale is unserved by a chartered public library and provides less than the average funding for public library services provided by contract with neighboring community libraries.
2. More than 5% of the total circulation of library materials by each library has been provided to the residents of the Town of Union Vale.
3. Under the MHLS Free Direct Access Plan, the two libraries may claim "serious inequities and hardships" due to non-residents making excessive use of a libraries' resources that affects the libraries' ability to provide direct and on-site access to their residents.

The MHLS Board will consider this issue at their December board meeting and will expect a recommendation from the Directors Association as this decision will impact all libraries as restrictions would be put in place across the system, not just at the impacted libraries.

**Restricted access does not mean complete loss of access to library services. Union Vale residents would still be allowed to come to any member library to access items for in-library use and to borrow print items. Systemwide restrictions would likely apply to non-print items (DVDs, CDs, Video Games, Audio Books), Special Collections (i.e. museum passes and kits), and eResources such as OverDrive.*

If recommended by the DA, the MHLS Board will vote on this issue in December. Restrictions would go into place at the expiration of the current contract with the town, January 1, 2020 and remain until such time the impacted libraries request that they be rescinded.

Action:

Does the Directors Association understand the claim and support the use of systemwide restrictions in this case?