

Dunbarton Ethics Committee
Town of Dunbarton
1011 School Street
Dunbarton, NH 03046

December 17, 2004

Board of Selectmen
Dunbarton Town Offices
1011 School Street
Dunbarton, NH 03046

Re: Request for Written Advisory Opinion

Dear Selectmen:

This letter is in response to your request for a written advisory opinion on the issue of whether a full-time Transfer Station Supervisor for the Town ("Supervisor") can simultaneously operate a private trash pick-up business in Dunbarton.

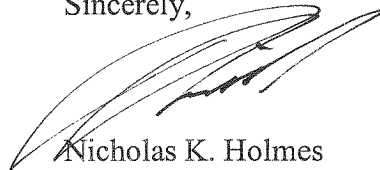
The Ethics Committee ("committee") met on December 16, 2004, to consider your request. §I.A of the Dunbarton Code of Ethics requires all town employees to avoid "*even the appearance of a conflict of interest.*" (Emphasis in original) The Ethics Code defines a "conflict of interest" as:

A situation, circumstance, or financial interest which has the potential to cause a private or personal interest to interfere with the proper exercise of a public duty.

After discussing the issue, the committee concluded that a situation where the Supervisor of the Transfer Station also operates a private trash pick-up business in Dunbarton would create the appearance of a conflict of interest. The private business would necessarily conduct business with the Dunbarton Transfer Station. There are numerous possible scenarios which could easily arise where the Supervisor's personal interest in the trash pick-up business could conflict with the Supervisor's proper exercise of his duties on behalf of the Town of Dunbarton.

We would like to commend all involved for proactively evaluating the ethical implications of this issue.

Sincerely,



Nicholas K. Holmes
For the Dunbarton Ethics Committee

Cc: Supervisor
Building Inspector