



CITY OF STAMFORD

444 WASHINGTON BOULEVARD

P.O. BOX 10162

STAMFORD, CT 06404-2162

October 7, 1993

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STAMFORD BOARD OF ETHICS

, Esquire

Stamford, Ct.

Dear

You have represented to the Board of Ethics that you are an employee of a law firm and a member of the Board of Representatives. You have also represented to us that you are an officer of a local non-profit organization organized for the purpose of engaging in fraternal and charitable endeavors. As a member of the Board of Representatives you are often provided information on a variety of topics. While much of that information is considered public and available to all citizens under the State's Freedom of Information Act, there may be some data that you are provided that is confidential. Confidential data is protected by the State Freedom of Information Act.

The non-profit organization of which you are an officer is involved in a pending land transaction. The transaction may be affected by the status of an parcel which is owned by the City of Stamford. The law firm that you are a member of has been retained to represent the organization. You have worked on this matter.

You have asked whether the law firm of which you are an employee may represent the non-profit organization including representation, if needed, before the various land use boards of the City of Stamford including the and

The Code of Ethics does not apply to the law firm in which you are employed. The Code applies to you in your individual capacity. It is the opinion of this Board that there is no restriction upon the ability of the firm which employs you to represent the organization in question.

You have also inquired as to whether you may forward to the organization any information regarding the property, even if such information is received

in your capacity as a member of the Board of Representatives. Section 8 of the code of Ethics prohibits a City employee or officer from disseminating confidential information. Provided the information in question is available to the general public, the Code does not prohibit you from forwarding copies to the non-profit organization. Further the Code does not prevent you, in your capacity as an officer of the non-profit organization from acting upon the publicly available information you received as a member of the Board of Representatives.

Finally you have inquired as to whether you may speak and or vote upon matters regarding the parcel owned by the City that is to that owned by the non-profit organization. Based upon the facts you have discussed with this Board, it is our opinion that due to your status as an officer in the non-profit organization, you have a personal interest that is not common to the citizens of Stamford. Therefore it would be inappropriate for you to participate in discussions or vote on any matter involving City land that is affecting the proposed transaction involving the land owned by the organization.

Provided there is no change in the facts as presented to the Board, reliance upon this opinion shall constitute, until revoked or amended, an absolute defense in any action or proceeding brought against you under the Code of Ethics as it relates to this matter only.

We thank you for your interest.

Sincerely,

  
John A. Marsalisi  
Secretary

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