

RESOLUTION NO. 15-003

ADOPTING POLICY PROHIBITING THE HOLDING OF POSITIONS THAT PRESENT CONFLICTS OF INTEREST AND VIOLATE THE DOCTRINE OF INCOMPATIBILITY

WHEREAS, public policy demands that an office holder discharge his/her duties with undivided loyalty; and

WHEREAS, the doctrine of incompatibility is intended to assure performance of that quality; and

WHEREAS, incompatibility arises when there is a conflict or inconsistency in the functions of an office and exists where in the established governmental scheme one office is subordinate to another, or subject to its supervision or control, or the duties clash, inviting the incumbent to prefer one obligation to another; and

WHEREAS, pursuant to N.J.S.A. 40A:14-70.1(b), members of a volunteer company are under the supervision and control of the board of fire commissioners; and

WHEREAS, pursuant to N.J.S.A. 40A:14-81.1(a), the commissioners appoint individuals to paid positions and determine the terms of, fix the compensation for, and prescribe the powers, functions and duties of all paid positions so established; and

WHEREAS, the Local Government Ethics Law, N.J.S.A. 40A:9-22.5, prohibits the undertaking of any employment or service, whether compensated or not, which might reasonably be expected to prejudice the officer's or employee's independence or judgment in the exercise of his/her official duties and also prohibits any local government officer or employee from acting in his/her official capacity in any matter where he/she has a direct or indirect financial or personal involvement that might reasonably be expected to impair his/her objectivity or independence of judgment; and

WHEREAS, it is the desire of the Board of Commissioners of the Harrison Township Fire District to provide for the public trust in its actions and ensure that independence of judgment is not compromised in any way;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Harrison Township Fire District that no duly elected fire commissioner may serve as a paid or volunteer firefighter, fire officer, business administrator, fire inspector or in any other position under the supervision and control of the Board of Commissioners of the Harrison Township Fire District at the same time; and

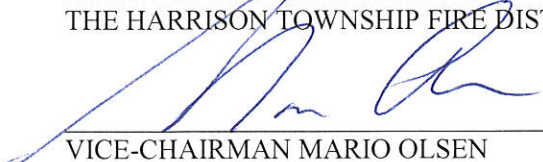
BE IT FURTHER RESOLVED that this resolution shall hereby amend the Harrison Township Fire District's Personnel Policy and Employee Manual to provide for such prohibition.

ATTEST



COMMISSIONER ANDREA REAHM
SECRETARY

BOARD OF FIRE COMMISSIONERS OF
THE HARRISON TOWNSHIP FIRE DISTRICT



VICE-CHAIRMAN MARIO OLSEN

Dated: 11/21/2015