



There's something I think you've a right to know. I'm in conflict-of-interest. As a matter of fact, it's almost impossible, if you do anything other than work, eat and sleep, not to be.

My personal conflict comes as a result of accidental and incidental occurrences over the past several years. One such incident is the development of friendship between me and the Eshbaugh family.

It started when Bill and Jane attended a meeting of the Committee of One Hundred formed by the Barnstable School Committee. I attended also, and met them for the first time.

Later both Bill and I were asked to serve and work together as members of the School Building Study Committee. It was there, perhaps, we learned respect for one another's viewpoints.

When Jane became involved with the Barnstable Recycling effort, she enlisted me as a lieutenant; we both worked hard to make it successful. Together we attended evening meetings from Falmouth to Orleans, taped radio spots, wrote articles, press releases and news items.

For months we collected glass and cans for recycling on Saturday mornings at the Community Center, along with a dozen or more other volunteers and, with the cooperation of business people in Osterville who loaned their trucks and vans, carted the recycled materials to the Monument Beach center.

Still later, after the Charter Commission was elected, I was asked to serve as salaried clerk of the commission. It met weekly for nine months. During that time I watched Bill Eshbaugh's interest in town government grow from casual concern to intense involvement.

Bill devoted long hours of study to analysis of the government of Barnstable, and to the development of a more workable administrative plan. He became dedicated to the ideal of well-organized town government.

During that time he put much of himself into the work of the commission and gradually his interest in becoming Selectman himself grew, for he hoped to be able to implement the plans proposed.

All of us present at the commission meetings were favorably impressed with the quantity and quality of Bill's contribution, even when (as sometimes happened) the commissioners weren't in complete accord with his conclusions.

For example -- and this has been largely overlooked, and I feel it's time recognition was given it -- at the time the vote of the Charter Commission was taken on the kind of system to recommend, Bill Eshbaugh was the only one of the nine commissioners to vote against continuation of the Selectman - Town Meeting form of government.

He believed a professional town manager could serve better than elected Selectmen, that the town would benefit from such a system. He changed his vote, however, to support the other eight commissioners to make their report unanimous.

It was after that, I feel, he reached his final decision to run for the post.

When he announced his candidacy, it came as no surprise to us who had witnessed his concern for and dedication to the Town of Barnstable. I supported him wholeheartedly throughout his campaign. And I still do, for I think we have in Bill Eshbaugh an excellent public servant.

And therein lies my conflict-of-interest. The Eshbaughs are my friends; as my friends they have my backing. Knowing, as I most certainly do, Bill's first concern is for the welfare of our townspeople, I believe he's doing what he sees is right and proper.

As it's written, the conflict-of-interest law prohibits a person with any outside interest from serving effectively as an elected or appointed official of the town, and state or the nation, since the law prohibits the "appearance of conflict" as well as actual conflict.

There is, then, conflict-of-interest when any business person serves on any town committee. Take the Traffic Commission for instance, on which I served for several years.

Among others, a furniture store owner, an operator of excursion boats, a clothing store owner, a candlemaker, a hardwareman, -- all are, or have been, commissioners of traffic.

They serve because they have an interest. For what other reason would they give up a couple of evenings a month without recompense, after putting in full days at their businesses?

Should a successful businessman be required to divest himself of his future financial security when entering a position of public trust? What assurance has he of retaining his position when his term of office expires? Without guaranteeing the latter, we can't reasonably expect the former.

We're all in a position now where we either believe in those we've elected, believe they're honest, upright and sincere in doing the job to the best of their ability -- or we believe they're crooks out to feather-their-own-nests and milk the public trough.

I put none of the three present Selectman in the second category. I believe all are trying their best to solve the many problems the Town of Barnstable faces.

To run the twelve-million-dollar business comprising the Town of Barnstable, qualified leadership is necessary. Apparently it's no longer possible to continue the traditional Selectman-Town Meeting system without those officials being in jeopardy because of the conflict-of-interest law, even though they may be completely honest and capable.

It seems the time has come to employ a professional person who may be better able to manage our affairs without the internal personality conflicts and the external interest conflicts the present Selectmen are being charged with.

However, I raise a question: if the town hires a manager and elects a council to provide guidance, will that council be free of conflict-of-interest?

Similarly, when we elect Town Meeting Representatives, are we protected from their conflicts-of-interest? If we examine the professions and employment of our elected representatives, we see a large and still-growing percentage falls into one of several categories.

Town employees. Real estate agents. Building contractors. Lawyers. Merchants and businessmen. These comprise the majority. There is a scattering of housewives. There are some retired persons. A few are employees of private enterprise and have no visible ax to grind.

Most of those willing to give the necessary time and effort to being representatives, however, have some direct personal interest in town government actions.

When a vote on the town payroll comes before town meeting, town employees who are representatives can't help being in conflict. When a vote comes on a zoning change, real estate agents, building contractors, and related trades-people as well as conservationists are, in most cases, in conflict.

Is there nothing to be done, in our democratic form of government, to prevent conflict of interest since, for the most part, these people are the only ones concerned enough to participate in governing the town?

Who, among us all, is not -- at some time -- in conflict-of-interest?