

OFFICE OF THE CITY ATTORNEY
Middletown, Connecticut 06457

TO: Barbara D. Santangelo
Department of Planning, Conservation & Development

DATE: August 24, 1998

RE: Conflict of Interest Opinion
Dennis Murray

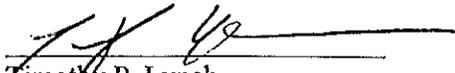
24 CFR §570.611 (b) (c) provides as follows:

- (b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in the position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.
- (c) Persons covered. The conflict of interest provision of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

You have inquired whether Dennis Murray is covered by the above-referenced prohibition.

Dennis Murray is an employee of the City who works in the Public Works Department as a Tradesman Assistant. As such, Mr. Murray does not exercise any functions or responsibilities with respect to CDBG activities pursuant to the Code of Federal Regulations nor is he in a position to participate in any decision making process or gain inside information with regard to such activities.

Accordingly, it is the opinion of this office that Dennis Murray is not a person covered by the above-referenced provision.



Timothy P. Lynch
Deputy City Attorney

MEMORANDUM
INTEROFFICE

RECEIVED
CITY ATTORNEY'S OFFICE

98 AUG 12 AM 11:32

TO: Trina Solecki, City Attorney

FROM: Department of Planning, Conservation & Development
Barbara D. Santangelo

DATE: August 11, 1998

RE: Legal Opinion

A request for a waiver of conflict of interest was received from CAGMC for closing cost and down payment assistance for Dennis Murray. Dennis is a Carpenter with the City through the Public Works Department and, therefore, does not exercise or has not exercised any functions or responsibilities with respect to the CDBG program.

Because Mr. Murray is a City employee and is applying for assistance with CDBG funds to purchase a home through the Closing Cost and Down Payment Assistance Program, an opinion is required from your office to determine whether Mr. Murray is covered by the Conflict of Interest Rule (Part 570.611 attached). HUD tells me that if you determine that Mr. Murray is covered by the Rule, then only a memo from you with your opinion will be sufficient for our file.

Thanks and if you have any questions, please give me a call.