

74.6

R E S O L U T I O N

BE IT AND IT HEREBY IS, by the Board of Supervisors of West Bradford Township, RESOLVED.

WHEREAS, in the past certain decisions have been made and actions taken by various elected and appointed officials of the Township wherein their actions were entirely proper, but an appearance of conflict or impropriety could have been inferred, and

WHEREAS, the Board is desirous of setting forth specific standards with respect to the conduct of elected and appointed officials in the Township so that no appearance adverse to the Township may be inferred, and

WHEREAS, the Board desires to affirm that nothing herein shall be construed as criticism or condemnation of any person's conduct, present or past, but merely desires to assure a uniform standard for the future.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, as follows:

(a) DISQUALIFYING INTERESTS:

When any Township elected or appointed official or any employee of the Township shall learn that he has a direct interest, pecuniary or proprietary, in any matter being considered before the Board of Supervisors, the Planning Commission, the Zoning Hearing Board or any other Township official or body, he shall forthwith

make full disclosure of the nature and extent of his interest and shall take no part whatsoever in any discussions, deliberations or in any vote upon that application or submission.

(b) INDIRECT INTEREST:

Where any appointed or elected Township official or any employee of the Township has an indirect interest, pecuniary or proprietary, in any matter being considered by any Township official or body, he shall forthwith disclose the same and shall continue to act therein only upon affirmative permission of the body before whom the matter is pending and the Board of Supervisors if the Board is a party to the proceeding as distinguished from a body adjudicating the same. For example, the Township Engineer shall not represent the applicant before the Zoning Hearing Board except after disclosure to and affirmative approval by both the Zoning Hearing Board and the Board of Supervisors.

An indirect interest shall include, but shall not be limited to, an attorney or engineer's representation in his professional capacity of a developer or applicant.

(c) REMOTE INTERESTS IN APPLICATIONS OR PROCEEDINGS:

Where there is only a remote interest in any application or proceeding pending before the Board of Supervisors or any other Township body or official, if there appears to be a remote interest in the outcome of the proceeding, with respect to any elected or appointed official or employee, immediately upon learning of the same, the official or employee shall forthwith disclose the same and shall state whether or not that interest is sufficient to influence his determination in the matter then

pending. No Township officer or employee shall represent any party-applicant before any board or body of the Township without the express approval of the adjudicating body and the Board of Supervisors regardless of whether the interest be classified as disqualifying, indirect or remote.

A remote interest shall be deemed to include, but shall not be limited to, an attorney or engineer who represents a broker or agent representing a developer; a supervisor or member of the Planning Commission who has no direct interest in the outcome, but a relative by blood or marriage is the applicant (provided, however, the application of a spouse or child shall be deemed to be an indirect and not a remote interest); an application which was prepared by a member of the firm employing that appointed or elected official or employee provided he is not still employed by that firm at the time of consideration.

The above recited rules are intended to be mandatory and in all cases where any doubt arises as to the necessity for disqualification, that doubt shall be resolved in favor of disqualification so that the actions and integrity of the Township shall be protected and may better serve the public interest.

BY THE BOARD:

Thomas J. McGrady
H. B. Metherell
R. D. ...

12-10-74