

**SOMERSET COUNTY PARK COMMISSION  
RESOLUTION ADOPTING CODE OF CONDUCT POLICY**

**WHEREAS**, the holding of public office and employment is a public trust; and

**WHEREAS**, the Somerset County Park Commission desires to ensure the public's confidence in the integrity of the officers and employees of the Somerset County Park Commission; and

**WHEREAS**, the public's confidence in the integrity of its elected and appointed representatives is imperiled whenever the public perceives a conflict between private interests and public duties of government officers or employees; and

**WHEREAS**, the Somerset County Park Commission desires to provide the public with standards by which they may determine whether the public duties of government officers and employees are being faithfully performed; and

**WHEREAS**, the Somerset County Park Commission desires to apprise its officers and employees of the behavior and conduct that is expected of them.

**NOW, THEREFORE, BE IT RESOLVED** that the Somerset County Park Commission does hereby approve and adopt the Code of Conduct Policy, which is attached hereto; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Code of Conduct Policy be authenticated as such by the Secretary-Director and placed in the minutes book and that, in accordance with P.L. 1946 c.276 (N.J.S.A. 40:37-95.5), a full and true copy of the Code of Conduct Policy, certified by the Secretary-Director, be kept at the Commission Headquarters located at 355 Milltown Road, Bridgewater, NJ for inspection by members of the public at all reasonable times during business hours.

I, Raymond A. Brown, Secretary-Director of the Somerset County Park Commission, hereby certifies the above to be a true copy of the Resolution adopted by said Commission at the regular meeting held October 18, 2007.

Secretary-Director

## Code of Conduct Policy

### Section 1. Purpose

The officers and employees of the Somerset County Park Commission recognize that holding public office and/or employment is a public trust. The Park Commission further recognizes that a strong democracy relies upon the public's confidence in the integrity of its elected and appointed officials, as well as the employees employed in government positions.

The purpose of this policy is to define and establish the standards of ethical conduct that are required of public officials and employees so as to ensure the professional integrity of the Park Commission officers and employees in the faithful performance of their duties. The officers and employees of the Park Commission are committed to performing their duties while practicing the highest of ethical standards.

This policy implements the provisions of the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, et seq., as if set forth in detail herein.

### Section 2. Definitions

"Local government agency," "Park Commission" or "Commission" – means the Somerset County Park Commission.

"Local government employee" or "employee" – means any person, whether compensated or not, whether part-time or full-time, employed by the Park Commission.

"Local government officer" or "officer" – means any person whether compensated or not, whether part-time or full-time who is a member/officer of the Park Commission.

"Member of immediate family" – means the spouse or dependent child of a local government officer or employee residing in the same household.

### Section 3. Conduct

The following requirements address the conduct of all Park Commission officers and employees. Park Commission officers and employees shall comply with the following provisions. This list is not all inclusive, but simply provides the basic level of conduct expected of the officers and employees of the Park Commission.

A. Local government officers and employees shall make decisions in terms of

- the welfare of the inhabitants of Somerset County and will seek to develop and create and maintain programs and initiatives that meet the needs of all of the County inhabitants.
- B. Local government officers and employees shall refuse to surrender their independent judgment to special interest or partisan political groups or to use the Park Commission funds or authority for personal gain or for the gain of friends.
  - C. Local government officers and employees shall recognize that authority rests with the Park Commission and will make no personal promises nor take any private action that may compromise the Park Commission.
  - D. No local government officer or employee shall take any action or make any decision in matters in which there is even an appearance of impropriety or a conflict of interest.
  - E. No local government officer or employee shall engage in any outside employment, or any activity, which interferes in anyway with the full performance of his duties and responsibilities.
  - F. No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.
  - G. No local government officer or employee shall use or allow the use of Park Commission or other government property of any kind for other than officially approved activities.
  - H. No local government officer or employee shall be under the influence of, possess or use alcoholic beverages or illegal drugs in the workplace.
  - I. No local government officer or employee shall discriminate or harass another employee in the workplace on the basis of race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, and AIDS and HIV status.
  - J. No local government officer or employee shall deliberately misuse sick, compensatory or personal leave time.
  - K. No local government officer or employee shall participate in any illegal gambling activity of any kind while on duty or while on government-owned

or leased property.

- L. No local government officer or employee shall engage in a riot or civil disorder where acts of violence causing danger to property or injury to persons are involved.
- M. No local government officer or employee shall engage in criminal or other conduct prejudicial to the Park Commission or the County of Somerset.
- N. No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest
- O. The Park Commission shall not, for a period of one year next subsequent to the termination of office of a member of the Park Commission

- (1) award any contract which is not publicly bid to a former member of the Park Commission;

- (2) allow a former member of the Park Commission to represent, appear for or negotiate on behalf of any other party before the Park Commission; or

- (3) employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of the Park Commission.

The restrictions contained in this subsection shall also apply to any business organization in which the former Park Commission member holds an interest.

- P. No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.
- Q. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.
- R. No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of

- and by reason of his office or employment, for the purpose of furthering a private interest or securing any gain, including, but not limited to financial gain, for himself, any member of his immediate family, or any business organization with which he is associated.
- S. No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties.
- T. No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities.
- U. No local government officer or employee or business organization or member of the immediate family shall take any action or make any decision in violation of the Local Government Ethics Law, N.J.S.A. 40A:99-22.1, et seq., as applicable.

No local government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group;

No elected local government officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefore.

Nothing shall prohibit any local government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

#### **Section 4. Political Activity**

- A. An employee shall not directly or indirectly use or seek to use his authority or the influence of his position to control or modify the political action of another person. An employee may not engage in political activity during the hours of duty, nor shall they, at any other time, participate in political activities so as to impair usefulness in the position in which they are employed.
  
- B. Park Commission Employees Engaged in Federally Aided Programs – Federal legislation known as the Hatch Act regulates the political activity of employees whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency.

An employee subject to the provision of the Hatch Act may:

1. Be a candidate for public office in nonpartisan elections.
2. Campaign for and hold office in political clubs and organizations.
3. Actively campaign for candidates for public office in partisan and nonpartisan elections.
4. Contribute money to political organizations or attend political fundraising functions.
5. Participate in any activity not specifically prohibited by law or regulation.
6. Vote as the employee chooses and express opinions on political subjects and candidates.

An employee subject to the provisions of the Hatch Act may not:

1. Be a candidate for public office in a partisan election.
2. Use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.

3. Directly or indirectly coerce, attempt to coerce, command or advise a State or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.

## **Section 5. Filing and Disclosure Requirements**

Each Park Commission officer shall annually file a financial disclosure statement. The financial disclosure statement shall include the following information which shall specify, where applicable, the name and address of each source and the officer's job title:

- (1) Each source of income, earned or unearned, exceeding \$2,000 received by the officer or a member of his immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not be separately reported as sources of income. If a publicly traded security is the source of income, the security need not be reported unless the local government officer or member of his immediate family has an interest in the business organization;
- (2) Each source of fees and honoraria having an aggregate amount exceeding \$250 from any single source for personal appearances, speeches or writings received by the officer or a member of his immediate family during the preceding calendar year;
- (3) Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding \$400 from any single source, excluding relatives, received by the officer or a member of his immediate family during the preceding calendar year;
- (4) The name and address of all business organizations in which the officer or a member of his immediate family had an interest during the preceding calendar year; and
- (5) The address and brief description of all real property in the State in which the officer or a member of his immediate family held an interest during the preceding calendar year.

The Local Finance Board shall prescribe a financial disclosure statement form for filing purposes. The county clerk shall make the forms available to the officers. The original statement shall be filed with the county clerk in the county in which the officer serves. A copy of the statement shall be filed with the Local Finance Board. Statements shall be filed on or before April 30th each year.

**Section 6. Meetings**

The Park Commission is required to comply with the requirements of the Open Public Meetings Act. At all times, including during meetings of the Park Commission, officers and employees are expected to demonstrate the highest level of respect when interacting with the residents of Somerset County or any other member of the public. The same level of respect is expected on behalf of the public toward the officers and employees of the Park Commission.

**Section 7. *Revenue and Expenditures***

The Park Commission shall at all times keep or cause to be kept full and accurate accounts of its receipts and expenditures, and of its resources and liabilities, and shall prepare or cause to be prepared detailed annual statements thereof, and shall employ the services of the Division of Local Government of the State Department of Taxation and Finance or of a competent registered municipal accountant of New Jersey to audit, annually, the books, accounts and statements of the commission, and shall cause copies of said annual audits, when completed, to be preserved as part of its permanent records and shall transmit certified copies of such audits to the board of chosen freeholders of said county.

**Section 8. Compensation**

The members of the Park Commission shall serve without compensation but their necessary expenses shall be allowed and paid from funds of the Park Commission by the county treasurer upon warrants signed by the President or Vice-President and Secretary.