

Conflicts of Interest / Code of Ethics Policy

The Islip Public Library Board of Trustees, its officers, administrators, and employees shall comply with all laws pertaining to “Conflict of Interest” and “Code of Ethics,” as provided in New York State General Municipal Law Article 18, §801, §805-a, §806 and elsewhere. The statute’s provisions are to be incorporated by reference within terms of this Policy.

Maintaining the public trust is an essential element required to advance the Library’s mission. As such, any improper action will be subject to penalties as permitted in the pertinent General Municipal Law’s provisions.

Conflict of Interest

Examples of actions which may be deemed a “conflict of interest” include, but are not limited to:

- a. Directly or indirectly soliciting any gift or accepting or receiving any gift having a value of \$75 or more.
- b. Disclosing confidential information acquired in the course of official duties or use of such information to further personal interests.
- c. Receiving or entering into any agreement, express or implied, for compensation for services to be rendered in relation to any matter over which the Trustee, officer or employee has jurisdiction or power to appoint.
- d. Having an interest in any contract over which the Trustee, officer, or employee has the power or duty to authorize, approve payment, or audit.

It is the responsibility of the Trustee, officer, administrator or employee to disclose information which might tend to indicate a conflict of interest in any matter pertaining to the Islip Public Library.

Code of Ethics

Section 1

Pursuant to the provisions of Section 806 of the General Municipal Law, this Board of Trustees recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of ethical conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this resolution to promulgate rules of ethical conduct for the officers and employees of the Board of Trustees. These rules shall serve as a guide for official conduct of the officers and employees of the Board of Trustees. The

rules of ethical conduct of this resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct.

Section 2. Definition

(a) "Board of Trustees or Employee" means any trustee or employee of the Board of Trustees, whether paid or unpaid, including members of any administrative or community committee.

(b) "Interest" means a pecuniary or material benefit accruing to a Trustee, officer or employee unless the context otherwise requires.

Section 3. Standards of Conduct

All Library Rules, Regulations and Policies shall be applied equally and without favoritism among the Trustees, Officers, Staff and Patrons of the Library. Every officer or employee of the Board of Trustees shall be subject to and abide by the following standards of conduct:

(a). Gifts. He/She shall not directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five dollars or more from the same individual, corporation or organization, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

(b) Participation in District Benefit Plan. No Trustee shall be a participating member of any District Benefit Plan unless that Trustee shall pay in advance the premiums, fees or expenses associated with the Benefit Plan.

(c) Confidential Information. He/She shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest. Disclosure of information obtained in Executive Session is specifically prohibited.

(d) Representation Before One's Own Agency. He/She shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Board of Trustees of which he/she is an officer or employee.

(e) Representation Before Any Agency For A Contingent Fee. He/She shall not receive, or enter into any agreement, express or implied for compensation for services rendered in relation to any matter before the Board of Trustees whereby his/her compensation is to be dependent or contingent upon any action by such Board of Trustees with respect to such matter.

(f) Disclosure of Interest. To the extent that he/she is aware of such interest, a member of the Board of Trustees and any officer or employee of the Board of Trustees, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees on any matter before the Board of Trustees shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such matter. Board members shall publicly restate such interest prior to each vote on said matters.

(g) Investments in Conflict With Official Duties. He/She shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his/her official duties.

(h) Private Employment. He/She shall not 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 official duties.

(i) Future Employment. He/She shall not, after the termination of service or employment with the Board of Trustees, appear before the Board of Trustees in relation to any case, proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

(j) Conflicting Employment. No salaried employee of the Library or of the Suffolk Cooperative Library, or any member of his/her immediate family, or any salaried official of any municipal corporation shall be eligible for election or appointment as Trustee.

Section 4. Claims

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the Board of Trustees, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5. Distribution of Code of Ethics

The Director of the ABC Public Library shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Library within thirty (30) days after its effective date. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

Section 6. Request for Information

If a Board Trustee needs information pertaining to the Library, a request should be made in writing to the Director.

Section 7. Legal Opinions

Any request for a legal opinion from the Library attorney should first be presented in writing to the Board of Trustees which, upon approval, shall then present it to the Library's attorney.

Section 8. Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this Code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 9. Defense and Indemnification

Pursuant to Education Law, Section 3811, the Board is required to defend and indemnify proceedings against individual Board Trustees arising out of the exercise of their powers or the performance of their duties as a member of the Board of Trustees. In order to protect the public fisc, Board Trustees should be cautious in not unnecessarily exposing the Library to liability under this section. Board Trustees should also be aware that the Commissioner of Education has denied the protection of Section 3811 for private actions on the part of Trustees.