

**BYLAWS**  
**SOMERSET COUNTY OPEN SPACE ADVISORY COMMITTEE**

**ARTICLE I: NAME**

Section 1. The name of the Advisory Committee shall be the Somerset County Open Space Advisory Committee, hereinafter referred to as "Committee".

**ARTICLE II: AUTHORITY**

Section 1. The Committee is organized under and authorized to exercise the authority granted by the Board of Chosen Freeholders of Somerset County resolution R91-241 adopted May 17, 1991, hereinafter referred to as the "resolution".

**ARTICLE III: OBJECTIVES**

Section 1. As resolved by the Somerset County Board of Chosen Freeholders, the Committee will provide bi-partisan representation in the recommendation for the annual allocation of monies for open space projects to be funded through the Open Space Trust Fund and changes or additions to the County Open Space Recreation Facilities Plan.

**ARTICLE IV: RESPONSIBILITIES**

Section 1. The Committee is charged with the following responsibilities:

- 1) Assist the Park Commission and Planning Board staffs, when required, in matters involving open space planning guidelines.
- 2) Act as a review body for the Somerset County Open Space and Recreation Master Plan (SCOSRMP) being developed by the County Park Commission and Planning Boards, or any professional associations hired to do so.
- 3) Make recommendations involving suggested changes or additions to any SCOSRMP.
- 4) Review and make recommendations to the Park Commission with a copy forwarded to the Board of Chosen Freeholders for the annual allocation of monies for open space projects to be funded through the Open Space Trust Fund assessment.

- Additions are printed in bold italic.
- Deletions are crossed out and bracketed.

- 5) The Committee shall form any number of sub-committees necessary to fulfill the above responsibilities.

## ARTICLE V: MEMBERSHIP

Section 1. All members shall be appointed by the Board of Chosen Freeholders and should provide geographical distribution of the County's regions.

Section 2. There shall not be more than (10) ten voting members composed of the following:

Class 1. One member each from the County Board of Chosen Freeholders, Park Commission and Planning Board.

Class 2. Seven additional citizen members. A citizen member may not hold office as a municipal, county or state governing official.

- 1) One appointed by Board of Chosen Freeholders
- 2) One appointed by Park Commission
- 3) One appointed by Planning Board
- 4) Two each recommended by the Democratic and Republican Party Chairman

Class 3. Professional staff liaison (non-voting members). Members of the County Park Commission and Planning Board staff as needed.

Section 3. Terms of membership shall be the following:

Class 1. The term of membership shall run coincidental to his/her official tenure or for a period of one year whichever is less.

Class 2. The term of membership shall be for a period of one year.

Class 3. Non-voting members do not have a term.

Section 4. Vacancies in membership shall be filled expeditiously in accordance with Sections 1 & 2 above.

## ARTICLE VI: ELECTION OF OFFICERS AND DUTIES

Section 1. The officers of the Advisory Committee shall consist of a Chairman, Vice Chairman and Secretary chosen from the voting members.

Section 2. Nomination of officers shall be made from the floor at the annual organization meeting.

## Article VI: Election of Officers and Duties (Cont.)

- Section 3. A candidate receiving a majority of votes of the entire membership of the Committee shall be declared elected and shall serve for one year or until such time as their membership expires in accordance with Article 3, Section 3.
- Section 4. Vacancies in office shall be filled immediately by regular election procedure.
- Section 5. The duties of the Chairman shall be to preside at all meetings and hearings; call special meetings s/he deems desirable or requested by at least three Committee members; prepare with the Secretary, the agenda for meetings; carry out such duties as normally are those of a Chairman.
- Section 6. The Vice-Chairman shall act for the Chairman in his/her absence.
- Section 7. The Secretary shall keep the minutes and records of the Committee, prepare the agenda of regular and special meetings with the Chairman, provide notice of meetings to Committee members, arrange proper and legal notice of hearings, attend to correspondence of the Committee and such other duties as are normally carried out by a Secretary. The Secretary may delegate any or all duties noted above to an appropriate staff member.

## ARTICLE VII: MEETINGS

- Section 1. The Committee shall hold an annual meeting in January, at a time and place determined by the Committee for the election of officers.
- Section 2. In addition to the annual meeting, the Committee shall meet at least three other times each year, at times and locations as designated by the Chairman.
- Section 3. A majority of the membership of the Committee, shall constitute a quorum and the number of votes necessary to transact business shall be a majority of those members present and voting. Any number present may postpone the meeting to another date. A roll call vote shall be taken on any question or resolution voted upon by the Committee, and the records of such vote shall be kept as part of the minutes of the Committee.

## ARTICLE VIII: GOVERNMENT

- Section 1. The Committee members will be governed by the ethics, rules and regulations adopted by the Board of Chosen Freeholders of Somerset County.

## ARTICLE VIII: CODE OF ETHICS

- Section 1. All committee members shall abide by the following ethical code:

Article VIII: Code of Ethics (Cont.)

- a. No committee member, employee, officer, advisor or member of his or her immediate family shall have an interest in a business organization nor engage in any business, transaction or professional activity which is in substantial conflict with the proper discharge of his or her duties within this Committee;
- b. No committee member, officer or employee shall use or attempt to use official position to secure unwarranted privileges or advantages of himself or others;
- c. No committee member, 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;
- d. No committee member, officer or employee shall undertake 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;
- e. No committee member, 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 campaigning of an announced candidate for elective public office, if the committee member has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the committee member in the discharge of his official duties;
- f. No committee member, 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.

Article VIII: Code of Ethics (Cont.)

- g. No committee member, officer or employee or business organization in which he has had an interest shall represent any person or party other than the Committee of Somerset County in connection with any cause, proceeding, application or other matter pending before the Committee. This provision shall not be deemed to prohibit the committee member, officer or employee from representing another employee where the Committee or Somerset County is the employer and representation is within the context of an official labor union or similar representational responsibilities.
- h. No committee member, officer or employee, 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.
- i. No committee member, officer or employee shall be prohibited from making any 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.
- j. Nothing shall prohibit any committee member, 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 2. The committee members, officers and employees shall annually file with the secretary of the committee a disclosure statement or letter which shall include the following information:

- a. The name and home address of the committee member, officer or employee.
- b. The address and brief description of all real property in Somerset County of which:
  - 1. The committee member holds or held an interest during the previous year or;

Article VIII: Code of Ethics (Cont.)

2. Any member of his immediate family holds or held an interest during the previous year or;
  3. Any business organization in which he has a 10% or greater interest holds or held an interest during the previous year.
- c. All financial disclosure statements shall be filed within 60 days of the appointment of the member, officer, or employee and by April 1st of each year.
  - d. All financial disclosure statements submitted to the Committee will be held now and forever confidential and only referred to by the committee in carrying out the responsibilities of the committee.

Section 3. Except as modified herein, the definitions of any terms used in this Article VIII shall refer to and be governed by the local Government Ethics Law, N.J.S.A. 40A:9-22, et seq.

Article VIII As Amended April 28, 1992

ARTICLE IX: AMENDMENTS

Section 1. These bylaws may be amended by a two-thirds vote of the current membership of the Committee at the next meeting following the meeting at which the proposed amendments are submitted.

Approved: April 10, 1992

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RESOLUTION AUTHORIZING THE ESTABLISHMENT  
OF A COUNTY OPEN SPACE ADVISORY COMMITTEE

WHEREAS, the voters of Somerset County have heretofore approved a County Open Space Assessment which generates revenue on an annual basis for the acquisition of County open space; and

WHEREAS, the special assessment referendum which authorized the Somerset County Open Space Assessment was supported by a bipartisan committee of County citizens who requested the Somerset County Board of Chosen Freeholders to establish a County Open Space Citizen's Advisory Committee; and

WHEREAS, the Somerset County Board of Chosen Freeholders in creating the Open Space Preservation Trust Fund has also identified the need for the Advisory Committee to make recommendation for the annual allocation of monies for Open Space projects and charges or additions to the County Open Space Recreation Facilities Plan to be funded through the Open Space Trust Fund; and

WHEREAS, the guidelines for the Open Space Advisory Committee call for not more than 10 total voting members composed as follows:

- a. One member each from the County Board of Freeholders, Park Commission and Planning Board
- b. Seven additional citizen members who are non-elective office holders.
  1. One appointed by Board of Freeholders
  2. One appointed by the Park Commission
  3. One appointed by the Planning Board
  4. Two each recommended by the Democratic and Republican Party Chairman
- c. Professional Staff liaison (non-voting members)  
Members of the County Park Commission and Planning Board staffs as needed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Somerset does hereby establish an Open Space Advisory Committee composed of ten (10) members appointed annually and charged with the objectives as set forth in the "Guidelines for Open Space Advisory Committee", on file with the Clerk of the Board.

I, Margaret A. Maccini, Clerk of the Board of Chosen Freeholders, County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by said Board of Chosen Freeholders at its regularly convened meeting of April 16, 1991.

  
Margaret A. Maccini, Clerk of the Board

Approved as to Form and Legality  
Somerset County Counsel

By: 