

New Jersey Expressway Authority

"FARLEY SERVICE PLAZA" .
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CODE OF ETHICS

WHEREAS, it is essential the conduct of public officials and employees shall hold the respect and confidence of the public; and

WHEREAS, public officials and employees must therefore avoid conduct which is in violation of their public trust and which creates the justifiable impression among the public that such a trust has been violated; and

WHEREAS, to ensure the propriety and preservation of public confidence, persons serving in government should have the benefit of specific standards to guide their conduct and some disciplinary mechanism to insure the uniform maintenance of those standards among them;

NOW THEREFORE, to accomplish the purposes enunciated above, the New Jersey Expressway Authority adopts the following Code of Ethics.

Section 1. Purpose. This Code of Ethical Standards is adopted for Commissioners and employees of the New Jersey Expressway Authority to provide general guidelines concerning the conduct and activities of the Commissioners and employees of the New Jersey Expressway Authority. This Code of Ethics is consistent with the provisions of N.J.S.A. 27:12C-39, which makes it a misdemeanor for any Commissioner or employee of the Authority to be interested, either directly or indirectly, in any contract of another with the Authority or in the sale of any property, either real or personal, to the Authority.

Basic to this Code is the recognition that under our democratic form of government public officials and employees should be drawn from all of our society; that citizens who serve in government cannot and should not be expected to be without any personal interest in the decisions and policies of government; that citizens who are government officials and employees have a right to private interests of a personal, financial and economic nature; that standards of conduct should separate these conflicts of interest which are unavoidable in a free society from those conflicts of interests which are substantially material or which bring the government into disrepute.

Section 2. Definitions used in this Context. Unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

A. Authority: Means the New Jersey Expressway Authority.

B. Authority Employees: Means any person holding an office or employment in the New Jersey Expressway Authority.

C. Commissioners: Means any member of the New Jersey Expressway Authority appointed in accordance with the provisions of N.J.S.A. 27:12C-1, et seq.

D. Person: Means any natural person, association or corporation.

E. Interest: Means (1) the ownership or control of more than 10% of the profits or assets of a firm, association, or partnership, or more than 10% of the stock in a corporation for profit other than a professional service corporation organized under the "Professional Service Corporation Act" (N.J.S.A. 14A:17-1 et seq.); or (2) the ownership or control of more than 1% of the profits or assets of a firm, association, or partnership, or more than 1% of the stock in any corporation, which is the holder of, or an applicant for, a casino license or in any holding or intermediary company with respect thereto, as defined by the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.). The provisions of this code governing the conduct of individuals are applicable to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.

Section 3. Advisory Opinions. It is not possible to set forth a Code of Ethical Standards applicable to every situation which may arise and which might form the basis of a conflict of interest. In the event that a situation arises in which a Commissioner or employee is uncertain of whether or not a course of action would result in a violation of the statutes or this Code of Ethics, he shall refer the matter to the Chairman of the Authority who shall render an opinion or request an advisory opinion from the Executive Commission on Ethical Standards. A copy of each opinion by the Chairman shall be forwarded to the Executive Commission on Ethical Standards.

Section 4. Notice to Commissioners and Employees. Each Commissioner and employee shall be given a copy of this Code of Ethics and the New Jersey Conflict of Interest Law (N.J.C.I.L.) within thirty (30) days after the adoption of this Code of Ethics by the Authority. Thereafter all future Commissioners and new employees shall be given copies of this Code and the New Jersey Conflict of Interest Law promptly after their appointments.

Section 5. Standards of Conduct. In addition to those standards of conduct established by law, the following standards are hereby adopted by the Authority:

A. Acceptance of Gifts or Emoluments Prohibited: No Commissioner or employee shall accept from any person, whether directly or indirectly and whether by himself or through his spouse or any member of his family or through any partner or associate, any gift, favor, service, employment, or offer of employment or any other thing of value which he knows or has reason to believe is offered to him with the intent to influence him in the performance of his public duties and responsibilities. However, this shall not effect the rights of the Authority's Commissioner's or employees' acceptance of a gift, gratuity, favor, entertainment, loan, or other thing of value when the circumstances make it clear that an obvious family relationship, rather than the business of the persons concerned is the motivating factor.

B. Acceptance of Food or Refreshment: A Commissioner or employee of the Authority may only accept food or refreshment of nominal value and on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting, or on an inspection tour if the Commissioner or employee is properly in attendance and there is not a reasonable opportunity to pay.

C. Conflict of Interest with Duties Prohibited: No Commissioner or employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.

D. Securing of Unwarranted Privileges or Advantages Prohibited: No Commissioner or employee should use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

E. Impairment of Independent Judgment Prohibited: No Commissioner or employee shall act in his official capacity in any matter wherein he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment.

F. Conflicting Employment Service Prohibited: No Commissioner or employee should undertake any employment services, whether compensated or not, which might reasonably be expected to impair his objectivity and independence of judgment in the exercise of his official duties with the Authority.

G. Conduct Violative of Trust Prohibited: No Commissioner or employee shall knowingly act in any way that might be reasonably expected to create the impression or suspicion among the public having knowledge of his acts that he may be engaged in conduct violative of his trust as a Commissioner, officer or employee of the Authority.

H. Acceptance of Compensation Rewards, Employment, Gifts, etc.: No Commissioner or employee shall solicit, receive or agree to receive, whether directly or indirectly, any compensation, reward, employment, gift or other things of value from any source other than the New Jersey Expressway Authority, for any service, advice, assistance or other matter relating to his official duties, except as specifically permitted by N.J.S.A. 52:13D-24. The Authority may accept unsolicited advertising or promotional material such as pens, pencils, note pads, calendars, or other items of nominal interest value to be used by the Authority employees where the acceptance of same will not impair the Authority's objectivity or independence of judgment.

I. Filing of Notice: No Commissioner or employee shall engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State government without promptly filing notice of such activity with the Chairman of the Authority who shall forward such notice, together with the title and description of the official duties and responsibilities of such Commissioner or employee to the Executive Commission on Ethical Standards for its review and approval.

J. Representation Appearance or Negotiation on Proceeding Pending Before Authority: No Commissioner or employee, nor any partnership, firm or corporation in which he has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for or negotiate on behalf of, any person or party in connection with any cause, proceeding, application or other matter pending before the Authority.

K. Contracts Agreements Sales or Purchases with Authority: No Commissioner or employee shall knowingly himself, or by his partners or through any corporation which he controls or in which he owns or controls more than one (1%) percent of the stock, or by any other person for his use or benefit or on his account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by the Authority; provided, however, that the provisions of this section shall not apply to (a) purchases, contracts, agreements or sales which (1) are made or let after public notice and competitive bidding or which (2), pursuant to section 4 of chapter 128 of the laws of 1984 (N.J.S.A. 27:12C11.1), may be made, negotiated or awarded without public advertising or bids, if such purchases, contracts or agreements, including change orders and amendments thereto, shall receive prior approval of the Executive Commission on Ethical Standards.

L. Vote or Any Other Action by Member of Authority With Personal Interest: No Commissioner of the Authority shall participate by voting or any other action in any matter in which he has a personal interest. A Commissioner of the Authority shall be deemed to have a personal interest in any matter within the meaning of this section if, by reason of his participation in the matter, he has reason to believe that he will derive a direct monetary gain or suffer a direct monetary loss.

M. Relationship to Casinos: No Commissioner or employee, nor any partnership, firm or corporation with which any such Commissioner or employee is associated or in which they have more than a one (1~) percent interest, nor any partner, officer, director or employee while he is associated with such partnership, firm or corporation, shall hold, directly or indirectly, an interest in, or hold employment with, or represent, appear for, or negotiate on behalf of, any holder of, or applicant for, a casino license, or any holding or intermediary company with respect thereto, in connection with any cause, application, or matter.

N. Compliance with N.J.S.A. 27:12C-39: In all events, Commissioners, employees and agents of the Authority shall comply with the provisions of N.J.S.A. 27:12C-39.

Revised through April 1990.

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