

**SOMERSET COUNTY PARK COMMISSION
RESOLUTION ADOPTING CONFLICT OF INTEREST 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 provide guidance to its officers and employees regarding avoiding conflicts of interest to ensure that its decisions and recommendations involving public monies are fairly and impartially made; and

WHEREAS, pursuant to P.L. 1991, c. 29 §5, (N.J.S.A. 40A:9-22.5), all officers and employees of the Somerset County Park Commission must comply with the Local Government Ethics Law.

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

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Conflict of Interest 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

Conflict of Interest Policy

Section 1. Purpose

To provide guidance to the officers and employees of the Somerset County Park Commission regarding avoiding conflicts of interest by way of written policy, under which the Park Commission shall ensure that its decisions and recommendations involving public monies are fairly and impartially made.

Section 2. Definitions

“Local government employee” or “employee” – means any person, whether compensated or not, whether part-time or full-time, who is employed by or serves the Park Commission.

“Local government officer” or “officer” – means any person whether compensated or not, whether part-time or full-time who serves on, and is an officer/member of, the Park Commission.

“Park Commission” – means the Somerset County Park Commission.

Section 3. Requirements

- A. All local government officers and local government employees must fully comply with Park Commission’s Board Policy # ####, Code of Conduct, and the provisions of the Local Government Ethics Law, N.J.S.A. 40A:99-22.5, as applicable.
- B. All local government officers shall annually file a financial disclosure statement pursuant to N.J.S.A. 40A:99-22.6.
- C. The Park Commission officers and employees shall abstain from taking any actions or make any decisions in any matter in which there is even an appearance of impropriety or a conflict of interest.
- D. Meetings and Documents

The meetings of the Park Commission shall be public and are subject to the Open Public Meetings Act.

During open session, officers who may have a conflict of interest with regard to the topic of discussion and/or action must leave the board table and abstain from discussion, deliberations, and voting on the relevant topic. During closed session, officers who may be in a conflict of interest shall not be in attendance during the review of the relevant issue.

Five members shall constitute a quorum for the transaction of business at any meeting of the Park Commission, and the affirmative vote of five members shall be necessary for the taking of any action.

The Park Commission shall maintain a record of its proceedings and shall maintain a suitable office where its maps, plans, papers, documents, accounts and other records shall be kept open to public inspection under reasonable regulation. The Park Commission shall not be obliged to disclose such location, surveys or maps to public inspection until it has taken proceedings to condemn real estate or any right or interest therein necessary therefore.

E. Contracts with the Park Commission

All Park Commission officers and employees are aware of the public trust inherent in their positions and shall take all necessary actions to ensure that the Park Commission's funds are issued in compliance with the requirements of the law.

To that end, the officers and employees of the Park Commission shall fully comply with the requirements set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. This includes, but is not limited to, ensuring compliance with the procurement procedures, the bidding requirements, obtaining appropriate authorizations and approvals of expenditures, and creating and maintaining all required documentation, including, but not limited to, those regarding purchases and expenditures.

The President of the Park Commission shall preside at all meetings of the Park Commission, and shall, with the Secretary-Director, sign all checks, drafts, notes, contracts and other agreements and obligations of the commission. In the absence or incapacity of the President, the Vice-President shall have all the powers and perform all the duties of the President. No disbursements shall be made, except upon the affirmative vote of five members of the Park Commission.

F. Real Estate

It shall be a misdemeanor for any member of the Park Commission or any officer or employee appointed by it, to be interested directly or indirectly in purchasing any real estate or any right or interest therein, or in furnishing any of the materials, supplies or labor for the erection or construction of any building or improvement contemplated by the provisions of the act guiding the Park Commission, or in any contract which the Park Commission is empowered to make.

G. Questions

A local government officer or employee may request and obtain from the Local Finance Board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of the provisions of this act. Advisory opinions of the board shall not be made public, except when the board by the vote of two-thirds of all of its members directs that the opinion be made public. Public advisory opinions shall not disclose the name of the local government officer or employee unless the board in directing that the opinion be made public so determines.

The President of the Park Commission shall be responsible for the enforcement of this policy.