

## Somers Library Code of Ethics and Conflict of Interest Policy

The Somers Library recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Somers Library's Board of Trustees and staff. Actions based on an ethical code of conduct promote public confidence and the attainment of the Somers Library's goals. All trustees and staff members owe a duty of loyalty and fidelity to the Somers Library; they must avoid any situation or activity that compromises or may compromise their judgment or ability to act in the best interests of the Somers Library. The Board also recognizes its obligation, under the provisions of New York State law, to adopt a code of ethics setting forth the standards of conduct required of the Somers Library trustees and staff.

The Somers Library Board of Trustees is committed to avoiding situations in which the existence of conflicting interests of any trustee or staff member may affect the integrity of the management or operation of the Library. The Board affirms its commitment to adhere to applicable provisions of law regarding material conflicts of interest:

1. **Gifts:** No trustee or staff member shall directly or indirectly solicit, accept or receive any money or gift having a value of \$25 or more, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, or promise, or any other form. Under no circumstances should a trustee or staff member accept any money or gift for which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any specific official action on his or her part.
2. **Confidential Information:** No trustee or staff member 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 (or the interests of someone with which they are affiliated). In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board of Trustees.
3. **Representation Before the Board:** A trustee or staff member of the Somers Library, or a member of his or her immediate family, 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 Somers Library Board of Trustees. For the purposes of this policy, an immediate family member includes (but is not limited to) a spouse/significant other; parent; child, spouse/significant other or issue of a child; brother; sister; or spouse/significant other of a brother or sister.
4. **Representation Before the Board for a Contingent Fee:** A trustee or staff member of the Somers Library, or a member of his or her immediate family, 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 Somers Library Board, whereby the compensation is to be dependent or contingent upon any action by the Board with respect to such matter.

5. **Disclosure of Interest in Matters before the Board:** Any trustee or staff member of the Somers Library who participates in the discussion or gives official opinion to the Board on any matter before the Board shall promptly and publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she or any immediate family member has in such matter. The term “interest” means a pecuniary or material benefit accruing to the trustee, staff member or any immediate family member thereof. Such person must not be present at the trustees’ deliberation on the matter, must not influence or attempt to influence the deliberations or the voting on the matter, and may not vote on the matter.
6. **Disclosure of Interests in Contracts:** To the extent known, any trustee or staff member of the Somers Library who has, or will have, or subsequently acquires an interest in any contract with the Somers Library shall publicly disclose the nature and extent of such interest in writing to the President of the Somers Library Board of Trustees as soon as he or she has knowledge of such actual or prospective interest. Any trustee or staff member who has an immediate family member who has, or will have, or subsequently acquires an interest in any contract with the Somers Library shall publically disclose the nature and extent of such interest in writing to the President of the Somers Library Board of Trustees. Such person must not be present at the trustees’ deliberation on the matter, must not influence or attempt to influence the deliberations or the voting on the matter, and may not vote on the matter.
7. **Investments in Conflict with Official Duties:** No trustee or staff member of the Somers 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.
8. **Certain Real Property Interests Prohibited:** No trustee or staff member of the Somers Library, or any immediate family member thereof, who has 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 said property or any property adjacent to said property by the Somers Library. The term “participate” shall include the promotion of the site, as well as the negotiation of the terms of the acquisition.
9. **Prohibited Conflicts of Interest:** No Somers Library trustee or staff member shall have an interest in any contract between the Somers Library and a corporation or partnership of which he or she is a director or employee, if that the Somers Library trustee or staff member has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder, audit bills or claims under contract, or appoint a trustee or staff member who has any of the powers or duties set forth above. No chief fiscal officer, treasurer or his or her deputy, or a staff member shall have an interest in a bank or trust company designated as a depository paying agent, registration or for investment of the Somers Library funds of which he or she is a director or employee. The provisions of this section will not be construed to preclude the payment of lawful compensation and necessary expenses of any the Somers Library trustee or employee in one or more positions of public employment, the holding of which is not prohibited by law.
10. **Nepotism Prohibited:** No Somers Library trustee or staff member shall hire, supervise, evaluate, promote, review or discipline any the Somers Library staff member who is a

member of his/her family. In the event that marriage, promotion or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effected in accordance with the applicable provisions of any collective bargaining agreement.

11. **Private Employment:** No trustee or staff member of the Somers 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.
12. **Use of Library Property:** No Somers Library trustee or staff member shall use or permit the use of property, owned or leased to the Somers Library, for anything other than official purposes or for activities not otherwise officially approved by the Somers Library.
13. **Duty to Disqualify:** It is incumbent upon any Somers Library trustee or staff member to disqualify or recuse him or herself immediately whenever the appearance of a conflict of interest exists.
14. **Duty to Report Conflicts of Interest:** In the event that any Somers Library trustee or staff member knows of or perceives a direct or indirect conflict of interest, he or she shall report it to the Somers Library Board of Trustees. The Board of Trustees must record any such conflict in the Somers Library's official record.

#### **Distribution of the Somers Public Library Code of Ethics and Conflict of Interest Policy**

The Somers Library Board of Trustees shall distribute a copy of this Code of Ethics and Conflict of Interest Policy to every trustee and staff member of the Somers Library. Each trustee and staff member elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her position. 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 the Somers Library trustees and staff members, including the Somers Library website.

#### **Penalties**

Any Somers Library trustee or staff member who shall knowingly and intentionally violate any of the provisions 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 dismissal in the manner provided by applicable law.

*First reading by the Board of Trustees, May 19, 2021  
Adopted and Approved on August 18, 2021*