

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

January 15, 2001

[REDACTED]
Stamford, CT 06902

RE: Request for Advisory Opinion

Dear Ms. [REDACTED]

You have requested the Board of Ethics (the "Board") issue an advisory opinion addressing the following scenario. You are a member of the Board of Representatives and certain Board of Representative sub-committees [Housing/Community Development and Fiscal]. You have purchased a house in need of rehabilitation and want to seek governmental funding from a variety of sources. You specifically asked us to address possible conflicts with your applying for funds under the following scenarios: 1) from the City's Lead Paint Hazard Reduction Program, 2) from the Housing/Community Development Committee's fund for general renovations, and 3) from other independent agencies that may obtain funding allocated by the Housing/Community Development Committee (eg: Adopt-a-House).

The Board met with you on December 6, 2000 to consider your request (one member absent). In issuing this opinion, the Board relies upon the information contained in your written request for an advisory opinion dated November 27, 2000, and your statements made at the December 6 meeting.

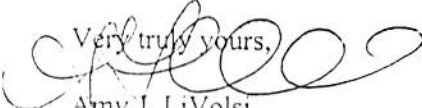
It is the unanimous opinion of the Board of Ethics that no conflict of interest exists if you apply for funds under the City's Lead Paint Hazard Reduction Program. The Board notes that this program is available to all citizens of the City. So long as you do not enjoy a benefit that is not generally available to other City residents, the Board is of the opinion that your participation in this program would not violate the Code of Ethics.

It is the opinion of the Board of Ethics that you may not be a member of the Housing/Community Development Committee ("HCDC") as long as you or a family member 1) apply for funds, 2) receive funds, or 3) are eligible to receive or apply for funds from any HCDC program. This prohibition also applies to the situation where a piece of property in which you have an interest has received, applied for or is eligible to receive funds from any HCDC program. We suggest your removal from the HCDC for as long as you own property which is susceptible to funding from any HCDC program, or has received funding in the past from any HCDC program. The Board notes that the Housing/Community Development Committee allocates funds from a finite pool. The HCDC decides which applicants receive funding, and the amount of funding received by each. Each decision of the HCDC affects the amount in the pool that is available to other applicants. The Board of Ethics believes it would be a direct conflict for you to receive or apply for funds under scenarios #2 and #3, above, while a member of the HCDC. You may remain a member of the Board of Representatives provided that you refrain from any discussion, debate or voting on any HCDC programs.

This opinion is binding upon the Board unless amended or revoked, and reliance upon this opinion in good faith is an absolute defense to any action or proceeding brought under the provisions of the Code of Ethics.

Thank you for taking the time to request an advisory opinion, and for your service to the City of Stamford.

Very truly yours,


Amy J. LiVolsi
Chairman, Board of Ethics

cc: Sally Truglia Serafino (redacted copy)
Members of the Board of Ethics (Kaplan, Summons, Anderson, Levine)