

Conflict of Interest Policy

The Library depends on the trust of the community to achieve its mission. It is therefore crucial for all employees to 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 as well as perceived conflicts of interest.

Definitions

Entity: Any corporation, partnership, limited liability company, or other association, whether for profit or nonprofit.

Unless the context clearly provides otherwise, the terms set forth below shall have the following meanings for this policy:

Interest:

A direct or indirect pecuniary or material benefit accruing to an trustee or employee as a result of a contract with Catskill Public Library. For the purpose of 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 an trustee, director, or employee
- A entity of which more than five percent of the outstanding stock is owned by any such trustee, employee, or his/her 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 an trustee or employee

Spouse or domestic partner:

The husband or wife of an trustee or employee unless living separate and apart pursuant to:

- A judicial order, decree, or judgment of separation
- A legally binding written agreement of separation in accordance with 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 form, in any amount, or solicit 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 form, 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 him/her in the performance of his/her 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 in the course of 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 he/she may have in such action, including any involvement in current or past action.

- **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 contract with the Library shall publicly disclose the nature and extent of such interest in writing to the Library Board as well as to his/her immediate supervisor as soon as he/she has knowledge of 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 employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her duties.
- **Prohibited conflicts of interest:** No Library trustee or employee shall have an interest in any contract between the Library and a entity or partnership of which he/she is an 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 the contract; or
 - Appoint an trustee or employee who has any of the powers or duties set forth above, and, no chief fiscal trustee, treasurer, or his/her deputy or employee shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the Library of which he/she is an trustee or employee.

The provisions of this action shall in no event 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 an trustee or employee of a entity or partnership shall participate in the acquisition or plan for acquisition of said property or any property adjacent to said property by the Library. The term participation shall include the promotion of the site as well as the negotiation of the terms of 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 be the responsibility of the Library Director to ensure that:

- All staff (including the Director) 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.