

CITY OF STAMFORD  
BOARD OF ETHICS  
888 WASHINGTON BLVD  
STAMFORD, CT 06901

August 12, 2000

PERSONAL AND CONFIDENTIAL

[REDACTED]

RE: Request for Opinion

Dear [REDACTED] and [REDACTED]

You have requested the Board of Ethics to issue an advisory opinion as to whether the firm of [REDACTED] may represent the City of Stamford in tax foreclosure actions to be brought in Superior Court.

The issue arises because [REDACTED] is a member of the Stamford Board of Education and [REDACTED] sits as a member on the Stamford Board of Assessment Appeals. By correspondence and by presentation at the Board of Ethics meeting on July 5, 2000 at 6:30 PM at City Hall you represented the following to the Board of Ethics:

1. [REDACTED] has been asked by the City to be one of the firms to whom the city may send tax foreclosure work. The city initiated the request for services from [REDACTED]. This is not an exclusive service in that various other firms will be doing similar services for the city.

2. Claims for payment will be made that each defendant pay the legal fees costs and expenses incurred by [REDACTED]. There may be circumstances where they defendant does not pay and the City of Stamford may pay the costs and expenses and fees if not paid by a defendant.

3. [REDACTED] is a junior partner at [REDACTED], and [REDACTED] is an associate at [REDACTED].

4. The Board of Education is a state agency. The Board of Education sets a budget which it submits to the city but does not set or collect taxes. The City has no authority over the Board of Education.

5. The Board of Assessment Appeals reviews assessments and establishes assessment values, if appealed, but does not engage in tax collection nor in any way determine if a property is in default of tax payment or when to initiate foreclosure for failure to pay taxes. .

6. The city legal department makes decisions as to whether to place a property in foreclosure and all assignments and determinations concerning the hiring of outside counsel.

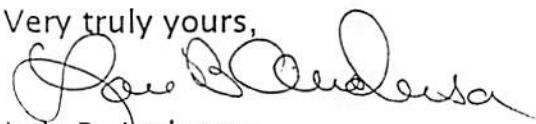
The opinion stated herein is conditioned upon the accuracy of the representations stated above. this opinion applies only to the current positions held by [REDACTED] on the Board of Education and [REDACTED] on the Board of Assessment Appeals and to no other positions nor members pr associates of the firm [REDACTED]. Based upon these limitations, the Board has determined that the City of Stamford may use the services of [REDACTED] as stated above and that [REDACTED] may continue as a member of the Stamford School Board and [REDACTED] may continue as a member of the Stamford Board of Assessment Appeals. We believe, under existing circumstances, there is not conflict of interest or violation of the Code of Ethics.

In accordance with Section 10-14 (C) (1) of Ordinance 706 Supplemental, this opinion is binding on the Board of Ethics and upon you unless amended and revoked, and reliance upon this opinion by good faith is an absolute defense to any action or proceeding brought under the provisions of the Code of Ethics. This letter is written pursuant to the decision of Lois B. Anderson, Esq., Howard C. Kaplan, Esq., Amy J. LiVolsi, Esq., Dr. Mel Grove.

Mr. Sheldon Levine abstained from any discussion or vote on this issue.

Thank-you for taking the time to request an advisory opinion and for your services to the community.

Very truly yours,



Lois B. Anderson  
Secretary, Board of Ethics

cc: S. Serafino (redacted copy) ✓

Members of the Board of Ethics (LiVolsi, Grove, Levine, Kaplan, Summons)