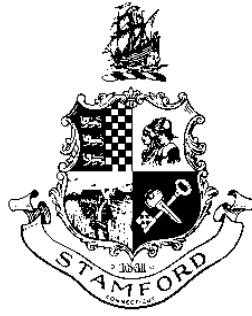


MAYOR
Caroline Simmons



CITY OF STAMFORD
BOARD OF ETHICS
888 WASHINGTON BOULEVARD
P.O. BOX 10152
STAMFORD, CONNECTICUT 06904-2152
Tel. (203) 977-4172
Fax: (203) 977-4075

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January 26, 2024

Representative Chanta Graham
c/o Board of Representatives
888 Washington Boulevard
Stamford, CT 06904
Cgraham2@stamfordCT.gov

Dear Ms. Graham,

You have requested an Advisory Opinion from the City of Stamford Board of Ethics ("Board"). As an initial matter, we wish to make clear that it is outside the scope of our authority to opine on any matters that do not pertain to the interpretation of the Stamford Municipal Code of Ethics.

You have informed the Board that you are a newly appointed member of the Board of Representatives ("BOR") who has been assigned to the Public Safety, Operations, and Fiscal Committees, and you are also Deputy Town Clerk. In your role as Deputy Town Clerk, you handle all administrative tasks for the Town Clerk, including training, assistance with administrative tasks related to the budget process, payroll, and election assistance. We thank you for your service to the City of Stamford and for your request for an Advisory Opinion.

You asked the Board for an opinion regarding concerns that have been raised by several BOR colleagues about potential conflicts of interest that could arise in your dual roles, and you are seeking guidance from the Board on how to best avoid and address conflicts.

We first look to the Stamford Code of Ethics ("Code") Sec. 19-4, Conflicts of interests, which states that "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 the officer or such person's outside clients." Further, pursuant to Sec. 19-4 C. 1 of the Code, "An 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;...."

Under the facts presented to the Board, the budget for the office of the Town Clerk is likely to come before the Fiscal Committee during your tenure on the BOR and that committee. While the budget will not benefit you alone but the entire department in which you are employed, it could be problematic for you to participate in any votes on specific budgetary questions or issues presented to the Fiscal Committee that may have a direct impact on your employment or pay. You can consult Code Section 19-5, Prohibited interests, subsection F(7), which offers additional guidance on budget voting.

You noted that one of your tasks as Deputy Town Clerk is to assist in the ballot process during elections. In the future, this may require that you handle ballots containing your own name should you seek to extend your tenure on the BOR or any similar elected position in Stamford. For guidance, we look to the Code's Sec. 19-5, Prohibited interests, which states that "A city officer or employee may not use such person's official position to advance or impede private interests, or to grant or secure.....any form of special consideration, treatment, exemption, or advantage." You indicated that your role in the ballot process has historically been ministerial in nature in that you have printed ballots for counting by others but that you have had no tabulating or discretionary role associated with the ballots. Nonetheless, in an excess of caution and to avoid any appearance of impropriety, it may be advisable that another member of the Town Clerk's office perform any ministerial or other ballots tasks if and when your name appears on any election ballot in the future.

The Board cannot anticipate all possible scenarios that might give rise to a possible conflict, so we ask you to employ your own best judgment in assessing each on a case-by-case basis. Additionally, in order to avoid any possible *appearance of* impropriety, you may be required to recuse yourself from any discussions and votes on issues that come before the BOR and the committees on which you sit that suggest a potential conflict with your role as Deputy Town Clerk. We appreciate you acting with the utmost caution in this matter by taking those steps.

Finally, since you indicated to the Board that you have not taken the City of Stamford ethics training course, we encourage you to do so as we feel it will help guide you going forward in your dual roles with the City.

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.

Sincerely,

Fred C. Springer

Fred C. Springer
Chair, Board of Ethics

FCS/kh

cc: File