

DRPA-10-043
New Business: August 18, 2010
Board Date: August 18, 2010
Establishing a Policy
Requiring Commissioners,
Officers and Employees to
Avoid the Appearance of
Impropriety

RESOLUTION

RESOLVED: That the Board adopt the policy requiring Commissioners, Officers and employees to avoid any appearance of impropriety.

SUMMARY:

Amount:	N/A
Source of Funds:	N/A
Capital Project #:	N/A
Operating Budget:	N/A
Master Plan Status:	N/A
Other Fund Sources:	N/A
Duration of Contract:	N/A
Other Parties Involved:	N/A

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CONFLICTS OF INTEREST — APPEARANCE OF IMPROPRIETY

SCOPE

Defines the circumstances under which a Commissioner, Officer or employee of the Delaware River Port Authority and Port Authority Transit Corporation (collectively the Authority) may be determined to have a conflict of interest based upon an appearance of impropriety, and should therefore recuse him- or herself from matters related to that conflict of interest. Such recusal should be made in writing and/or recorded with the Corporate Secretary during the public session of an Authority public meeting.

POLICY

In the application of this Authority's policies regarding Conflict of Interest, a Commissioner, Officer or employee of the Authority should avoid the appearance of impropriety.

An "appearance of impropriety" shall mean any conduct that might reasonably lead members of the public to conclude that the Commissioner, Officer or employee is using or has used his or her official position to further his or her own financial or personal interests, which, for the purposes of this policy, shall include the financial or personal interests of the Commissioner's, Officer's or employee's relatives, or associates.

If a Commissioner, Officer or employee has reason to believe that any action or inaction by such individual could create an appearance of impropriety, the Commissioner, Officer or employee should disclose to the Board any financial or personal interest which might reasonably be perceived either as adversely affecting the Commissioner's, Officer's, or employee's exercise of independent judgment on behalf of the Authority, the Board or the public or as a breach of the Commissioner's, Officer's or employee's public trust. Following such disclosure, the Commissioner, Officer or employee should recuse him- or herself from any Authority matters the involvement in which might reasonably give rise to an appearance of impropriety by the Commissioner, Officer or employee. Such recusal shall be made in writing and/or recorded with the Corporate Secretary during the public session of an Authority public meeting.

In the case of a relative or associate, the Commissioner's, Officer's or employee's disclosure is necessarily limited to those financial interests of which the Commissioner, Officer or employee has knowledge since the Commissioner, Officer or employee may not have access to full information about all financial interests. If the Commissioner, Officer or employee believes that a relative or business associate has a financial interest related to any Authority business, the Commissioner, Officer or employee should make all reasonable efforts to obtain and disclose information about the financial interest, and to recuse him- or herself from

involvement in any Authority matters related to that relative or business associate's financial interest. . Such recusal shall be made in writing and/or recorded with the Corporate Secretary during the public session of an Authority public meeting.

For the purposes of this policy relative means spouse, parent, parent-in-law, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepsiblings, half siblings, whether related by blood marriage or adoption, "significant other" or any person residing within the same household of a Commissioner, Officer, or employee.

An "associate" of a Commissioner, Officer or employee includes a person, entity, or enterprise with respect to which the Commissioner, Officer or employee (i) is a director, officer, employee, member, partner, or trustee; (ii) has a financial interest that represents 5% or more of his or her assets; (iii) owns or controls more than 10% of the profits, assets, or stock; or (iv) has any other material association.