

Board of Ethics
City of Stamford
888 Washington Boulevard
Stamford, CT 06901

May 9, 2011

John F. X. Leydon, Jr.
[REDACTED]
[REDACTED]

Re: *Requests for Advisory Opinions dated February 17, 2011 and
February 23, 2011*

Dear Attorney Leydon:

This letter replaces my letter of April 4, 2011. You have requested that the Board of Ethics (the "Board") issue advisory opinions concerning potential conflicts of interest relating to your service on the Board of Education and your role as an attorney in private practice in this city, and whether specific conduct would constitute a violation of the City of Stamford Code of Ethics (the "Code") and, in particular, sections 19-5 and 19-6. In issuing this response to your requests for advisory opinions, the Board relies on the information contained in your written requests and on the statements you made in person at our meeting held on March 28th.

Except as noted below, our response to each of your inquiries was the unanimous decision of our Board. With respect to your February 17, 2011 request, we respond to each inquiry as follows:

1. May I interact with Mr. Barbarotta and, specifically, vote on facility matters on which he and/or AFB has worked?

RESPONSE: You must refrain from participating in matters that have or may have a financial impact on AFB or the Board of Education. By a vote of 6 to 1, we rule that you may not vote on facility matters on which Mr. Barbarotta and/or AFB has worked or will work in the future.

2. May I vote on matters relating to AFB's contract with the Board of Education?

RESPONSE: No, you may not vote on matters relating to AFB's contract with the Board of Education.

3. May I vote on budget items that pertain to AFB?

RESPONSE: No, you may not vote on budget items that pertain to AFB.

4. May I vote on the overall Board of Education budget?

RESPONSE: Yes, you may vote on the overall Board of Education budget.

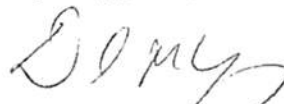
With respect to your February 23, 2011 request, we acknowledge that you have agreed to abstain from voting on matters relating to the "interaction" defined in your letter, as well as matters relating to the "traffic management plan" described in your letter and discussed on March 28, 2011. We also acknowledge that you have agreed to discuss the traffic management plan and undertake any other interactions with Stamford Public Schools in regard to the "combined properties" only in the presence of adverse counsel. To the extent the Board of Education has before it matters relating to the combined properties, you will neither represent your client with respect to that matter before the Board of Education nor participate on the Board of Education with respect to that matter. Generally, we also advise you may not represent your client before the Board of Education with respect to matters before it, and you must recuse yourself from participating in discussions or votes of the Board of Education relating to matters that your client may have before it. With respect to your February 23, 2011 request, however, we note uncertainty regarding future issues that may arise, and we therefore encourage you to ask for clarification of this ruling in the event issues present themselves that we may not have appreciated.

The scope of our authority is limited to the Code. The Board does not have the power to issue any opinion as to any other "local law" or with respect to any other obligation you may have as an attorney or Board of Education member.

This opinion is binding upon the Board unless amended or revoked, and your reliance upon this opinion in good faith is an absolute defense to any action or proceeding brought under the provisions of the Code with respect to the facts and circumstances as they have been presented to us.

Thank you for taking the time to request an advisory opinion, and for your service to the City of Stamford. Our Board was impressed by your clear desire to ensure that your service to the City is not in any way tainted by a potential conflict of interest, by your recognition of each of these issues, and by your diligence in presenting them to us.

Very truly yours,



Daniel M. Young
Chairman, Board of Ethics

cc: Donna Loglisci (Town Clerk)
Members of the Board of Ethics