

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

EFFECTIVE DATE: November 15, 2018

APPLICATION: Board of Trustees and Library Staff

STATEMENT OF PURPOSE:

The Massapequa Public Library recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library's Board of Trustees, administration, 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, administrators and employees.

POLICY:

The Massapequa Public Library Board of Trustees is also committed to avoiding any situation in which the existence of simultaneous, conflicting interests of any Library Trustee, administrator 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 Library Trustee, administrator or employee shall directly or indirectly solicit, accept or receive any money or gift having a value of \$75 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, administrator 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 Library Trustee, administrator 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.

Representation before the Board: A Library Trustee, administrator 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 Massapequa Public Library Board of Trustees.

Representation Before the Board for a Contingent Fee: A Library Trustee, administrator 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 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 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. 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, administrator or employee of the Massapequa Public Library 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 the Massapequa Public Library 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.

Investments in Conflict with Official Duties: No Library Trustee, administrator 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 the Massapequa Public Library.

Certain Real Property Interests Prohibited: No Library Trustee, administrator or employee of the Library who has an interest in any real property, either individually or as a Library Trustee, administrator or employee of a corporation or partnership, shall participate in the acquisition of plan for acquisition of said property or any property adjacent to said property by the Library. 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 Library Trustee, administrator 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, administrator or employee when such Library Trustee, administrator 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, administrator 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 Library Trustee, administrator or employee in one or more positions of public employment, the holding of which is not prohibited by law.

Duty to Disqualify: It is incumbent upon any Library Trustee, administrator or employee, whether paid or unpaid, to disqualify himself or herself immediately whenever a conflict of interest exists.

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

Certain Prohibited Actions: No person employed by the Library 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 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 the Board of Trustees.

Private Employment: No Library Trustee, administrator or employee of the Library 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.

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

Distribution of this Code of Ethics and Conflict of Interest Policy

The Massapequa 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 the Massapequa Public Library. Each Board member, administrator 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 Library board shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the jurisdiction in a place conspicuous to the Library's Board Member, officers and employees. Failure to post any such

copy shall have no effect on the duty of compliance with this article, nor with the enforcement of the provisions thereof.

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 of Ethics and Conflict of Interest Policy may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Duty to Report Violations of this Policy: Any Library Trustee, administrator or employee or any member of the public noting or suspecting a violation is encouraged to report the matter, either in confidence or in public, to the Library Board of Trustees. No Library Trustee, administrator or employee will be retaliated against for making such a report.

RESPONSIBILITY: It is the responsibility of the Board of Trustees, Administration and Staff to ensure compliance with this policy.

APPROVED: November 15, 2018
November 13, 2023

REVISED: November 6, 2023

REVIEWED BY/ON: November 6, 2023