



City of Stamford
Board of Ethics
888 Washington Blvd.
Stamford, CT 06901

February 9, 2015

Mr. Nicola Tarzia
[REDACTED]
[REDACTED]

Re: Advisory Opinion

Dear Mr. Tarzia:

The Board of Ethics (the “Board”) has reviewed your letter requesting an advisory opinion as to whether a prohibited conflict of interest would exist should you become a member of the Energy Improvement Board of the City of Stamford (the “EIB”). We thank you for your letter and for your request of an advisory opinion.

Section 19-4 of the Stamford Municipal Code of Ethics (the “Code”) sets forth the following regarding conflicts of interest:

“No officer or employee shall engage in any business or transaction or have a personal, immediate family or business interest, directly or indirectly, which is in material conflict with or incompatible with the proper discharge of his or her official duties or that by creating a divided loyalty might influence or impair his or her independence of judgment and action in the performance of said duties. A conflict of interest exists whenever an officer or employee will more likely than not benefit, disproportionately from other citizens of the city, directly or indirectly, from a decision over which they have influence.”¹

Sections 19-5(A) and (C) of the Code state the following:

“A. Unless otherwise provided by law, an officer or employee shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if said individual or any member of his or her immediate family or a business with which he or she is associated would be likely to gain or lose a material benefit that is not common to the general interest of other citizens of the city.

¹ Stamford, CT., Code of Ordinances § 19-4 (2014), available at <https://www.municode.com/library>.



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C. An officer or employee shall not receive special consideration, treatment or advantage in any activity or business transaction in which the city is a client or a customer beyond that which is generally available to other citizens of the city.”²

² Id. at § 19-5.



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In light of the information you provided at the Board's January 5, 2015 meeting and as set forth in your letter, the Board is of the opinion that the Code does not prohibit your joining the EIB as a member. However, during your time as a member of the EIB, should a matter come before it that could result in (i) a material benefit to your business or to you or your family personally, or (ii) any special consideration, treatment or advantage to you personally (including indirectly through advantage to your business), a conflict of interest would exist and you would be required (at a minimum) to disclose all pertinent information about the conflict to the EIB and to recuse yourself from all EIB activity regarding such matter, including all discussions thereof.

This advisory opinion is a public document. The opinions stated herein are (i) conditioned on the accuracy and completeness of the information presented to the Board, and (ii) pertain only to the specific circumstances of the case at issue and should not necessarily be construed as precedent in connection with any future request for an advisory opinion or complaint filed with the Board.

Sincerely,

The Board of Ethics of the City of Stamford

Cheryl G. Bader, Chair

Cc: Donna M. Loglisci, Town & City Clerk