

# Conflict of Interest Policy

The Library depends on the trust of the community to achieve its mission. As a result, Trustees and Employees must strive to maintain the highest ethical standards when conducting business on behalf of the Library. The standard of behavior at the Library is that all staff and Board members shall avoid any conflict of interest between the interests of the Library on one hand and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest and perceived conflicts of interest.

## Definitions

### **Entity:**

Whether for-profit or nonprofit, any corporation, partnership, limited liability company, or other association. Unless the context provides otherwise, the terms set forth below shall have the following meanings for this policy.

### **Interest:**

A direct or indirect financial or material benefit accruing to a trustee or employee due to a contract with Catskill Public Library. For this policy, a Library trustee or employee shall be deemed to have an interest in the contract of:

- A spouse or domestic partner, minor children, and dependents, except as to a contract of employment with the Library
- A firm, partnership, or association of which such trustee or employee is a member or employee
- A Entity of which such trustee or employee is a trustee, director, or employee
- A entity of which more than five percent of the outstanding stock is owned by any such trustee, employee, or relative

### **Legislation:**

A matter which appears on the agenda of the Library Board of Trustees, or on a committee thereof, on which any official action will be taken and shall include proposed or adopted acts, local laws, ordinances, or resolutions

### **Trustee or Employee:**

An elected or appointed trustee or employee of the Library, whether paid or unpaid

### **Relative:**

A spouse or domestic partner, child, stepchild, parent, stepparent, brother, sister, stepbrother, stepsister, or legal guardian of any of said persons of a trustee or employee

### **Spouse or domestic partner:**

The husband or wife of a trustee or employee unless living separate and apart under:

- A judicial order, decree, or judgment of separation
- A legally binding written agreement of separation by the Domestic Relations Law

### **Standards of Conduct**

Every trustee or employee of the Library shall be subject to and abide by the following standards of conduct:

- **Gifts:** No trustee or employee shall directly or indirectly solicit or receive any money, whether in the form of cash, check, loan, credit, or any other state, in any amount, or request any gifts, or accept or receive any individual annual gift, having a value of \$75 or more, whether in the form of money, services, loans, travel, entertainment, hospitality, thing or promise, or any other state, under circumstances in which it could be reasonably inferred that the money or gift was intended to influence or could be reasonably expected to influence them in the performance of their official duties or was intended as a reward for any official action taken by such trustee or employee.
- **Confidential information:** No trustee or employee shall disclose confidential information acquired during official duties or use such information to further a personal interest.
- **Disclosure of interest in action:** To the extent known, any trustee or employee of the Library who participates in the discussion or gives an official opinion to the Library Board on any action before it shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they may have in such action, including any involvement in the current or past activity.
- **Disclosure of interests in contracts:** Any trustee or employee of the Library who has, will have, or subsequently acquires any interest in any actual or proposed agreement with the Library shall publicly disclose the nature and extent of such claim in writing to the Library Board as well as to their immediate supervisor as soon as they know such actual or prospective interest.
- **Investments in conflict with official duties:** No trustee or employee shall invest or hold any investment, directly or indirectly, in any financial, business, commercial, or other private transaction which creates a conflict.
- **Private employment:** No trustee or employee shall engage in, solicit, negotiate for, or promise to accept private work or render services for personal interests when such engagement or service creates a conflict with or impairs the proper discharge of their duties.

- **Prohibited conflicts of interest:** No Library trustee or employee shall have an interest in any contract between the Library and an entity or partnership of which they are a trustee or employee when such Library trustee or employee has the power to:
  - Negotiate, prepare, authorize, or approve the contract or authorize or approve payment thereunder;
  - Audit bills or claims under warranty; or
  - Appoint a trustee or employee who has any powers or duties set forth above. No chief fiscal trustee, treasurer, or their deputy or employee shall have an interest in a bank or trust company designated as a depository, paying agent, or registration agent; or for the investment of funds of the Library of which they are a trustee or employee.

The provisions of this act shall not be construed to preclude the payment of lawful compensation and necessary expenses of any Library trustee or employee in one or more positions of public employment, the holding of which is not prohibited by law.

- **Certain interests prohibited:** No trustee or employee of the Library who has an interest in any real property, either individually or as a trustee or employee of an entity or partnership, shall participate in the acquisition or plan for the purchase of the said property or any property adjacent to said property of the Library. The term participation shall include the promotion of the site and the negotiations of the acquisition.

No Library trustee or employee shall use or permit the use of property owned or leased to the Library for other than official purposes or for activities not otherwise officially approved.

## Responsibilities

It is the responsibility of the Library Director to ensure that:

- All staff and Board of Trustees members are given a copy of this policy and a copy of the policy attestation to read;
- All employees and Board members will sign the policy attestation upon election, hiring, or appointment; and
- Board members and employees who are in a position to make hiring or purchasing decisions will sign the policy attestation annually.

The signed attestations will be kept on file.

**Resolution: Adopted on May 18, 2022 by unanimous vote of the Board of Trustees of the Catskill Public Library.**