

Board of Ethics  
City of Stamford  
888 Washington Boulevard  
PO Box 10152  
Stamford, CT 06904-2152

October 4, 1997

Philip E. Berns, Esq.  
[REDACTED]

Dear Attorney Berns:

Pursuant to your request for an advisory opinion, with respect to whether your position as Commissioner on the Sewer and Water Commission precludes you from pursuing a lawsuit against the city, please find the following opinion.

Section 19-6(a). - *Prohibited Representation* (precludes an officer or employee from representing a person, other than the city, before the agency of which he or she is a member or by which he or she is employed, or an agency under his or her supervisory authority.....) In view of this section and the facts as related to the board, it is the Board's opinion your service as a Commissioner on the Sewer and Water Commission does not conflict with your ability to bring an action against the city for a tort claim.

In accordance with Section 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 provisions of the Code of Ethics.

The Board thanks you for taking the time and effort to request an advisory opinion in advance of undertaking a transaction.

Sincerely,

Louis M. Pasquino

cc: Lois Pont-Briant, Town Clerk