

## **Conflict of Interest**

## **Policy 5.1**

In accordance with the New York State Nonprofit Revitalization Act of 2014, it is the policy of the Library that Trustees and employees must avoid any conflict of interest, or apparent conflict of interest, in the performance of their Library duties.

### **I. Related Party Transactions**

#### **A. Trustees**

1. Prohibition. No Trustee will participate in any Library transaction, contract or agreement in which he or she, or any employer or family member has a financial interest. A family member is a husband, wife, domestic partner, parent, son or daughter, grandchild or sibling (including "steps-") and spouses of the above.
2. Disclosure
  - a. Annual Disclosure
    - i. Trustees will disclose annually any area of financial interest that might be regarded as potentially conflicting with their judgments or actions as Trustees.
    - ii. Annual Disclosure forms (Form #9) will remain in the Library office for seven years and are open to inspection by the public.
  - b. Transactional Disclosure
    - i. At any Board of Trustees meeting a Trustee with a financial interest (as defined above) in any transaction, contract, or agreement before the Board will declare such interest.
    - ii. The Trustee will leave the meeting for the period of the discussion and any vote on the transaction.
    - iii. The Board Secretary will record the disclosure in the meeting minutes.
3. Voidable Transaction. Should it be determined that a Trustee with a financial interest in a transaction failed to disclose such interest and voted on a transaction entered into by the Library Board, the Board must vote, with the interested Trustee absent, to either void or ratify that transaction.

#### **B. Employees**

1. In the performance of their duties, employees are expected to act in the best interest of the Library, regardless of their financial interest or the interest of any family member, as defined in I.A1. above.
2. The Library Director, Head of Circulation and Processing, Children's Services Coordinator and Office Manager will file annual forms (Form #10) certifying that they have reviewed and will comply with this Conflict of Interest Policy.

### **II. Gifts**

- A. No Trustee or salaried employee will accept monetary gifts or loans in any amount from anyone who has or is likely to have a contractual relationship with the Library.
- B. No Trustee or salaried employee will accept gifts of services, entertainment or

hospitality exceeding the value of \$75.00 annually from anyone who has or is likely to have a contractual relationship with the Library.

**III. Library Employment.** No Trustee will be an employee of the Library.

**IV. Certification**

- A. Each Trustee will certify on the Annual Disclosure form that he or she has read the policy and will comply with it. Certification and Annual Disclosure will occur in January at the Board of Trustees' organizational meeting.
- B. If a new Trustee joins the Board mid-year, he or she will file the Disclosure form at that time and the following January.
- C. For the Library Director, Head of Circulation and Processing, Children's Services Coordinator and Office Manager, Certification will occur at the beginning of employment and each January thereafter.

Approved July 23, 2015