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**CITY OF STAMFORD**  
**BOARD OF ETHICS**  
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September 22, 2022

Commissioner Stephen Fischer  
% Urban Redevelopment Commission  
888 Washington Boulevard  
Stamford, CT 06904-2152

Dear Mr. Fischer:

The Board of Ethics (the “Board”) has reviewed your email of August 4, 2022 and your statements to the Board at its August 17, 2022 meeting in connection with your request for an advisory opinion (“Request”) concerning your ethical obligations as a member of the Urban Redevelopment Commission (“URC”) in light of your position as Commander of the Stamford Veterans Council (“Council”). We thank you for your service to the City of Stamford, to our country, and for your request.

Specifically, as we see it, the question we are asked to answer is whether you have a conflict of interest under the Stamford Municipal Code of Ethics (“Code”) when you make inquiries of the URC as to when already allocated funds will be released to the Stamford Veterans Park Partnership (“SVPP”).

Before discussing the pertinent Code sections, it is important to set forth a few facts you shared. The URC is an agency created by the City of Stamford that handles municipal development projects. It is governed by a five-person commission appointed by the mayor. You have been on the URC for several years. Last year, during your tenure, the URC granted money to the SVPP.

SVPP is a non-profit that raises funds to help preserve and publicly display memorials of veterans educate the public regarding veterans’ history, help support a safe and attractive hub for public gatherings and help perform beautification and enhancement of initiatives in Veterans Memorial Park. You are not a member of, or employed by, the SVPP.

You are the Commander of the Council, a local organization comprised of representatives from the American Legion, Veterans of Foreign Wars, Catholic War Veterans, Jewish War Veterans, the Marine Corps League and Disabled American Veterans. Your involvement with the Council is as a volunteer.

You advised us that on several occasions over the past year, you made inquiries to the URC as to when it will release funds already allocated to the SVPP. In addition, you stated some people have suggested you may have a conflict of interest in pressing for the release of funds.

Of relevance to our analysis are the following sections of the Code, as revised on October 4, 2021 by Ordinance No. 1280: Section 19-4, Section 19-5, and Section 19-6.

Section 19-4 A of the Code sets forth, in relevant part, the following general rule regarding conflicts of interest:

“To avoid the appearance and risk of impropriety, a city officer or employee shall not take any official action that such person knows is likely to affect the economic interests of[.] . . . (1) the officer or employee . . .”

The definitional section of the Code, Section 19-3 states:

*“Economic interest.”* “Economic interest” includes, but is not limited to, legal or equitable property interests in land, chattels, intangibles, and contractual rights, each having more than de minimis value. Ownership of stock in a publicly traded corporation does not constitute ownership for purposes of this code if the employee or officer owns less than five (5%) percent of the voting stock or shares of the entity or the value of the stock is less than fifteen thousand dollars (\$15,000.00).”

Section 19-4 C further clarifies that for purposes of a conflict of interest “[a]n action is likely to affect an economic interest if it is likely to have an effect on that interest that is distinguishable from its effect on members of the public in general or a substantial segment thereof[.]”

We conclude that as a volunteer board member of the URC and Commander of the Council, you do not receive an economic interest from grant monies awarded to the SVPP, and therefore there is no conflict under Section 19-4 C.

Another relevant Code Section 19-5 A further limits the conduct of a city officer or employee as follows:

“General rule. A city officer or employee may not use such person's official position to advance or impede private interests.”

Private interest is not defined in the Code, but we find that your interest in inquiring whether monies get released to the SVPP is more of a public interest inquiry and therefore there is no conflict of interest under Section 19-5 A.

The last Code Section to consider is Section 19-6 which states:

“No Officer...shall represent a person, other than the city, before the agency of which such officer...is a member.”

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1 The Stamford Municipal Code of Ethics, §19-4, available at [https://library.municode.com/ct/stamford/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH19ETCOOF](https://library.municode.com/ct/stamford/codes/code_of_ordinances?nodeId=COOR_CH19ETCOOF) All citations to the Code can be accessed herein.

You have advised us that you are neither an officer nor member of the SVPP. Your inquiries about the release of funds are related to the policies and procedures followed by the URC. Your inquiries do not create a conflict of interest under Section 19-6 A.

This advisory opinion is a public document. The opinions stated herein are expressly based on the accuracy and completeness of the information presented to the Board and are confined to the specifics of the question(s) put to the Board in rendering such opinions. The Board wishes to emphasize that its finding pertains only to your specific circumstances and should not be construed as precedent for any future requests for an advisory opinion or complaint filed with the Board.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Allan D. Lang".

Allan D. Lang, Chair  
Board of Ethics

cc: Town & City Clerk  
File