

Conflict of Interest

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

- (a) "Interest" means a direct or indirect pecuniary or material benefit accruing to an officer or employee, or their relative, whether as a result of a contract with the Poughkeepsie Public Library District or otherwise. For the purpose of this policy, a Library District officer or employee shall be deemed to have an interest in the contract of:
 - (I) A relative except as to a contract of employment with the Library District
 - (II) A firm, partnership or association of which such officer or employee is a member or employee;
 - (III) A corporation of which such officer or employee is an officer, director or employee;
 - (IV) A corporation of which more than five percent of the outstanding stock is owned by any such officer, employee, or their relative.
- (b) "Legislation" means a matter which appears on the agenda of the Library District Board of Trustees or on the agenda of a committee thereof, on which any official action will be taken and shall include proposed or adopted acts, local laws, ordinances or resolutions.
- (c) "Officer" or "Employee" means an elected or appointed officer or employee of the Library District, whether paid or unpaid.
- (d) "Relative" means spouse, child, stepchild, parent, stepparent, brother, sister, stepbrother, step-sister, member of the immediate household or legal guardian of any of said persons of an officer or employee or of the spouse of the officer or employee.
- (e) "Spouse" means the husband, wife or committed partner under the law of an officer or employee unless living separate and apart pursuant to: (i) a judicial order, decree or judgment of separation, or (ii) a legally binding written agreement of separation in accordance with the Domestic Relations Law.

Standards of Conduct: Every officer or employee of the Library District shall be subject to and abide by the following standards of conduct:

- (a) Gifts. No officer 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 seventy-five dollars or more, whether in the form of services, loan, 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 or her in the performance of official duties or was intended as a reward for any official action.
- (b) Confidential Information. No officer or employee shall disclose confidential information acquired in the course of official duties or use such information to further a personal interest.

- (c) Disclosure of Interest in Legislation. To the extent known, any officer or employee of the Library District who participates in the discussion or gives an official opinion to the Library District Board on any legislation before it shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they may have in such legislation.
- (d) Disclosure of Interests in Contracts. To the extent known, any officer or employee of the Library District who has, will have, or subsequently acquires any interest in any contract with the Library District shall publicly disclose the nature and extent of such interest in writing to the Library District Board as well as to their immediate supervisor as soon as they have knowledge of such actual or prospective interest.
- (e) Investments in Conflict with Official Duties. No officer or employee shall invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict.
- (f) Private Employment. No officer 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 their duties.
- (g) Prohibited Conflicts of Interest. No Library District officer or employee shall have an interest in any contract between the Library District and a corporation or partnership of which they are an officer or employee when such Library District officer or employee has the power to (a) negotiate, prepare, authorize, or approve the contract or authorize or approve payment there under; (b) audit bills or claims under the contract; or (c) appoint an officer or employee who has any of the powers or duties set forth above, and, no chief fiscal officer, treasurer, or their 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 District of which they are an officer 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 District officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.
- (h) Certain Interests Prohibited. No officer or employee of the Library District who has an interest in any real property, either individually or as an officer 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 Library District. The term participation shall include the promotion of the site as well as the negotiation of the terms of acquisition.
- (i) No Library District officer or employee shall use or permit the use of property owned or leased to the Library District for other than official purposes or for activities not otherwise officially approved by the Library District Board.
- (j) Following full disclosure of a possible conflict of interest or any condition listed above, the Board of Trustees shall determine whether a conflict of interest exists and, if so, the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect the Library District's best interests. Both votes shall be by a majority vote without counting the vote of any interested director, even if the disinterested directors are less than a quorum provided that at least one consenting director is disinterested.

- (k) A copy of this policy shall be given to all officers and employees upon commencement of such person's relationship with Poughkeepsie Public Library District or at the official adoption of stated policy. Each officer and employee shall sign and date the policy at the beginning of their term of service or employment and each year thereafter. Failure to sign the policy and/or complete the disclosure form does not nullify the policy.