

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

Advisory #2002-1

September 19, 2002

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

Dear Mr. Hickey:

You have requested the Board of Ethics to issue an advisory opinion as to whether you as a member of the Board of Education may represent an estate matter which requires your filing two Notices of Claim against the City of Stamford regarding the City's potential liability and statutory violations in a wrongful death action. Our decision is based on the following assumptions:

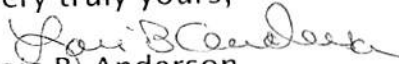
- 1) The Board of Education is a State Agency.
- 2) The Board of Education sets a budget but does not set or collect taxes.
- 3) The City has no authority over the Board of Education.
- 4) The Board of Education does not set policy or have control over the City insurance policy.
- 5) The City is self insured.
- 6) The matter does not involve school personnel or school property.

The Board of Ethics has determined that you may represent your client in a matter in which the City of Stamford is a potential Defendant conditioned on the accuracy of the above facts.

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. 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.

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,


Lois B. Anderson
Secretary, Board of Ethics