

Township of Egg Harbor

Code of Ethics and Conduct

Handbook

WELCOME

On behalf of the Township Committee and the entire Township of Egg Harbor government, I would like to thank you for your service as a member of an Egg Harbor Township municipal board, commission, committee, authority or any other appointment by the Township Committee. This handbook was prepared as a reference for those individuals who volunteer to serve.

The primary mission of Egg Harbor Township's boards, commissions, committees and authorities is to advise the Egg Harbor Township Committee in our decision-making process through direct citizen participation. Although the specific duties and even authority of each board, commission, committee and authority, vary widely, there are certain responsibilities common to all members. These guidelines are intended to guide you in your volunteer efforts on behalf of our community.

I, along with the entire Township Committee, thank you again for volunteering your time and expertise to improve our community.

Sincerely,

A handwritten signature in black ink, reading "Laura Pfrommer". The signature is fluid and cursive, with the first name "Laura" and last name "Pfrommer" clearly distinguishable.

Mayor Laura Pfrommer

INTRODUCTION

As an appointed member of an Egg Harbor Township municipal board, commission, committee, authority or any other appointment by the Township Committee, you are required to comply with the following rules of the Code of Ethics and Conduct Handbook.

Each member shall upon his or her appointment sign and submit to the Administrator's office the attached "Receipt and Acknowledgment" stating that they have received a copy of this Code and shall abide thereby.

POLICY PURPOSE

The Egg Harbor Township Committee adopted this Code of Ethics and Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Egg Harbor Township's government. This handbook is authorized under Chapter 16 of the Township Code entitled "Code of Ethics".

Each board, commission, committee and authority has various powers and duties specified by municipal ordinance and/or State law. Their primary responsibility is to advise and make recommendations to the Egg Harbor Township Committee, the elected policy-making body of the Township. Except where explicitly specified by State law, boards, commissions, committees and authorities do not make policy decisions. This responsibility legally resides with the Egg Harbor Township Committee and cannot be delegated to any other body.

A. ETHICS

The citizens and businesses of Egg Harbor Township are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Members of the Egg Harbor Township Committee, and of all Boards, Commissions, Committees and Authorities shall conduct themselves in accordance with the following ethical standards:

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Egg Harbor Township and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.
2. Comply with both the spirit and the letter of the Law and Township Policy. Members shall comply with the laws of the United States, the State of New Jersey, and the Township of Egg Harbor in the performance of their public duties.
3. Conduct of Members. The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal

attacks upon the character or motives of other members of Boards, Commissions, Committees, Authorities, the staff or public.

4. Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the Egg Harbor Township Committee.
5. Conduct at Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand.
6. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts peculiar to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.
7. Communication. For adjudicative matters pending before the body, members shall refrain from receiving information outside of an open public meeting or the agenda materials, except on advice of the Township Solicitor or their respective Board Solicitor. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the body which they may have received from sources outside of the public decision-making process.
8. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members shall not use their official positions to influence government decisions in which they have:
 - a. A material financial interest;
 - b. An organizational responsibility or personal relationship which may give the appearance of a conflict of interest; or
 - c. A strong personal bias.

A member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the Township Solicitor or their respective Board Solicitor and reasonably cooperate with the Solicitor to analyze the potential conflict. If advised by the Solicitor to seek advice from an appropriate state agency, a member shall not participate

in a decision unless and until he or she has requested and received advice allowing the member to participate. A member shall diligently pursue obtaining such advice. The member shall provide the Township Committee and the Township Solicitor or their respective Board Solicitor a copy of any written request or advice, and conform his or her participation to the advice given. In providing assistance to members, the Township Solicitor or their respective Board Solicitor represents the interest of the Township and not individual members.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and if they have a conflict of interest regarding a particular decision, shall not, once the conflict is ascertained, participate in the decision and shall not discuss or comment on the matter in any way to any person including other members unless otherwise permitted by law.

9. Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
10. Confidential Information. Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
11. Use of Public Resources. Members shall not use public resources which are not available to the public in general (i.e., Township staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.
12. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of the Township Committee shall not appear on behalf of the private interests of third parties before the Township Committee or any Board, Commission, Committee, Authority or proceeding of the Township, nor shall members of Boards, Commissions, Committees and Authorities appear before their own bodies or before the Township Committee on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
13. Advocacy. Members shall represent the official policies or positions of the Township Committee, Board, Commission, Committee or Authority to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Township of Egg Harbor, nor will they allow the inference that they do. Township Committee

Members and Board, Commission, Committee and Authority members have the right to endorse candidates for all Committee seats or other elected offices. It is inappropriate to mention or display endorsements during Township Committee Meetings, or Board, Commission, Committee and Authority meetings, or other official Township meetings.

14. Policy Role of Members. Members shall respect and adhere to the Township form of municipal government of Egg Harbor Township as outlined in the Township's Code. In this structure, the Township Committee determines the policies of the Township with the advice, information and analysis provided by the Township Administrator, Township staff, Boards, Commissions, Committees and Authorities, and the public. Except as provided by the Township Code, members shall not interfere with the administrative functions of the Township or the professional duties of Township staff; nor shall they impair the ability of staff to implement Township policy decisions.
15. Independence of Boards, Commissions, Committees and Authorities. Because of the value of the independent advice of Boards, Commissions, Committees and Authorities to the public decision-making process, members of the Township Committee shall refrain from using their position to unduly influence the deliberations or outcomes of Boards, Commissions, Committees and Authorities proceedings.
16. Positive Work Place Environment. Members shall support the maintenance of a positive and constructive work place environment for Township employees and for citizens and businesses dealing with the Township. Members shall recognize their special role in dealings with Township employees to in no way create the perception of inappropriate direction to staff.

Members shall abide by the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq. and familiarize themselves with the "Disqualification Rules" attached hereto as Appendix A.

Members shall not solicit or accept personal gifts of any form from private sources for services rendered or to be rendered as members of volunteer Boards, Commissions, Committees or Authorities or in the course of conducting business in their capacity as members of volunteer Boards, Commissions, Committees or Authorities.

No member shall be interested, directly or indirectly, in any contract with the Township, or in the compensation for goods or services furnished to the Township or any contractor furnishing the same to the Township; nor shall he or she participate in any profits of such parties or receive any gift or other reward for actions related to such activities.

Members shall not engage in partisan political activity on municipal time or property, use their position for personal gain, or unlawfully use their position to coerce others. Nothing herein shall be construed to prevent members from becoming or continuing to be members of any political party, club or organization, attending political meetings or expressing partisan political views or

circulating petitions on public questions outside of working hours and off municipal property. Nor shall members be prevented from voting with complete freedom in any election.

Members shall abide by the Local Government Ethics Law, specifically, N.J.S.A. 40A:9-22.6, which requires local government officers to file a financial disclosure statement annually. A local government officer (LGO) is defined as “any person, whether compensated or not, whether part-time or full-time: (1) elected 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, county or regional authority; or (4) who is a managerial executive employee of a local government agency, as defined in rules and regulations adopted by the Director of the Division of Local Government Services in the Department of Community Affairs pursuant to the Administrative Procedure Act,” P.L. 1968 , c. 410 (C.52:14B-2 et seq.), but shall not mean any employee of a school district or member of a school board. The Township Clerk is provided with additional guidance in order to determine which board, commission, committee, and authority members and employees are required to file. Individuals will be notified in writing by the Township Clerk of the filing requirements and provided instructions if it is determined they are a LGO. The annual filing requirement serves as an important reminder to each LGO that the citizens of New Jersey hold them to a high standard of ethical conduct. As such, both paid and volunteer LGO’s are required to file a financial disclosure statement (FDS). If you desire a more comprehensive explanation of the financial disclosure statement filing requirements you should refer to the latest Local Finance Notice together with other materials which are posted on the Division of Local Government Services’ web site, www.fds.nj.gov.

B. CONDUCT GUIDELINES

The Conduct Guidelines are designed to describe the manner in which elected and appointed officials should treat one another, Township staff, constituents, and others they come into contact with while representing the Township of Egg Harbor. These Conduct Guidelines include:

1. Elected and Appointed Officials’ Conduct with Each Other in Public Meetings

Elected and appointed officials are individuals with a wide variety of backgrounds, traits, values, opinions, and goals. Despite this variety, all have chosen to serve in public office in order to preserve and defend the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue.

(a) Honor the role of the chair in maintaining order.

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair’s actions, those objections should be voiced

politely and with reason, following procedures outlined in parliamentary procedure.

- (b) Practice civility and decorum in discussions and debate.

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Free debate does not require nor justify, however, public officials to make aggressive, personal, impertinent, defamatory, threatening, abusive, or disparaging comments.

- (c) Avoid personal comments that could offend other members.

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chairperson will maintain control of this discussion.

- (d) Demonstrate effective problem-solving approaches.

Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the Township as a whole.

2. Elected and Appointed Officials' Conduct with the Public in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- (a) Be welcoming to speakers and treat them with respect.

While questions of clarification may be asked, the official's primary role during public testimony is to listen.

- (b) Be fair and equitable in allocating public hearing time to individual speakers.

The chairperson will determine and announce limits on speakers at the start of the public hearing process.

- (c) Practice active listening.

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes,

but reading for a long period of time or gazing around the room gives the appearance of disinterest. Members shall try to be conscious of facial expressions, and avoid those that could be interpreted as "smirking," disbelief, anger or boredom. Members should at no time during a public meeting utilize their cell phone or any similar device for personal business or use.

- (d) Maintain an open mind.

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials.

- (e) Ask for clarification, but avoid debate and argument with the public.

Only one person at a time should have the floor, and it is always best for every speaker to be first recognized by the chairperson before proceeding to speak. Only the chairperson – not individual members – can interrupt a speaker during a presentation. However, a member can ask the chairperson for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing. Debate and discussion should be focused, but free and open. In the interest of time, the chairperson may limit the time allotted to speakers, including members of the Board, Commission, Committee or Authority.

3. Elected and Appointed Officials' Conduct with Township Staff

Governance of a Township relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and Township staff who implement and administer the Township's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- (a) Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- (b) Township Staff Interaction.

Elected and appointed officials should not disrupt Township staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend Township staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies

support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.

Township staff members may act as advisors to Boards, Commissions, Committees and Authorities, and can provide research and administrative services. Board, Commission, Committee and Authority members should not and cannot direct staff to work on projects without the approval of the Township Administrator. To operate the Township in an effective and professional manner, the Township Committee and Township Administrator need to be aware of the projects on which each Department is working. In addition, Board, Commission, Committee and Authority members should not make requests of professionals employed by the Township without the approval of the Township Administrator.

The Boards, Commissions, Committees and Authorities have no authority to supervise or direct the work of Departments, except in cases where State statute allows.

Correspondence and requests directed to the Township staff on behalf of the Boards, Commissions, Committees and Authorities should be routed through the chairperson.

- (c) Never publicly criticize an individual employee.

Elected and appointed officials should never express concerns about the performance of a Township employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Township Administrator through private correspondence or conversation. Appointed officials should make their comments regarding staff to the Township Administrator.

- (d) Do not get involved in administrative functions.

Elected and appointed officials acting in their individual capacity must not attempt to influence Township staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of Township licenses and permits.

- (e) Do not solicit political support from staff.

Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Township staff. Township staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

(f) No Township Solicitor-Client Relationship.

Members shall not seek to establish an attorney-client relationship with the Township Solicitor, including his or her staff and attorneys contracted to work on behalf of the Township. The Township Solicitor represents the Township and not individual members. Members who consult with the Township Solicitor cannot enjoy or establish an attorney-client relationship with the Township Solicitor.

4. Township Committee Conduct with Boards, Commissions, Committees and Authorities

The Township has established several Boards, Commissions, Committees and Authorities as a means of gathering more community input. Citizens who serve on Boards, Commissions, Committees and Authorities become more involved in government and serve as advisors to the Township Committee. They are a valuable resource to the Township's leadership and should be treated with appreciation and respect.

(a) If attending a Board, Commission, Committee or Authority meeting, be careful to only express personal opinions. Township Committee members may attend any Board, Commission, Committee or Authority meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Township Committee member at a Board, Commission, Committee or Authority meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Township Committee.

(b) Limit contact with Board, Commission, Committee, and Authority members to questions of clarification. It is inappropriate for a Township Committee member to contact a Board, Commission, Committee or Authority member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Township Committee members to contact Board, Commission, Committee or Authority members in order to clarify a position taken by the Board, Commission, Committee and Authority.

(c) Respect that Boards, Commissions, Committees and Authorities serve the community, not individual Township Committee members.

The Township Committee appoints individuals to serve on Boards, Commissions, Committees and Authorities, and it is the responsibility of those Boards, Commissions, Committees and Authorities to follow policy established by the Township Committee. But Board, Commission,

Committee and Authority members do not report to individual Township Committee members, nor should Township Committee members feel they have the power or right to threaten Board, Commission, Committee and Authority members with removal if they disagree about an issue.

Appointment and re-appointment to a Board, Commission, Committee or Authority should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties.

- (d) Be respectful of diverse opinions.

A primary role of Boards, Commissions, Committees and Authorities is to represent many points of view in the community and to provide the Township Committee with advice based on a full spectrum of concerns and perspectives. Township Committee members may have a closer working relationship with some individuals serving on Boards, Commissions, Committees and Authorities, but must be fair and respectful of all citizens serving on Boards, Commissions, Committees and Authorities.

- (e) Keep political support away from public forums.

Board, Commission, Committee and Authority members may offer political support to a Township Committee member, but not in a public forum while conducting official duties. Conversely, Township Committee members may support Board, Commission, Committee and Authority members who are running for office, but not in an official forum in their capacity as a Township Committee member.

- (f) Memorandum Submission to Township Committee.

Boards, Commissions, Committees and Authorities may be asked to advise Township Committee on decisions. In addition, Boards, Commissions, Committees and Authorities may use memorandum to bring important issues needing action to the attention of the Township Committee. Memorandum should be voted on and approved by the Boards, Commissions, Committees and Authorities before submitting. They should be sent to the Township Committee and copied to the Township Administrator and Township Clerk. Depending on the content of the memorandum, the Chairperson and/or members of the Board, Commission, Committee and Authority may be asked to make a presentation to the Township Committee or participate in a work session.

(g) Meeting with the Township Committee.

Periodically, the Township Committee may hold a work session with a Board, Commission, Committee and Authority. These work sessions serve as an opportunity for open dialogue regarding matters of mutual concern. They also provide a forum to address any issues, including those that may have a budgetary impact.

C. SANCTIONS

1. Acknowledgement of Code of Ethics and Conduct

Township Committee members who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct shall be ineligible for intergovernmental assignments or Township Committee subcommittees. Board, Commission, Committee and Authority members who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct are not eligible to hold office.

2. Ethics Training for Local Officials

Township Committee members along with Board, Commission, Committee and Authority Members who are out of compliance with State or Township mandated requirements for ethics training shall not represent the Township on intergovernmental assignments or Township Committee subcommittees, and may be subject to sanctions.

3. Behavior and Conduct

The Egg Harbor Township Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Egg Harbor Township Committee, Boards, Commissions, Committees and Authorities. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairperson of Boards, Commissions, Committees and Authorities and the Township Committee have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

Township Committee Members:

Township Committee members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Township Committee, lose seniority or committee assignments (both within the Township of Egg Harbor and with intergovernmental agencies) or other privileges afforded by the Township Committee. Serious infractions of the Code of Ethics and Conduct could lead to other sanctions as deemed appropriate by the Township Committee. Individual Township Committee members should point out to the offending Township Committee member perceived infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being questioned, then the matter should be referred to the Deputy Mayor. It is the responsibility of the Mayor (or Deputy Mayor) to initiate action if a Township Committee member's behavior may warrant sanction. If no action is taken by the Mayor (or Deputy Mayor), then the alleged violation(s) can be brought up with the entire Township Committee.

Board, Commission, Committee and Authority Members:

Counseling, verbal reprimands and written warnings may be administered by the Township Committee to Board, Commission, Committee and Authority members failing to comply with Township policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Township Committee shall be distributed in memorandum format to the chairperson of the respective Board, Commission, Committee or Authority, the Township Clerk, the Township Solicitor, the Township Administrator, and the Township Committee.

The Township Committee may impose sanctions on Board, Commission, Committee and Authority members whose conduct does not comply with the Township's policies, up to and including removal from office. Any form of discipline imposed by Township Committee shall be determined by a majority vote of at least a quorum of the Township Committee at a noticed public meeting and such action shall be preceded by a Report to Township Committee with supporting documentation.

When deemed warranted, a majority of Township Committee may call for an investigation of Board, Commission, Committee or Authority member conduct. Also, should the Township Administrator or Township Solicitor believe an investigation is warranted, they shall confer with the Township Committee.

The Township Committee shall ask the Township Administrator or Township Solicitor to investigate the allegation and report the findings.

These sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law.

D. MEETING PROCEDURES

1. Open Public Meetings Act

All meetings of a Board, Commission, Committee or Authority shall be open to the public at all times, except when the Board, Commission, Committee or Authority is meeting in a validly convened executive session.

The term “meeting” is defined as a gathering of a quorum of any Board, Commission, Committee or Authority at which any public business is discussed or at which any formal action may be taken. It is important to remember that the open meeting requirements apply to more than just in-person gatherings. They also apply to telephone conference calls, group emails, or any other means of communication where conference-like communication can occur. However, the term “meeting” does not include a chance meeting or social gathering at which the discussion of public business is not the central purpose.

2. Notice Requirement

Full and timely notice to the public must be given prior to the holding of any meeting of a Board, Commission, Committee or Authority at which a majority or quorum is in attendance or is expected to be in attendance.

Each Board, Commission, Committee or Authority chairperson should provide a list to the Township Clerk’s Office of the regular meeting dates. For special meetings, irregularly scheduled meetings, or rescheduled meetings, notice of the meeting must be filed with the Township Clerk’s Office at least forty eight (48) hours before the time of the meeting. Less notice is permitted only when dealing with matters of such urgency and importance that a delay would be likely to result in substantial harm to the public interest. Additional restrictions apply. The chairperson must confirm any such meetings in advance with legal counsel to the Board, Commission, Committee or Authority, if available, or with the Township Administrator or Township Committee.

3. Executive or Closed Session

The holding of an executive session is the only time that a meeting of a Board, Commission, Committee or Authority may lawfully be conducted privately. For most Boards, Commissions, Committees or Authorities, the use of executive sessions is a rare event and their members are encouraged to obtain advice in advance from their Board Solicitor or Township Administrator if they contemplate requesting such a session.

During an executive session, the Board, Commission, Committee or Authority cannot make final policy decisions, adopt resolutions, or take other formal action.

N.J.S.A. 10:4-12 (b) 8 provides that all personnel matters, which includes any matter involving employment, appointment, termination, terms and conditions of employment, evaluation of performance, promotion or discipline of any specific prospective or current public officer or employee may be discussed in closed session.

“unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.”

4. Agenda

The chairperson and/or board secretary shall promulgate an agenda in advance of each meeting.

Only items appearing on the agenda are to be considered. Agendas for regular meetings should be emailed to the Township Clerk at least forty eight (48) hours before the meeting to allow sufficient time for posting on the Township website.

Each Board, Commission, Committee or Authority should allow members of the public an opportunity to speak to any matter coming within its purview, regardless of whether the matter is on the agenda. The chair can impose time limitations if necessary.

5. Quorum Requirements

In order for a Board, Commission, Committee or Authority to conduct business or take formal action, a quorum of the membership must be present. A quorum consists of the majority of the total number of members specified by the municipal ordinance or state law for that Board, Commission, Committee or Authority. This quorum requirement does not change even if a position on the Board, Commission, Committee or Authority is vacant and the Township Committee has not appointed a replacement. In the event that a quorum is not present for a meeting, those present can adjourn the meeting to a later date and time.

6. Selection of a Chairperson

Each group is responsible for selecting its own Chairperson and such other officers at the first meeting of each calendar year. In the absence of the Chairperson and such other officers, a quorum of those members present shall designate an acting chairperson to preside over the meeting.

The chairperson has the power to confine discussion and to limit debate when it is no longer productive. The chairperson's rulings prevail unless overruled by a majority of the members. The chairperson retains the right to make and second motions, participate and vote on all matters.

7. Minutes

Minutes must be taken at any meeting of a Board, Commission, Committee or Authority at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur. The minutes will be made available to the public and a copy must be filed with the Township Clerk upon approval.

The minutes of a meeting during which an executive session is held shall reflect the topic of the discussion at the executive session.

At a minimum, the minutes of a meeting should contain the following information:

- Date, time and location of the meeting.
- Listing of members present.
- General outline of each major topic discussed, considered, and the outcome.
- Verbatim (to the extent possible) record of all motions along with a list of how each member voted on each motion.
- Statements made by individual Board, Commission, Committee, or Authority members explaining their vote. (Note: it is especially important that Board, Commission, Committee, or Authority member's state, and the minutes reflect, reasons for dissenting opinions.)
- Detailed recording of all formal action taken.
- Time of adjournment.

8. Approval of Minutes

Boards, Commissions, Committees or Authorities should review minutes and make any additions, deletions, or corrections. Each Board, Commission, Committee and Authority is encouraged to draft, review, and approve minutes in a timely manner. The approved

minutes should be sent by the chairperson or secretary of the Board, Commission, Committee or Authority to the Township Clerk for posting to the Township's website.

9. Rules of Procedure

Board, Commission, Committee and Authority meetings are usually conducted according to parliamentary procedure. Boards, Commissions, Committees and Authorities shall adopt standard rules of procedure for the conduct of official meetings as found in "Robert's Rules of Order".

The agenda constitutes the Boards, Commissions, Committees and Authorities agreed-upon road map. Each agenda item can be handled by the chairperson in the following basic format:

1. The chairperson should announce the agenda item number and subject.
2. The chairperson should invite the appropriate people to report on the item, including any recommendation they might have.
3. The chairperson should ask members of the Board, Commission, Committee or Authority if they have any technical questions for clarification.
4. The chairperson should invite public comments, or if appropriate at a formal meeting, open the meeting to public input. If many members of the public want to speak, the chairperson may limit the time of each public speaker. At the conclusion of the public comments, the chairperson should announce that public input has concluded.
5. The chairperson should invite a motion from the Board, Commission, Committee or Authority members. The chairperson should announce the name of the member who makes the motion.
6. The chairperson should determine if any member of the Board, Commission, Committee or Authority wishes to second the motion. The chairperson should announce the name of the member who seconds the motion.
7. If the motion is made and seconded, the chairperson should make sure everyone understands the motion. This is done in one of two ways:
 - a. The chairperson can ask the maker of the motion to repeat it; or
 - b. The chairperson can repeat the motion.
8. The chairperson should now invite discussion of the motion by the members of the Board, Commission, Committee or Authority. If there is no desired discussion or the discussion has ended, the chairperson should announce that the Board, Commission, Committee or Authority will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the

motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

9. The chairperson takes a vote. Simply asking for the “ayes” and then the “nays” is normally sufficient. If members of the body do not vote, then they “abstain.” A simple majority determines whether the motion passes or is defeated.

10. The chairperson should announce the result of the vote and should announce what action (if any) the Board, Commission, Committee or Authority has taken. In announcing the result, the chairperson should indicate the names of the members, if any, who voted in the minority on the motion.

E. ATTENDANCE POLICY

All members of Boards, Commissions, Committees or Authorities shall regularly attend the meeting of the Board, Commission, Committee or Authority upon which they are serving. Failure to do so may lead to the member’s removal after a public hearing if said member requests one, for cause. Absences from meetings is governed by Chapter 6 of the Township Code entitled “Administration of Government”, specifically Article XXV, entitled “Absences from Meetings of Boards, Commissions or Authorities”.

F. ELIGIBILITY

All members of Boards, Commissions, Committees or Authorities shall be residents of Egg Harbor Township during their tenure on said Board, Commission, Committee or Authority unless the enabling legislation or ordinance creating said Board, Commission, Committee, or Authority permits non-residents to serve. Persons employed by the Township may not serve on any Board, Commission, Committee or Authority unless so provided in the enabling legislation. Members are free to resign at any time.

G. IMPLEMENTATION

The Code of Ethics and Conduct is intended to be self-enforcing and is an expression of the standards of conduct for members expected by the Township. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations for candidates for Township Committee, applicants to Boards, Commissions, Committees and Authorities, and newly elected and appointed officials. Members entering office shall sign a statement, acknowledging they have read and understand the Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be periodically reviewed by the Township Committee, Boards, Commissions, Committees and Authorities, and updated as necessary.

Appendix A: Disqualification Rules

Members of volunteer Boards, Commissions, Committees and Authorities should conscientiously avoid participating in the functions of their respective Board, Commission, Committee and Authority on any matter, including but not limited to the establishment of policies or taking action on any application before said Board, Commission, Committee and Authority, that may involve directly or indirectly a conflict of interest which would prejudice the value of their advice. Members are often persons who by professional personal qualifications have unique involvement in certain specialty fields including but not limited to engineering, law, real estate and medicine, and as such may personally or professionally have an interest generally in the progress of particular points of view or cases in the community, which professional interest is a part of and not detrimental to their function on the respective Board, Commission, Committee and Authority.

Consequently, it is improper for any member to participate in consideration of or vote on any matter, whether it is an application or policy decision or recommendation (as appropriate), to which he or she may have a direct or indirect special relationship which could influence his or her comments, or give the appearance of unduly influencing recommendations of the Board, Commission, Committee and Authority of which he or she is a member. It is the obligation of each member to determine whether he or she has such a special relationship to any matter before said Board, Commission, Committee and Authority by applying the guidelines set forth herein. In no event shall a member be considered to have a special relationship to a matter merely because of a specific opinion based upon personal beliefs or professional views. A special relationship shall be deemed to exist where economic or personal interest, professional or otherwise, is directly or indirectly concerned with the individual matter.

The following are examples of such explanations:

- (1) Having been engaged by or having given substantial assistance to the applicant in preparation of any part of his or her submission.
- (2) Having a direct or indirect interest in financial results which may result from a ruling on the application.
- (3) Being the employer, employee, client, associate or relative, of the applicant or having a financial or proprietary interest in the application.

The foregoing examples are merely illustrative of the special interest referred to by these rules and are not to be considered definitive limits of the form special interest might take. In any situation when a special interest exists, whatever its form, it shall be the duty of the member affected to make it known to the other members of the Board, Commission, Committee and Authority and withdraw from consideration of the affected application.

RECEIPT AND ACKNOWLEDGEMENT

I affirm that I have read and understand the Township's Code of Ethics and Conduct Handbook. It is my responsibility to familiarize myself with the Township of Egg Harbor Code of Ethics and Conduct Handbook. If you do not understand any portion of the Handbook or its appendixes, please contact the Township Administrator for further guidance.

I, _____ (Print Your Name), have received a copy of the Township of Egg Harbor Code of Ethics and Conduct Handbook. I understand that the Handbook describes policies governing conduct and government ethics that are applicable to Egg Harbor Township's Boards, Commissions, Committees and Authorities. I agree to abide by these policies.

Print Name

Member's Board

Member's
Signature

Date