

CODE OF ETHICS

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Trustees promulgates these rules of ethical conduct for the officers and employees of the Library. These rules shall be in addition to any provisions of Article 18, Sections 800 to 807, of the General Municipal Law or any other general or special law relating to ethical conduct and prohibited interests in contracts of municipal officers and employees involving the Library.

1. DEFINITIONS

- a. "Officer" or "employee" means an officer or employee of the Library, whether paid or unpaid, including members of the Board of Trustees and its appointees.
- b. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires. "Interest" may also refer to an indirect benefit obtained through a third party.

2. STANDARDS OF CONDUCT

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

- a. Gifts
An officer or employee shall not directly or indirectly solicit or accept or receive any gifts, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances whereas it could reasonably be inferred that the gift was intended to influence him/her in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

However, nothing herein should be construed as prohibiting the traditional exchange of holiday gifts provided discretion is used to ensure that gifts of value (those exceeding an expense of \$50) are not accepted by staff employees or officers. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

- b. Confidential Information
An officer or employee shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal or political interest; specifically, any information obtained during the course of Executive Sessions of the Board of Trustees shall not be disclosed. Confidential information may include information received through electronic messages that is not publicly available, has not been previously discussed in public session, and including discussions held in Executive Sessions. A failure of a Trustee to observe this condition (as contemplated

under the Open Meetings Law and the General Municipal Law) of Board membership may subject the Trustee to removal from office. If a Trustee is suspected of disclosing confidential information, a Board investigation may ensue. The suspected Board member may provide a written explanation of the circumstance. The Board will then vote on the acceptance of the explanation. Upon a unanimous vote of the Board determining culpability (excepting the suspected Board member's vote), the suspected Board member's seat may be considered vacant.

c. Representation before the Board

An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered, or the buying and selling of products, in relation to any matter before the Library which creates a conflict of interest.

d. Representation before the Board for a Contingent Fee

An officer 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 concerning the Library, whereby the compensation is to be dependent or contingent upon any action by the Library 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.

e. Disclosure of Interest in Matters Before the Board

To the extent that he/she knows thereof, a member of the Board of Trustees and any officer or employee of the Library, whether paid or unpaid, who participates in the discussion or provides an 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/she may have in such matters.

f. Investments in Conflict with Official Duties

An officer or employee shall not invest or hold any investment directly in any financial, business, commercial, or other private transaction that creates a conflict with his/her official duties.

g. Private Employment

An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

h. Future Employment

An officer or employee shall not, after his/her termination of service or employment with the Board appear before the Board or any panel of committee of the Board, in relation to any case, proceeding, or application in which he/she personally participated during their period of his/her service or employment or that was under his/her active consideration. This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the Library on his/her own behalf or on behalf of any

member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

i. Family Members as Employees

A member of the Board of Trustees who is an immediate family relative to an employee of The Smithtown Library must abstain from sitting-in on any action directly relating to said employee, such as contract negotiation, or any act specifically involving said employee.

3. DISTRIBUTION OF CODE OF ETHICS

The Library Director shall cause a copy of the Board's Code of Ethics to be distributed to every officer and employee of the Library. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. In addition, the Library Director shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the Library's jurisdiction in a place conspicuous to the Library's officers and employees.

4. PENALTIES

In addition to any penalties contained in any other provision of law, any officer or employee who shall knowingly and intentionally violate any of the provisions of the Board's Code of Ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

The Board reserves its prerogative to investigate, or direct the investigation of, any potential Code of Ethics violation, including those alleged to be done by Trustees. If a violation is found, the Board may choose the appropriate sanction or action at its discretion, which may range from written notice to removal from office, depending on the nature of the violation. A removal of office may only occur by way of a unanimous vote of present trustees (excluding the suspected Trustee(s)).

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