

## ADMINISTRATION

### *2 Attachment 2*

#### **Appendix II Code of Ethics**

##### *1. Preamble.*

As set forth in Section 2-146 of the Teaneck Township Code, public office and employment are a public trust. As such, the proper operation of democratic government requires that local government officials and employees be independent, impartial and responsible to the people; that all government decisions and policy be made in the chattels of the governmental structure; that public office not be used for personal gain; and that no taint of personal gain, justified or unjustified, shall mar governmental decisions and actions; and that the public have confidence in the integrity of its government. In recognition of these goals, and pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., there is hereby established a Code of Ethics for all persons holding office or position in the service of the Township by election, appointment or employment, whether paid or unpaid, permanent or temporary. The purpose of this Code of Ethics is to establish ethical standards of conduct for all such persons by setting forth those acts or action that are incompatible with the best interests of the Township and by directing disclosure by such persons of private, financial or other interests in matters affecting the Township. Not every remote interest requires a public officer or employee to disqualify himself or herself from acting with respect to a particular situation. Where doubt exists, disclosure should be made so that advice of counsel or of the Municipal Ethics Board, heretofore established, may be obtained.<sup>1</sup>

##### *2. Code of Ethics.*

Local government officers and employees<sup>2</sup> shall comply with the following provisions:

(a) No local government officer or employee or member of his immediate family shall have an interest in a business organization or

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<sup>1</sup> Editor's Note: See Art. XXIX of this chapter.

<sup>2</sup> Editor's Note: Incorporated herein by reference are the definitions contained in the Local Government Ethics Law, N.J.S.A. 40A:9-22.3, including definitions for "local government officers" and "local government employees."

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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:

(1) Award any contract which is not publicly bid to a former member of that authority;

(2) Allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before that authority; 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 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 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.

(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, 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.

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(g) 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 securing financial gain for himself, any member of his immediate family 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, 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.

(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 member of his immediate family, whether directly or indirectly, in return therefor.

(k) 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.

(l) No local government officer or employee shall breach the confidentiality of a local government agency meeting in which the public has been excluded pursuant to N.J.S.A. 10:4-12 (exceptions to the Open Public Meetings Act); provided, however, it shall not be a violation of this Ethics Code if the breach of confidentiality is not proximately related to the confidential purpose of the meeting and the breach of confidentiality does not compromise the workings of the local government agency.

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(m) No local government officer shall, for a period of one year next subsequent to his termination of office:

(1) Seek or receive any contract which is not publicly bid from the local government agency on which he served;

(2) Represent, appear for or negotiate on behalf of any other party before that local government agency; or

(3) Seek or receive employment for compensation from said local government agency, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto.

The restrictions contained in this subsection shall also apply to any business organization in which the former local government official holds an interest. **[4-7-1993]**