

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
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Handwritten:
Jm mdr
10-15-14
[Signature]

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
COMMISSION CASE NO. 027-17

**IN THE MATTER OF
BRUCE GOLDBERG,
ADMINISTRATIVE ANALYST 4,
BOARD OF PUBLIC UTILITIES**

**Administrative Action
CONSENT ORDER**

WHEREAS, the State Ethics Commission ("Commission") is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* ("Conflicts Law"), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code, and any agency code of ethics by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission conducted an investigation of all the matters and issues raised by the complaint; and

WHEREAS, as a result of the investigation, the Commission and Bruce Goldberg, ("Goldberg") desire to enter into a final and complete resolution of all of the matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. Goldberg has been an Administrative Analyst 4 with the Board of Public Utilities ("BPU") since 2006. At all times relevant to this matter, Goldberg was a State employee subject to the New Jersey Conflicts Law, *N.J.S.A. 52:13D-12 et seq.*

2. Between November of 2016 and March of 2017, Goldberg was involved in the BPU's hiring of his ex-wife, Beth Goldberg ("Beth"), to a temporary employee position within BPU's Division of Reliability and Security ("R&S") One Call Program, which was funded by a federal grant.

3. When Goldberg became aware of the available position, he discussed Beth's fit for the position with two BPU employees on the interview panel for the position. He also contacted a senior official in the One Call Program and advocated that Beth was a hard worker.

4. The two interviewers who were contacted by Goldberg agreed that Beth was the most qualified candidate for the position, and Beth was selected for the position.

5. Before Beth could be hired, a Spending Authorization Request ("SAR") needed to be signed by the BPU Chief of Staff. Goldberg was involved in creating of the SAR for Beth and he discussed it with the Chief of Staff before she approved and signed the SAR.

6. After Beth began working with the One Call Program, Goldberg was asked by his supervisor to analyze the 2016 grant that was funding Beth's position. He concluded that R&S would not spend all the money in the 2016 SDPG, so he made recommendations on how R&S could utilize the additional available grant money. Goldberg provided two recommendations for how to spend the entire \$100,000 available in the 2016 SDPG, one of which was that, if there was sufficient workload, Beth could work extra hours and be paid overtime.

7. Goldberg then contacted the point person at BPU concerning matters involving temporary employees to discuss whether Beth could work overtime. After being advised that

overtime for temporary employees is not allowed, Goldberg continued to advocate for Beth to receive overtime. His efforts included contacting the Department of the Treasury to find out if overtime was allowed for temporary employees, and sending multiple emails to BPU employees disputing the conclusion that temporary employees at BPU cannot receive overtime. Goldberg also contacted the BPU Chief of Staff directly by email seeking approval for Beth to work overtime.

8. In May of 2017, Beth's temporary employment with the BPU was terminated. Thereafter, Goldberg actively sought Beth's reinstatement to the position. His efforts included talking to the BPU Chief of Staff and emailing BPU's President multiple times requesting reconsideration of Beth's termination, as well as emailing BPU's Deputy Chief of Staff multiple times to discuss Beth's situation.

9. It is the Commission's position that Goldberg violated *N.J.A.C.* 19:61-7.4 (the Commission's recusal rule), and sections 23(e)(3) and 23(e)(7) of the Conflicts of Interest Law, through his involvement in employment matters concerning his ex-wife. Specifically, Goldberg advocated on Beth's behalf to get her hired into a temporary employee position with the One Call Program; he recommended, and then actively sought to obtain approval, to allow her to work extra hours and receive overtime pay; and he sought her reinstatement when her employment with the BPU was terminated.


10. It is Goldberg's position that he was acting in his normal duties and not violating the Conflicts Law by analyzing the status of the grant and notifying BPU of steps that could be taken to fully utilize all available grant monies, including Beth's potential opportunity to receive overtime. It is also Goldberg's position that he was unaware that he was not permitted to inquire about employment for Beth and her reinstatement at the time he took these actions.

11. In hindsight, however, Goldberg acknowledges that his involvement in employment matters concerning Beth could be construed as an effort to provide an unwarranted benefit to his ex-wife in violation of section 23(e)(3) of the Conflicts Law, that his actions created the reasonable impression that he was engaged in conduct violative of the public trust in violation of section 23(e)(7) of the Conflicts of Interest Law, and that that he was obligated to recuse from employment matters concerning his ex-wife pursuant to *N.J.A.C. 19:61-7.4*.


12. In consideration of the above, Goldberg agrees to pay a civil penalty in the amount of \$1,800 to resolve this matter, payable in twenty-four monthly installments of \$75.00 each month via personal check or money order payable to the State of New Jersey Treasurer. Payments are due ~~by~~ ^{on or before} the first of the month, commencing the month following the full execution of this consent order.


Bruce Goldberg

Dated: 10/15/19


State Ethics Commission
By: Joseph P. LaSala, Chair

Dated: 12/9/19


State Ethics Commission
By: Mark T. Holmes, Executive Director

Dated: 12/3/19