



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

December 2, 2014

Sharon M. VanEmbrough, Esquire
Ewing, Dietz, Fountain and Kaludis
16 South Washington Street
Easton, Maryland 21601

Dear Ms. VanEmbrough:

You have asked the Town of Easton Ethics Commission for an opinion regarding the potential of a violation of the Town's Conflict of Interest provisions (The Code of the Town of Easton, Chapter 2, Article VI, §2-19). Specifically, you ask whether those provisions might prohibit the Mayor or a member of the Town Council who also serve on the Easton Economic Development Commission (EEDC) from voting on a proposed lease of town property. The proposed lease would be to a nonprofit organization that, in turn, would sublease the property to a for-profit business. The issue is raised by another for-profit business whose owner perceives that, with the proposed lease arrangement, the Town of Easton would unfairly subsidize the subleasing for-profit business, a potential business competitor.

EEDC is an independent town commission with appointed members who serve without compensation. Its purpose is to implement an economic development program for the Town of Easton as set forth in Article IX of the Code. The Mayor and a member of the Town Council are also members of EEDC. It is our understanding that EEDC supports the proposed lease.

We have reviewed each of the conflict of interest provisions in the Code and find nothing contained therein that would prohibit the Mayor or the Council Member from voting on the proposal. Thus, we conclude that, should the Mayor or the Council Member in question elect to vote on the proposal, they would not violate the Ethics Provisions of the Town.

Sincerely,

John R. Farrell, Chair
Town of Easton, Maryland
Ethics commission