

CITY OF STAMFORD
BOARD OF ETHICS
888 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

September 19, 2002

Thomas J. Hickey, Esq.
Sherman & Richichi
27 Fifth Street
Stamford, CT 06905

Dear Mr. Hickey:

You have requested that the Board of Ethics issue an advisory opinion concerning a series of events which occurred in 1999 and 2000.

The Board has reviewed your statement of the sequence of events and attached correspondence. Based upon the facts as presented to this Board, a member of your firm entered into the contract to represent a school board employee prior to your being elected and sworn in as a member of the Board of Education. Under the Stamford Code of Ethics, Section 19-5 (D) (4), contracts entered into prior to employment and by analogy election, are not clearly conflicts. Further, upon facts and evidence presented, the firm which employs you received no remuneration; however a partner in your firm received payment for professional services which he personally rendered, which services were of limited duration, routine, and very specific.

In addition, since completion of the specific pre election professional service, which ended shortly after you took office, no further or new professional services of any kind between you or any member of your firm and the employee of the Board of Education has taken place.

The Board of Ethics renders decisions on matters which have already occurred normally only on a third party complaint and not as an advisory opinion. However, we have agreed to consider this matter as similar to a third party complaint concerning a past occurrence.

Conditioned on the accuracy of the above facts, and the information presented to the Board, the Board of Education, finds there has not been a violation of the Code of Ethics.

In accordance with Section 19-14 C (1) of Ordinance 706 Supplemental, this opinion is binding upon the Board and yourself unless amended or revoked and reliance on this opinion in good faith is an absolute defense in any action or proceeding brought under the provision of the Code of Ethics.

September 19, 2002

Page 2

This letter is written pursuant to the decision of Lois B. Anderson, Esq., Louis Klein, and Sheldon Levine. Amy J. LiVolsi, Esq. and Howard Kaplan, Esq. were excused prior to the discussion or decision on this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lois B. Anderson".

Lois B. Anderson
Secretary, Board of Ethics