

## Code of Ethics

### **A resolution establishing a Code of Ethics and financial disclosure requirements for the Borough of Norwood.**

**Whereas**, the Mayor and Council of the Borough established a municipal Ethics Board pursuant to Chapter 20 of The Code of the Borough of Norwood.

**Whereas**, within 90 days after the establishment of the Board, the Board shall promulgate by resolution a Code of Ethics for all officers and employees serving the Borough.

**Whereas**, the Board in interpreting and applying the provisions of Chapter 20 of The Code of the Borough of Norwood shall recognize that under the principles of democracy, public officers and employees cannot and should not be expected to be without any personal interest in the decisions and policies of government; that citizens who are government officers and employees have a right to private interests of a personal, financial and economic nature; and that standards of conduct shall distinguish between those conflicts of interest which are legitimate and unavoidable in a free society and those conflicts of interest which are prejudicial and material and are, therefore, corruptive of democracy and free society

**Now, therefore, be it resolved** by the Ethics Board of the Borough of Norwood as follows:

### **1.1 Definitions**

As used herein, the following terms shall be deemed to have the meanings indicated:

“Board” or “Ethics Board” - The Norwood Ethics Board established pursuant to Chapter 20 of The Code of the Borough of Norwood.

“Borough” - The Borough of Norwood

“Business organization” – means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity;

“Governing body” – means the commission, council, board or body, by whatever name it may be known, having charge of the finances of the Borough.

“Interest” - means the ownership or control of more than 10% of the profits, assets or stock of a business organization but shall not include the control of assets in a nonprofit entity or labor union;

“Local government agency” – means any agency, board, governing body, including the chief executive officer, bureau, division, office, commission or other instrumentality within the Borough, and any independent local authority, including any entity created by more than one municipality, which performs functions other than of a purely advisory nature, but shall not include a school board;

“Local government employee” - means any person, whether compensated or not, whether part-time or full-time, employed by or serving on a local government agency who is not a local government officer, but shall not mean any employee of a school district;”

“Local government officer” – means any person whether compensated or not, whether part-time or full-time (1) elected or appointed to any office of a local government agency; (2) serving on a local government agency which has the authority to enact ordinances, approve development applications or grant zoning variances; (3) who is a member of an independent municipal authority; or (4) who is a managerial executive or confidential employee of a local government agency, as defined in section 3 of the “New Jersey employer-Employee Relations Act,” P.L. 1941, c. 100 (C.34:13A-3), but shall not mean any employee of a school district or member of a school board;

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

“Relative” – means any of the following relations by adoption, blood or marriage; spouse, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or first cousin.

## **1.2 Ethical Standards**

Local government officers and employees of the Borough of Norwood shall comply with the following provisions:

- a. No Local government officer or employee or Relative 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;
- b. No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority:
  - i. Award any contract which is not publicly bid to a former member of that authority;

- ii. Allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before that authority; or
- iii. 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 that authority.

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

- c. 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;
- d. No local government officer or employee shall act in his official capacity in any matter where he, a Relative, 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;
- e. 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;
- f. No local government officer or employee, Relative, 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.
- g. No local government officer or employee shall use, or allow to be used, his public office or employment, or an 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 securing financial gain for himself, any Relative, or any business organization with which he is associated;
- h. 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.

- i. 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, professions, 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;
- j. 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 Relative, whether directly or indirectly, in return therefore; and
- k. Nothing shall prohibit any local government officer or employee, or Relative, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.
- l. No local government officer or employee shall approve or disapprove or in any way recommend the payment of any bill, voucher or indebtedness owed or allegedly owed by the Borough in which he or she has a direct or indirect personal, pecuniary or private interest.
- m. No local government officer or employee in the Borough shall request, use or permit the use of any public property, vehicle, equipment, labor or service for personal convenience or the private advantage of himself or herself or any other person. This prohibition shall not be deemed to prohibit an official or employee from requesting, using or permitting the use of such public property, vehicle, equipment, material, labor or service which (1) it is the general practice to make available to the public at large; (2) are provided as a matter of stated public policy for the use of officials and employees in the conduct of official business and has received formal written authorization from the appropriate person or body.

### **1.3 Financial Disclosure Statements**

- a. Local government officer shall annually file a financial disclosure statement. All financial disclosure statements filed shall include the following information which shall specify, where applicable, the name and address of each source and the local government officer's job title:
  - i. Each source of income, earned or unearned, exceeding \$2,000 received by the local government 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;

- ii. Each source of fees and honorariums having an aggregate amount exceeding \$250 from any single source for personal appearances, speeches or writings received by the local government officer or a member of his immediate family during the preceding calendar year;
  - iii. Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding \$400 from any single source, excluding relatives received by the local government officer or member of his immediate family during the preceding calendar year;
  - iv. The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year; and
  - v. The address and brief description of all real property in the State in which the local government officer or member of his immediate family held an interest during the preceding calendar year.
- b. The Local Finance Board shall prescribe a financial disclosure statement form for filing purposes. The municipal clerk shall make the forms available to the local government officers serving the Borough.
  - c. All financial disclosure statements filed shall be by public records.

#### **1.4 Powers of the Ethics Board**

- a. As set forth in Chapter 20-5 of the Code of the Borough of Norwood.

#### **1.5 Request for Advisory Opinions**

- a. As set forth in Chapter 20-6 of the Code of the Borough of Norwood.

#### **1.6 Response by the Ethics Board to a written complaint**

- a. As set forth in Chapter 20-7 of the Code of the Borough of Norwood.

#### **1.7 Preservation of written materials**

- a. All statements, complaints, requests or other written material filed pursuant to Chapter 20 of the Code of the Borough of Norwood and any rulings, opinions, judgments, transcripts or other official papers prepared pursuant to Chapter 20 of the Code of the Borough of Norwood shall be preserved for a period of at least 5 years from the date of filing or preparation, as the case may be.