

OSSINING PUBLIC LIBRARY

Ossining Public Library Trustee Code of Ethics and Conflict of Interest Policy

The Ossining Public Library recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library's Board of Trustees, staff and volunteers. Actions based on an ethical code of conduct promote public confidence and the attainment of the Library's goals. The Board also recognizes its obligation, under the provisions of New York General Municipal Law, to adopt a code of ethics setting forth the standards of conduct required of all Library Trustees and employees.

The OPL Board of Trustees is also committed to avoiding any situation in which the existence of simultaneous, conflicting interests of any Library Trustee or employee may call into question the integrity of the management or operation of the Library. The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest:

- Gifts: No Trustee or employee shall directly or indirectly solicit, accept or receive any money or gift having a value of \$50 or more, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, thing or promise, or any other form, from any person or organization doing business or intending to do business with the library, or rewarding a library employee or trustee for any official action on his or her part. However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members.
- Confidential Information: No Trustee or employee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board of Trustees regardless of whether or not such information is deemed confidential.
- Representation Before the Board: A Trustee or employee 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 OPL Board of Trustees.
- Representation Before the Board for a Contingent Fee: A Trustee or employee 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 OPL Board, whereby the compensation is to be dependent or contingent upon any action by the Board with respect to such matter, provided that this paragraph

shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

- Disclosure of Interest in Matters before the Board: A member of the Board of Trustees and any Trustee or employee of the library, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter to the extent permissible by law. In all cases of potential or actual conflict, the OPL shall be made aware of the situation by the person in conflict by written disclosure. The term "interest" means any participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary which may result in a benefit.

- Disclosure of Interests in Contracts: To the extent known, any Trustee or employee of OPL who has, or will have, or subsequently acquires any interest in any contract, including purchase agreements, lease agreements or any other agreement including oral agreements with OPL shall publicly disclose the nature and extent of such interest in writing to the Library Director as soon as he or she has knowledge of such actual or prospective interest to the extent permissible by law.

- Investments in Conflict with Official Duties: No Trustee or employee of the Library shall invest or hold any investment directly or indirectly in any financial, business, commercial or private transaction that creates a conflict with his or her official duties of OPL.

- Certain Real Property Interests Prohibited: No Trustee or employee of OPL who has or will have an interest in any property, either individually or as a Trustee or employee of a corporation or partnership, shall participate in the acquisition or plan for acquisition of such property if such a transaction would create or appear to create a conflict with his or her official duties. In all cases of potential or actual conflict, the OPL shall be made aware of the situation by the person in conflict by written disclosure. Additionally, Trustees or employees of OPL who have, or will have an interest in any property adjacent to the property of the Library, must inform OPL of such interest by written disclosure. If the acquisition of adjacent property would result or reasonably be perceived to result in a conflict of interest, the employee or Trustee must recuse him/herself. The term "participate" shall include the promotion of the site as well as the negotiation of the terms of the acquisition.

- Prohibited Conflicts of Interest: No OPL Trustee or employee shall have an interest in any contract between the Library and a corporation or partnership of which he or she is 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 there under, audit bills or claims under contract,

or appoint a Trustee or employee who has any of the powers or duties set forth above, and no chief fiscal officer, treasurer or his or her deputy or employee shall have an interest in a bank or trust company designated as a depository paying agent, registration or for investment of Library funds of which he or she is a Trustee or employee. The provisions of this section shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any OPL Trustee or employee in one or more positions of public employment, the holding of which is not prohibited by law.

- Certain Prohibited Actions: No person employed by OPL shall hire, supervise, evaluate, promote, review or discipline any other employee who is a member of the same family. In the event that marriage, promotion, or reorganization results in a situation not in compliance with this policy, the executive director shall provide supervision on a case by case basis. Every employee and Trustee related closer in degree, by blood or by marriage, than first cousin to any persons seeking employment with the Library shall disclose such relationship to OPL.

- Private Employment: No Trustee or employee of OPL shall engage in, solicit, negotiate for or promise to accept private employment or render services to private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

- Future Employment: No Trustee or employee of OPL shall, after the termination of service or employment with the Library Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former OPL Trustee or employee of any claim, account, demand or suit against OPL on his or her own behalf or on behalf on any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

- Use of Library Property: No OPL Trustee or employee shall use or permit the use of property, owned or leased to OPL, for anything other than official purposes or for activities not otherwise officially approved by the Ossining Public Library Board of Trustees.

- Duty to Disqualify: It is incumbent upon any OPL Trustee or employee, whether paid or unpaid, to disqualify him or herself immediately whenever the appearance of a conflict of interest exists.

- Duty to Report Conflicts of Interest: In the event that any OPL Trustee or employee knows of or perceives a direct or indirect conflict of interest, he or she shall report it to the OPL Board of Trustees. Any resolution of such conflict by the Board shall hold OPL's interest paramount, as well as maintain the Board's integrity in its governing role.

- Duty to Report Violations of this Policy: Any library Trustee or employee or any member of the public noting or suspecting a violation of this policy is encouraged to report the matter, either in confidence or in public, to the OPL Board of Trustees.

Distribution of the Ossining Public Library Trustee and Employee Code of Ethics and Conflict of Interest Policy

The Ossining Public Library Board of Trustees shall cause a copy of the Code of Ethics and Conflict of Interest Policy to be distributed to every Trustee and employee of OPL. Each Trustee and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Board shall ensure that a copy of Article 18 of the General Municipal Law shall be posted in a place conspicuous to OPL Trustees and employees, including the OPL website.

Penalties

In addition to any penalty contained in any other provision of Law, a OPL Trustee or employee who shall knowingly and intentionally violate any of the provision of this Code of Ethics and Conflict of Interest Policy may be subject to disciplinary action up to and including the imposition of fines, suspension, and/or dismissal in the manner provided by Library policy and applicable law.

Approved by the OPL Board of Trustees on December 15, 2008