



## FAIRHAVEN SELECT BOARD AGENDA

Thursday, October 15, 2026 2:00 p.m.

Town Hall – 40 Center Street – Fairhaven

The meeting can also be viewed on Channel 97 or on FairhavenTV.com

FAIRHAVEN TOWN CLERK  
RCUD 2026 OCT 8 PM2:57

**REVISED**

### A. LEGAL FIRM INTERVIEWS

1. 2:00PM – KP Law
2. 2:45PM – Mead Talerman and Costa
3. 3:30PM – The Law Office of Christina Simpson
4. 4:15PM – Harrington Heep

### ~~B. ADJOURN~~

***5. Release of all firm RFP pricing***

***6. Deliberation***

### ***B. ADJOURN***

*The Select Board will only be conducting interviews with firms that submitted proposals during this special meeting, no public comment will be allowed.*

Log on or call 1-929-205-6099, Meeting ID: 860 2838 7081, Passcode: 484211

Subject matter listed in the agenda consists of items reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (i.e. urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

September 17, 2026

**Lauren F. Goldberg**  
lgoldberg@k-plaw.com

FEDERAL EXPRESS

Mr. Keith R. Hickey  
Town Administrator  
40 Center Street  
Fairhaven, MA 02719

Re: Response to Request for Proposals – Legal Services (Town Counsel) General and Labor

Dear Mr. Hickey:

The law firm of KP Law, P.C. is pleased to submit this response to the Town of Fairhaven's Request for Proposals for Legal Services for both Town and Labor Counsel. We appreciate the opportunity to demonstrate an understanding of the commitment we make to our municipal clients and the value-added benefits the firm provides.

#### **FIRM PROFILE**

KP Law is the leading provider of municipal legal services in the Commonwealth, serving as Town Counsel or City Solicitor to approximately 125 cities and towns across the Commonwealth. Our municipalities are diverse in geographical size and population, and operate under state law, charters and special acts. We provide special counsel services, including labor and employment legal services, to many others. See *Exhibit 1*. The firm represents housing and redevelopment authorities, regional transit authorities, water and sewer districts, and school districts, as well as municipal power and light companies, and serves as bond counsel for some of our municipal and public entity clients. We have a record of success at every court in the Commonwealth.

As the laws concerning municipalities grow ever more complicated, and the requirements necessary to comply change daily, we understand that you need the support of an ally who can be counted on to provide reliable, thorough and timely counsel. From day one, we will be a part of your team, providing the support you need to carry out your important responsibilities.

Further, no other Massachusetts firm can match the scope and depth of experience KP Law offers clients. The firm's major practice areas are described in further detail in *Exhibits 2*, and include land use, contracts and procurement, governance matters, bylaw drafting and review, charter drafting and review, real estate including but not limited to sale, acquisition, leasing and deed restricting property, tax title and abatement issues, municipal finance, Community Preservation Act, labor and employment, and much more. We are able to bring to the Town's benefit our experience working with municipalities throughout the Commonwealth, and the insight that it gives us. We provide the personalized, proactive support needed to assist with compliance with law, and conversely, to minimize unnecessary expenditures.



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At KP, we provide the best of all options – the day-to-day look and feel of a small law firm, with back up from unparalleled experts in nearly every area of municipal law. Our size is our strength – we value every client, no matter how small or large or its distance from Boston – we know that you have a limited budget, that legal services must be efficient, and our reputation demands that we produce. Your primary attorney will work with you to help the Town stay within its budget, and to anticipate matters that might require substantial legal services.

Importantly, KP Law is committed to representing municipalities and other public sector entities. We do not represent developers or private business interests against public sector entities. The firm's mission, and that of each and every attorney at the firm, is to serve the public interest.

### **TOWN COUNSEL SERVICES**

KP Law has led the way in developing the concept of a full-service municipal law firm capable of assisting its clients to navigate the ever-growing complexities of municipal law while remaining committed to providing personalized, responsive, cost-effective services. You will be provided with a Primary Counsel who will work closely with the Town on all legal matters and supervise all legal work; additionally, you will be provided with a Back-Up Counsel who will assist when and as appropriate. While each of our 52 attorneys has experience advising clients in core general municipal law matters, they also have particular areas of practice focus, such as contracts, real estate, municipal finance, litigation or elections. As a result, the need for special counsel is eliminated and our clients enjoy a superior ability to manage their legal services and costs.

We regularly provide advice and litigate a broad range of municipal issues, including, for example, the so-called Sunshine Laws, municipal finance, public procurement, tort claims under the Massachusetts Tort Claims Act, civil rights, labor and employment, telecommunications, cable negotiations, land use, tax title, green energy, housing authorities, animal control, alcoholic beverages licensing, and zoning, to name just a few. See *Exhibit 2* for a list of our practice areas and a summary of those in which we most frequently provide representation.

Additionally, we provide important advice concerning the adoption and implementation of recently enacted laws and regulations. For example, the firm provided significant guidance, as both general and special counsel, with respect to the revisions to the Open Meeting and Public Records Laws, ongoing revisions to municipal finance laws, and implementation of G.L. c.94G, the recreational marijuana law. We have also assisted many municipalities with G.L. c.40B applications and hearing processes, and related litigation, and with the adoption and implementation of short-term rental bylaws and related matters. Recently, we have worked with municipalities to amend their Accessory Dwelling Unit Zoning Bylaws to be consistent with changes to G.L. c.40A. We also helped municipalities prepare for the possible expiration of remote meeting authorization, and follow



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activity at the General Court concerning potential further extension, or adoption of a general law, for such purposes.

Finally, we regularly assist with drafting warrant articles and motions, as well as advise on all aspects of the planning for, and conducting, town meeting. We handle over 150 meetings a year, and are able to share our practical experience with Town Meeting with all our client towns.

### **LABOR AND EMPLOYMENT**

KP Law's labor and employment attorneys have been providing a full range of services in labor, employment, discrimination, and related litigation to public sector entities for decades. We provide collective bargaining, labor relations, and employment legal services to municipalities, municipal agencies and districts, school committees, and school districts. Collectively, our attorneys have negotiated hundreds of collective bargaining agreements with a full range of bargaining units including maintenance, public safety, and public works units, as well as clerical and other support staff. Our attorneys represent clients before the State Department of Labor Relations, the Civil Service Commission, the Massachusetts Commission Against Discrimination, the Joint Labor Management Committee (JLMC) and various arbitrators including those appointed under the rules of the American Arbitration Association. We also monitor and keep clients advised as to developing law in areas such as health care reform and health insurance, COBRA, HIPAA, CORI, ADA, ADAAA, FMLA, and FLSA.

We are also firmly committed to providing proactive counseling to clients on, and representing clients with respect to, employment-related matters including, in part: policy drafting and implementation (including drafting of personnel policies); provision of health insurance under G.L. c.32B; CORI issues; personnel matters, including hiring, discharge, discipline, and non-reappointment, as may be applicable; disciplinary and grievance proceedings; management of internal investigations such as discrimination claims; injured on duty claims under G.L. c.41, §111F; unemployment claims; requirements of state and federal laws relating to employment, such as FMLA, ADA, ADEA, Title VII, and G.L. c.151B; as well as retirement issues.

### **PROPOSED LEGAL TEAM – PRIMARY AND BACK UP COUNSEL**

Attorney Carolyn M. Murray, a Shareholder at the firm, is proposed as the Town's lead attorney and land use counsel, with Attorney Joseph S. Fair as backup counsel and lead labor counsel. Together, they have decades of experience and are committed to their clients and to public service generally.

## *Attorney Profiles*

**Attorney Carolyn M. Murray**, a Shareholder of the firm and member of the Management Committee, is proposed as lead attorney and would also assist the Town with land use matters. Attorney Murray has worked as a public sector attorney for over 20 years, providing advice and representing municipalities on a wide variety of legal issues. Prior to becoming a Shareholder of the firm, Attorney Murray served for six years as the first in-house Town Solicitor for the Town of Braintree after its change to a mayor-council form of government. There, she provided general advice daily to the Mayor, Town Council and departments on topics ranging from the Open Meeting Law, Public Records Law, Conflict of Interest Law, licensing, interpreting charter and ordinance provisions, labor and employment matters, negotiating collective bargaining agreements, contract drafting and review, and procurement. At the firm, she has continued to provide advice to clients on all such matters, and has expanded her practice to also include advising clients on, and attending, Town Meetings.

Attorney Murray also has significant experience in the context of land use and zoning, advising boards of appeals and planning boards on special permits, comprehensive permits, site plan review, subdivision control, variances, and alterations of nonconforming uses and structures. Attorney Murray regularly assists land use boards with zoning bylaw and ordinance interpretation, application of General Laws Chapters 40A and 40B, the public hearing process, and drafting decisions and zoning amendments. Attorney Murray is also a member of our Labor and Employment Practice Group, providing assistance to, and representing, municipal clients in all aspects of labor and employment law. Attorney Murray has the additional practical perspective of having served as a paralegal for the Town of Braintree before she began her career as a lawyer, allowing her insight into the operations-side of Town government.

Attorney Murray represents municipal clients before the Land Court, Superior Court, and United States District Court, appeared before the ABCC, the Housing Appeals Committee, the Division of Labor Relations and Civil Service Commission.

Fairhaven holds a special place in Attorney Murray's heart, as she grew up on Laurel Street and is a proud graduate of Fairhaven High School (Class of 1986).

**Attorney Joseph S. Fair**, also a Shareholder of the firm, is proposed to serve as the Town's backup contact and the primary contact for labor and employment related matters. Attorney Fair has nearly 30 years of experience in labor and employment law, including negotiating and drafting collective bargaining agreements, employment contracts, grievance and arbitration settlements, and other agreements. Attorney Fair has negotiated collective bargaining agreements with a full range of bargaining units including maintenance, public safety, and public works units, as well as clerical and other support staff. He has considerable experience proactively counseling and advising clients on a



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multitude of labor and employment subjects with an aim toward minimizing and potentially avoiding liability altogether. His experience includes representing clients before state and federal courts, various state agencies including the Civil Service Commission, Department of Labor Relations, Joint Labor Management Committee, Massachusetts Commission Against Discrimination, Division of Unemployment Assistance and labor arbitrations. Attorney Fair also monitors and keeps clients advised as to developing law in areas such as health care reform and health insurance, COBRA, HIPAA, CORI, ADA, ADAAA, FMLA, and FLSA.

Attorney Fair also serves as lead attorney in several municipalities, providing advice on general municipal law issues including open meeting law, public records, municipal finance and conflict of interest. In his general municipal practice, Attorney Fair has assisted clients with a wide variety of tasks including, but not limited to, drafting warrant articles and motions; preparing for and attending town meetings; drafting and interpreting municipal charters, general bylaws, personnel bylaws and various policies and rules and regulations.

Additional information about Attorneys Murray and Fair is detailed in their resumes, attached as **Exhibit 3**. Profiles for all of the firm's attorneys can be viewed at [www.kplaw.com/attorneys](http://www.kplaw.com/attorneys). We are happy to provide specific references, and have included as **Exhibit 4** a list of municipalities where Attorneys Murray and Fair frequently work.

### **RESPONSIVENESS**

We understand that Town business does not end with a traditional workday. We are committed to responding timely to inquiries and to promptly, and certainly within 24 hours, return all calls and e-mails. Similarly, attorneys who work with the Town will respond to requests for written opinions promptly and consistent with any expectations for the particular matter. We will work collaboratively with the Town Administrator, department heads and, as appropriate, board and committee chairs, to ensure that we understand your expectations and deadlines.

### **VALUE ADDED SERVICES AT NO COST**

Appointing the firm as Town Counsel brings additional value-added services. The firm has developed a robust client education program that is unmatched, including eUpdates, topical reference cards, and in-person or remote training programs. We closely monitor developments of interest to municipalities at the state and federal levels, including new statutes, regulations, and case law, and our [eUpdates](#) provide timely information and insight concerning important issues affecting municipalities. Examples are found on the Resources tab on our website, and include matters ranging from an explanation of the [EFSB and DOER regulations](#) relative to permitting of clean energy facilities to analysis of the MBTA Communities decision in [Attorney General v. Milton](#), 495 Mass. 183 (2025). Our on-site training program, of which we are particularly proud, addresses a



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wide variety of matters of interest, including, for example, the Open Meeting Law, Public Records Law, Public Procurement and Contracting, as well as specialized trainings such as the municipal finance aspects of the Community Preservation Act and preparation for handling a G.L. c.40B matter. We also prepare subject matter education cards including real estate acquisitions, municipal finance, and how to run a public hearing. See *Exhibit 5* for examples of these materials.

### **FEE PROPOSAL**

We offer three fee models, Hourly Legal Services, Fixed Fee and Fixed Fee Plus, as described below. The firm is committed to providing exceptional legal services at an affordable price. Our goal, of course, is to develop a billing structure that meets the Town's needs for the short and long terms, and if selected to represent the Town, we commit to working out the particulars of the fee arrangement in a manner that serves the Town well. As we have not previously worked with the Town, we are unaware of actual annual legal expenditures and, if the Town would like to pursue the Fixed Fee or Fixed Fee Plus models, we will work with the Town to ensure that the monthly and annual amounts are appropriate.

Each of the following fee structures includes four annual training seminars:

- A. **Hourly Legal Services:** Legal services provided at a rate of [REDACTED] hour, with Specialty Legal Services at the rates set forth in *Exhibit 6*. If reappointed, hourly legal services rates will annually increase by [REDACTED] per hour.
- B. **Fixed Fee:** Legal services provided at the annual rate of [REDACTED] for all Town Counsel services, excluding Specialty Legal Services listed in *Exhibit 6*, and the following, which will be billed at the rate for Hourly Legal Services:
- Labor and employment;
  - Litigation and other adversarial matters;
  - Real estate transactions;
  - Meetings and/or office hours in excess of six hours (unrelated to Specialty Legal Services matters);
  - Drafting decisions, permits or orders (unrelated to Specialty Legal Services matters);
  - Construction and building committee issues and related litigation; and
  - Special projects.
- C. **Fixed Fee Plus:** All Town Counsel services provided at a fixed annual rate to be negotiated, including an initial portion of any litigation or adversarial matter, and only



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excluding the Specialty Legal Services listed in Exhibit 6, and the following, which will be billed at the rate for Hourly Legal Services:

- Labor and employment;
- Each litigation or adversarial matter after fees for that matter exceed the negotiated portion covered by the Fixed Fee Plus arrangement, regardless of the fiscal year in which such fees were incurred; and
- Specialty Legal Services in *Exhibit 6*.

#### ***General Billing Details***

We bill in 1/10<sup>th</sup> hour increments. Up to four annual education seminars are included with each fee model, free of charge. If appointed as Town Counsel, we would also, at no charge, work collaboratively with the Town Administrator and Select Board to outline and implement a transition process.

We bill paralegal work at one-half the attorney rate. We do not charge for client work performed by any other non-legal staff. Mileage for travel is charged at the rate allowed by the Internal Revenue Code, and we bill travel time on a portal-to-portal basis from our Boston office, or such closer location actually travelled. Costs for stenographers, recording fees, and deposition and transcript fees, outside photocopying and postage, telephone use or other out-of-pocket disbursements on Town matters are charged at cost without mark-up. We will seek prior authorization from the Town Administrator for any single expense/disbursement exceeding \$500.00.

Please be informed that the firm has Professional Liability Insurance in the amount of \$5,000,000, and a copy of the Certificate of Insurance is attached as *Exhibit 7*.

#### **TRANSITION FROM CURRENT LEGAL COUNSEL**

We have had many successful experiences transitioning new municipalities to the firm, and are happy to provide appropriate references in that regard. In matters where the firm is asked to take over from previous counsel, we are, of course, available to work collaboratively to understand the matter and coordinate the filing of notices of withdrawal and appearance.

We believe that the way to begin building long lasting relationships is to meet in person. Therefore, if selected, we would like to meet with the Board and the Town Administrator to, together, identify key boards and committees, and arrange for attendance at appropriate meetings. We also like to attend a staff meeting – it is important that staff knows who they will be working with and often, after the Town Administrator, they are the most impacted by a change in counsel from a day to day perspective. We know from experience that this face-to-face opportunity will

# KPLAW

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make it easier for staff, and us, as we undertake our work together. In short, we will work closely with you in partnership to understand the Town's priorities, challenges, and goals, as well as ongoing projects or initiatives, and any other matters of significance to the Town. There is no charge for transition matters.

## CONCLUSION

As the state's preeminent municipal law firm, we are confident that we can provide Fairhaven with excellent, timely and cost-effective Town Counsel legal services, coupled with our unparalleled commitment to personalized service. In selecting KP Law, you will work with a firm that works in and for the public sector. Attorneys Murray and Fair will have the support of a team of the highest-quality lawyers with specific expertise in the municipal matters the Town is facing. For almost 45 years, KP Law has been dedicated to working together with municipalities to help them reach their goals and avoid risk. The KP Law difference is our unyielding commitment to our municipal clients.

We would very much appreciate the opportunity to discuss further how the firm will deliver exceptional legal services to the Town of Fairhaven. In the meantime, please contact me with any further questions at either [lgoldberg@k-plaw.com](mailto:lgoldberg@k-plaw.com) or my mobile phone at 617-548-7622

Very truly yours,



Lauren F. Goldberg

LFG/aem  
Enc.



THE LEADER IN PUBLIC SECTOR LAW

## Town Counsel, City Solicitor and School Client List

|                                |                                     |                                |                                         |
|--------------------------------|-------------------------------------|--------------------------------|-----------------------------------------|
| Abington, 17 years             | Hamilton, 7 years                   | Norton, 25+ years              | Uxbridge (returned 2022)                |
| Acushnet, 25+ years            | Hardwick, 25+ years                 | Oakham, 21 years               | Wales (returned in 2020)                |
| Adams (new in 2024)            | Hampden (new 2026)                  | Oxford, 25+ years              | Walpole, 25+ years                      |
| Amesbury, 25+ years            | Harvard, new 2025                   | Pelham, 25+ years              | Ware 4 years                            |
| Amherst, 18 years              | Harwich, 25+ years                  | Pembroke, 25+ years            | Warren, 22 years                        |
| Ashby, 24 years                | Heath, 25+ years                    | Pepperell, 7 years             | Watertown, 25+ years                    |
| Ayer, 25+ years                | Hinsdale, 25+ years                 | Peru, 25+ years                | Wayland, 9 years                        |
| Barre, 2 years                 | Holland, 7 years                    | Petersham, 25+ years           | Webster, 25+ years                      |
| Becket, 15 years               | Hopedale, 25+ years                 | Phillipston, 24 years          | Wellfleet, 25+ years                    |
| Belchertown, 25+ years         | Hubbardston, 25+ years              | Plainfield, 24 years           | Wendell, 21 years                       |
| Bellingham, 8 years            | Huntington, 25+ years               | Plainville, 20 years           | Wenham, 9 years                         |
| Blandford, 25+ years           | Lanesborough, 11 years              | Plympton, 25+ years            | West Boylston,<br>25+ years             |
| Boxborough, 25+ years          | Lenox, 12 years                     | Provincetown,<br>25+ years     | West Newbury, 5 years                   |
| Boxford, 25+ years             | Leominster, 25+ years               | Rockport, 23 years             | West Stockbridge,<br>25+ years          |
| Brewster, 9 years              | Lincoln, 25+ years                  | Rowe, (returned 2020)          | Westborough, 11 years                   |
| Brookfield, 24 years           | Manchester-by-the-Sea,<br>25+ years | Royalston, 25+ years           | Westford, 15 years                      |
| Buckland, 25+ years            | Marion, 6 years                     | Rutland, 8 years               | Westhampton,<br>25+ years               |
| Carver, 25+ years              | Mashpee (new in 2024)               | Salisbury, 25+ years           | Westminster, 15 years                   |
| Charlemont, 25+ years          | Mattapoisett, 21 years              | Sandisfield, 11 years          | Weston, 25+ years                       |
| Chelmsford<br>(new in 2024)    | Medway, 9 years                     | Sandwich, 25+ years            | Westport, 25 years                      |
| Chesterfield, 25+ years        | Middleborough 2 years               | Seekonk, 25+ years             | Westwood (new 2026)                     |
| Clarksburg, 22 years           | Middlefield, 25+ years              | Sheffield, 13 years            | Whately, 25+ years                      |
| Colrain, 25+ years             | Millville, 9 years                  | Shirley, 11 years              | Williamsburg, 25 years                  |
| Cohasset, 4 years              | Milton (new 2025)                   | Somerset, 7 years              | Williamstown, 25+ years                 |
| Dalton, 25+ years              | Monroe (new 2026)                   | Southampton,<br>25+ years      | Wilmington, 7 years                     |
| Dedham, 25+ years              | Montague, 25+ years                 | Southbridge<br>(returned 2020) | Winchendon, 23 years                    |
| Dennis, 25+ years              | Montgomery, 25+ years               | Spencer, 6 years               | Worthington, 12 years                   |
| Dudley, 7 years                | Mount Washington,<br>25+ years      | Sterling, 11 years             |                                         |
| Duxbury, 8 years               | Nantucket, 14 years                 | Stow, 6 years                  | Burlington School<br>District, 25 years |
| East Brookfield,<br>25+ years  | New Ashford, 25+ years              | Sturbridge, 25+ years          | Seekonk School District,<br>25+ years   |
| Eastham, 25+ years             | North Adams, 7 years                | Sudbury, 9 years               | Swampscott School<br>District, 16 years |
| Essex, 25+ years               | North Attleborough,<br>5 years      | Sunderland, 25+ years          | Westford School District,<br>16 years   |
| Florida, 25+ years             | North Brookfield,<br>25+ years      | Sutton, 25+ years              |                                         |
| Freetown, 25+ years            | North Reading, 25+ years            | Swampscott, 25+ years          |                                         |
| Georgetown, 25+ years          | Northborough, 25+ years             | Swansea (new 2026)             |                                         |
| Goshen, 25+ years              | Northbridge, 25+ years              | Tisbury, 25+ years             |                                         |
| Granville, 25+ years           | Northfield, 25+ years               | Topsfield, 25+ years           |                                         |
| Great Barrington,<br>25+ years |                                     | Truro, 10 years                |                                         |

(updated 9/16/26)

Acushnet, 25+ years  
Athol, 10 years  
Amesbury, 25+ years  
Amherst, 17 years  
Ashby, 24 years  
Ayer, 25+ years  
Becket, 15 years  
Belchertown, 25+ years  
Belmont, 4 years  
Blandford, 25+ years  
Boxborough, 25+ years  
Boxford, 25+ years  
Braintree, (new 2024)  
Brookfield, 23 years  
Buckland, 25+ years  
Carver, 25+ years  
Charlemont, 25+ years  
Chelmsford, (new 2024)  
Chesterfield, 25+ years  
Colrain, 25+ years  
Dalton, 25+ years  
Douglas, 25+ years  
East Brookfield, 24 years  
Eastham, 25+ years  
Essex, 25 years  
Florida, 25+ years  
Freetown, 25+ years  
Georgetown, 25+ years  
Goshen, 25+ years  
Granville, 25+ years  
Great Barrington, 25+ years  
Groveland, 25+ years  
Hardwick, 25+ years  
Heath, 25+ years  
Hinsdale, 25+ years  
Hopedale, 25+ years  
Hubbardston, 25+ years  
Huntington, 25+ years  
Ipswich, 25+ years

Lenox, 12 years  
Leominster, 25+ years  
Lincoln, 23 years  
Lynnfield (new 2025)  
Mattapoisett, 21 years  
Methuen, 10 years  
Middlefield, 25+ years  
Montague, 25+ years  
Montgomery, 25+ years  
Mt. Washington,  
25+ years  
Nantucket, 14 years  
North Brookfield, 25+ years  
North Reading, 25+ years  
Northborough, 25+ years  
Northbridge, 25+ years  
Northfield, 25+ years  
Norton, 25+ years  
Oakham, 19 years  
Pelham, 25+ years  
Pembroke, 25+ years  
Peru, 25+ years  
Petersham, 25+ years  
Phillipston, 24 years  
Plainville, 14 years  
Plymouth, 25+ years  
Plympton, 25+ years  
Provincetown, 25+ years  
Rockport, 23 years  
Rowley, 21 years  
Royalston, 25+ years  
Rutland, 21 years  
Salisbury, 25+ years  
Sandisfield, 9 years  
Sandwich, 25+ years  
Seekonk, 28 years  
Sheffield, 13 years  
Southampton, 25+ years  
Spencer, (returned 2020)

Sturbridge, 25+ years  
Sunderland, 25 years  
Sutton, 25+ years  
Swampscott, 25+ years  
Tisbury, 25+ years  
Topsfield, 25+ years  
Truro, 13 years  
Uxbridge (returned in  
2022)  
Warren, 24 years  
Watertown, 25+ years  
Webster, 25+ years  
Wellfleet, 25 years  
Wendell, 16 years  
Wenham, 9 years  
West Boylston, 25+ years  
West Stockbridge,  
25+ years  
Westborough, 10 years  
Westford, 16 years  
Westhampton, 25+ years  
Westminster, 15 years  
Weston, 25+ years  
Westport, 25+ years  
Whately, 25+ years  
Williamsburg, 22 years  
Williamstown, 25+ years  
Winchendon, 21 years  
  
Burlington School District,  
25 years  
Seekonk School District,  
12 years

(updated 7/24/26)



## **A DETAILED OVERVIEW OF CERTAIN PRACTICE AREAS**

KP Law, P.C. attorneys are seasoned advocates and skilled negotiators. We provide cities and towns with a level of in-depth knowledge and expertise that only municipal specialists attuned to statewide trends can offer. All of our attorneys practice in general municipal and public sector law, including, for example, the Public Records, Conflict of Interest and Open Meeting Laws, municipal finance, forms of governance including charters, bylaws and regulations, town meeting, parliamentary procedure for city and town councils, as well as in the more specialized areas needed by municipalities and other public entities, as outlined below. Additionally, we assist communities with all aspects of licensing and enforcement matters.

### **Litigation**

Our litigation practice is unsurpassed in the Commonwealth in terms of breadth, depth of experience, and level of expertise in all areas of litigation involving municipalities. These include specialty areas such as land use, labor and employment, real estate, environmental, Appellate Tax Board, and contracts.

In addition to representing our large municipal client base, this group provides defense for public employers for a large public sector insurance company. This client insures approximately 125 Massachusetts cities and towns; 200 public and private schools; and 150 public sector agencies that encompass water districts, public housing authorities, and various commissions. Thus, coverage includes defense of the full range of issues facing municipalities. Representing this client requires our complete understanding of the client's insurance coverage and availability for financial participation in the defense and/or payment of claims.

Our litigation practice also serves as defense counsel for the Boston Housing Authority, providing defense of personal injury and property damage claims. These include: premises liability; "slip and fall" cases; alleged defective building components, elevators, and playground equipment; assault; negligent security; and claims related to the presence of toxic substances.

### **Labor and Employment Law**

As the Commonwealth's largest provider of public sector labor services, we have represented public sector entities in labor, employment, discrimination, and related litigation since the firm was founded over 45 years ago. We offer the full range of collective bargaining, labor relations, and employment discrimination legal services to numerous communities and county type governments and agencies, as well as to state agencies. Several of our attorneys specialize in employment discrimination law and the representation of clients before the Massachusetts Commission Against Discrimination (MCAD) and other venues.

### **Real Estate**

KP Law's real estate practice is diverse and highly sophisticated. It encompasses every aspect of real estate, including purchases, sales, exchanges (swaps), leases, easements, taking by eminent domain, and financing. Our experienced real estate practice group has thoughtfully developed legal strategies and techniques to assist our clients with achieving their goals. Our lawyers not only understand real estate law in the municipal context, but also strive to realize our clients'

goals with innovative solutions, such as public-private partnerships. Since municipal goals often require a multi-disciplinary approach, attorneys in this practice group frequently work closely with our firm's other practice groups, such as land use and litigation, to bring the right combination of experience and skills to the project.

## **Land Use**

Our land use attorneys are experts in all aspects of land use law, including zoning, subdivision control, historic districts, affordable housing (G.L. c. 40B), Title 5 and wetlands protection. The group provides a full range of legal services to planning boards, zoning boards of appeal, building inspectors, boards of health, and conservation commissions. All of the attorneys in the land use practice possess relevant practical experience; some have served as town planners, others as members of planning boards and conservation commissions. Our land use, zoning, and planning services routinely include:

- Providing opinions on land use matters such as Form A (ANR) requests and subdivision plans
- Reviewing, prior to final issuance, various decisions of the Planning Board, Conservation Commission, and Zoning Board of Appeals
- Representing Building Inspectors and Health Agents with enforcement actions
- Assisting communities in adopting the newly enacted Chapter 43D
- Reviewing and drafting by-laws and regulations.

## **Cable Television and Telecommunications**

KP Law, P.C. is a leader in cable television licensing law and has negotiated with all Massachusetts cable providers, including Verizon. We have successfully represented over 20% of the cities and towns in Massachusetts in all phases of license renewals, including negotiations, consultations, evaluations, rate increases, and execution of contracts. Familiar with the major issues confronting licensing agencies during the renewal process, we have guided many communities through the complex processes of license renewal negotiation and competitive initial cable television license selection. We have conducted and overseen public hearings, offered advice and direction about the ascertainment process, and advised about and conducted compliance hearings. We have also advised and assisted in license transfer proceedings and in the establishment of not-for-profit cable access corporations.

Our telecommunications team likewise possesses extensive experience and expertise with the Federal Telecommunications Act of 1996, FCC requirements, and issues currently and previously litigated concerning Personal Wireless Service Facilities. We have assisted various committees, planning boards, town meetings, and zoning boards of appeal in developing and/or amending by-laws that satisfy federal law while protecting the community's interest to the maximum extent possible. In addition, we have significant experience successfully defending numerous municipal clients in state and federal courts and agencies with jurisdiction over telecommunications and related matters.

## **Casinos and Gaming**

KP Law has been at the forefront of the legal community in educating, advising and representing municipalities in negotiating host and surrounding community agreements with gaming facility

developers, as well as related regulation, permitting and contracting activities. We also regularly practice before the state's Gaming Commission.

## **Chapters 40B and 40R – Affordable Housing**

The high cost of housing in Massachusetts is cited as one of the major factors inhibiting economic growth. As a result, the Commonwealth has put increased pressure on municipalities to provide greater opportunities for the construction of affordable housing through the use of Chapter 40B. At the same time, however, other legislation offers incentives to municipalities to permit development of affordable housing through the use of Chapter 40R (Smart Growth Zoning). KP Law, P.C. is a leader in all areas of affordable housing, from assisting towns with developing tools for their affordable housing initiatives to providing counsel to local boards that have denied projects for failure to address local concerns. Our services include assistance in:

- Creation of community-based affordable housing trusts, implementation of affordable accessory unit and inclusionary zoning by-laws, and transfer of municipal land for development of affordable housing
- All stages of the G.L. c. 40B process: reviewing applications; attending hearings of Boards of Appeals; coordinating expert consultants; negotiating project revisions; drafting decisions; and, if necessary, providing representation before the Housing Appeals Committee, Land Court, Superior Court and Appellate Courts
- Negotiating and obtaining the approval of smart growth overlay districts under the new Chapter 40R, including two of the first three districts approved by the Commonwealth in North Reading and Plymouth
- Post-approval review and enforcement of affordable housing conditions, including: drafting regulatory agreements and use restrictions, coordinating with subsidizing agencies, and auditing project costs and revenues.

## **Environmental Law**

In addition to providing wetlands protection-related services, the firm has several attorneys who are eminently qualified to provide other environmental law services, such as water and wastewater permitting and compliance, solid waste management and disposal, site assignment, and 21E liability. The firm serves as Special Counsel to the Central Massachusetts Resource Recovery Committee that has negotiated, on behalf of 34 central Massachusetts communities, a long-term solid waste disposal agreement with Wheelabrator Millbury, Inc.

## **Green Communities and Alternative Energy**

KP Law, P.C. has been at the forefront of providing a wide range of legal services to our municipal clients in the areas of energy management, Green Communities initiatives, and alternative energy solutions, as well as solid waste management and water and wastewater services. We have been highly successful in helping our clients take advantage of the environmental benefits and cost savings that can be gained by implementing alternative and renewable energy solutions and through proper stewardship and management of finite resources. We advise clients on procurement and contracting, land acquisition and leasing, regulatory compliance, and public construction, among other issues.



### **Infrastructure and Public-Private Partnerships (P3)**

Alternative project delivery methods, such as public-private partnerships (P3), offer cities, towns, districts and redevelopment authorities' new tools to combat growing infrastructure needs without relying solely on traditional government resources. Leveraging experience in innovative project delivery throughout New England and across the country, KP Law provides public sector clients with seamless 'one stop' legal services to successfully procure and deliver complex infrastructure projects in a highly regulated and complex environment.

### **Municipal Light Plant and Public Entity Utility Practice**

KP Law has a highly experienced team of attorneys that understands every aspect of municipal light plant and public power utility operations. We understand the unique statutory and regulatory framework governing our clients. For over 30 years, our attorneys have been devoted to counseling public power utilities in a variety of legal, regulatory and business matters, including power purchase transactions; infrastructure and facility development; siting and permitting; energy and environmental regulation; bidding and procurement; policy development; telecommunications; labor and employment; real estate transactions; and complex litigation.

### **Public Construction and Procurement**

All attorneys in this practice group are thoroughly familiar with the requirements of Chapters 30 and 149 of the General Laws that govern the bidding procedures for public building and public works construction projects, as well as specification standards for construction materials and payment to contractors and sub-contractors. This group also represents municipal building committees and designer selection committees on all aspects of designer selection. We have extensive experience in the areas of general procurement of supplies and services under the Uniform Procurement Act, Chapter 30B, and local procurement requirements, including design/build procurements. The group is well-versed in municipal finance requirements, town meeting procedures, and Proposition 2 ½ issues.

### **Public Finance and Bond Counsel**

Financing public infrastructure and other capital projects in a complex regulatory environment presents numerous challenges to municipal, district governments and public authorities. Our Public Finance team serves as bond counsel, issuer's counsel, underwriter's counsel, borrower's counsel, and trustee's counsel in connection with virtually every type of governmental issue, including general obligation, special obligation, lease revenue, tax anticipation, and revenue anticipation financings and refundings.

From development of appropriate town meeting warrant articles and city and town council loan orders, identifying applicable state and local law relative to provision of appropriate notice for such action and ensuring compliance therewith, to drafting and securing special legislation to facilitate borrowing for specific projects, the expertise at KP Law allows clients to successfully address the many legal, procedural, and practical challenges they face in this highly regulated and complex environment.

### **Public Power and Energy**

KP Law provides a full range of legal counsel to its public power and energy clients. We pride ourselves on providing value-added service and counseling. Our services include transactional



representation, regulatory advice, litigation, appeals, representation before regulatory agencies and local boards.

Specifically, we have extensive experience with:

- Electricity distribution
- Electricity and power markets
- Electricity rates
- Power plant development
- Distributed generation
- Renewable energy
- Energy procurement and demand-side management
- Infrastructure, including transmission, distribution and transformation
- Natural gas markets
- Gas rates
- District chilled water
- Wireless and wireline telecommunications, including both internet and CATV

We also advise our public power and energy clients on issues involving procurement, labor and employment, siting and land use, environmental, real estate, litigation and general business.

#### **Regionalization and Shared Services**

As communities begin to think about new ways of managing business, our attorneys are prepared to advise clients in these developing areas of law. Attorneys from all practice areas come together to assist clients in assessing the impact and potential benefits of regionalization and/or shared services between communities.

#### **School Law/Education**

Experienced in the unique issues arising in the school environment, such as students' rights, collective bargaining, special education, and the hiring and firing of school personnel (including teachers), KP Law, P.C. can meet the complete legal needs of school committees and school districts. Through periodic bulletins, we keep our clients up to date on the latest case law, statutory changes, and employment trends impacting schools.

#### **Tax Title**

With ongoing focus on revenue enhancement, our firm has assisted municipalities in the aggressive pursuit of tax title matters, Land Court foreclosures, dispositions, and reuse of tax title parcels for nearly 45 years. We are able to assist you at every step, from the initial demand letters and takings through foreclosure, identification of the ownership of "owners unknown" parcels, judgment, and auction.

#### **Transportation/Transit Authorities**

As general counsel for several regional transit authorities, we are fully familiar with their unique operations, regulations, and funding. Our attorneys have extensive knowledge of Chapter 161B and are well-versed in the funding, purchasing, and grant administration of the U.S. Department



of Transportation and the Massachusetts Executive Office of Transportation. We have the in-depth expertise needed to handle the increasingly complex laws and regulations governing transit authorities, including those related to:

- Grants, agreements, contracts and certifications
- Competitive procurements
- Public hearings, open meetings law, compliance with local mandates and by-laws
- Real estate and property acquisition and transfer
- Employment and labor
- Litigation

### **Waterways Practice**

Our Waterways interdisciplinary practice group spans environmental, land use, and real estate practice areas and includes Chapter 91 licenses, Great Ponds, harbor regulation, and related real estate law issues, such as, for example, accretion and erosion. In a time when environmental issues are a component of many municipal transactions, and where licenses, moorings, and harbor and beach uses are of the utmost importance to municipalities, neighbors, private users, and businesses, it is essential to have a team of highly skilled municipal attorneys attuned to these issues.

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## FULL RANGE OF MUNICIPAL LAW SERVICES

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| <p>Airports</p> <p>Americans With Disabilities Act – Building Compliance, Discrimination</p> <p>Appellate Tax Board/Assessors</p> <p>Board of Health, Site Assignments, Title 5</p> <p>Bond Counsel and Public Finance</p> <p>Cable Television License Renewal and Negotiations</p> <p>Casinos and Gaming</p> <p>Chapter Lands 61, 61A, 61B (Forestry, Agriculture, Recreation Land)</p> <p>Chapter 91 Permitting, Tidelands</p> <p>Charter Commissions – Establishment and Revision</p> <p>Civil Rights Complaints</p> <p>Coastal Zone Management/Harbor Regulation</p> <p>Code Enforcement, State and Local</p> <p>Collective Bargaining</p> <p>Community Preservation Act</p> <p>Comprehensive Permits c. 40B – Affordable Housing</p> <p>Conflict of Interest (State Ethics)</p> <p>Conservation and Preservation Restrictions</p> <p>Contracts</p> <p>Data Privacy and Security</p> <p>Discrimination Law (MCAD)</p> <p>Districts</p> <p>Economic Development Including Tax Incentives</p> <p>Elections and Campaign Finance</p> <p>Eminent Domain and Regulatory Takings</p> <p>Environmental Law</p> <p>Expedited Permitting</p> <p>Facility Siting/MEPA</p> <p>Firearms Licensing and Revocation</p> <p>Forms of Government and Reorganizing Departments</p> <p>Government Information and Access</p> <p>Green Energy</p> <p>Harbormaster/Shellfish Constable</p> <p>Hazardous Waste Law/Brownfields</p> <p>Historic District Commissions</p> <p>Housing Authorities</p> <p>Human Resources (FLSA, FMLA, COBRA, HIPAA, etc.)</p> <p>Industrial Development and Redevelopment</p> <p>Infrastructure and Public-Private Partnerships</p> <p>Insurance Defense and Coverage</p> <p>Intermunicipal Agreements</p> | <p>Labor and Employment Law – Including Sexual Harassment Prevention Training, Health Insurance, Internal Investigations, Employee Benefits and Discipline, Union Negotiations, and Collective Bargaining Agreements</p> <p>Land Bank Issues</p> <p>Land Use</p> <p>Licensing and Leasing</p> <p>Litigation</p> <p>Local Legislation – Bylaws, Charters, Regulations, Special Legislation</p> <p>Marijuana Law</p> <p>Municipal Finance and Prop. 2 1/2</p> <p>Municipal Light and Electric Plants</p> <p>Open Meeting Law</p> <p>Parks, Commons, Conservation Land, Playgrounds</p> <p>Permitting – Health and Environmental</p> <p>Police Misconduct</p> <p>Procurement – Contracting</p> <p>Public and Charitable Trusts</p> <p>Public Construction – Designer Selection</p> <p>Public Power and Energy</p> <p>Public Records Law</p> <p>Public Utility Law</p> <p>Public and Private Ways</p> <p>Real Estate Transactions</p> <p>Regional Agreements</p> <p>Regional Facilities</p> <p>Regulatory Compliance and Enforcement</p> <p>Renewable Energy Projects</p> <p>School Law</p> <p>Smart Growth, c. 40R and c. 43D</p> <p>Solid Waste</p> <p>Storm Water Management</p> <p>Subdivision Control</p> <p>Tax Collection/Tax Title</p> <p>Telecommunications</p> <p>Town Meeting</p> <p>Transit Authorities</p> <p>Water/Sewer/Drainage – Supply, Compliance, Permitting, Financing, Betterment Assessments</p> <p>Water and Wastewater</p> <p>Wetlands – State and Local, Accretion and Erosion</p> <p>Zoning</p> |
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THE LEADER IN PUBLIC SECTOR LAW

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 Boston, MA 02110  
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**CAROLYN M. MURRAY****Shareholder and Management Committee Member****E-mail:** cmurray@k-plaw.com**Phone:** 617.654.1726**Practice Areas:** General Municipal, Land Use, Litigation**Experience**

Attorney Carolyn Murray's practice focuses on land use, zoning recodification, labor/employment, municipal finance, contracts, procurement, scope of municipal authority, conduct of town meeting, and compliance with state law. She serves as liaison between local officials and state officials and agencies, including Office of the Attorney General, the Alcoholic Beverages Control Commission, the Department of Revenue, the State Ethics Commission, the Executive Office of Housing and Livable Communities, the Inspector General, and the State Election Division. Attorney Murray is also a frequent presenter on topics for the Citizen Planner Training Collaborative.

**Representative Matters**

- Represent municipalities in land use issues before Zoning Boards of Appeal, Planning Boards, Land Court, Superior Court and Housing Appeals Committee.
- Advise Zoning Boards of Appeals and Planning Boards on all aspects of variances, findings, nonconforming uses, the Subdivision Control Law, special permits, and comprehensive permits, including preparation of decisions.
- Draft and review zoning amendments. Attend Planning Board hearings on proposed amendments.
- Provide guidance to Building Inspectors, Zoning Administrators and Zoning Enforcement Officers on interpretation and application of zoning bylaws and ordinances.
- Advise towns in all aspects of Town Meeting, including preparation of warrants, motions, by-law amendments, and acts of special legislation.
- Advise city councils with respect to appropriation orders, bond authorizations, ordinances and parliamentary procedure.
- Provide guidance to Charter Commissions, Government Study Committees and Transition Committees on changes to forms of government.
- Served as counsel to town transitioning to city form of government.
- Defend municipalities in labor issues before the Civil Service Commission, Massachusetts Commission Against Discrimination, American Arbitration Association, Board of Conciliation and Arbitration, and Department of Labor Relations.
- Negotiate collective bargaining agreements with various unions.

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- Represent municipalities in grievance, arbitration and unfair labor practice hearings.
- Conduct workplace investigations of sexual harassment, violence in the workplace, and ethics violations.
- Provide guidance to municipalities with respect to various federal laws, including Title VII of the Civil Rights Act, the Family Medical Leave Act, the Americans with Disabilities Act, Age Discrimination in Employment Act, and Uniformed Services Employment and Reemployment Act.
- Prosecute and act as hearing officer in employee disciplinary matters.
- Counsel licensing boards regarding standards and procedures for approving, denying or revoking various municipal licenses.
- Provide guidance relative to public procurement procedures and drafting contracts.
- Represent awarding authorities in bid protest hearings.
- Conduct trainings on sexual harassment, Open Meeting Law and Public Records.

## Prior Experience

### Town of Braintree, Braintree, MA

#### *Town Solicitor (2008-2014)*

Appointed by Mayor to serve as first in-house counsel to Town transitioning to city form of government. Responsible for interpreting Town Charter, converting by-laws to ordinances, and advising Town Council on legislative procedures. Provided general advice to all Town departments on topics ranging from ordinance interpretation to procurement requirements and municipal finance issues. Drafted special legislation for Town to obtain additional liquor licenses and to design/build/operate a pool/rink facility. Acted as liaison between developers and various Town boards to navigate permitting processes and to achieve projects that balance needs of developer with best interests of community. Represented Town in all litigation, including land use issues pending with Superior Court and the Land Court, and labor issues before the Civil Service Commission, Department of Labor Relations, Board of Conciliation and Arbitration, and American Arbitration Association. Drafted all contracts to which the Town was a party.

Negotiated collective bargaining agreements with eleven unions and defended the Town in all grievance, arbitration or disciplinary hearings. Attended all meetings of and advised Zoning Board of Appeals and Board of Licensing Commissioners, prepared decisions of said boards, and defended said boards in appeals.

### Kopelman and Paige, P.C., Boston, MA

#### *Associate (2002-2003, 2004-2008)*

Represented various municipalities and public entities in all aspects of municipal government, with emphasis on labor and land use issues

### Massachusetts State Lottery, Braintree, MA

#### *Executive Administrator (2003-2004)*

Advised Executive Director with respect to personnel policies and issues, contract drafting and interpretation, procurement requirements, compliance with state law, budgeting, local aid, new developments in lottery business, and reports to General Court, Governor, and State Treasurer.



Representative Joseph C. Sullivan, Chairman of Transportation Committee, State House, Boston, MA

*Legislative Aide/Research Assistant (2001-2002)*

Researched, drafted and analyzed impacts of legislation. Served as liaison to address constituent concerns.

Town of Braintree, Braintree, MA

*Paralegal (1994-2001)*

*Acting Executive Secretary (2000)*

### **Recent Decisions**

- Crosby Village, LLC v. Chelmsford ZBA: Represent Town in defense of 10% safe harbor assertion and related denial of comprehensive permit.
- 243 Riverneck, LLC v. Chelmsford ZBA: Represent Town in defense of 10% safe harbor assertion and related denial of comprehensive permit.
- 383 Washington Street, LLC v. Braintree ZBA: Represent Town in appeal of denial of general land area minimum safe harbor calculation and related appeal overturning Town's denial of two comprehensive permits
- Great White v. Wellfleet ZBA: Defend Town's denial of special permits and enforcement of Zoning Bylaw against alleged contractor's yard
- Colchester Properties v. Methuen Community Development Board: Defend Board's denial of subdivision under Low Impact Development Ordinance
- Jerusalem Road LP v. Cohasset Town Clerk and Planning Board: Defend Town's refusal to endorse 22-year old unrecorded subdivision plan
- WB General v. West Boylston ZBA: Represent Zoning Board in denial of special permit to alter conjoined structures on nonconforming lots held in common ownership
- United States v. Clean Harbors: Represented Town and successfully intervened in environmental enforcement action to negotiate settlement that included procurement of platform ladder truck for Fire Department.
- United States v. Town of Braintree: Defended Town in municipal wastewater enforcement action and negotiated settlement allowing for construction of rain garden at municipal golf course in lieu of penalty.
- Erali v. Town of Orange: Federal Court defense verdict in case alleging female supervisor sexually harassed male subordinate.
- Lambert v. Town of Montague: Franklin Superior Court defense verdict in wrongful termination case.
- DeMeo v. Braintree Building Inspector: Norfolk Superior Court granted motion to dismiss complaint seeking enforcement action.
- In re: Wine Nation (Wine Nation v. Braintree Board of Licensing Commissioners): Alcoholic Beverages Control Commission upheld Town's denial of all-alcoholic liquor license under Ballarin factors.

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- Skrycki v. Braintree Board of Selectmen: Civil Service Commission upheld termination of police sergeant, in part based on lack of truthfulness.
- Venuto v. Town of Braintree: Civil Service Commission upheld termination of police officer for violation of several department policies.
- AFSCME v. Town of Braintree: Board of Conciliation and Arbitration affirmed termination of employee for violating Violence in the Workplace Policy.
- AFSCME v. Town of Braintree: Board of Conciliation and Arbitration affirmed Town's bypass of union employee to appoint non-union employee to vacant position.
- Police Patrol Officers Association v. Town of Braintree: American Arbitration Association upheld discipline of police officer for pattern of sick leave abuse.
- McIntyre v. Braintree ZBA: Defended Town in denial of untimely appeal of building permit with special emphasis on estoppel as applied to municipal officers.
- Aiello v. Braintree Planning Board: Defended issuance of special permit modification for commercial use subject to grandfathering protection. Also involved defense of claims against municipal officials for alleged violation of the Declaration of Rights under MA Constitution and Chapter 268A.
- LCM Realty Trust, et al. v. Sterling Earth Removal Board: Defend Town's cease and desist order relative to earth removal operations and negotiate settlement and renewal to Earth Removal Board.
- Concerned Citizens of West Boylston v. West Boylston ZBA: Defend Town's denial of zoning enforcement request relative to use of property as gun range and negotiate settlement of same.
- Residences of Oxbow Field v. Wayland Planning Board: Defend Town's site plan approval for use of land for soccer field and negotiate resolution with residential abutters.

## Bar & Court Admissions

- Massachusetts Bar
- U.S. District Court (Mass.)

## Memberships & Affiliations

- Massachusetts Bar Association Public Law Section Committee (2010-2013)
- Massachusetts Municipal Lawyers Association (2008 to present)

## Education

New England School of Law  
Juris Doctorate, *cum laude*, 2002  
Full merit scholarship recipient

Smith College  
Bachelor of Arts, 1990



## Speaking Engagements

- Mass. Municipal Lawyers Association – Small Clean Energy Facilities Permitting following the 2024 Climate Act
- Roles and Responsibilities of Planning and Zoning Boards (Citizen Planner Training Collaborative)
- Mass. Municipal Lawyers Association – The Status of Solar Installations and Battery Energy Storage Systems following Tracer Lane II
- Introduction to the Subdivision Control Law (Citizen Planner Training Collaborative)
- Introduction to Chapter 40B – Comprehensive Permits and Procedures (various with most recent in North Andover, MA, Plympton, MA and Amherst, MA)
- Roles and Responsibilities of Boards under Chapter 40A and Local Zoning Bylaws (various with most recent in Plymouth, MA and Braintree, MA )
- Introduction to Zoning (Cohasset, MA)
- Introduction to Chapter 40R (North Attleboro, MA)
- Overview of the Open Meeting Law and Public Records Law (various with most recent in Plymouth, MA, Brewster, MA and Hubbardston MA)



**JOSEPH S. FAIR**

**Shareholder**

**E-mail:** jfair@k-plaw.com

**Phone:** 617.654.1708

**Practice Areas:** Labor and Employment, General Municipal, Litigation

**Experience**

Attorney Joseph S. Fair has nearly 30 years of experience in labor and employment law, including negotiating and drafting collective bargaining agreements, employment contracts, grievance and arbitration settlements, and other agreements. He has considerable experience proactively counseling and advising clients on a multitude of labor and employment subjects with an aim toward minimizing and potentially avoiding liability altogether. His experience includes representing clients before state and federal courts, various state agencies including the Civil Service Commission, Department of Labor Relations, Joint Labor Management Committee, Massachusetts Commission Against Discrimination, Division of Unemployment Assistance, and labor arbitrations.

Attorney Fair has a well-rounded background in labor and employment law having represented public employers, labor unions, and individual employees. Prior to joining the firm, he was an associate for approximately six years at a Boston labor and employment boutique law firm where he represented labor unions and individuals in litigation, arbitrations, and collective bargaining matters. He also served as a field representative attorney for the local chapter of a large union. His experience working on both sides of the labor and employment table has provided him with a unique perspective on ways to approach and deal with the various issues that can arise in the workplace.

Attorney Joseph S. Fair also practices General Municipal Law, assisting clients with a variety of issues including Town Meetings, Municipal Charters and By-Laws, Conflict of Interest, Public Records, Open Meeting Law, and Municipal Finance.

**Representative Matters**

- Has negotiated hundreds of collective bargaining agreements and other agreements with numerous public employee unions that included concessions on wages, overtime, sick leave buyback, and increases in employee health insurance contribution rates, co-pay amounts, and other health insurance changes, including the transfer of several communities' coverage to the Group Insurance Commission.
- Favorably defended or resolved arbitration matters involving such subjects as suspensions, terminations, layoffs, vacation pay, detail pay, sick leave buyback, promotional bypasses, out of grade pay and uniform allowance payments.



- Successfully represented municipal clients before the Massachusetts Commission Against Discrimination, Joint Labor Management Committee, Department of Labor Relations, Civil Service Commission and Division of Unemployment Assistance.

### **Prior Experience**

Dwyer, Duddy, and Facklam, P.C., Boston, MA

*Associate*

Represented clients in labor, employment and litigation matters in various state and federal forums. Drafted and responded to discovery requests, dispositive motions, and other pre-trial matters. Conducted and defended depositions. Prepared and presented case-in-chief of cases assigned. Drafted appellate briefs and delivered argument on appeal. Advised clients on labor and employment matters and provided them with written opinions. Negotiated collective bargaining, settlement, and other agreements.

Service Employees International Union, Local 254, Boston, MA

*Field Representative/Attorney*

Represented collective bargaining unit members at disciplinary, grievance, and arbitration hearings. Assisted with contract negotiations. Principal administrator of all bargaining units assigned.

### **Memberships & Affiliations**

- Massachusetts Bar Association
- Massachusetts Municipal Lawyers Association

### **Bar & Court Admissions**

- Massachusetts Bar
- U.S. District Court (Mass.)
- U.S. First Circuit Court of Appeals

### **Education**

Boston College Law School

Juris Doctor

Northeastern University

Bachelor of Science, *summa cum laude*



THE LEADER IN PUBLIC SECTOR LAW

## REFERENCES

### Attorney Carolyn M. Murray

*Attorney Murray has over 20 years of experience in municipal law. While Attorney Murray has represented many of the Firm's clients during her career, below is a sample of communities she has represented with years of service.*

| MUNICIPALITY                                                                             | CONTACT INFORMATION                                                                                                                                                               | YEARS OF SERVICE |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Braintree</b><br>Braintree Town Hall<br>One JFK Memorial Drive<br>Braintree, MA 02184 | <b>Hon. Erin V. Joyce</b><br><i>Mayor</i><br>Tel: 781-794-8000<br><a href="mailto:ejoyce@braintree.ma.gov">ejoyce@braintree.ma.gov</a>                                            | <b>20+ years</b> |
| <b>Brewster</b><br>Brewster Town Hall<br>2198 Main Street<br>Brewster, MA 02631          | <b>Mr. Peter Lombardi</b><br><i>Town Manager</i><br>Tel: 508-896-3701 Ext. 1128<br><a href="mailto:plombardi@brewster-ma.gov">plombardi@brewster-ma.gov</a>                       | <b>2 years</b>   |
| <b>Cohasset</b><br>Cohasset Town Hall<br>41 Highland Avenue<br>Cohasset, MA 02025        | <b>Ms. Michelle Leary</b><br><i>Town Manager</i><br>Tel: 383-4100 Ext. 5109<br><a href="mailto:mleary@cohassetma.gov">mleary@cohassetma.gov</a>                                   | <b>5 years</b>   |
| <b>Eastham</b><br>Eastham Town Hall<br>2500 State Highway<br>Eastham, MA 02642           | <b>Mr. Paul Lagg</b><br><i>Director of Community Development</i><br>Tel: 508-240-5900 Ext. 3228<br><a href="mailto:plagg@eastham-ma.gov">plagg@eastham-ma.gov</a>                 | <b>8 years</b>   |
| <b>Pembroke</b><br>Pembroke Town Hall<br>100 Center Street<br>Pembroke, MA 02359         | <b>Sabrina Chilcott</b><br><i>Assistant Town Manager</i><br>(781)589-6918<br><a href="mailto:SabrinaChilcott@townofpembroke.mass.org">SabrinaChilcott@townofpembroke.mass.org</a> | <b>12 years</b>  |
| <b>Plymouth</b><br>Plymouth Town Hall<br>26 Court Street<br>Plymouth, MA 02360           | <b>Ms. Kate McKay</b><br><i>General Counsel</i><br>Tel: 508-747-1620<br><a href="mailto:kmckay@plymouth-ma.gov">kmckay@plymouth-ma.gov</a>                                        | <b>4+ years</b>  |

| MUNICIPALITY                                                                                                               | CONTACT INFORMATION                                                                                                                                | YEARS OF SERVICE |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>North Attleborough</b><br>North Attleborough Town Hall<br>43 South Washington Street<br>North Attleborough, MA<br>02760 | <b>Mr. Michael Borg</b><br><i>Town Manager</i><br>(508) 699-0100<br><a href="mailto:mborg@nattleboro.com">mborg@nattleboro.com</a>                 | <b>7 years</b>   |
| <b>Watertown</b><br>Watertown Admin. Bldg.<br>149 Main Street<br>Watertown, MA 02472                                       | <b>Mr. George Proakis</b><br><i>City Manager</i><br>Tel: 617-972-6465<br><a href="mailto:gproakis@watertown-ma.gov">gproakis@watertown-ma.gov</a>  | <b>10 years</b>  |
| <b>Wayland</b><br>Wayland Town Hall<br>41 Cochituate Road<br>Wayland, MA 01778                                             | <b>Mr. Michael McCall</b><br><i>Town Manager</i><br>Tel: 508-358-3620<br><a href="mailto:mmccall@wayland.ma.us">mmccall@wayland.ma.us</a>          | <b>10 years</b>  |
| <b>Wellfleet</b><br>Wellfleet Town Hall<br>300 Main Street<br>Wellfleet, MA 02667                                          | <b>Mr. Thomas Guerino</b><br><i>Town Administrator</i><br>(508) 349-0300<br><a href="mailto:guerino@wellfleet-ma.gov">guerino@wellfleet-ma.gov</a> | <b>11 years</b>  |



THE LEADER IN PUBLIC SECTOR LAW

## REFERENCES

### Attorney Joseph S. Fair

*Attorney Fair has nearly 30 years of experience in labor and employment law and over 22 years in municipal law. While Attorney Fair has represented many of the Firm's clients during his career, below is a sample of communities he has represented with years of service.*

| MUNICIPALITY                                                                          | CONTACT NAME                                                                                                                                                      | YEARS OF SERVICE |
|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Athol</b><br>Athol Town Hall<br>584 Main Street<br>Athol, MA 01331                 | <b>Mr. Shaun A. Suhoski</b><br>Town Manager<br>Tel: 978-721-8451<br><a href="mailto:ssuhoski@townofathol.org">ssuhoski@townofathol.org</a>                        | <b>11 Years</b>  |
| <b>Boxborough</b><br>Boxborough Town Hall<br>29 Middle Road<br>Boxborough, MA 01719   | <b>Mr. Michael Johns</b><br>Town Administrator<br>Tel: 978-264-1712<br><a href="mailto:MJohns@boxborough-ma.gov">MJohns@boxborough-ma.gov</a>                     | <b>22 Years</b>  |
| <b>Freetown</b><br>Freetown Town Hall<br>3 North Main St.<br>Assonet, MA 02702        | <b>Ms. Deborah Pettey</b><br>Town Administrator<br>Tel: 508-644-2201 x1<br><a href="mailto:townadministrator@freetownma.gov">townadministrator@freetownma.gov</a> | <b>22 Years</b>  |
| <b>Norton</b><br>Norton Municipal Center<br>70 East Main Street<br>Norton, MA 02766   | <b>Mr. Mark S. Gould</b><br>Town Manager<br>Tel: 508-285-0210<br><a href="mailto:mgould@nortonma.gov">mgould@nortonma.gov</a>                                     | <b>22 Years</b>  |
| <b>Plainville</b><br>Plainville Town Hall<br>190 South Street<br>Plainville, MA 02762 | <b>Mr. Brian S. Noble</b><br>Town Manager<br>Tel: 508-695-3010 Ext. 4<br><a href="mailto:bnoble@plainville.ma.us">bnoble@plainville.ma.us</a>                     | <b>5 Years</b>   |

| MUNICIPALITY                                                                            | CONTACT NAME                                                                                                                                                | YEARS OF SERVICE |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Rowley</b><br>Rowley Town Hall<br>P.O. Box 275<br>Rowley, MA 01969                   | <b>Ms. Deborah M. Eagan</b><br><i>Town Administrator</i><br>Tel: 978-948-2705<br><a href="mailto:debbie@townofrowley.org">debbie@townofrowley.org</a>       | <b>22 Years</b>  |
| <b>Seekonk</b><br>Seekonk Town Hall<br>100 Peck Street<br>Seekonk, MA 02771             | <b>Mr. Shawn E. Cadime</b><br><i>Town Administrator</i><br>Tel: 508-336-2911<br><a href="mailto:scadime@seekonk-ma.gov">scadime@seekonk-ma.gov</a>          | <b>18 Years</b>  |
| <b>Somerset</b><br>Somerset Town Hall<br>140 Wood Street<br>Somerset, MA 02726          | <b>Mr. Mark Ullucci</b><br><i>Town Administrator</i><br>Tel: 508-646-2800<br><a href="mailto:mullucci@town.somerset.ma.us">mullucci@town.somerset.ma.us</a> | <b>3 Years</b>   |
| <b>Watertown</b><br>Watertown Municipal Bldg.<br>149 Main Street<br>Watertown, MA 02472 | <b>Mr. George Proakis</b><br><i>City Manager</i><br>Tel: 617-972-6465<br><a href="mailto:gproakis@watertown-ma.gov">gproakis@watertown-ma.gov</a>           | <b>22 Years</b>  |
| <b>Westborough</b><br>34 West Main Street<br>Westborough, MA 01581                      | <b>Ms. Kristi Williams</b><br><i>Town Manager</i><br>Tel: 508-366-3030<br><a href="mailto:KWilliams@westboroughma.gov">KWilliams@westboroughma.gov</a>      | <b>14 Years</b>  |



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## **eUpdates & Webinars**

### **2026**

|            |                                                                                                            |
|------------|------------------------------------------------------------------------------------------------------------|
| August 26  | 2026 Election Cycle Overview                                                                               |
| July 13    | FY2027 Budget – G.L. 40A Amendments                                                                        |
| April 30   | Overview of Recent Changes to Cannabis Law                                                                 |
| April 27   | Web Content and Mobile App Accessibility Compliance Deadlines Extended by One Year                         |
| January 22 | Designer Indemnification and the Statute of Repose                                                         |
| January 22 | Employer Reporting Requirements Under the “No Tax on Overtime” Provision of the One Big Beautiful Bill Act |
| January 22 | Protections for Federal Workers During Federal Government Shutdowns                                        |
| January 22 | Withholdings on Sales of Massachusetts Real Estate                                                         |
| January 22 | Accessibility of Web Content and Mobile Apps: What Municipalities Need to Know                             |
| January 22 | 2026 Open Meeting Law Update                                                                               |
| January 22 | Public Records Law Exemptions for Municipal Parking Information                                            |
| January 22 | Constables: Election, Appointment, and New POST Commission Guidance                                        |
| January 22 | Cannabis Control Commission Final Social Consumption Regulations                                           |



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## eUpdates & Webinars

**2025**

- |             |                                                                                                                               |
|-------------|-------------------------------------------------------------------------------------------------------------------------------|
| October 29  | Significant Changes to Permitting of Clean Energy Facilities Fall 2025 Draft EFSB and DOER Regulations                        |
| October 24  | Salary Range Transparency Act Upcoming Deadlines                                                                              |
| September 5 | Recent Changes in Tax Title Foreclosure Procedures                                                                            |
| August 20   | Conversion of On-Premises Wine and Malt Only Licenses to All Alcoholic Beverages Licenses                                     |
| May 21      | KP Law on the Road – Spring, 2025                                                                                             |
| May 21      | Fair Labor Standards Act – United States Department of Labor Likely to Cease Efforts to Restore its April 23, 2024 Final Rule |
| May 21      | An Act Relative to Salary Range Transparency - Updated                                                                        |
| May 21      | Land Court Addresses Amended Statutory Interest Rate in Tax Title Foreclosure Cases                                           |
| March 28    | Remote Meeting Authorization Extended                                                                                         |
| February 25 | Recent Changes in Tax Title Foreclosure Procedures                                                                            |
| February 20 | PFAS Litigation Settlement Deadline for Submission                                                                            |
| January 31  | Federal Executive Orders and Memoranda                                                                                        |
| January 23  | Executive Session Meeting Minutes Best Practices                                                                              |
| January 23  | Open Meeting Law – 2025 Update                                                                                                |
| January 23  | “True Threats” and the First Amendment Considerations Recent Supreme Court and Supreme Judicial Court Cases                   |
| January 23  | Major Changes to Civil Service Framework are Enacted into Law                                                                 |
| January 23  | Calculations of Construction Costs for G.L. c. 149 and OSD Contracts                                                          |
| January 23  | Recent Updates from the Cannabis Control Commission: <i>Draft Social Consumption Establishment Regulations</i>                |
- CCC December 17, 2024 Proposed Draft Regulations



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## eUpdates & Webinars

- January 23    Recent Updates from the Cannabis Control Commission: *Community Impact Fees, Host Community Agreement Standard Evaluation Form, and Upcoming Deadline for Social Equity Compliance*
- January 23    An Act to Increase Kennel Safety (Ollie's Law)
- January 23    Public Sector Entities May Be Eligible for Class-Action Settlement Funds: Payment Card Interchange Fee Settlement Notice
- January 23    MBTA Communities Act Update, January 2025 - Attorney General v. Town of Milton (Docket No. SJC-13580)
- January 16    Supreme Judicial Court Upholds Board of Health Enforcement of Massachusetts Flavored Tobacco Ban
- January 8    MBTA Communities Act: Supreme Judicial Court decision in Milton Case



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## **eUpdates & Webinars**

### **2024**

- December 23 Fair Labor Standards Act – Federal Court Permanently Enjoins the United States Department of Labor’s April 23, 2024 Final Rule Nationwide
- December 12 Chapter 238 of the Acts of 2024: An Act Relative to Strengthening Massachusetts’ Economic Leadership
- December 12 Recent Changes in Tax Title Foreclosure Procedures
- September 12 Recent Treasury Guidance Offers New Flexibility Concerning ARPA Funds
- August 30 State Primary
- August 26 Recent Changes in Tax Title Foreclosure Procedures
- August 23 An Act Relative to Salary Range Transparency
- August 13 An Act Relative to the Affordable Homes Act
- July 24 Supreme Court Issues Guidance on Use of Social Media
- July 8 Fair Labor Standards Act – United States Department of Labor’s April 23, 2024 Final Rule, Effective July 1, 2024
- June 28 New Developments Regarding Marijuana Host Community Agreements
- June 3 Alcoholic Beverages Licensing – Recent Changes in Law
- May 15 Massachusetts Superior Court Rules Tax Title Statute Unconstitutional
- May 7 Opioid Litigation Update re: PBM filing deadline
- February 23 PFAS Litigation Updates and Deadlines
- January 19 Cannabis Control Commission Regulatory Amendments Impacting Municipalities (Part I)
- January 19 Cannabis Control Commission Regulatory Amendments Impacting Municipalities (Part II)
- January 19 Cannabis Control Commission Regulatory Amendments Impacting Municipalities (Part III)
- January 19 EOHLC Updates to Compliance Guidelines for MBTA Communities
- January 19 Recent Open Meeting Law Decisions



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## **eUpdates & Webinars**

- January 19    Municipal Finance Law Updates
- January 19    Constitutional Considerations in 2024
- January 19    Navigating the Uncertainty Over Tax Title Surplus Proceeds: DLS Offers Interim Guidance to Municipalities and Local Finance Officials
- January 19    SJC Extends “Totality of the Circumstances” Test in Determining Whether Land is Held for Specific Municipal Purpose
- January 19    Conflict of Interest Law – Hiring or Supervising Family Members



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## **eUpdates & Webinars**

### ***2023***

- September 11 FY 24 State Budget Change to Standards for Investment of Trust Funds in Municipalities
- July 11 Initial Policies and Procedures to Promote Equity in the Cannabis Industry
- June 12 Important Information Regarding Your Water District Contamination Claim
- June 12 U.S. Supreme Court Decision Casts Doubt on Tax Foreclosure Sales in Massachusetts
- May 2 Notice to Quit and Eviction Actions
- March 30 Pandemic Related Legal Updates
- March 8 SJC Declares Public Comment Policy Unconstitutional
- February 24 Appeals Court Holds Procedural Process for Selecting Fire Chief Falls Outside of Union's Bargaining Powers
- February 16 Legislative Update: Codification of Requirements for Disposition or Alternative Use of Property and Interests Subject to Article 97
- January 20 Evolution of a Chapter 40B Project
- January 20 Process for Amending a Zoning Bylaw or Ordinance
- January 20 Votes Act: Summary
- January 20 Legislative Update: Renewable Energy and Agricultural Land
- January 20 DHCD Issues Final Compliance Guidelines for MBTA Communities
- January 20 Legislative Update: Uniform Procurement Act and Municipal Finance Laws for School Districts
- January 20 Marijuana Reform: Parts I and II
- January 20 Opioid Settlements: Allocation of Funds
- January 20 Alcohol Licensing: Current Issues
- January 20 POST Commission Regulations: Update

## **FY2027 BUDGET – G.L. 40A AMENDMENTS**

### **July 13, 2026**

On July 9, 2026, the Governor Healey signed the FY 2027 budget, House Bill No. 5555 (“Budget Bill”), which makes several significant changes to G.L. c. 40A (Chapter 40A), the Zoning Act, including amendments to Sections 5 and 11 (notice requirements), Section 6 (pre-existing nonconforming uses and structures and freeze protections) and Section 10 (variances). These amendments are substantial, and implementation requires review on a case by case basis, including potential revisions to existing zoning bylaws and ordinances. The Budget Bill had an effective date of July 1, 2026. While we have included, below, initial summaries of several important provisions, we anticipate that various state entities may provide implementation guidance.

Note that the so-called “Economic Development Bill” contains several different zoning-related amendments, including “commercial conversion” to multifamily housing by right, allowing land held by religious groups to be developed as multifamily housing by right, and codification of site plan review. These provisions are still in flux and have not been enacted into law. Our understanding is that the House and Senate bills vary and will therefore need to be reconciled. Any observations or questions about matters included in the Economic Development Bill should be directed to your State Legislators.

#### **Chapter 40A, Sections 5 and 11 - Notice Changes (Budget Bill Sections 40, 41, 48, and 49)**

Chapter 40A, Sections 5 (zoning amendments) and 11 (public hearing requirements), previously required notice of a hearing to be given by (1) posting at town hall, (2) publication in a newspaper, and (3) mail postage prepaid. While current posting and publication requirements continue to apply, the law now allows notice to be sent by electronic mail in lieu of regular mail. Implementation of this provision may require changes to the information collected by the assessing entity, as, in order to comply with other provisions, such e-mail addresses must be found on the assessing list and certified by the assessors.

Although e-mailing may substitute for regular mail for purposes of Sections 5 and 11 of Chapter 40A, no change was made to the Section 10 mailing requirement in connection with variance applications.

#### **Chapter 40A, Section 6 - Changes to Nonconformity Protections, Abandonment Timelines, and Zoning Freezes (Bill Sections 43, 45 and 46)**

***Extension or alteration by right of pre-existing nonconforming structures or residential uses.*** The Budget Bill amends Section 6 of Chapter 40A relative to extension or alteration of pre-existing nonconforming structures or residential uses that do not conform to zoning because of “lot size or shape, frontage, lot coverage or floor area ratio requirements”. The amendments to Section 6 allow a nonconforming structure or residential use to be extended or

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altered as of right, without the need for a finding by the special permit granting authority, provided that the extension or alteration complies with current dimensional regulations regarding height, stories and setback.

***Abandonment determination extension.*** The Budget Bill amends Section 6 of Chapter 40A to allow a municipality, by ordinance or bylaw, to extend the timeline from two years or more to four years or more for determining abandonment of a nonconforming use or structure. Previously, nonconforming uses and structures determined to be abandoned or not used for a period of two years or more (depending on the ordinance or bylaw) would thereby become subject to current zoning requirements.

***Expansion of protection from subsequent zoning changes.*** Previously, a project was protected from subsequent zoning changes only if a building permit or special permit was issued before the first publication of notice of a zoning change required under Section 5 of Chapter 40A. The amendments to Chapter 40A now protect a permit applicant from subsequent zoning changes if they have simply applied for a special permit, building permit, or any other entitlement under Chapter 40A.

***Increase to duration of zoning freeze.*** Additionally, the Budget Bill increases the so-called “zoning freeze” from one year to two years that a zoning ordinance or by-law must establish after the issuance of the last permit necessary for construction, but excludes any period of time during which the applicant is actively seeking or obtaining other necessary permits. The actual substance of the zoning freeze remains unchanged and provides that subsequent amendments of the ordinance or bylaw do not apply. The requirement that the use or construction must commence and continue “through to completion as continuously and expeditiously as is reasonable” also remains.

***Expansion of lot merger zoning protection.*** Section 46 of the Budget Bill also adds anti-merger protection for undeveloped lots of a certain size/frontage, that were lawful when created, and which later come into common ownership with any adjoining land. Previously, only lots for single and two-family residential uses were protected. The amendment strikes the residential use requirements, providing protection for all lots.

## **Chapter 40A, Section 10 - Changes to Variance Standards (Bill Section 47)**

***Easing of variance standards.*** Section 47 of the Budget Bill replaced entirely Section 10 of Chapter 40A, making it somewhat easier to obtain variances. Historically, hardship variances could be granted only if the applicant was able to demonstrate significant hardship due to soil, shape or topography. The new standard is whether “strict enforcement of the ordinance or by-law would result in practical difficulty.”

To make this determination, a zoning board of appeals will now be required to weigh the benefits to the applicant and to the public interest, which is defined to include production of housing, as compared to the detriments to the public health, safety and welfare of the neighborhood impacted. A zoning board of appeals may also consider:

- (i) whether the practical difficulty relates to soil conditions, shape or topography of such land or structures;
- (ii) whether the strict enforcement would impose a financial hardship on the appellant or petitioner; (iii)

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whether the benefit sought by the appellant or petitioner can be achieved by some other method feasible for the appellant or petitioner to achieve; and (iv) whether the practical difficulty was self-created”

***Increases to maximum periods for variance duration and extensions.*** The Budget Bill extends from one to two years the period a variance is valid, and excludes (1) the time necessary to pursue other entitlements to construct the project, and (2) the time to await the determination of an appeal. Further, the bill allows zoning board of appeals to grant variance extensions of up to two years, rather than a maximum of six months, provided the request for an extension is filed prior to the expiration of the variance.

Finally, variances for residential uses are authorized pursuant to the amended statute, and therefore do not require an express allowance in a zoning ordinance or bylaw. If a municipality wishes to grant any other use variance, however, authority for the same must be provided by ordinance or bylaw.

### Summary

The Budget Bill made significant amendments to Chapter 40A. We will continue to review the implications of these changes and the scope of potential zoning amendments municipalities may need to consider. The Budget Bill took effect on July 1, 2026, and, if and as more information emerges, we will supplement the information in this eUpdate.

Please contact Attorney Amy E. Kwesell ([akwesell@k-plaw.com](mailto:akwesell@k-plaw.com)) or your KP attorney at 617.556.0007 with any specific questions.

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## Employer Reporting Requirements under the “No Tax on Overtime” Provision of the One Big Beautiful Bill Act Begin for TY 2025

**(Prepared for 2026 MMA Connect 351)**

“No Tax on Overtime”, a significant provision of the One Big Beautiful Bill Act (“Act”), allows employees to deduct from their federal taxable income a portion of their “qualified overtime compensation” (“QOC”), as that term is defined under § 7 of the Fair Labor Standards Act (“FLSA”). The provision also requires employers to report QOC earned for the taxable year (“TY”) on employee tax documents. While the IRS has clarified that for TY25 employers will not be penalized for failing to report or for inaccurately reporting QOC on employee tax documents, the Act’s “No Tax on Overtime” changes have significant implications for municipalities and their employees for TY25 through TY28.

### **Overtime Definition/Hours & Reporting**

Recent [IRS guidance](#), effective for TY25 through TY28, provides that employees who earn QOC may deduct a portion of their overtime compensation from their taxable income. This deduction is available only to employees with a modified adjusted gross income (“MAGI”) of \$150,000 or less for single filers, or \$300,000 or less if filing jointly. The maximum allowable deduction is \$12,500 for single filers and \$25,000 for joint filers.

Critical for municipalities, and a departure from most current municipal overtime tracking practices, the Act adopts the definition of QOC from [§ 7](#) of the FLSA. Under § 7, QOC is the “half” in the FLSA’s “time-and-a-half” rate of pay rule for hours worked exceeding 40 hours a week. When calculating QOC, the FLSA considers only the actual “[hours worked](#)” by an employee. The [FLSA](#) does not count time not worked – such as vacation days, sick days, or federal or other holidays – in the 40-hour workweek calculation. It is not uncommon for municipalities, typically pursuant to a collective bargaining agreement or individual contracts, to provide greater overtime benefits than the FLSA requires, such as affording overtime when an employee works over 8 hours in a given day, or paying overtime for unscheduled work regardless of how much vacation or other paid time off was utilized during that same work week. However, the hours gained through these greater overtime benefits are not considered QOC for purposes of the FLSA unless the employee has also met the FLSA’s threshold of at least 40 hours of actual work in that week. Consider, for example, a situation where a collective bargaining agreement counts vacation hours as “hours worked” for overtime purposes. If an employee works 33 hours and takes 8 hours of vacation in a week, that would result in a total of 41 hours in that week. Under that collective bargaining agreement, the employee would likely be eligible for at least 1 hour of overtime pay. However, in this same scenario, no portion of that employee’s wages would be eligible for the Act’s tax exemption on overtime and would not be reported as QOC on the employee’s W-2. This is because per § 7 standards, the employee has only actually worked for 33 hours in that week.

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The Act also contemplates the various overtime calculation and payment frameworks authorized under 29 U.S.C. § 207. For example, the FLSA permits alternative overtime rules for certain municipal employees, including: § 207(k), which modifies when overtime accrues for public-sector fire protection and law enforcement employees by allowing extended work periods; and, § 207(o), which allows public employers to satisfy overtime obligations through granting compensatory time off in lieu of immediate cash payment for overtime hours.

For purposes of the Act's "no tax on overtime" provision, QOC (if any) must be calculated in accordance with the overtime rules of the applicable subsection of § 207. Therefore, to ensure accurate reporting of QOC on employees' tax documents moving forward, municipalities should consider implementing a change to separately track overtime for internal purposes, such as, overtime compensation earned as defined in collective bargaining agreements or possibly individual employment contracts, and for federal tax purposes, such as wages earned for hours actually worked beyond 40 hours/week, or hours and other compensation earned under the applicable subsection of § 207.

### **Application to TY25 (Temporary Penalty Relief)**

For TY25, the IRS and Treasury will provide "[transitional relief](#)" from penalties for employers that do not separately or accurately report the total amount of QOC an employee has earned in the year, so long as the employer otherwise files complete and accurate returns and statements. For now, this relief is limited to TY25 and reflects the IRS's recognition that many employers currently lack the tools and information necessary to comply with the new reporting requirements of the Act, particularly because W-2 and 1099 forms will not be updated for TY25 to capture these amounts.

While penalties for failing to separately report or accurately report QOC in TY 2025 will be waived, IRS [guidance](#) still encourages employers to provide employees with a separate accounting of QOC through supplemental statements, secure portals, or Box 14 on employees' W-2s. This separate accounting may facilitate the employee's ability to claim the deduction in TY25. Accordingly, we anticipate that municipal employers can expect to receive employee requests for QOC supporting documentation for TY25. Additional IRS guidance for individual taxpayers on how to claim the qualified overtime compensation deduction for TY25 is expected to be forthcoming, as is guidance on employer reporting requirements.

### **Summary**

In sum, the Act's "No Tax on Overtime" provision requires employers for TY25-TY28 to report all QOC, as defined by § 7 of the FLSA, earned by employees as a separate line item on employees' W-2s or other tax documents. For TY25, employers will not be penalized for failing to separately report QOC or inaccurately reporting QOC amounts. However, municipalities may still receive requests for QOC accounting for TY25, and, for TY26-TY28, and will need to develop and implement accounting mechanisms for hours worked and QOC earned for both internal and external purposes, as described above.

We will continue to monitor any developments on the implementation of the No Tax On Overtime provision. Municipalities with payroll vendors, financial advisors, and/or outside accounting firms may wish to seek out

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additional guidance and information on these matters. Information may also be obtained from the [IRS Newsroom](#).

If you have any questions concerning the changes to overtime compensation and reporting requirements under the Act or its application to specific work periods or compensation schemes under 29 U.S.C. § 207, please contact [Attorney Darren Klein](#) or any member of the firm's Labor and Employment Practice Group at 617.556.0007.

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## Reasons for Convening Executive Session (M.G.L. c.30A, Sec. 21(a))

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. (*See Rights of Individuals on reverse.*)
2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.
4. To discuss the deployment of or strategy regarding security personnel or devices, e.g., a sting operation.
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints.
6. To consider the purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.
8. To consider or interview applicants for employment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants. This clause shall not apply to any meeting regarding applicants who have passed a prior preliminary screening.
9. To meet with a mediator regarding any litigation or decision; provided that (i) any decision to participate in mediation shall be made in open session and the parties disclosed and (ii) no action shall be taken with respect to the issues involved without deliberation and approval of the action at an open session.
10. To discuss trade secrets or confidential or proprietary information regarding activities by a governmental body as energy supplier, municipal aggregator or energy cooperative, if an open session will adversely affect conducting business relative to other entities making, selling or distributing energy.

## **Procedures for Convening Executive Session**

- 1. The meeting must be convened in an open posted session, with executive session listed on the agenda when reasonably anticipated by the chair.**
- 2. A majority must vote in a recorded roll call to go into executive session and the vote must be recorded.**
- 3. The chair must state the purpose for the executive session, including all subjects that may be revealed without compromising the purpose of the executive session (and, under exemptions 3, 6, and 8, makes the required declaration).**
- 4. The chair must announce whether the meeting will reconvene in open session.**
- 5. Accurate minutes and other records of the executive session must be maintained, with all votes recorded by roll call.**

## **Rights of Individuals**

- 1. When a governmental body wishes to discuss: (a) the reputation, character, physical or mental health of an individual; or (b) the discipline or dismissal of or complaints or charges brought against a public officer, employee, staff member or individual, it must notify that person in writing at least 48 hours in advance of the meeting, not including Saturdays, Sundays or holidays.**
- 2. Written notice may be waived by the individual.**
- 3. The individual may choose to instead have the meeting held in open session.**
- 4. If an executive session is held, the individual has the right to be present for deliberations, to speak, and to have counsel or a representative of choice present for the purpose of giving advice but not for active participation.**
- 5. The individual may have an independent record of the executive session created by audio recording or transcription, at the individual's expense.**



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## THE PUBLIC RECORDS LAW

### G.L. c.66, §10 and G.L. c.4, §7(26)

#### Basic Facts

- A presumption exists that all governmental records are public records subject to mandatory disclosure upon request, unless a statutory exemption is applicable.
- The law applies to any kind of “document” made or received by a public officer or employee, regardless of its format, such as papers, maps, recordings, e-mails, computer generated or stored records, etc.
- The law applies to records in existence and in the custody of the public entity. Therefore, a public entity is not required to either create a record in response to a public records request, or answer questions posed by the requester.
- A public records request may be made in person or in writing; a public entity is not obligated to respond to requests made by telephone only but may do so in its discretion.
- A Records Access Officer (“RAO”) or other custodian of public records is presumed to have superior knowledge of the records in his or her custody or in the custody of the public entity generally, and even if a records request is not precise, RAOs/records custodian should use their superior knowledge of the records to attempt to identify and provide responsive records.
- Generally, requesters may not be asked why they are seeking a particular record, subject to limited statutory exceptions.

#### The Response

- A public entity **must** respond to a records request within 10 business days following receipt of the request.
- A public entity must provide a written response if any record(s) sought by the requester will not be produced or will be redacted. That written response has specific required elements. *See KP Law reference card, “New Public Records Law - Responding to a Public Records Request” for more information.*
- Pursuant to the Public Records Access Regulations, 950 CMR 32.00 et seq., a public entity may charge a requesting party the following fees:
  - (1) Photocopies (black and white) single or double sided, \$.05 per page; computer printouts (black and white), \$.05 per page, unless otherwise specified by statute; and for records not susceptible to ordinary means of reproduction, the actual cost to provide a copy.
  - (2) Search time (i.e., the time necessary to search for and copy responsive records) or segregation time (i.e., the time necessary to delete or redact protected information from records otherwise subject to disclosure); such fee to be determined at the pro-rated hourly rate of the lowest paid employee capable of performing the search, but no more than \$25 per hour. Municipal RAOs may seek permission of the Supervisor of Records to charge a higher rate, however.

***NOTE: Municipalities with 20,000 or more residents may not charge for the first two hours of work. There may be further limitations upon the time that may be charged for segregation and redaction.***

- The analysis a public entity undergoes upon receipt of a public records request is generally the same regardless of the identity of the requester, except in certain limited circumstances, such as where the requester or requester’s representative has a “unique right of access” as a result of statutory, regulatory or other judicial means (i.e., requests for abutters’ lists in land use permitting matters, union information requests pursuant to G.L. c. 150E, and requests from litigants in civil or criminal cases).

### Frequently Asserted Exemptions

- Exemption (a) allows withholding of records that are “specifically or by necessary implication exempted from disclosure by statute.”
- Exemption (c) allows withholding of “personnel and medical files or information any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy; provided, however, that this subclause shall not apply to records related to a law enforcement misconduct investigation.”
- Exemption (d) allows withholding of “inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency; but this subclause shall not apply to reasonably completed factual studies or reports on which the development of such policy positions has been or may be based.”
- Exemption (e) allows withholding of “notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit.”
- Exemption (f) allows withholding of “investigatory materials necessarily compiled out of the public view by law enforcement or other investigatory officials the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest.”
- Exemption (h) allows withholding of “proposals and bids to enter into any contract or agreement until the time for the opening of bids in the case of proposals or bids to be opened publicly, and until the time for the receipt of bids or proposals has expired in all other cases; and inter-agency or intra-agency communications made in connection with an evaluation process for reviewing bids or proposals, prior to a decision to enter into negotiations with or to award a contract to, a particular person.”
- Exemption (i) allows withholding of “appraisals of real property acquired or to be acquired until (1) a final agreement is entered into; or (2) any litigation relative to such appraisal has been terminated; or (3) the time within which to commence such litigation has expired.”
- Exemption (n) allows a records custodian, who reasonably believes that disclosure is “likely to jeopardize public safety” to withhold records including, but not limited to, “blue prints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety, or cyber security, of persons, buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth.”
- Exemption (o) allows withholding of “the home address, personal email address and home telephone number of an employee of the judicial branch, an unelected employee of the general court, an agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of a political subdivision thereof or of an authority established by the general court to serve a public purpose, in the custody of a government agency which maintains records identifying persons as falling within those categories; provided that the information may be disclosed to an employee organization under chapter 150E, a nonprofit organization for retired public employees under chapter 180, or a criminal justice agency as defined in section 167 of chapter 6.”



THE LEADER IN PUBLIC SECTOR LAW

## **SEMINARS AND WORKSHOPS: Knowledge is Prevention**

### **Topics Include:**

|                                                                                                    |                                                                                         |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| The New Public Records Law: Technical Requirements and Practical Implications                      | Betterment Assessments                                                                  |
| Land Use and Zoning Law Updates                                                                    | Private and Public Ways – Municipal Duties and Liabilities                              |
| Tax Title Foreclosure Basics                                                                       |                                                                                         |
| Basic Zoning Code Administration and Enforcement                                                   | How to Conduct a Liquor License Hearing                                                 |
| What Municipalities and Public Entities Should Know About CORI Reform in Massachusetts             | Municipal Tort Claims and Street Defects                                                |
| Public and Private Ways: Navigating Your way through the Law on Highways and Byways                | Effective Enforcement for Zoning, Planning, Health Boards, and Conservation Commissions |
| Everything You Always Wanted to Know About Town Meeting but Were Afraid to Ask                     | Cable TV – License Negotiations in the Age of Competition                               |
| Massachusetts Gaming Law                                                                           | Acquisition and Disposition of Land, Leases, Easements, and Restrictions                |
| Community Preservation Act                                                                         | Avoiding Unfair Labor Practice Charges                                                  |
| Writing Sound Decisions for Planning Boards, Zoning Boards of Appeal, and Conservation Commissions | First Amendment Audit Protocol                                                          |
| Drafting Reasonable Wetlands By-laws and Regulations to Withstand Successful Challenge             | Marijuana Reform, Host Community Agreements, and Community Agreements                   |
| Open Meeting Law                                                                                   | Marijuana Delivery and Social Consumption                                               |
| Pre-existing Nonconforming Residences                                                              |                                                                                         |
| Street Layout Process                                                                              |                                                                                         |
| Comprehensive Permits                                                                              |                                                                                         |
| Discrimination/Harassment Avoidance Training                                                       |                                                                                         |
| How to Conduct a Flawless Public Hearing                                                           |                                                                                         |
| Disciplining Public Employees with Due Process                                                     |                                                                                         |
| Conflict of Interest                                                                               |                                                                                         |
| Show Cause and Disciplinary Hearings                                                               |                                                                                         |
| Land Use Law and Procedures                                                                        |                                                                                         |
| Procurement and Contracting                                                                        |                                                                                         |

#300515v14



THE LEADER IN PUBLIC SECTOR LAW

**SPECIALTY LEGAL SERVICES RATES  
(Town Counsel/City Solicitor)**

**FY27 and FY28**

“Specialty Legal Services” rates reflect the high demand for such services and the intensity of the work required to provide such services.

- Comprehensive permit matters, including hearings, and similar matters paid for by third parties such as host community agreement negotiations and the like, and including any administrative or court appeals (████/hour if fees are not paid by municipality; or \$████/hour if paid by the municipality);
- Comprehensive general or zoning bylaw revision or review and comprehensive form of government charter or special act adoption or amendment services ██████
- Election recounts (█████)
- Cable television licensing (█████);
- Employment Investigations (█████); and
- Bond counsel work (fees calculated based upon “standard” factors in the field).

Note: Paralegal services are billed at one-half the quoted attorney rate. Disbursements and other costs incurred by the firm are passed through to the City or Town. We do not charge for any in-house costs.

Please contact Lauren Goldberg at [lgoldberg@k-plaw.com](mailto:lgoldberg@k-plaw.com) or at (617) 654-1759 with questions.

825625/KP/0005

## Price Proposal Form

Firm Name: KP Law, P.C.**Required Submissions:**      **FY27**      **FY28**      **FY29**

Hourly Rate for Lead Counsel

Hourly Rate for Associates

Hourly Rate for Paralegals

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

**(Optional) Submissions, Annual Lump Sum:****FY27****FY28****FY29**

General Counsel Only

\_\_\_\_\_/yr

\_\_\_\_\_/yr

\_\_\_\_\_/yr

General Counsel and Litigation Included

\_\_\_\_\_/yr

\_\_\_\_\_/yr

\_\_\_\_\_/yr

General Counsel and Labor Included

\_\_\_\_\_/yr

\_\_\_\_\_/yr

\_\_\_\_\_/yr

General Counsel, Labor, and Litigation Included

\_\_\_\_\_/yr

\_\_\_\_\_/yr

\_\_\_\_\_/yr

**(Optional) Additional Price Considerations:**

PLEASE SEE OUR PROPOSAL FOR A DESCRIPTION OF OUR FEE MODELS.



Signature

President

Title

9/17/26

Date

Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on the structure of billing and or any retainer fee.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/25/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| <b>PRODUCER</b><br><b>MBA Insurance Agency, Inc.</b><br>20 West Street<br><br><b>Boston MA 02111</b><br><br><b>INSURED</b><br><b>KP Law, P.C.</b><br>101 Arch Street<br>12th Floor<br><b>Boston MA 02110</b> | <b>CONTACT NAME:</b> Jennifer Crozier<br><b>PHONE (A/C, No, Ext):</b> (617) 338-0581 <b>FAX (A/C, No):</b> (617) 350-7687<br><b>E-MAIL ADDRESS:</b> jcrozier@massbar.org<br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td><b>INSURER A:</b> CNA/Continental Casualty Co.</td> <td></td> </tr> <tr> <td><b>INSURER B:</b></td> <td></td> </tr> <tr> <td><b>INSURER C:</b></td> <td></td> </tr> <tr> <td><b>INSURER D:</b></td> <td></td> </tr> <tr> <td><b>INSURER E:</b></td> <td></td> </tr> <tr> <td><b>INSURER F:</b></td> <td></td> </tr> </table> | INSURER(S) AFFORDING COVERAGE | NAIC # | <b>INSURER A:</b> CNA/Continental Casualty Co. |  | <b>INSURER B:</b> |  | <b>INSURER C:</b> |  | <b>INSURER D:</b> |  | <b>INSURER E:</b> |  | <b>INSURER F:</b> |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------|------------------------------------------------|--|-------------------|--|-------------------|--|-------------------|--|-------------------|--|-------------------|--|
| INSURER(S) AFFORDING COVERAGE                                                                                                                                                                                | NAIC #                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER A:</b> CNA/Continental Casualty Co.                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER B:</b>                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER C:</b>                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER D:</b>                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER E:</b>                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |
| <b>INSURER F:</b>                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |        |                                                |  |                   |  |                   |  |                   |  |                   |  |                   |  |

**COVERAGES****CERTIFICATE NUMBER:** MasterCert 2026-2027**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: |           |          |               |                         |                         | EACH OCCURRENCE \$<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$<br>MED EXP (Any one person) \$<br>PERSONAL & ADV INJURY \$<br>GENERAL AGGREGATE \$<br>PRODUCTS - COMP/OP AGG \$<br>\$ |
|          | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS                     |           |          |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$                                    |
|          | <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR<br><b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE<br>DED \$ RETENTION \$                                                                                                                            |           |          |               |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$                                                                                                                                                 |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N<br>If yes, describe under DESCRIPTION OF OPERATIONS below   |           |          |               |                         |                         | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/><br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$                         |
| A        | <b>Lawyers Professional Liability</b>                                                                                                                                                                                                                            |           |          | 2068008930    | 6/21/2026               | 6/21/2027               | Each Claim: \$5,000,000<br>Aggregate: \$5,000,000                                                                                                                                        |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Deductible: \$50,000

**CERTIFICATE HOLDER****CANCELLATION**

KP Law, PC  
 101 Arch Street  
 12th Floor  
 Boston, MA 02110

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

T Welsh, CPCU, AIS/WEL

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**PROPOSAL FOR TOWN COUNSEL  
LEGAL SERVICES**

**TOWN OF FAIRHAVEN**

*Submitted by:*

**MEAD, TALERMAN & COSTA, LLC**

30 Green Street  
Newburyport, Massachusetts 01950

730 Main Street, Suite 1F  
Millis, Massachusetts 02054

227 Union Street, Unit 606  
New Bedford, Massachusetts 02740

**September 16, 2026**



Mead, Talerman & Costa, LLC  
Attorneys at Law

227 Union Street  
Suite 606  
New Bedford, MA 02740

[www.mtclawyers.com](http://www.mtclawyers.com)

*Newburyport Office*  
30 Green Street  
Newburyport, MA 01950

*Millis Office*  
730 Main Street, Suite 1F  
Millis, MA 02054  
Phone/Fax 508.376.8400

September 16, 2026

Keith R. Hickey, Town Administrator  
Town of Fairhaven  
40 Center Street  
Fairhaven, Massachusetts 02719

Re: Legal Services  
General Town Counsel and Labor Counsel Services

Dear Mr. Hickey:

On behalf of Mead, Talerman & Costa, LLC (the "Firm") and in response to the Request for Proposals (the "RFP") issued by the Town of Fairhaven, I am pleased to submit the within proposal for both General Town Counsel and Labor Counsel services. In recognition of the "Proposal Contents" requested by the RFP, I supply the following information about myself, the Firm, our qualifications and experience, and our pricing options, as follows:

Legal Experience

The Firm presently provides general counsel services to more than forty-five communities across Massachusetts, from the North Shore to Cape Cod and from metro-Boston to the Berkshires; and special counsel services to many others from time-to-time in various land use, taxation, litigation, and other matters. The Firm is also Labor Counsel to more than three dozen Massachusetts municipalities.

If Fairhaven chooses the Firm as its General Town Counsel, I would be the primary point-of-contact for the Town for these general counsel matters; and I will fulfill many of its day-to-day and week-to-week Town Counsel needs. My partner Elizabeth Lydon would act as back-up point-of-contact. By designating partners who are proficient in all phases of municipal law as Lead and Back-up Counsel in each of the communities we represent, the Firm can address issues promptly and as they arise. Of course, the Firm's full resources will be available to you.

If Fairhaven chooses to continue with the Firm as its Labor Counsel, my partner Katherine Feodoroff would be its primary point-of-contact for these labor and employment law matters, as she is today. She is an experienced and well-respected lawyer with extensive experience in collective bargaining, employment negotiations, arbitrations, and the like. Our partner Jane Friedman would act as back-up point-of-contact.

I am quite familiar with Fairhaven, as are several of my colleagues. Between mid-2022 and late-2024, I assisted the Town with its adoption of the Fairhaven Smart Growth Overlay District, a mixed-use rezoning proposal advanced by the Town under Massachusetts General Laws Chapter 40R. Town Meeting's

passage of these zoning amendment(s) was the culmination of a lengthy effort by Town officials, aided by me and by its other consultants, to establish an overlay district aimed at encouraging future development or redevelopment of certain vacant and underutilized properties in Fairhaven, with the added benefit of monetary incentives from the Commonwealth. Through the process, I was able to work closely with the Town's administration and with its Select Board and Planning Board. Starting shortly thereafter, the Firm was contacted by Fairhaven to provide it with Labor Counsel services; and Attorney Feodoroff has been doing so consistently since early-2025. We would welcome the opportunity to continue and expand our relationship with the Town.

#### Organization, Size, Structure and Areas of Practice

Included herewith for your information and review is a comprehensive description of the Firm and our practice areas, including all areas of general municipal and labor and employment law. Notable Firm projects are listed; and a summary of attorney qualifications is provided. These materials offer a thorough overview of the Firm's makeup and the experience of its attorneys.

Also included is an extensive listing of references. We welcome you to contact the Firm's references regarding the quality of our representation and work product, but also to ask about our familiarity with applicable law, our relationships with officials and staff, and communities' overall satisfaction with the services that we provide as a Firm. We are confident that our record will speak for itself.

#### Attorney Qualifications

I have two decades of experience representing cities and towns across Massachusetts. I presently serve as Lead Counsel in seven municipalities, including the nearby Town of Berkley. I regularly advise those communities, as well as others where I act as Special Counsel, on a wide range of matters from licensing and permitting to municipal finance, from ethics to Open Meeting Law compliance, and from Town Meeting preparation to zoning enforcement. Should the need arise, I also have an extensive litigation practice, not only in the state and federal courts, but before a variety of Massachusetts administrative agencies such as the Housing Appeals Committee, the Department of Environmental Protection, the Appellate Tax Board, the Alcoholic Beverages Control Commission, and the Division of Occupational Licensure.

Attorney Feodoroff is a former Senior Assistant City Solicitor for the City of Brockton. She has been practicing with the Firm for a decade. She manages the Firm's labor and employment practice, while also counseling our cities and towns on matters of general municipal law from time-to-time.

Our other partners' and associates' collective experience representing municipalities, or else serving them in some other capacity, cannot be understated. Several have joined us after years of public service. Attorney Lisa Mead is the former three-term Mayor for the City of Newburyport, served as State Director for Senator John Kerry and was City Solicitor for the City of Somerville. Attorney Jay Talerman has over twenty-five years of experience representing cities and towns in Massachusetts; and was the longtime Town Moderator for the Town of Norfolk. Attorney Brian Winner has substantial experience in general municipal law, but also particular expertise in land use, planning, wetlands and environmental law. Attorney Lydon, who again is proposed as back-up point-of-contact for general counsel matters, was a hearing officer for many years at the

Department of Public Utilities, a regulatory officer for the Cape Cod Commission, and most recently served as an Associate City Solicitor for the City of New Bedford representing various boards and committees in general and land use matters. Attorney Friedman, who again is proposed as back-up point-of-contact for labor and employment law matters, served as First Assistant City Solicitor in the City of New Bedford for over sixteen years.

An important component of our municipal offerings is our real estate and title practice. Municipalities have frequent real estate needs, from property acquisitions and dispositions to takings via eminent domain and from lease agreements to Chapter 61, 61A and 61B rights-of-first-refusal. Attorney Bethany Raffa has approximately two decades of experience with real estate and commercial business transactions. She directs the Firm's real estate practice, and is assisted by Attorneys Joseph Ruotolo and Greg Jacobs, real estate law practitioners with significant experience handling a wide range of transactional matters.

### Price

If the Firm is selected to represent the Town, we offer you multiple fee structures from which to choose. The details of these Fee Proposals are annexed hereto.

Proposal No. 1 is a flat fee proposal, so-called. It charges a single, flat monthly fee for substantially all general municipal and non-litigation labor and employment legal services. Regular representation of the Town in nearly all facets of municipal government is included, with most non-labor and employment litigation. Proposal No. 2 is a variation on the same theme; it is a partial flat fee proposal, so-called, that excludes all litigation. Proposal No. 3 is a traditional hourly fee proposal.

More than two-thirds of the communities we represent as Town Counsel have opted for a flat fee or partial flat fee model, as these arrangements offer a degree of certainty and thus assist municipalities with financial planning and budgeting. But the choice is yours. The Town might also choose a certain fee structure now; and opt to revisit the arrangement in a future fiscal year if its need(s) or preference(s) change.

I look forward to discussing the above with you and answering any questions that you might have about the Firm. Meanwhile, should you require additional information, please contact me either via e-mail, [adam@mtclawyers.com](mailto:adam@mtclawyers.com), or by telephone, (978) 831-3008.

We thank you for the opportunity to be of service to the Town.

Sincerely,



Adam J. Costa

AJC/fhs  
Enclosures

**FEE PROPOSALS  
TOWN OF FAIRHAVEN  
TOWN COUNSEL**

Our experienced administrative staff generates monthly invoices for each of our clients. Each invoice details the work performed, the hourly rate, if applicable, and by whom the work was performed. Invoices including expenses are similarly detailed. Our staff can create individualized sub-billing categories to fit the bookkeeping and organizational needs of the Town.

We propose three (3) fee structures for your consideration, as follows:

**Proposal No. 1**  
**Flat Fee**

1. The Firm proposes a **flat monthly fee of [REDACTED]**, which shall include **substantially all general municipal and all non-litigation labor services work** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of [REDACTED] per hour.
3. The flat fee includes defense and prosecution of all customary land use litigation; mediation and arbitration relating to zoning, planning, board of health and conservation matters; as well as litigation relating to the enforcement of general and zoning by-laws. Excluded litigation will be billed at the firm's hourly rate of [REDACTED] per hour.
4. The flat fee includes all opinions, negotiations and contracts relating to labor and employment matters, but excludes any litigation or adversarial proceedings relating to the same.
5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.
7. The flat fee does not include representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution

of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.

8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of [REDACTED] per hour.
9. The firm does not charge for work performed by paralegals and support staff.
10. The flat fee also includes one monthly set of "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.
11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
12. For matters subject to hourly billing, the firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

## **Proposal No. 2**

### **Partial Flat Fee**

1. The Firm proposes a flat monthly fee of [REDACTED] which shall include **substantially all non-litigation legal services** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of [REDACTED] per hour.
3. The flat fee does not include prosecution or defense of litigation, mediation and arbitration, whether in Massachusetts courts or before administrative agencies. Such matters will be billed at the firm's hourly rate of [REDACTED] per hour.

4. The flat fee does not include matters relating to labor and employment. Such matters will be billed at the firm's hourly rate of [REDACTED] per hour.
5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.
7. The flat fee does not include negotiation of cable services agreements, which is a specialized item generally handled by special counsel with related expertise.
8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of [REDACTED] per hour.
9. The firm does not charge for work performed by paralegals and support staff.
10. The flat fee also includes one monthly set of "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.
11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
12. For matters subject to hourly billing, the firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

### **Proposal No. 3**

#### **Hourly Rate**

1. The Firm proposes an hourly rate of \$[REDACTED] per hour, which shall include substantially all legal work performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. Where applicable, legal fees will be paid by permit applicants under G.L. c. 44, § 53G; and billed separately.

3. At the request of the Town, the firm is available to conduct "office hours" at Town Hall, at the hourly rate.
4. The firm does not charge for work performed by paralegals and support staff.
5. The firm will provide one (1) training seminar per year, at no charge to the Town.
6. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
7. The firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. It is the firm's practice NOT to charge for insubstantial telephone conversations or insubstantial e-mail exchanges with Town officials. Travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

## Price Proposal Form

Firm Name: Mead, Talerman & Costa, LLC

**Required Submissions:**

**FY27      FY28      FY29**

Hourly Rate for Lead Counsel

Hourly Rate for Associates

Hourly Rate for Paralegals

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

**(Optional) Submissions, Annual Lump Sum:**

**FY27**

**FY28**

**FY29**

General Counsel Only

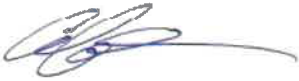
General Counsel and Litigation Included

General Counsel and Labor Included

General Counsel, Labor, and Litigation Included

**(Optional) Additional Price Considerations:**

Please see the detailed explanation of our multiple fee structures, i.e. identified as Fee Proposal Nos. 1 through 3, submitted together herewith. Thank you.



Adam J. Costa  
Partner

9-16-2026

Signature

Title

Date

Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on the structure of billing and or any retainer fee.

## LIST OF MUNICIPAL REFERENCES

***Following is a list of municipal clients within the past 10 years. This is a partial list. For a comprehensive list, see the References page within Firm Summary.***

| <u>Client Name and Address</u>                                     | <u>Contact Name and Title</u>             | <u>Dates of Appointment/Service</u> | <u>Telephone and Email</u>                              |
|--------------------------------------------------------------------|-------------------------------------------|-------------------------------------|---------------------------------------------------------|
| Town of Ashland<br>101 Main Street<br>Ashland, MA 01721            | Michael Herbert,<br>Town Administrator    | 2008 to present                     | 508-532-7911<br>mherbert@ashlandmass.com                |
| Town of Burlington<br>29 Center Street<br>Burlington, MA 01803     | John Danizio,<br>Town Administrator       | 2019 to present                     | 781-270-1635<br>jdanizio@burlington.org                 |
| Town of Deerfield<br>8 Conway Street<br>Deerfield, MA 01373        | Christopher Dunne,<br>Town Administrator  | 2004 to present                     | 413-665-1400, Ext 105<br>townadmin@town.deerfield.ma.us |
| Town of Easton<br>136 Elm Street<br>Easton, MA 02356               | Sean Dugan,<br>Interim Town Administrator | 2010 to present                     | 508-230-0510<br>sdugan@eastonma.us                      |
| Town of Longmeadow<br>231 Maple Road<br>Longmeadow, MA 01106       | Lyn Simmons,<br>Town Manager              | 2023 to present                     | 413-565-4110<br>lsimmons@longmeadowma.gov               |
| Town of Maynard<br>195 Main Street<br>Maynard, MA 01754            | Gregory Johnson,<br>Town Administrator    | 2010 to present                     | 978-897-1375<br>gjohnson@townofmaynard.net              |
| Town of Millis<br>900 Main Street<br>Millis, MA 02054              | Michael Guzinski,<br>Town Administrator   | 2001 to 2006 and<br>2017 to present | 508-376-7040<br>mguzinski@milllisma.net                 |
| Town of Southborough<br>17 Common Street<br>Southborough, MA 01772 | Mark Purple,<br>Town Administrator        | 2013 to present                     | 508-485-0710<br>mpurple@southboroughma.com              |



**Mead, Talerman & Costa, LLC**  
**Attorneys at Law**

**FIRM SUMMARY**

The firm of Mead, Talerman & Costa, LLC offers the Commonwealth's cities and towns expertise in general municipal law, land use and zoning law, energy and environmental law, labor and employment law and residential and commercial real estate law. The firm's practice is focused on these areas, providing its clients with relevant, timely and sound counsel. Most of the firm's clients are municipalities, housing authorities and other public and quasi-public entities. The firm provides counsel in all areas of municipal law. With offices located in Newburyport, Millis, and New Bedford, the firm is geographically well-situated to effectively serve all of its municipal clients.

The firm's attorneys provide general municipal counsel as well as project-based special counsel services. The team is thoroughly familiar with the day-to-day workings of municipal government and the myriad of challenges facing localities as they manage daily operations, emergency situations, long-term planning and strategic efforts. The firm presently serves as City Solicitor for Fitchburg and Haverhill and also serves as Town Counsel for the Towns of Alford, Ashburnham, Ashland, Auburn, Berkley, Burlington, Chatham, Deerfield, Douglas (as co-Town Counsel), Easton, Foxborough, Groveland, Hadley, Hanson, Holliston, Hopkinton, Hull, Kingston, Lakeville, Longmeadow, Ludlow, Lunenburg, Marblehead, Maynard, Merrimac, Middleton, Millis, Monson, Newbury, Rehoboth, Rochester, Scituate, South Hadley, Southborough, Southwick, Stoughton, Townsend, Tyngsborough, Upton, Wilbraham, Wrentham and Yarmouth. The firm's attorneys have also represented well over 100 municipalities in the past 20 years on Special Counsel assignments. For over ten years, Mead, Talerman & Costa, LLC, has taken pride in creating strong ongoing relationships with its municipal clientele.

**OFFICE LOCATIONS**

30 Green Street  
Newburyport, MA 01950

730 Main Street, Suite 1F  
Millis, MA 02054

227 Union Street, Suite 606  
New Bedford, MA 02740

## ATTORNEYS

In addition to being well-versed in the full spectrum of services we offer, our attorneys' areas of expertise in the municipal context are as follows:

Lisa L. Mead: Municipal law, land use and planning law, contracting, renewable energy

Jason R. Talerman: Municipal law, land use, planning, wetlands and environmental law, renewable energy, trial and appellate court advocacy

Adam J. Costa: Municipal law; land use and planning law; trial and appellate court advocacy

Katherine M. Feodoroff: Municipal law, labor and employment law

Brian Winner: Municipal law, land use, planning, wetlands and environmental law

Jane Medeiros Friedman: Municipal law, labor and employment law

Elizabeth Lydon: Municipal law, land use, planning and wetlands law, procurement law

Aileen Bartlett: Municipal law, trial and appellate court advocacy

Jennifer Benjamin: Municipal law, procurement, contracting, and environmental law

Alex Castro: Municipal law, labor and employment law

Stephen J. Chaplin: Municipal law, labor and employment law

Karen Fisher: Municipal law, labor and employment law

Lindsey Griffin: Municipal law, land use, and zoning

Greg Jacobs: Commercial and residential real estate law, title matters

Neva Payson: Municipal law, land use, and zoning

Bethany J. Raffa: Commercial and residential real estate law; municipal law

Michael A. Reilly: Municipal law, labor and employment law

Joseph Ruotolo, Jr.: Commercial and residential real estate law; municipal law

Per C. Vaage: Municipal law, land use, title matters, and contracts

Allison Valton: Municipal law; labor and employment law; land use and planning law

Samantha Vasques: Municipal law; labor and employment law; trial and appellate advocacy

Kayla Venckauskas: Municipal law, procurement law, labor and employment law

## **Lisa L. Mead**

*Partner*



Lisa L. Mead, a partner in the firm, is also former City Solicitor for the City of Somerville. She is a former three-term Mayor of the City of Newburyport and a former two-term City Councilor for the City of Newburyport. Lisa also served as State Director for Senator John Kerry's Massachusetts operations. Previously, she worked in a private practice specializing in real estate, banking, securities and corporate law, and as Assistant General Counsel for the Massachusetts Department of Public Welfare. As a partner at Mead, Talerman & Costa, LLC, she provides general municipal counsel services to towns and cities as well as special counsel services.

Having served as both the chief elected officer for a municipality and City Solicitor for a major urban city, Lisa is broadly qualified to assist municipalities as they address a variety of local legal issues, including: procurements, finances, licensing, zoning, affordable housing development, permitting, litigation, state and federal relations, renewable energy contracts and public construction. Drafting and negotiating power purchase agreements as well as tax agreements on behalf of municipalities have become areas of focus for Lisa.

Lisa's work also extends into local permitting for non-land use matters, such as licensing. She permitted the first commercial grade wind turbine on the North Shore and the first 5 MW solar facility in Massachusetts.

Lisa serves a myriad of different land use clients, working with private homeowners as well as large residential and commercial developers. Her work extends to providing counsel to major healthcare facilities concerning their real estate assets as well as permitting and related commercial leases.

Lisa has presented at the Boston Bar Association, Department of Housing and Community Development and Massachusetts Managers Association on various municipal topics such as renewable energy matters, medical marijuana permitting, managing relationships between town management and boards of selectmen, smart growth tools and other topics.

### Education:

- B.A., University of Massachusetts (Amherst, Massachusetts)
- J.D., New England School of Law (Boston, Massachusetts)

### Selected Publications and Presentations:

- Faculty, Suffolk University Municipal Managers Certification Program, Local Government Leadership and Management, Legal Challenges for Local Government (2016-present)
- Boston Bar Association, Local Permitting and the Wind Siting Reform Act (December 2011)

- Massachusetts Mangers Association, Annual Boot-Camp; Strategies for Building Relationships among the Board of Selectmen, Town Manager and Town Counsel (October 2009 and 2010)
- Developing a Green Legal Thumb Emerging Practice Issues; Green Real Estate, How to Handle Zoning and Permitting (October 2009)
- Keeping Current with Chapter 40B, Citizens Housing & Planning Institute and Department of Housing and Community Development (October 2008)
- A New Look at the Old 40B, A Municipal Perspective, Suffolk University's Moakley Institute (September 2008)
- Local Investment Accounts Ensure Funding, "American City and County Magazine" (March 2002); co-authored with Stephen Lisauskas

#### Recognitions

- Selected 2022 Top Women in the Law, Massachusetts Lawyers Weekly.

## Jason R. Talerman

*Partner*



Jason R. Talerman, a partner in the firm, has been practicing municipal law for nearly three decades. Jay has wide experience in a variety of municipal practice areas and serves as primary counsel for several of the Towns that the firm represents.

Jay is well known for his expertise in Town Meeting procedures and has extensive expertise in the areas of environmental law, land use and affordable housing. He has a strong litigation background and has practiced before the Housing Appeals Committee, Appellate Tax Board, Department of Environmental Protection, District Court, Land Court, Superior Court, Appeals Court, Supreme Judicial Court, U.S. Bankruptcy Court and Federal District Court. Jay is a resident of the Town of Norfolk, where, in addition to currently serving as Town Moderator, he has served as a member on a variety of local boards and committees, including the Conservation Commission, Community Preservation Committee, Bylaw Review Committee, Council on Aging and Master Plan Committee.

Prior to joining the firm, Jay was a partner at Kopelman & Paige, where he provided Town Counsel services to nearly a third of the cities and towns in the Commonwealth. He frequently lectures on a variety of municipal topics and served as an appointed member of the Massachusetts Housing Appeals Committee Rules Advisory Committee. Jay graduated as a Commonwealth Scholar from the University of Massachusetts with degrees in English and Communications and also attended Oxford University.

In addition to his duties with the firm, Jay is also the Director of Operations of the Boston Glory, a professional ultimate frisbee team that plays in the Ultimate Frisbee Association.

### Education:

- B.A., University of Massachusetts (Amherst, Massachusetts)
- J.D., Boston College Law School (Newton, Massachusetts)
- Trinity College, Oxford University (Oxford, England)

### Selected Publications and Presentations:

- Robert W. Ritchie Special Achievement Award, Massachusetts Municipal Lawyers Association, 2025
- Co-author – “Town Meeting Time, a Handbook of Parliamentary law”, 4<sup>th</sup> edition, 2025
- Speaker, annual conference of the Massachusetts Moderator’s Association, 2025
- Faculty, Suffolk University Municipal Managers Certification Program, Local Government Leadership and Management, Legal Challenges for Local Government (2023-present)
- Recent Developments in Regulatory Takings, Boston Bar Journal, Fall, 2019
- Speaker, Regional Conferences of Massachusetts Building Commissioners (Annually, 2011-present)

- Featured Panelist, 2012 REBA Annual Conference
- Speech: "Planned Production Implementation," MMA Annual Conference (2009)
- Speech: "Affordable Housing in Massachusetts," Annual Conference of the American Planners' Association (2006)
- Speech: "Chapter 40B Update," CLE International Land Use Forum (2005-06)
- Speech: "Ask the Experts," Affordable Housing Seminar (Co-sponsored by DHCD, MassHousing, CHAPA & MHP) (2004-06)
- Speech: "Housing Everyone in the Commonwealth," Harvard University Kennedy School of Government (2003)
- "Life After 40B," Architecture Boston Magazine (May/June 2003)
- Presenter, "Community Preservation Act," SE and Western Mass Moderators Associations

## Adam J. Costa

*Partner*



Adam J. Costa, a partner in the firm, is an experienced practitioner in the areas of general municipal law, land use and zoning law and real estate law. He is admitted to practice in both Massachusetts and New Hampshire.

Adam works with a varied clientele including municipalities, private developers and other individuals. He advises municipal clients on a wide range of topics, from substantive matters such as bylaw enforcement and property sales/acquisitions to procedural matters such as procurement and Open Meeting Law compliance. Representing both municipal and private clients, Adam has extensive experience with Chapter 40B development, the adoption of Chapter 40R smart growth zoning and expedited permitting under Chapter 43D. Adam is also well-versed in all aspects of residential and commercial real estate law.

Adam frequently represents clients in the District Courts, Superior Courts, Housing Court and Land Court, as well as before administrative agencies including the Housing Appeals Committee (HAC), the Department of Environmental Protection (DEP), the Appellate Tax Board (ATB) and the Alcoholic Beverages Control Commission (ABCC). Adam has successfully argued before the Massachusetts Appeals Court on multiple occasions. Representing a municipal client, Adam defended its denial of the protections afforded nonconformities to a structure that was not lawfully in existence at the time of its creation. See Godfrey v. Board of Appeals of Lancaster, 71 Mass. App. Ct. 1118 (2008). Adam also rebuffed an effort by a group of residents in a different municipality to prevent the sale of property for the development of an age-restricted affordable housing project. See Baun v. Board of Selectmen of Ashland, 87 Mass. App. Ct. 1130 (2015).

Adam is a graduate of Wake Forest University School of Law, where he was active in appellate advocacy, was selected for the Wake Forest National Moot Court Team and was a recipient of the North Carolina Academy of Trial Lawyers Award for his outstanding achievements in trial advocacy. Adam received his Bachelor of Arts degree from the University of New Hampshire, majoring in political science and international affairs.

### Education:

- B.A., University of New Hampshire (Durham, New Hampshire)
- J.D., Wake Forest University School of Law (Winston-Salem, North Carolina)

### Selected Publications and Presentations:

- Presenter, Annual Conference, Citizen Planner Training Collaborative (2016-present)
- Presenter, Various Fall Workshops, Citizen Planner Training Collaborative (2016-present)
- "Adopting and Revising Rules and Regulations," CPTC Workshop Presentation and Supplemental Materials (2019)

- “Drafting Zoning Amendments,” CPTC Workshop Presentation and Supplemental Materials (2019)
- “Zoning with Overlay Districts,” CPTC Workshop Presentation and Supplemental Materials (2019)
- “Zoning for Medical Marijuana: Approaches and Considerations,” Boston Bar Journal (2016)
- Panelist, “The Next 10 Years of Smart Growth Housing in Massachusetts,” A Roundtable on the Chapter 40R Program (Sponsored by the Boston Foundation) (2014)

EMPLOYMENT

**Mead, Talerman & Costa, LLC**

Millis, Newburyport and New Bedford, Massachusetts

Partner

*January 2017 – present*

Counsel both municipal and private clients on all aspects of general municipal law, land use, planning and zoning law, environmental law and real estate law, including litigation

*Key positions*

Lead Town Counsel for the Towns of Alford, Ashburnham, Berkley, Lunenburg, Townsend and Tyngsborough. Co-Lead City Solicitor for the City of Haverhill. Lead Litigation Solicitor for the City of Fitchburg. Special Tax Counsel for the City of Everett and the Towns of Bellingham and Concord. Special Land Use Counsel for the Towns of Boxborough and Winthrop. Special Litigation Counsel for the Towns of Cheshire, Duxbury and Truro. Special Counsel to the Planning Board for the Town of Clinton. Special Counsel to the Southbridge Liquor Licensing Board. Special Chapter 40B Counsel to the Zoning Boards of Appeal for the Towns of Boylston, Lancaster and Leverett.

*Representative cases*

Baun v. Board of Selectmen of Ashland, 87 Mass. App. Ct. 1130 (2015). Successfully defended the Town against residents' attempt to prevent the sale of municipal land for an age-restricted affordable housing project.

Berkley Soil Conservation Bd. v. Pontes, Bristol Superior Court Docket No. 0373CV00692 (2023). After two decades of litigation, obtained multiple findings of contempt against the Defendant and an award of attorney's fees.

Cronin v. Town of Lunenburg Zoning Bd. of Appeals, 92 Mass. App. Ct. 1130 (2018). Successfully defended the Building Inspector's refusal of a building permit for a property rendered unbuildable by application of the doctrine of infectious invalidity.

Daley v. Town of Townsend, Middlesex Superior Court Docket No. 2448SC000771 (2025). Obtained dismissal of a small claims action brought under the Massachusetts Consumer Protection Act, G.L. c. 93A, challenging the Town's imposition of a Pay-As-You-Throw fee for the disposal of household trash.

Davis v. Old and Historic Marblehead Districts Comm'n, Essex Superior Court Docket No. 1977CV00689 (2021). Defeated challenge to the Commission's denial of a Certificate of Appropriateness relative to certain alterations to an historic residence.

Frosty Nug Haverhill, LLC v. City of Haverhill, Essex Superior Court Docket No. 2177CV00084 (2026). Awarded summary judgment, successfully defeating the Plaintiff's claim that a special permit had been constructively granted by the City Council.

Gannon v. Zoning Bd. of Appeals for the Town of Middleton, Essex Superior Court Docket No. 1677CV01856 (2019). After trial, successfully defended the issuance of a cease-and-desist order prohibiting use of an accessory apartment not lawfully permitted.

Godfrey v. Board of Appeals of Lancaster, 71 Mass. App. Ct. 1118 (2008). Successfully defended the Board of Appeals' denial of the protections due nonconformities to an otherwise unlawful structure.

Harlow v. Board of Assessors of the Town of Kingston, ATB Docket No. F334486 (2020). Successfully defended the Board's valuation of certain vacant waterfront land.

Ivers v. Board of Appeals for the Town of Marblehead, Essex Superior Court Docket No. 1477CV01991 (2018). After a two-day trial, successfully defended the Board's denial of a special permit to develop pre-existing, nonconforming properties that had merged as a matter of law.

Keni Corp. v. Town of Townsend Bd. of Selectmen, ABCC Docket No. N/A (2023). Successfully defended the Board of Selectmen's denial of a liquor license to an establishment situated in close proximity to a substance abuse center.

Liebman v. Zoning Bd. of Appeals of the Town of Marblehead, Land Court Docket No. 14 MISC 484527 (2017). After a three-day trial, successfully defended the Board's enforcement of the Town's Zoning Bylaw to prohibit operation of a landscaping business in a residential neighborhood.

Pond View Commons, LLC v. Lunenburg Zoning Bd. of Appeals, HAC Docket No. 2023-01 (2023). On an interlocutory challenge, obtained a Housing Appeals Committee (HAC) ruling that the Board was not authorized under G.L. c. 40B and thus not obligated to grant waivers to extend water and sewer services beyond the existing Water District or sewer service area.

Ricardo v. Berkley Zoning Bd. of Appeals, Bristol Superior Court Docket No. 22783CV00265 (2026). Obtained dismissal of the Plaintiffs' zoning challenge on mootness grounds, also defeating their attempt to amend the Complaint to advance constitutional claims against the Town.

Town of Duxbury v. Webster Point Village, 103 Mass. App. Ct. 1103 (2023). Defeated the Defendant's attempt to dismiss the Town's contract and quasi-contract enforcement claims under the Commonwealth's anti-SLAPP law.

Town of Lunenburg v. Burden, Worcester Superior Court Docket No. 2582CV01256 (2026). Successfully obtained a preliminary injunction requiring the Defendants to immediately cease their hostile, abusive and harassing conduct toward Town and Police Department officials.

Varsity Wireless Investors, LLC v. Town of Hamilton, U.S. District Court Civil Action No. 17-11826-MLW (2019). Successfully defended the Towns' negotiation of an Agreement for Judgment with the Defendant against a challenge brought by of Planning Board members who opposed it.

**Blatman, Bobrowski, Mead & Talerman, LLC**

Concord, Massachusetts

Partner  
Associate

*July 2014 – December 2016*  
*July 2006 – June 2014*

Advised municipal clients on a wide range of topics; provided legal expertise on comprehensive permit applications, smart growth zoning initiatives and expedited permitting • Issued legal opinions on a variety of zoning and land use matters • Represented both private and municipal clients at zoning board of appeals, planning board and select board meetings • Drafted pleadings, motions and discovery in preparation for trial • Reviewed and revised real estate documents • Prepared for and conducted real estate closings on and refinances of residential properties

**Forsyth County District Attorney's Office**

Winston-Salem, North Carolina

Aide to the Assistant District Attorney

*March 2006 – May 2006*

Argued cases in both the traffic and domestic violence divisions • Handled pleas and payment of citations in the infractions division • Assisted with bench trials in the criminal division • Helped prosecute juvenile offenders

**Blanco, Tackabery, Combs & Matamoros, PA**

Winston-Salem, North Carolina

Junior Associate

*January 2006 – May 2006*

Helped newer municipalities draft zoning ordinances • Advised town boards on zoning enforcement procedures • Discussed strategies for managing future growth and urban sprawl • Attended town council meetings and work sessions • Drafted legal documents for litigation practice

**Hamilton, Brook, Smith & Reynolds, PC**

Lexington, Massachusetts

Legal Assistant

July 2000 – August 2000

Analyzed & summarized abstracts from scientific journals & essays • Compiled database of pertinent authority in preparation for trial

**EDUCATION**

**Wake Forest University School of Law**

Winston-Salem, North Carolina

Juris Doctor

May 2006

Phi Alpha Delta • Stanley Moot Court Competition (Champion) • Gabrielli Family Law Moot Court Competition (Qualifier) • National Moot Court Competition (Participant) • CALI Excellence for the Future Awards in Environmental Law, The Civil Law Tradition, American Legal History and Trial Practice • 2006 N.C. Academy of Trial Lawyers Award

**University of New Hampshire**

Durham, New Hampshire

Bachelor of Arts, *cum laude*

May 2001

Majors – Political Science and International Affairs, Minor – Spanish

Dean's Scholarship • University Honors Scholar • Pi Sigma Alpha • Phi Gamma Mu • Novice and Varsity Crew • Committee on International Studies • Student Environmental Action Coalition • Teaching Assistant

**MEMBERSHIPS**

Bar Admissions: Commonwealth of Massachusetts, State of New Hampshire, U.S. District Court for the District of Massachusetts, U.S. District Court for the District of New Hampshire, U.S. Appeals Court for the First Circuit  
American Bar Association (ABA)  
Massachusetts Municipal Lawyers Association (MMLA)  
Massachusetts Super Lawyers (2021-2026)

**PUBLICATIONS AND  
PRESENTATIONS**

Presenter, Annual Conference and Spring and Fall Workshops, Citizen Planner Training Collaborative (CPTC) (2016-present)  
“Adopting and Revising Rules and Regulations,” CPTC Workshop Presentation and Supplemental Materials (2019)  
“Drafting Zoning Amendments,” CPTC Workshop Presentation and Supplemental Materials (2019)  
“Zoning with Overlay Districts,” CPTC Workshop Presentation and Supplemental Materials (2019)  
“Zoning for Medical Marijuana: Approaches and Considerations,” Boston Bar Journal (2016)  
Panelist, “The Next 10 Years of Smart Growth Housing in Massachusetts,” A Roundtable on the Chapter 40R Program (Sponsored by the Boston Foundation) (2014)

**Katherine M. Feodoroff**

*Partner*

*Director, Labor & Employment Law*



Katherine McNamara Feodoroff is a partner in the Firm and an experienced municipal and labor law attorney. She leads the Firm's labor and employment law practice and advises public entities on general municipal law, labor and employment matters, and a wide range of public sector legal issues. With more than two decades of experience guiding municipalities and public clients, she helps navigate complex legal challenges with practical, results oriented solutions. Her work includes labor disputes, collective bargaining, employment matters, open meeting and public records compliance, licensing and code enforcement, contract negotiation, and zoning and planning. Kate's broad experience enables her to provide timely, thoughtful advice on the issues municipalities routinely face.

Before joining the Firm, Kate served as Senior Assistant Solicitor for one of the largest cities in the Commonwealth, where she gained hands-on experience addressing the legal and operational challenges municipalities confront every day. She has represented clients in Housing Court, District Court, Land Court, Superior Court, and United States District Court, and has argued multiple cases before the Massachusetts Appeals Court.

Kate earned her Juris Doctor from Seton Hall University School of Law and a Bachelor of Arts in Economics and German from Boston College. She studied abroad in Frankfurt and Berlin and spent a year in Munich as an exchange student at Ludwig-Maximilian-Universität.

Education:

- B.A., Boston College (Chestnut Hill, Massachusetts)
- J.D., Seton Hall University School of Law (Newark, New Jersey)

**Brian Winner***Partner*

Brian Winner has represented both public and private clients in the field of municipal law for over 15 years. In addition to serving as Town Counsel and representing municipal clients in all facets of municipal and general civil law, Brian has a broad range of experience throughout Massachusetts specializing in land use and environmental planning, permitting, and litigation. He has represented clients in a broad range of cases, including land use, tort, contract, licensing, permitting and environmental law, before all levels of the Massachusetts trial courts and administrative agencies. Brian also specializes in representing the firm's municipal clients in enforcement and compliance matters such as general and zoning bylaw compliance, subdivision compliance, wetlands compliance and nuisance and/or abandoned properties and structures.

Brian has represented a wide array of local officials, boards, commissions, councils and committees as well as mayors, building, police, fire and health officials, harbor masters, councils, boards of selectmen, planning boards, zoning boards of appeal, boards of health, historic commissions and conservation commissions. He has represented both his private and public clients before all levels of the courts, before numerous state agencies including the Department of Environmental Protection, Division of Administrative Law Appeals, Building Code Appeals Board, Board of Electricians Appeals, Elevator Appeals Board, Appellate Tax Board, Firearms Review Board and Department of Public Safety, as well as in negotiations and partnerships by and between municipalities, districts and state agencies. He also counsels both private and public clients as to navigating implementing, applying, complying with and/or enforcing the various charters, ordinances, bylaws, policies, codes and regulations they oversee or that govern their endeavors.

Brian served as member of his community's Conservation Commission and he currently serves as a member of the Massachusetts Bar Association's Public Law Council. He is also an active member of the Massachusetts Municipal Association, Massachusetts Municipal Lawyers Association and the Massachusetts Association of Conservation Commissions. Brian has also conducted seminars and workshops on various land use, governmental and administrative law topics at various municipal and community events, for the Citizen Planner Training Collaborative and for the Graduate School of Architecture at Northeastern University.

**Education:**

- B.A., University of New Hampshire (Durham, New Hampshire)
- J.D., Boston University School of Law (Boston, Massachusetts)

**Selected Publications and Presentations:**

- Faculty, Suffolk University Municipal Managers Certification Program, Local Government Leadership and Management, Legal Challenges for Local Government (2016-present)

## Jane Medeiros Friedman

*Partner*



Jane Medeiros Friedman has been practicing law since November 1992, specializing in municipal law. Having served as the First Assistant Solicitor for the sixth largest city in the Commonwealth, Jane has a breadth of knowledge and deep experience in areas including labor and employment disputes, labor negotiations, open meeting law and public records, code enforcement, contract negotiation, conservation, zoning, and planning issues. Jane's broad experience has enabled her to provide quick and thoughtful advice to her clients on many topics routinely faced by municipalities.

Additionally, Jane has appeared frequently before arbitrators and various state administrative agencies including the Massachusetts Civil Service Commission, Division of Labor Relations, Joint Labor Management Committee, and Division of Administrative Law Appeals. Jane has also appeared before the Massachusetts Housing Court, District Court, and Superior Court.

Jane received her Juris Doctor from Southern New England School of Law (now UMass Law). She received her Bachelor of Arts degree from Southeastern Massachusetts University (now UMass Dartmouth) in Economics.

### Education:

- B.A., Southeastern Massachusetts University (Dartmouth, Massachusetts)
- J.D., Southern New England School of Law (Dartmouth, Massachusetts)

**Elizabeth (Liz) Lydon**

*Partner*



Elizabeth Lydon routinely represents clients in a broad range of environmental, land use, zoning, permitting and other regulatory matters. Liz is trained in public procurement and reviews municipal contracts and bidding procedures. She also provides counsel on a variety of other matters affecting our municipal clients.

Prior to joining Mead, Talerman & Costa, Liz worked for the City of New Bedford as an Associate City Solicitor representing the ZBA, planning board, park board and conservation commission, as well as various departments in procurement, contract negotiations and mediations, Housing Court and Superior Court. Liz served as a hearing officer for many years at the Department of Public Utilities, as well as a regulatory officer for the Cape Cod Commission. Liz also volunteered on the Wareham Conservation Commission for several years.

Liz graduated from Stonehill College, where she spent a semester abroad in Sicily, and went on to receive her Juris Doctor from Suffolk University Law School.

Education:

- B.A., magna cum laude, Stonehill College (Easton, Massachusetts)
- J.D., Suffolk University Law School (Boston, Massachusetts)

**Aileen Bartlett***Associate*

Aileen Bartlett practices municipal law and general civil litigation, with broad experience advising public officials and representing clients in complex civil litigation. She joined Mead, Talerman & Costa following a decade of service as an attorney for the City of Brockton, where she worked closely with city leadership and municipal departments to navigate a wide range of legal issues and promote effective governance.

Aileen has represented governmental entities in state and federal courts and before administrative agencies on matters including tort and civil rights claims, as well as employment, code enforcement, and land use matters. Her work has also encompassed labor and employment issues, such as collective bargaining, disciplinary proceedings, and labor arbitrations, along with broader municipal governance and compliance matters, including open meeting and public records, conflict-of-interest, municipal licensing, and public contracts. She takes pride in helping public officials make informed, practical legal decisions that support their communities.

**Education:**

- B.A., summa cum laude, Bridgewater State University, (Bridgewater, Massachusetts)
- J.D., Suffolk University Law School (Boston, Massachusetts)

## Jennifer Benjamin

*Associate*



Jennifer Benjamin joined Mead, Talerman & Costa in 2026 and assists clients with contracting, procurement, environmental, and general municipal legal matters. Before joining the firm, she worked as counsel for the City of Fall River, Massachusetts, where she advised the city on labor and employment matters and general municipal legal questions. She also represented the city in litigation and administrative proceedings.

Prior to graduating law school, Jennifer spent over 8 years as an environmental consultant helping drinking water utilities across the country identify and evaluate potential source water contamination risks and prepare for cost recovery litigation.

Jennifer graduated from Boston University with a B.A. in Environmental Analysis and Policy and went on to receive her Juris Doctor from New England Law.

### Education:

- B.A., Boston University (Boston, Massachusetts)
- J.D., New England School of Law (Boston, Massachusetts)

**Alex Castro**

*Associate*



Alexander Castro has over a decade of experience representing our municipal and private clients in all aspects of labor and employment law, including collective bargaining, arbitrations, internal investigations, performance management, discrimination, reasonable accommodations, leave, wage and hour law, and workplace policies. In addition to labor and employment matters, Alex has extensive experience representing our municipal clients in proceedings of all types.

Alex previously served as in-house labor and employment counsel for the Massachusetts Bay Transportation Authority (MBTA) and while in law school clerked for both the Equal Employment Opportunity Commission and the District Court.

Education:

- B.A., Bowdoin College (Brunswick, Maine)
- J.D., Northeastern University Law School (Boston, Massachusetts)

## **Steve Chaplin**

*Associate*



Steve Chaplin has been practicing law in central Massachusetts since 2013. Prior to his admission to the Massachusetts Bar, Steve served as a Judicial Intern to the Hon. William H. Pauly III in the United States District Court for the Southern District of New York and as a Law Clerk for private practices in lower Manhattan and central Massachusetts. Since 2013, Steve has represented an array of private clients in nearly all departments of the Massachusetts Trial Court as well as in arbitration, administrative, and municipal proceedings.

Steve is a summa cum laude graduate of the Berklee College of Music and cum laude graduate of Brooklyn Law School. After graduating from law school, Steve returned to his hometown in central Massachusetts and soon became an active member of his community's Rotary Club, serving a term as Club President and multiple terms as liaison to the Milford High School Rotary Interact Club. At that time, Steve also joined the board of the Claflin Hill Music Performance Foundation, Inc., a regional musical non-profit organization for which he has since served as both a performer/producer and as Board President.

In 2019, Steve became a member of his community's Planning Board, and in 2020, became Planning Board Chair. This experience ultimately led Steve to pursue a career in municipal law and to join Mead, Talerman & Costa in 2023.

Outside of law practice and municipal government, Steve performs frequently in central Massachusetts as a pianist and vocalist at his church and as a freelance jazz artist.

### Education:

- B.M., summa cum laude, Berklee College of Music (Boston, Massachusetts)
- J.D., cum laude, Brooklyn Law School (Brooklyn, New York)

**Karen Fisher***Associate*

Prior to joining the firm, Attorney Karen Fisher served for more than a decade in the Law Department for the City of Brockton. She began as an Assistant City Solicitor in 2013 and was later promoted to Senior Assistant City Solicitor, advising the Mayor, department heads, and boards and commissions on a wide range of municipal matters, including labor and employment law, collective bargaining, governance, regulatory compliance, and municipal operations.

As Chief Labor Counsel, Karen led collective bargaining negotiations, represented the City in grievances and labor arbitrations, and provided strategic guidance on workforce management and disciplinary matters. She also represented the City in litigation and administrative proceedings in state and federal courts and before agencies such as the Massachusetts Commission Against Discrimination, the Department of Labor Relations, and the Civil Service Commission. In addition, Karen regularly counseled City officials on the Open Meeting Law, Public Records Law, Conflict of Interest Law, and City Charter provisions. She drafted ordinances, contracts, and legal opinions to support effective municipal governance.

Earlier in her career, Karen was an Associate Attorney with a local general practice law firm in Brockton, where she represented clients in various fields of law, including personal injury, family and probate matters, and landlord and tenant disputes.

**Education:**

- B.A., Bridgewater State University (Bridgewater, Massachusetts)
- J.D., Suffolk University Law School (Boston, Massachusetts)

## **Lindsey Griffin**

*Associate*



Lindsey Griffin joined Mead, Talerman & Costa in 2025 and represents towns and private clients on municipal law, land use, permitting, and zoning matters. Her legal experience includes positions with the Massachusetts Office of the Attorney General, working in the Non-Profit Organizations/Public Charities Divisions, the U.S. Coast Guard Office of the Judge Advocate General, and as a paralegal with a general practice law firm in Virginia.

Lindsey earned her J.D. from Suffolk University Law School, where she focused on environmental and land use law. As a student attorney in Suffolk's Environmental Law and Policy Clinic, she advised clients on permitting processes for coastal resilience projects, municipal composting regulations, and state preemption issues. She also served as Chief of Communications for the Global Accountability Network's Ukraine Accountability Project and was recognized with Pro Bono Honors.

Before entering the legal profession, Lindsey served in the United States Coast Guard as a Petty Officer Third Class, where she worked in fisheries enforcement and maritime communications. She brings the same commitment to service, attention to detail, and practical problem-solving skills to her legal practice today.

### Education:

- B.S., Kaplan University
- J.D., Suffolk University Law School (Boston, Massachusetts)

## **Greg Jacobs**

*Associate*



Greg Jacobs is a real estate practitioner specializing in residential and commercial real estate, representing buyers, sellers, business entities, and private and institutional lenders. He also represents investors in the formation, acquisition, and structuring of entities.

Before joining Mead, Talerman & Costa, Greg built and led a title insurance agency and law office in Miami and later served as lead attorney in a real estate department managing all aspects of real estate transactions. Before practicing law, Greg served as an accountant for several companies in Boston.

Greg received his Juris Doctor from the University of Miami School of Law, where he focused on real estate and tax. He holds a Bachelor of Science in Finance and Insurance from Northeastern University.

### Education:

- B.S., Northeastern University (Boston, Massachusetts)
- J.D., University of Miami School of Law (Miami, Florida)

**Neva Payson***Associate*

Neva Payson joined Mead, Talerman & Costa in 2026 and represents clients in a variety of general municipal legal matters. Before joining the firm, she clerked at the Massachusetts Appeals Court for Chief Justice Amy Lyn Blake.

Neva earned her Juris Doctor from New England Law Boston. During law school, she was an editor on the New England Law Boston Law Review and worked at several government agencies including the Division of Administrative Law Appeals, the Massachusetts Office of the Inspector General, and the U.S. Attorney's Office in the District of Massachusetts in the asset recovery unit.

Neva graduated from the University of Massachusetts, Amherst, majoring in political science and legal studies.

**Education:**

- B.A., cum laude, University of Massachusetts (Amherst, Massachusetts)
- J.D., cum laude, New England Law Boston (Boston, Massachusetts)

**Bethany J. Raffa**

*Associate*

*Director, Real Estate Practice*



Bethany J. Raffa joined Mead, Talerman & Costa in 2022 and focuses her practice on residential and commercial real estate title and conveyancing in Massachusetts and New Hampshire, including Buyer, Seller and Lender representations. Bethany has more than 20 years of related legal experience.

Before joining the firm, Bethany gained a volume of real estate and title experience at real estate law firms in Andover and Newburyport, Massachusetts, where she also handled estate planning, wills, trusts and probate matters, corporate formation and subdivision and condominium formation. Prior to law school, Bethany worked for five years in the private sector as an accountant.

Education:

- B.S., The University of Rhode Island (Kingston, Rhode Island)
- M.B.A., Suffolk University (Boston, Massachusetts)
- J.D., Suffolk University (Boston, Massachusetts)

**Michael A. Reilly**

*Associate*



Mike Reilly joined Mead, Talerman & Costa in 2024. Before joining the firm, he practiced criminal defense in Lawrence and Haverhill, gaining valuable courtroom advocacy and trial experience. He earned his Juris Doctor from Massachusetts School of Law in 2004.

Mike comes to the firm with prior municipal experience. He was the Police Chief for the Town of Newbury from 2006 to his retirement in 2020. Aside from his duties as Police Chief, Mike was the Town's Emergency Management Director and Harbormaster. Mike was president of the Essex County Chiefs of Police Association in 2013 and Assistant Control Chief of the NEMLEC Motor Unit from 2017 to 2020.

Mike graduated from Springfield College with a B.S. in Human Services. He has extensive experience in investigations and negotiations.

Education:

- B.S., Springfield College (Springfield, Massachusetts)
- J.D., Massachusetts School of Law (Andover, Massachusetts)

**Joseph Ruotolo, Jr.**

*Associate*



Joseph Ruotolo, Jr., is an experienced real estate practitioner specializing in residential and commercial real estate, title and conveyancing, representing individual buyers, entities, private and institutional lenders and sellers.

Prior to joining the firm, Joe practiced real estate law at a firm in Woburn for 12 years, where he managed the real estate practice including all aspects of conveyancing, condominium conversion, corporate entity formation and providing lenders with legal opinions.

Joe delivers very personalized, high-touch real estate services in which personal attention, efficiency, communication, and responsiveness enhance the attorney-client relationship.

Prior to law school, Joe worked in the finance industry at large institutions.

Education:

- B.S., University of Maine, (Orono, Maine)
- J.D., Massachusetts School of Law, (Andover, Massachusetts)

**Per C. Vaage**

*Senior Counsel*



Prior to joining the firm, Per Vaage was in private practice for nearly 20 years in Rhode Island, representing municipal, private, and non-profit clients in Rhode Island and Massachusetts in connection with land use, title, professional and personal liability claims, and defense and contract matters. He is a graduate of the State University of New York at Buffalo, and the New England School of Law, where he was a merit scholar.

While in law school, Per interned as an assistant clerk in the United States District Court for the District of Rhode Island under Senior Magistrate Judge Jacob Hagopian; with the Rhode Island Attorney General's office's criminal prosecution division; and with the Massachusetts Division of Administrative Law Appeals. He is licensed to practice before the State Courts in Massachusetts and Rhode Island, the United States District Court for the District of Rhode Island, the First Circuit Court of Appeals, and the United States Supreme Court.

Per has served on the boards of directors of several local nonprofits, as well as a term member of his community's budget oversight committee. He has been involved for many years coaching local youth hockey associations in Rhode Island and Massachusetts.

Education:

- B.A., SUNY at Buffalo (Buffalo, New York)
- J.D., New England School of Law (Boston, Massachusetts)

## Allison Valton

*Associate*



Allison Valton joined Mead, Talerman & Costa in 2025 and represents clients with labor, procurement, and general municipal legal matters. Before joining the firm, she worked as counsel for a technology company in Boston where she oversaw client contracts and negotiations, in addition to advising on corporate governance and product compliance interests.

Allison earned her Juris Doctor from Suffolk University Law School. During law school, she clerked for the Boston Public Schools Office of Labor Relations, gaining experience in employment, special education, and contract law. Allison also worked as a student attorney for the Suffolk University Law School Innocence Clinic, where she investigated potential wrongful conviction cases and broader criminal justice matters.

After graduating from Emerson College with a major in Political Communication, Allison worked for the Town of Westport, Massachusetts, as an appointed member of the Board of Registrars of Voters.

### Education:

- B.S., Emerson College (Boston, Massachusetts)
- J.D., Suffolk University Law School (Boston, Massachusetts)

## **Samantha Vasques**

*Associate*



Sam Vasques joined Mead, Talerman & Costa in 2023. Before joining the firm, Sam served as a Judicial Clerk for the Honorable William P. Robinson III of the Supreme Court of Rhode Island. She also spent eight years in private practice, representing a variety of commercial and governmental clients in a range of business, employment, and regulatory disputes in Providence, Rhode Island. She is admitted to practice in Massachusetts and Rhode Island in state and federal courts.

Sam graduated from Roger Williams University School of Law, where she was the valedictorian and a member of the Roger Williams University Law Review. Sam completed her undergraduate studies at the University of Massachusetts, Amherst.

Sam is currently the Secretary of the Portuguese-American Bar Association and is a past President of the Rhode Island Women's Bar Association.

### Education:

- B.A., University of Massachusetts (Amherst, Massachusetts)
- J.D., summa cum laude, Roger Williams University (Bristol, Rhode Island)

### Publications:

- Co-Author, "FTC Challenges Jefferson-Einstein Merger," Antitrust Practice Group Bulletin, American Health Lawyers Association (Mar. 6, 2020)
- Co-Author, "Married, But Not Certified: An Overview of the Rhode Island MBE/WBE Certification Process and Its Application to Married Women," Rhode Island Bar Journal: Volume 67, Number 2, September/October 2018
- Co-Author, "A New Hope: Tortious Interference with an Expected Inheritance in Rhode Island," Roger Williams University Law Review, Vol. 22, Issue 3, No. 3 (Summer 2017)

## Kayla Venckauskas

*Associate*



Kayla Venckauskas joined Mead, Talerman & Costa in 2025. Kayla advises cities and towns on a wide range of legal topics, including public procurement, municipal contracts, labor and employment matters, and general municipal governance.

Before joining the firm, Kayla served as an attorney for the City of Brockton where she represented the city in litigation and administrative proceedings, advised departments on legal compliance, and handled matters involving personnel, procurement, and municipal liability. Her experience includes negotiating and drafting contracts, guiding officials through public procurement processes, and representing the city in arbitrations and Civil Service Commission hearings.

Kayla also brings a strong background in nonprofit legal advocacy. Combining mission-driven work with broad-based legal experience, she served as the inaugural Rena Roseman Legal Fellow at Mercy For Animals and as Associate Corporate Counsel at the International Fund for Animal Welfare. In these roles, she provided in-house legal support for regulatory, contractual, and compliance matters. Kayla also served as an Emerging Leader for the Boys & Girls Club of Metro South and has held various roles within the American Bar Association.

Outside of law practice, Kayla is an avid runner. She ran the Boston Marathon in 2021, raising funds for the Animal Rescue League of Boston.

Kayla earned her undergraduate degree from the University of Massachusetts Dartmouth and received her Juris Doctor from the University of Massachusetts School of Law, graduating with the highest GPA in her class and serving as a Rappaport Fellow.

### Education:

- B.A., magna cum laude, University of Massachusetts (Dartmouth, MA)
- J.D., summa cum laude, Massachusetts School of Law (Dartmouth, MA)

## **FIRM PROJECTS**

### **General Municipal Counsel**

Alford, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Ashburnham, Massachusetts (2024-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Ashland, Massachusetts (2008-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Auburn, Massachusetts (2026-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Bedford, Massachusetts (2026-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Bellingham, Massachusetts (2008-2017): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Berkley, Massachusetts (2011-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Burlington, Massachusetts (2019-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Chatham, Massachusetts (2012-2015; 2024-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Deerfield, Massachusetts (2004-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Douglas, Massachusetts (2011- 2025): The firm served as Town Counsel for land use matters, representing the Town in all phases of land use matters.

Easton, Massachusetts (2010-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Fitchburg, Massachusetts (2024-present): The firm serves as City Solicitor, in charge of all legal affairs for city.

Foxborough, Massachusetts (2024-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Grafton, Massachusetts (2013-2017): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Groveland, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Hadley, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Hanson, Massachusetts (2014-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Haverhill, Massachusetts (2024-present): The firm serves as City Solicitor, in charge of all legal affairs for city.

Hinsdale, Massachusetts (2026-present): The firm serves as Special Town Counsel, representing the Town in all phases of municipal law.

Holliston, Massachusetts (2017-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Hopkinton, Massachusetts (2025-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Hull, Massachusetts (2024-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Kingston, Massachusetts (2008-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Lakeville, Massachusetts (2026-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Longmeadow, Massachusetts (2023-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Ludlow, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Lunenburg, Massachusetts (2017-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Marblehead, Massachusetts (2005-present): The firm serves as co-Town Counsel, representing the Town in all phases of municipal law.

Maynard, Massachusetts (2010-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Merrimac, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Middleton, Massachusetts (2018-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Millis, Massachusetts (2001-2006; 2017-present): From 2001-2006, Attorney Talerman served as primary municipal law contact for Town, was responsible for coordination of all legal

representation including representation at Town Meeting. The firm currently serves as Town Counsel.

Millville, Massachusetts (2001-2006): Attorney Talerman served as primary municipal law contact for Town, responsible for coordination of all legal representation and representation at Town Meeting.

Monson, Massachusetts (2024-present): The firm serves as Town Counsel. Representing the Town in all phases of municipal law.

Newbury, Massachusetts (2013-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Norton, Massachusetts (2004-2006): Attorney Talerman served as primary municipal law contact for the Town, responsible for coordination of all legal representation and representation at Town Meeting.

Rehoboth, Massachusetts (2012-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Rochester, Massachusetts (2023-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Scituate, Massachusetts (2004-present): Attorney Talerman represents the Town of Scituate on a variety of general municipal matters, ranging from tax issues to sewer construction.

Somerville, Massachusetts (2002-2004): Attorney Mead served as City Solicitor, in charge of all legal affairs for city.

South Hadley, Massachusetts (2019-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Southborough, Massachusetts (2013-present): The firm had served as Special Town Counsel for regional school district and land use matters; and, since 2021, serves as Town Counsel.

Southbridge, Massachusetts (2009-2014; 2014-present): From 2009-2014, the firm served as co-Town Counsel, representing the Town in all phases of municipal law. The firm currently serves as Special Counsel on liquor licensing and certain land use matters.

Southwick, Massachusetts (2026-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Stoughton, Massachusetts (2016-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Templeton, Massachusetts (2011-2012): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Townsend, Massachusetts (2019-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Tyngsborough, Massachusetts (2018-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Upton, Massachusetts (2025-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law and labor matters.

Uxbridge, Massachusetts (2018-2023): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Wareham, Massachusetts (2011-2013): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Webster, Massachusetts (2018-present): The firm serves as counsel on all land use matters as well as a variety of general municipal and labor matters.

Wilbraham, Massachusetts (2022-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Winchester, Massachusetts (2022-2025): The firm served as Town Counsel, representing the Town in all phases of municipal law.

Wrentham, Massachusetts (2021-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

Yarmouth, Massachusetts (2016-present): The firm serves as Town Counsel, representing the Town in all phases of municipal law.

### **Town Meetings**

In addition to the firm's assistance with Town Meetings for the foregoing Towns, Attorney Talerman has served as Town Counsel at Town Meetings in the following Towns: Blandford, Chelmsford, Edgartown, Medfield, Oak Bluffs, Salisbury, Tisbury and Westport.

### **Drafting Municipal Bylaws, Ordinances, Etc.**

In addition to drafting by-laws for the Towns for which the firm serves as Town Counsel, the firm has drafted bylaws, ordinances, rules and regulations for the following municipalities:

Cambridge, Massachusetts (2016): Drafted suggested modifications to Outdoor Lighting Ordinance on behalf of neighborhood organization.

Clinton, Massachusetts (2011): Drafted Zoning and General Bylaw amendments to streamline permitting for designated commercially- and industrially-zoned properties.

Dighton, Massachusetts (2007): Completely recodified Subdivision Rules and Regulations for Planning Board. Enacted 2007.

Douglas, Massachusetts (2007-2010): Drafted Zoning and General Bylaw amendments to expedite the permitting process for designated industrially-zoned properties. Drafted Residentially- and Commercially-Scaled Wind Energy Conversion Facility Bylaws.

Gardner, Massachusetts (2005): Completely recodified Zoning Ordinance with Taintor & Associates. Adopted 2006.

Grafton, Massachusetts (2008): Prepared Operations and Maintenance Manual for Affordable Housing Trust.

Greenfield, Massachusetts (2009): Drafted Zoning Ordinance and General Code amendments to expedite the permitting process for designated commercially and industrially zoned properties.

Groveland, Massachusetts (2006): Completely recodified Zoning Bylaw.

Methuen, Massachusetts (2008): Completely recodified Zoning Ordinance. Enacted 2008.

Natick, Massachusetts (2006): Drafted Comprehensive Permit Rules for the Zoning Board of Appeals.

Needham, Massachusetts (2011): Drafted both General Rules and Regulations and Comprehensive Permit Rules of the Zoning Board of Appeals, together with Community Opportunities Group, Inc.

Norwood, Massachusetts (2010): Drafted Zoning and General Bylaw amendments for the Vanderbilt Expedited Permitting District.

#### **Legal Assistance to Local Boards and Commissions**

The members of the firm have served as City Solicitor, Town Counsel and Special Town Counsel to land use boards and commissions, (i) assisting in the review of permit applications, subdivision plan submittals, Notices of Intent and Title V applications, (ii) preparing written decisions under the direction of the board or commission and (iii) representing these boards and commissions, if necessary, in appeals before the courts and administrative agencies of the Commonwealth.

The members of the firm have successfully handled the following matters on behalf of governmental clients:

#### **Land Use, Zoning, Environmental and Energy Law**

Representation of boards and commissions in land use, zoning, environmental and energy law matters including applications for zoning relief, ANR and subdivision applications, site assignments, reviews of renewable energy projects and appeals of all of the foregoing, in the following municipalities:

|            |            |          |
|------------|------------|----------|
| Acushnet   | Amesbury   | Aquinnah |
| Ashland    | Bellingham | Berkley  |
| Blackstone | Boxborough | Boxford  |
| Brockton   | Burlington | Chatham  |
| Chelmsford | Chilmark   | Clinton  |
| Cohasset   | Concord    | Dedham   |
| Deerfield  | Dighton    | Douglas  |

|               |              |                  |
|---------------|--------------|------------------|
| Easton        | Edgartown    | Franklin         |
| Freetown      | Grafton      | Great Barrington |
| Hadley        | Hamilton     | Haverhill        |
| Holliston     | Ipswich      | Kingston         |
| Lancaster     | Malden       | Mansfield        |
| Marblehead    | Maynard      | Medway           |
| Mendon        | Merrimac     | Methuen          |
| Millis        | Millville    | Natick           |
| Newburyport   | Norfolk      | Norton           |
| Oak Bluffs    | Provincetown | Quincy           |
| Rochester     | South Hadley | Sterling         |
| Stoughton     | Sturbridge   | Templeton        |
| Tewksbury     | Tisbury      | Uxbridge         |
| West Boylston | Westford     | Westport         |
| West Tisbury  | Winchester   |                  |

### **Wetlands and Sewage Disposal Systems**

Representation of Conservation Commissions regarding filings and/or enforcement under the Wetlands Protection Act and local wetlands bylaws, as well as representation of Boards of Health in Title V matters, in the following municipalities:

|            |              |              |
|------------|--------------|--------------|
| Acushnet   | Ashland      | Amesbury     |
| Bellingham | Carver       | Chatham      |
| Chelmsford | Douglas      | Easton       |
| Edgartown  | Freetown     | Holbrook     |
| Kingston   | Marblehead   | Mattapoisett |
| Mendon     | Millis       | Millville    |
| Norton     | Provincetown | Rehoboth     |
| Scituate   | Tisbury      | Upton        |
| Westport   | Yarmouth     |              |

### **Comprehensive Permit Law**

Comprehensive permit review (G.L. c. 40B, §§ 20-23) with a team of interdisciplinary professionals including civil engineers, traffic engineers, wetlands specialists, landscape architects, financial consultants and others, as required, as legal counsel to Zoning Boards of Appeal in the following municipalities:

|            |                  |            |
|------------|------------------|------------|
| Amesbury   | Ashland          | Avon       |
| Bellingham | Blackstone       | Boxborough |
| Boxford    | Boylston         | Brookline  |
| Chelmsford | Dartmouth        | Deerfield  |
| Douglas    | Franklin         | Freetown   |
| Georgetown | Great Barrington | Groton     |
| Groveland  | Haverhill        | Holliston  |
| Kingston   | Lakeville        | Lancaster  |
| Longmeadow | Lunenburg        | Mansfield  |
| Marblehead | Marion           | Mashpee    |

|               |                    |               |
|---------------|--------------------|---------------|
| Medfield      | Medford            | Melrose       |
| Mendon        | Merrimac           | Methuen       |
| Millis        | Natick             | Needham       |
| Newbury       | Newburyport        | Norfolk       |
| North Andover | North Attleborough | Norwell       |
| Pembroke      | Petersham          | Provincetown  |
| Rochester     | Sandwich           | Scituate      |
| Sterling      | Sunderland         | Templeton     |
| Tewksbury     | Tisbury            | Tyngsborough  |
| Upton         | Wenham             | West Boylston |
| Westford      | West Newbury       | Westport      |

### **Smart Growth Zoning and Housing**

Smart growth overlay district review (G.L. c. 40R) with a team of interdisciplinary professionals including planners, architects, engineers and others, as required, in the following cities and towns, either as municipal counsel or working cooperatively with the municipality on behalf of a private party:

|             |            |            |
|-------------|------------|------------|
| Andover     | Dartmouth  | Easton     |
| Fairhaven   | Foxborough | Grafton    |
| Hingham     | Kingston   | Methuen    |
| Northampton | Norwood    | Pittsfield |
| Sharon      | Walpole    |            |

### **Expedited Permitting**

Assistance with the adoption and implementation of the expedited permitting program (G.L. c. 43D) for commercial, industrial and/or mixed-use development of priority development site(s), as designated by the following municipalities:

|           |          |            |
|-----------|----------|------------|
| Ashland   | Boylston | Clinton    |
| Deerfield | Douglas  | Greenfield |
| Norwood   | Uxbridge | Worcester  |

### **Legal Counsel to Housing Authorities**

The members of the firm have served as general legal counsel to housing authorities covering all aspects of day-to-day operations along with special projects. They include:

Newburyport Housing Authority (2005-present): Provide general counsel to the Housing Authority on all matters.

Franklin Housing Authority (2015-present): Provide general counsel to the Housing Authority on all matters.

### **Collective Bargaining and Labor Representation**

The firm serves as labor counsel having advised on all labor and employment matters from hiring to termination, grievance and arbitration proceedings, as well as unfair labor practices, certification and clarification petitions. Members of the firm have been involved with collective bargaining with the IAFF, SEIU, LIUNA, AFSME, UPSEU, Teamsters, FOP, MassCOPS, and Police Associations, through the mediation and arbitration processes.

|              |              |            |
|--------------|--------------|------------|
| Barnstable   | Berkley      | Burlington |
| Deerfield    | Easton       | Fairhaven  |
| Fall River   | Hadley       | Halifax    |
| Hanson       | Haverhill    | Kingston   |
| Ludlow       | Lynn         | Marblehead |
| Maynard      | Merrimac     | Middleton  |
| Milford      | Millis       | Newbury    |
| Plympton     | Rehoboth     | Rochester  |
| South Hadley | Southborough | Stoughton  |
| Townsend     | Tyngsborough | Upton      |
| Wrentham     | Yarmouth     |            |

The firm serves as a special investigator or hearing officer for the following cities and towns:

|         |            |      |
|---------|------------|------|
| Chatham | Fall River | Lynn |
|---------|------------|------|

### **Cannabis Representation**

As Town Counsel and as Special Counsel, the firm has represented municipalities in the negotiation of Host Community Agreements for both Adult-Use and Medical Cannabis. The firm takes an active role in determining the unique needs and demands of each municipality to ensure compliance with this emerging and dynamic area of law.

|             |              |           |
|-------------|--------------|-----------|
| Ashland     | Avon         | Berkley   |
| Bernardston | Deerfield    | Dighton   |
| Douglas     | Fall River   | Hanson    |
| Holliston   | Kingston     | Lunenburg |
| Marblehead  | Maynard      | Millis    |
| Rehoboth    | Tyngsborough | Uxbridge  |
| Webster     |              |           |

In addition to assisting in the development of Host Community Agreements, the firm has helped to develop local bylaws, some allowing the responsible siting of cannabis establishments and others effecting partial or total prohibitions, guiding each municipality through this complex process.

Finally, the firm has aided communities in navigating recent legislative changes and modifying agreements where necessary and appropriate.

## REFERENCES

We invite you to contact any of the following references, each in communities where we currently provide Town Counsel services:

Alford, Town of

Contact: Alexandra Glover, Town Moderator  
Phone: (413) 854-5854  
E-mail: [glover@lazanlaw.com](mailto:glover@lazanlaw.com)

Ashburnham, Town of

Contact: John Coderre, Town Administrator  
Phone: (978) 827-4100  
E-mail: [jcoderre@ashburnham-ma.gov](mailto:jcoderre@ashburnham-ma.gov)

Ashland, Town of

Contact: Michael Herbert, Town Manager  
Phone: (508) 532-7911  
E-mail: [mherbert@ashlandmass.com](mailto:mherbert@ashlandmass.com)

Berkley, Town of

Contact: Matt Chabot, Town Administrator  
Phone: (774) 501-0350  
E-mail: [selectmen@berkeleyma.us](mailto:selectmen@berkeleyma.us)

Burlington, Town of

Contact: John Danizio, Town Administrator  
Phone: (781) 273-7600  
E-mail: [jdanzio@burlington.org](mailto:jdanzio@burlington.org)

Deerfield, Town of

Contact: Christopher Dunne, Town Administrator  
Phone: (413) 665-1400, Ext. 117  
E-mail: [townadmin@town.deerfield.ma.us](mailto:townadmin@town.deerfield.ma.us)

Easton, Town of

Contact: Sean Dugan, Interim Town Administrator  
Phone: (508) 230-0510  
E-mail: [sdugan@eastonma.us](mailto:sdugan@eastonma.us)

Hadley, Town of

Contact: Michael Mason, Interim Town Administrator  
Phone: (413) 586-0221  
E-mail: [townadmin@hadleyma.org](mailto:townadmin@hadleyma.org)

Holliston, Town of

Contact: Frank Gervasio, Town Manager  
Phone: (508) 429-0608  
E-mail: [Gervasiof@holliston.k12.ma.us](mailto:Gervasiof@holliston.k12.ma.us)

Longmeadow, Town of

Contact: Lyn Simmons, Town Manager

Phone: (413) 565-4110

E-mail: lsimmons@longmeadowma.gov

Lunenburg, Town of

Contact: Jennifer Warren-Dyment, Town Manager

Phone: (978) 582-4130, Ext. 3

E-mail: jwarren@lunenburgma.gov

Marblehead, Town of

Contact: Thatcher Kezer, Town Administrator

Phone: (781) 631-0000

E-mail: kezert@marblehead.org

Maynard, Town of

Contact: Gregory Johnson, Town Administrator

Phone: (978) 897-1375

E-mail: gjohnson@TownofMaynard.net

Middleton, Town of

Contact: Justin Sultzbach, Town Administrator

Phone: (978) 777-3617

E-mail: justin.sultzbach@middletonma.gov

Millis, Town of

Contact: Michael Guzinski, Town Administrator

Phone: (508) 376-7040

E-mail: mguzinski@millisma.net

Southborough, Town of

Contact: Mark Purple, Town Administrator

Phone: (508) 485-0710

E-mail: mpurple@southboroughma.com

Townsend, Town of

Contact: Kieran Meehan, Interim Town Administrator

Phone: (978) 597-1700

E-mail: kmeehan@townsendma.gov

Tyngsborough, Town of

Contact: Colin Loiselle, Town Manager

Phone: (978) 649-2300, Ext. 109

E-mail: cloiselle@tyngsboroughma.gov

Christina Simpson, Esq.  
The Law Office of Christina Simpson, Esq.  
csimpson@christinasimpsonlaw.com



## **SEALED PROPOSAL FOR LEGAL SERVICES**

### **Request for Proposals: Legal Services (Town Counsel) — General Counsel**

Town of Fairhaven, Massachusetts

Contract Period: November 1, 2026 through June 30, 2029

*Submitted by:*

**The Law Office of Christina Simpson, Esq.**  
(617) 756 - 9153 | csimpson@christinasimpsonlaw.com

*Submitted to:*

Keith R. Hickey, Town Administrator  
Town of Fairhaven, 40 Center Street, Fairhaven, MA 02719

Submitted: September 21, 2026

## **Introduction**

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The Law Office of Christina Simpson, Esq. (the "Firm") respectfully submits this proposal to serve as General Counsel to the Town of Fairhaven (the "Town") for the period of November 1, 2026 through June 30, 2029. The Firm is a Massachusetts law practice led by an Attorney Christina Simpson, Esq. who is licensed in the Commonwealth.

The Firm offers the Town direct, partner-level attention on every matter, a practice built on careful contract drafting and negotiation, and nearly a decade of advising organizations whose work is governed by boards, public accountability, and statutory requirements, including legal work delivered in partnership with the City of Boston through its Small Business Assistance Program and with the Black Economic Council of Massachusetts (BECMA). Every question the Town sends will be handled personally by lead counsel, not delegated, and billed transparently in accordance with the RFP's requirements.

## **1. Organization, Size, Structure, and Areas of Practice**

---

### ***Organization and Structure***

The Law Office of Christina Simpson, Esq. was established in September 2017 by its founder and principal, Christina Simpson, Esq. The Firm is organized as a sole proprietorship and operates both virtually and from its office in Boston, Massachusetts.. Attorney Simpson would serve as lead counsel and the Town's single point of contact for all matters.

### ***Size***

The Firm is a focused practice consisting of only its principal attorney and the possibility of one or more support staff and/or interns. The Firm's size is an advantage for a client like the Town: there is no hand-off between a partner who wins the engagement and junior associates who perform the work. The attorney who answers the Town Administrator's call is the attorney who drafts the contract, reviews the warrant article, and attends the meeting. Where a matter requires additional capacity or specialized expertise (for example, complex litigation), the Firm will, with the Town's prior approval, associate experienced co-counsel under the Firm's supervision, so the Town retains a single accountable relationship.

### ***Areas of Practice***

The Firm's practice centers on the following areas, each of which maps directly to the Town's scope of services:

- **Contracts and Transactional Work.** Drafting, reviewing, and negotiating commercial agreements, service contracts, construction and renovation contracts, vendor agreements, and leases.

- **Real Estate and Construction.** Real property transfers and deeds, construction and remediation contracts, scope-of-work and payment provisions, insurance and force majeure terms, and compliance with Massachusetts environmental and building regulations.
- **Nonprofit and Organizational Governance.** Entity formation, bylaws, board governance, meeting procedure, tax-exemption filings (IRS Form 1023 and related), and advising boards of directors on their duties and decision-making.
- **Business Entity Formation and Advisory.** Formation and ongoing counsel for small businesses, startups, and nonprofit organizations, including corporate filings and tax elections.
- **Intellectual Property.** Trademark clearance, registration, maintenance, and USPTO office action practice.
- **Estate Planning and Trusts.** Wills, revocable trusts, deeds, and related instruments.

### ***Office Location***

The Firm maintains its principal office at 4 Lorna Rd, Boston, Massachusetts 02126, and operates primarily as a virtual law practice. This model lets the Firm serve clients across the Commonwealth efficiently. The Town gets the same responsiveness as a local firm without paying the overhead of a traditional downtown office, and without paying for travel time on routine matters.

For the Town, this means prompt access to counsel by phone, email, and videoconference for day-to-day questions, with same-day acknowledgment of requests. Contracts, leases, and other documents can be reviewed and returned electronically, and meetings with the Town Administrator and department heads can be held by videoconference on short notice. The Firm uses secure, cloud-based document management and e-signature tools, so Town staff can exchange and sign documents quickly and keep a clear record of each matter.

The Firm will travel to Fairhaven for Town Meeting, Select Board meetings, executive sessions, and in-person consultations with Town staff whenever the Town requests it or the matter calls for it. The Firm can also participate remotely in meetings held in a hybrid format, where consistent with the Open Meeting Law and the Town's own practices, which reduces travel costs to the Town.

## 2. Qualifications and Experience of Attorney Assigned to the Town

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### *Lead Counsel: Christina Simpson, Esq.*

Attorney Simpson will serve as lead counsel for the Town and will personally handle all matters under this engagement. She has been a practicing attorney for more than ten years, is admitted in Massachusetts and New York, and has been recognized on the Super Lawyers Massachusetts Rising Stars list every year from 2018 through 2025.

### *Bar Admissions*

- **Massachusetts:** Admitted June 2017.
- **New York:** Admitted February 2016.
- **Federal:** U.S. District Court for the Southern District of New York (March 2016); U.S. District Court for the Eastern District of New York (April 2016).

### *Education*

- **Brooklyn Law School,** Juris Doctor, May 2015. Associate Managing Editor, Brooklyn Journal of International Law.
- **Boston College,** Bachelor of Arts in English, May 2012; Minor in African and African Diaspora Studies.

### *Professional Experience*

- **Founder and Principal, The Law Office of Christina Simpson, Esq., Boston, MA (July 2017–present):** Leads a business and transactional practice focused on contract drafting, review, and negotiation; business entity formation; regulatory compliance; and brand protection, including trademark and copyright registration and licensing agreements. Advises entrepreneurs, startups, established businesses, and nonprofit organizations, and provides legal services to small businesses through the City of Boston Small Business Assistance Program and in collaboration with the Black Economic Council of Massachusetts (BECMA).
- **Chief Financial Officer and Of Counsel, A & S Construction and Demolition, Co., Boston, MA (March 2017–present):** Oversees the company's financial operations and serves as its legal counsel, including drafting and negotiating construction, renovation, remediation, and abatement contracts and advising on regulatory compliance. This dual legal and financial role gives Attorney Simpson practical insight into budgeting, cost control, and public construction and procurement issues that municipalities face on capital projects.
- **Executive Director, National Conference of Women's Bar Associations (February 2020–March 2024):** Managed the day-to-day affairs of a national organization of women's bar associations representing approximately 35,000 women lawyers, acting

under the guidance and authorization of its Board of Directors. Planned, directed, and evaluated programs and services; represented the organization to member associations, external stakeholders, vendors, and the public; and oversaw communications and technology resources. This role required the same skills a Town Counsel uses daily: working effectively with an elected governing board, carrying out board-authorized directives, and communicating clearly with many stakeholders.

- **Adjunct Faculty, Legal Research and Writing, New England Law | Boston (August 2019–May 2022; August 2025–present):** Teaches Legal Research and Writing I and II, covering legal research, legal analysis, legal writing, and oral advocacy, including office memoranda, motion memoranda, client opinion letters, and oral argument. This work keeps her research and writing skills sharp and directly supports the clear, well-reasoned legal opinions the Town will rely on.
- **Law Clerk and Associate, Conway & Conway, New York, NY (June 2014–August 2016):** Drafted, reviewed, and edited complaints, answers, and discovery requests filed in court and before FINRA in matters involving disciplinary proceedings, securities fraud, suitability, failure to supervise, and unauthorized trading. Attended hearings before FINRA and in the New York State courts, negotiated and drafted contracts, and researched complex regulatory questions. This experience grounds her handling of the Town's lawsuits, administrative claims, and regulatory proceedings.
- **Earlier legal experience (2011–2014):** Law clerk and intern positions at Ladas & Parry, LLP (trademark), The Arther Law Firm (contracts and intellectual property; supervised a team of six externs), Palmeri & Gaven (real estate, trusts and estates, and corporate matters, including review of leases and contracts), and the Law Office of Zick Rubin (intellectual property).

### ***Board Service and Governance Experience***

Attorney Simpson has extensive first-hand experience with the board governance structures that mirror municipal decision-making, including service on the board of a public school:

- **Shelter Music Boston**, Chair and Board Member (2020–present).
- **Jamaican Association of Massachusetts**, Secretary and Director of Business Affairs (2024–present), preparing meeting agendas, drafting voting items and resolutions, and guiding formal board votes.
- **South Shore Christian Academy Parent Ambassador Team Board**, Events Chair and Board Member (2025–present).

### ***Community Education and Presentations***

Attorney Simpson regularly explains legal issues to non-lawyer audiences, a skill she will bring to training Town officials, staff, and volunteer board members. Her presentations include the Brooklyn Law School Business Bootcamp alumni panel on advising new ventures and small

businesses (2025, 2026); the Boston Bar Association M. Ellen Carpenter Financial Literacy Program (2018–2020) and Law Day in the Schools (2018, 2019); Intellectual Property Basics for Small Businesses for the Lawyers' Committee for Civil Rights and Economic Justice (2018–2020); and Lawyers for Affordable Justice panels (2018–2020).

### ***Awards and Recognition***

- **Super Lawyers**, Massachusetts Rising Stars, 2018 through 2025 (eight consecutive years).
- **National Black Lawyers**, Top 40 Under 40, 2020.

### ***Summary of Qualifications Relevant to the Town's Needs***

Attorney Simpson brings to the Town a combination of transactional depth, public-sector familiarity, litigation grounding, and governance leadership that aligns directly with the Town's scope of services. For nearly a decade, contract work has been the core of her practice. In private practice and as Of Counsel to a Boston construction company, she has drafted and negotiated multi-phase construction and remediation contracts, service and vendor agreements, and licensing agreements, building on earlier experience reviewing and analyzing leases. The Town can rely on her to produce clear, protective contracts and leases efficiently, including for the building maintenance and capital projects that are a regular part of municipal operations.

Her experience also extends into the public sector. As a trustee of a Massachusetts public charter school, she served on a public body governed by the same Open Meeting, Public Records, and Conflict of Interest laws that apply to the Town's boards and officials. Through the City of Boston Small Business Assistance Program, she has delivered legal services within a municipal program, and her regulatory compliance work, including compliance statements under 310 CMR 7.15 and federal NESHAP rules for asbestos abatement, reflects a careful command of the state and federal requirements that shape municipal projects. When disputes arise, she brings a litigation foundation built on drafting pleadings and discovery and appearing at hearings before Massachusetts and New York State courts.

Finally, Attorney Simpson understands how governing boards work because she has led them. As Chair of Shelter Music Boston, a trustee of a public charter school, and Executive Director of a national organization reporting to its Board of Directors, she has prepared agendas, guided formal votes, and advised board members on their obligations. She is comfortable at the table with elected officials and in front of the public, making her well prepared to advise the Select Board and to support the Town at Town Meetings. Together with her commitment to responsiveness and clear communication, these qualifications make Attorney Simpson well positioned to serve as a trusted, accessible, and cost-effective General Counsel to the Town of Fairhaven.

### **3. Proposed Approach to Scope of Work**

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The Firm's approach is built around three commitments: responsiveness, preventive counsel, and cost transparency. The goal is to help the Town avoid legal problems before they arise, resolve those that do arise efficiently, and give the Select Board and Town Administrator clear, practical advice they can act on.

#### ***Transition and Onboarding (First 60 Days)***

Upon award, Attorney Simpson will meet with the Town Administrator and designated staff to understand the Town's priorities, pending matters, and existing contracts and leases. The Firm will coordinate with outgoing counsel for an orderly transfer of files, review the Town's Charter, bylaws, and recent Town Meeting warrants, and prepare a matter list with status and next steps for each open item. The Firm will also confirm the Town's protocols for who may request legal services (the Select Board, the Town Administrator, or their designee) so that all requests are authorized and costs remain controlled.

#### ***1. Review, Draft, and Negotiate Contracts and Leases***

This is the Firm's core strength. The Firm will draft and review the Town's contracts and leases with attention to Massachusetts municipal requirements, including the Uniform Procurement Act (M.G.L. c. 30B), public construction and prevailing wage requirements (M.G.L. c. 149 and c. 30, § 39M), and municipal finance requirements such as certification of appropriation (M.G.L. c. 44). Where useful, the Firm will develop standard contract templates for recurring needs (service agreements, facility use and license agreements, and vendor contracts) so that routine transactions move faster and cost less. Contract language will be clear and concise, with well-defined scope, payment, insurance, indemnification, and termination provisions that protect the Town.

#### ***2. Advice on Municipal Government Matters***

The Firm will provide timely written and oral advice to the Select Board, Town Administrator, and department heads on matters such as the Open Meeting Law (M.G.L. c. 30A, §§ 18–25), Public Records Law (M.G.L. c. 66, § 10), the State Conflict of Interest Law (M.G.L. c. 268A), zoning and land use (M.G.L. c. 40A), licensing, procurement, and general municipal authority. Routine questions will receive a response within one business day, and more complex questions will be acknowledged the same day with an estimated timeline for a full answer. For matters that warrant it, the Firm will provide concise written opinions that state the question, the short answer, and the supporting analysis, so that officials can rely on and refer back to them.

#### ***3. Lawsuits, Administrative Claims, and Other Legal Claims***

The Firm will evaluate claims and demand letters promptly, advise the Town on exposure and strategy, and represent the Town in administrative proceedings and appropriate litigation matters. Where a claim is covered by the Town's insurer, the Firm will coordinate with insurer-appointed

defense counsel and protect the Town's interests. For complex or specialized litigation, the Firm will recommend and, with the Town's approval, associate experienced litigation co-counsel, while remaining the Town's coordinating counsel. The Firm will provide the Town with an early case assessment and budget for each litigated matter so that the Select Board can make informed decisions about settlement and defense costs.

#### ***4. Town Meeting***

Attorney Simpson will attend Town Meetings as scheduled and required. In advance, the Firm will review the warrant, assist in drafting and reviewing warrant articles and motions for legal sufficiency, and prepare to answer questions from the floor. After Town Meeting, the Firm will assist with any bylaw amendments that must be submitted to the Office of the Attorney General for approval under M.G.L. c. 40, § 32.

#### ***5. Select Board Meetings***

Attorney Simpson will attend Select Board meetings as requested, including executive sessions, and will advise on procedure, Open Meeting Law compliance, and the legal implications of items on the agenda. Where attendance is not required in person, the Firm can be available remotely to reduce travel costs to the Town.

#### ***6. Other Legal Services***

The Firm will provide other legal services as requested, including advice to boards and committees, review of policies and bylaws, and periodic training for Town officials and staff on topics such as the Open Meeting Law, public records, and conflict of interest compliance. Attorney Simpson's teaching experience makes these sessions practical and accessible for volunteers and staff alike.

#### ***Communication, Billing, and Cost Control***

The Firm will bill at an hourly rate in increments of no more than one quarter hour (0.25), as the RFP requires, and each monthly invoice will include a summary of work performed, time spent on each task, and the attorney or staff member who performed it, organized by matter so the Town can track spending by department or project. The Firm will provide advance cost estimates for significant matters, flag any matter that is trending over estimate before the budget is exceeded, and provide the Town Administrator with a periodic report of open matters. Pricing is set out in the enclosed Price Proposal Form.

#### ***Conflicts of Interest***

The Firm will run a conflict check before accepting any matter for the Town and will disclose any potential conflict promptly in accordance with the Massachusetts Rules of Professional Conduct.

#### 4. Experience with Similar Clients and Legal Matters

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The Firm's clients share many of the characteristics of a small town government: they operate under boards that make decisions by formal vote, work with limited budgets, are accountable to members and the public, and depend on reliable contracts and regulatory compliance. Representative experience includes:

- **City of Boston Small Business Assistance Program:** The Firm provides legal services to small businesses through the City of Boston's Small Business Assistance Program. This work requires operating within a municipal program structure: serving clients referred by the City, delivering services within program guidelines and budgets, documenting and reporting services provided, and helping residents understand and comply with City and state requirements for business formation, licensing, permitting, and leasing. It has given Attorney Simpson direct familiarity with how a municipal government delivers services to its residents and businesses.
- **Black Economic Council of Massachusetts (BECMA):** The Firm provides legal services to small businesses through the Black Economic Council of Massachusetts (BECMA). Like the City of Boston program, this work involves serving business owners referred through an established economic development program, delivering services within program guidelines, and helping entrepreneurs understand and comply with state and local requirements for business formation, contracts, licensing, permitting, and leasing. Because BECMA works closely with state and municipal officials on economic development and access to public contracting, this work has also deepened Attorney Simpson's governmental affairs experience and her understanding of public procurement and economic development from both the government and business sides.
- **Nonprofit and public-benefit organizations:** Formation and tax-exemption counsel for nonprofit clients, including preparation of IRS Form 1023-EZ and NTEE classification; governance counsel on bylaws, board votes, and committee structures; and legal support for community organizations serving the public.
- **Construction, renovation, and environmental compliance:** Drafted and negotiated construction contracts for fire-damage restoration and major residential renovation projects in Boston, including phased scopes of work, per-unit payment schedules, insurance restoration provisions, mold remediation clauses, and force majeure exhibits; prepared asbestos abatement proposal documents and a Massachusetts regulatory compliance statement (310 CMR 7.15 and NESHAP) for a project at a community health center. These matters parallel the public building maintenance and capital projects the Town manages.
- **Business and contract counsel:** Entity formation, S-corporation elections, service and vendor agreements, and ongoing contract review for small businesses and professional practices.

- **Real estate:** Deeds, property transfers, and real estate matters for individual and business clients, and advice on property management and short-term rental matters.
- **Board leadership:** Chair of the Board of Directors of Shelter Music Boston; Chair and Secretary of the Jamaican Association of Massachusetts; former Executive Director of the National Conference of Women's Bar Associations.

### *References*

The RFP requests the names, addresses, contact persons, and telephone numbers of at least three clients, preferably clients similar to the Town. The Firm offers the following references:

| <b>Client / Organization</b>                             | <b>Contact Person</b>               | <b>Email</b>                      | <b>Telephone</b> |
|----------------------------------------------------------|-------------------------------------|-----------------------------------|------------------|
| City of Boston —<br>Small Business<br>Assistance Program | Emily Patrick                       | emily.patrick@boston.gov          | 617-869-1622     |
| Black Economic<br>Council of<br>Massachusetts<br>(BECMA) | Christopher<br>Sonnie, Jr.          | csonnie@becma.org                 | 857-308-4623     |
| Desmond Tech,<br>LLC                                     | Moriah Simpson,<br>Managing Partner | moriah@desmondtech.net            | (617) 459- 9863  |
| A & S Construction<br>and Demolition, Co.                | Andrew Simpson,<br>President        | andrew@asconstructionde<br>mo.com | 617-799-4955     |

### **Conclusion**

The Firm would be honored to serve the Town of Fairhaven. The Town would receive a dedicated lead counsel with deep contract and governance experience, a commitment to responsiveness and clear communication, and billing practices designed to give the Select Board and Town Administrator full visibility into legal costs. Attorney Simpson welcomes the opportunity to meet with the Select Board and Town Administrator to discuss this proposal.

Respectfully submitted,

*Christina Simpson*

Christina Simpson, Esq.  
Founder and Principal  
The Law Office of Christina Simpson, Esq.  
Date: September 21, 2026

## Price Proposal Form

Firm Name: The Law Office of Christina Simpson, Esq.

**Required Submissions:**      **FY27**      **FY28**      **FY29**

Hourly Rate for Lead Counsel

Hourly Rate for Associates

Hourly Rate for Paralegals

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

**(Optional) Submissions, Annual Lump Sum:**      **FY27**      **FY28**      **FY29**

General Counsel Only      \_\_\_\_\_/yr      \_\_\_\_\_/yr      \_\_\_\_\_/yr

General Counsel and Litigation Included      \_\_\_\_\_/yr      \_\_\_\_\_/yr      \_\_\_\_\_/yr

General Counsel and Labor Included      \_\_\_\_\_/yr      \_\_\_\_\_/yr      \_\_\_\_\_/yr

General Counsel, Labor, and Litigation Included      \_\_\_\_\_/yr      \_\_\_\_\_/yr      \_\_\_\_\_/yr

**(Optional) Additional Price Considerations:**

Christina Simpson

Signature

Principal Attorney

Title

9/21/26

Date

Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on the structure of billing and or any retainer fee.

Christina Simpson, Esq.  
The Law Office of Christina Simpson, Esq.  
csimpson@christinasimpsonlaw.com



### ***References***

The RFP requests the names, addresses, contact persons, and telephone numbers of at least three clients, preferably clients similar to the Town. The Firm offers the following references:

| <b>Client / Organization</b>                             | <b>Contact Person</b>               | <b>Email</b>                      | <b>Telephone</b> |
|----------------------------------------------------------|-------------------------------------|-----------------------------------|------------------|
| City of Boston —<br>Small Business<br>Assistance Program | Emily Patrick                       | emily.patrick@boston.gov          | 617-869-1622     |
| Black Economic<br>Council of<br>Massachusetts<br>(BECMA) | Christopher<br>Sonnie, Jr.          | csonnie@becma.org                 | 857-308-4623     |
| Desmond Tech,<br>LLC                                     | Moriah Simpson,<br>Managing Partner | moriah@desmondtech.net            | (617) 459- 9863  |
| A & S Construction<br>and Demolition, Co.                | Andrew Simpson,<br>President        | andrew@asconstructionde<br>mo.com | 617-799-4955     |

**TOWN OF FAIRHAVEN  
RESPONSE TO REQUEST FOR PROPOSALS  
TOWN COUNSEL - GENERAL AND LABOR**

Heather C. White  
Christopher L. Brown  
**HARRINGTON HEEP, LLP**

40 Grove Street, Suite 190  
Wellesley, MA 02482  
Tel. (617) 489-1600  
Fax. (617) 489-1630  
hwhite@harringtonheep.com  
cbrown@harringtonheep.com

September 16, 2026

Keith R. Hickey, Town Administrator  
Town of Fairhaven  
40 Center Street  
Fairhaven, MA 02719

**Re: Request for Proposals: Legal Services (Town Counsel) General and Labor**

Dear Mr. Hickey,

Harrington Heep LLP is pleased to submit this proposal to you in response to the Town's Request for Proposals for Legal Services for Town and Labor Counsel. Our firm is dedicated to the practice of law in the public interest and concentrates its professional work in municipal and related areas of law. Heather C. White, our newest member of the firm, has served Fairhaven well as Town Counsel for several years, and we expect that you will continue to receive excellent service from her and the other attorneys of the firm. We also currently serve as Town Counsel to the towns of Berlin, Billerica, Blackstone, Bourne, Carlisle, Dracut, Grafton, Lancaster, Littleton, Mansfield, Monterey, Needham, New Braintree, Norfolk, Reading, Scituate, Sherborn, Stockbridge, Templeton, Wellesley, and as Special Counsel to the Cities of Boston, Groveland, Haverhill, and the Towns of Barnstable, Falmouth, and West Newbury. We also serve as Labor Counsel for a number of our Town Counsel clients and regularly act as special counsel to municipalities throughout the Commonwealth on complex legal matters. In addition, we serve as counsel to the Berkshire Regional Planning Commission and the Dedham-Westwood Water District.

Heather will continue as Lead Counsel, and we designate Chris Brown as Back-up Counsel and Labor Counsel. We offer competitive rates, years of experience, personal service, diligent attention to our clients' needs, and good humor. We are confident that our firm's record of legal excellence, our deep, diverse, and experienced roster of practitioners, and our enthusiasm for partnering with local government, coupled with Heather's institutional knowledge of Fairhaven will continue to be an excellent match for Fairhaven.

Thank you for the opportunity to express our interest and provide this information. We look forward to discussing our interest and qualifications in more detail.

Respectfully Submitted,

**HARRINGTON HEEP LLP**



Heather C. White



Christopher L. Brown

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## FIRM BACKGROUND AND STRUCTURE

Harrington Heep was founded in 1988 as Pickett and Miyares LLP, and, more recently, known as Miyares and Harrington LLP. In 2023, the firm adopted the new name of Harrington Heep LLP, after the retirement of esteemed municipal law attorney J. Raymond Miyares.

While the name of our firm has evolved over the years, its core focus has remained unchanged throughout its 38-year existence: serving the legal needs of municipal clients. Every attorney and staff member at our firm works here because we believe in local government. For that reason, our work has remained constant over the last three decades, and our focus has remained the same.

Harrington Heep LLP is a full-service municipal law firm with sufficient size, expertise, and experience to provide superior legal advice to Fairhaven on all general legal and labor issues it typically confronts. The firm's main office is located in Wellesley, and consists of 14 attorneys, all focused on practicing municipal law and assisting communities and other public entities. An organizational chart of our firm is attached to this response as **Exhibit 1**.

## SPECIALIZED AREAS OF PRACTICE

Our attorneys have extensive capabilities in the areas which we find our clients often encounter issues. We have summarized a few of these areas below:

**General Municipal Law.** Our firm has over three decades of experience in general municipal law, serving as both general counsel and special counsel to Cities and Towns across innumerable subject matters and issues. We have drafted hundreds of zoning and general bylaws, ordinances, amendments, and regulations. We maintain a strong working relationship with the Attorney General's Municipal Law Unit staff, which must review and approve all Town bylaws before they take effect, and we routinely discuss unusual issues of bylaw substance or language with that Office before finalizing warrant articles.

**Collective Bargaining, Labor, Employment, and Benefits.** We have extensive experience assisting municipalities with human resource administration, development of employee policies and handbooks, employee benefits contracting and administration, disciplinary matters, sexual harassment and discrimination investigations, and other related employment matters. Our staff includes attorneys with experience in collective bargaining, Joint Labor Management Committee mediation, grievance hearings, and arbitration of contract disputes. Firm Partners Chris Brown and Donna Brewer have represented Towns in hearings before the Massachusetts Commission Against Discrimination, the Department of Labor Relations, the Civil Service Commission, the Division of Unemployment Assistance, and regional or local retirement boards, negotiated collective bargaining agreements, and conducted investigations into charges of discrimination, harassment, and bullying.

**Town Charters.** We have served as the principal drafters of the Home Rule Charters for Reading and Hopkinton, and the Special Act proposed to reorganize the structure of the Town

government in Wellesley. We worked closely with the Framingham Charter Commission when it transitioned from a Town to a City form of government and subsequently updated its Charter.

**Land Use and Real Estate.** We assist our clients regularly in purchasing and selling municipal real estate interests, acquiring property by gift and eminent domain, and transferring real estate care, custody, management, and control from one municipal board to another. We have considerable experience with special-purpose interests in real estate, including easements and rights-of-way for sewer and water facilities, municipal light utilities (including solar collectors), and streets and ways. We frequently advise land use boards considering applications for special permits and variances and defend those decisions in court.

Our firm has a proven track record in dealing with Chapter 40B. We have successfully represented Boards of Appeal in numerous comprehensive permit hearings and subsequent appeals to the Housing Appeals Committee. Our negotiation skills have also been instrumental in reaching agreements with 40B developers, leading to developments that are beneficial to the Town. These successful negotiations have enabled our Towns to meet the 10% affordability requirement and avoid further comprehensive permit applications.

We assist Towns with all matters related to the license, lease, acquisition, and disposition of interests in real estate (including the acquisition or creation of various restrictions thereon), pursuant to applicable statutes, including G.L. c. 30B, § 16, G.L. c. 184, G.L. c.44B, § 12, G.L. c.40, §§ 3 and 14, G.L. c. 61, G.L. c. 61A, G.L. c. 61B, G.L. c. 79, and G.L. c. 82. We have also been involved in the acquisition or donation of many Conservation Restrictions under G.L. c. 184, §§ 31-33.

For our non-municipal clients, we have been involved in developing, supporting, permitting, or opposing a wide range of development projects, including construction and demolition, hazardous and other solid waste facilities and transfer stations, power plants, shopping malls, lifestyle centers and “big box” stores, office facilities, highway projects, water and wastewater treatment facilities, a variety of residential, hotel and mixed-use developments, “40B” developments, and a religious shrine.

**Zoning.** We have participated in countless public hearings of local boards and devote a significant portion of our practice to interpreting and explaining the proper application of the Zoning Act for our client boards or in court. The bulk of this work consists of assisting Boards of Appeals with variance or comprehensive permit applications, as well as Special Permit Granting Authorities (typically, the Board of Appeals or Planning Board) with Special Permit applications. Upon request, we guide our clients through the application process from determining whether an application is complete to drafting the decision and representation in court. We represent municipal clients in litigation to enforce or defend their zoning bylaws when necessary.

We also have extensive experience with the Subdivision Control Law. We have worked with communities to adopt new regulations or amend existing subdivision regulations. We have helped numerous Planning Boards with applications for preliminary or definitive subdivision plan approval, as well as requests for endorsement as Approval Not Required. This includes reviewing or drafting decisions and supporting covenants, and defending their decisions upon appeal in Land or Superior Court.

**Open Meeting Law, Public Records Law, and State Ethics Law.** We have provided advice and guidance on applying the Open Meeting Law, G.L. c. 30A, §§ 18-25 and Public Records Law, G.L. c. 4, § 7(26) and G.L. c. 66, § 10, and defended our clients on appeals to the Attorney General’s Division of Open Government and the Supervisor of Public Records. This includes

assisting our clients in responding to Public Records Law requests from individuals who frequently lodge such requests. Our attorneys have served on the Open Meeting Law and Electronic Records Working Groups of the Massachusetts Municipal Law Association. We also have extensive experience assisting clients in understanding their obligations under the Conflict of Interest Law, G.L. c. 268A.

**Town Meeting.** Our attorneys have prepared numerous warrant articles and motions for Annual and Special Town Meetings. We attend our clients' Annual and Special Town Meetings to advise Moderators, boards, and voters on procedural and substantive issues of concern that arise during the meeting. Our attorneys arrive at Town Meeting fully prepared to perform our duties and with ready access to all necessary research materials.

Additionally, we understand that a few select articles on an Annual or Special Town Meeting warrant often culminate a year or more of meetings, work, and effort by our client boards. For those and other unique or significant articles, we work with our clients to prepare so that the article, motion, legal research, and supporting documents are drafted before the warrant closes. We strive to anticipate public concerns and to prepare our clients to address those concerns before projects are derailed.

Two of our firm's partners, Tom Harrington and Ivria Fried, recently served with the Massachusetts Moderators' Association to revise the fourth edition of Town Meeting Time, the handbook for Town Meeting practice in Massachusetts.

**Special Legislation and Home Rule Petitions.** As part of our service to municipal clients, we have often drafted special legislation and Home Rule petitions. Additionally, we have presented the Home Rule process to various municipal associations.

**State Procurement Laws.** We draft, review, and defend Town contracts and procurement documents, with experience in various factual contexts, ranging from typical goods and services agreements executed after a procurement in compliance with the requirements of the Uniform Procurement Act, G.L. c. 30B to more complex design, project management, and construction contracts obtained through the Town's designer selection procedures adopted pursuant to G.L. c. 7C, §§ 44-57 and the Commonwealth's public construction statutes (G.L. c. 149, §§ 44A-44J (building construction), G.L. c. 149A (public construction, alternate delivery methods), and G.L. c. 30, § 39M (public works)).

We have represented client municipalities in public construction contracting involving school and other public buildings, water and sewage facilities, solid waste disposal facilities, roads and bridges, dams, and telecommunications facilities. We have experience assisting Towns with school construction projects funded by the Massachusetts School Building Authority ("MSBA"), reviewing all MSBA project agreements and other bidding and contract documents. We have also assisted Towns with the procurement and execution of energy management contracts with solar energy providers under G.L. c. 25A, §§ 11C & 11I, and battery energy system storage projects under G.L. c. 59, § 5, cl. Forty-fifth. We have represented municipalities in defending against bid protests and claims disputes with construction contractors. Our lawyers have completed the three Massachusetts Certified Public Procurement Official (MCCPO) courses offered by the Massachusetts Inspector General's Office and various advanced course offerings by the same office.

**Environmental.** Harrington Heep LLP has represented municipal clients in a wide range of natural resource conservation and environmental protection matters arising under federal, state and local laws and regulations pertaining to water quality and management issues, air emissions,

odor control, toxic and hazardous materials, noise abatement and control, traffic mitigation, public nuisances, noisome trades and site assignments, and environmental impact analysis, in the context of compliance advice, permitting, enforcement proceedings, administrative appeals, and litigation.

Our expertise includes compliance advice, regulatory drafting, strategic planning, site selection review, permitting assistance, enforcement, administrative appeals, and litigation.

We assist with the management of wetland resource areas, areas of critical environmental concern (ACEC), and scenic mountain resources for both public and private-sector clients. We help adopt, administer, and enforce local wetland bylaws, implement airport runway safety areas and associated vegetation management plans, and implement ACEC protection strategies. We draft land conservation restrictions, agricultural and historical preservation restrictions, and special-purpose covenants that regulate or restrict land use for natural resource protection purposes.

We support financing, designing, permitting, and constructing public water supply upgrades and expansions, as well as acquiring property interests associated with those projects. Additionally, we offer strategic advice and support in connection with the purchase and sale of water services and water rights, applications to license, expand, or discontinue public water supply wells, and responses to notices of noncompliance and administrative consent orders.

We have provided citizens' groups with critiques of proposed local wetlands bylaws and regulations, and we have sued on their behalf for enforcement of wetlands protections.

**Energy and Public Utilities.** We often represent municipalities, their boards, and officials on energy or utility issues. Sometimes, that means purely local review related to the construction, relocation, or removal of utility infrastructure, such as poles or wires. Other times, it means representing municipal interests before the State's Department of Public Utilities and Energy Facilities Siting Board or the Federal Energy Regulatory Commission concerning energy and utility infrastructure.

Local communities aim to ensure that major energy facilities can co-exist with residents and businesses safely and efficiently. We negotiate and draft host community agreements to secure the key features of proposed projects and to obtain mitigation and offsetting benefits for the community.

We also assist with procurement and contract negotiations for ground-based and rooftop solar facilities, including lease terms, payment in lieu of taxation (PILOT) agreements, power purchase agreements, and energy management service agreements.

**Liquor, Marijuana, and Other Licensing Matters.** We have advised local licensing authorities on a range of licensing issues, including matters related to license award, renewal, suspension, and other enforcement mechanisms, and have assisted several of our client Towns in updating their licensing policies. We consult regularly with the Alcoholic Beverages Control Commission and the Cannabis Control Commission on matters within their purview, ensuring that local decisions are upheld if appealed. We have drafted special legislation seeking an increase in the permitted number of liquor licenses available to be issued in one of our client Towns. We have frequently appeared before the ABCC and Superior Court in defense of disciplinary action taken by Towns against liquor and cannabis licensees.

**Litigation and Legal Proceedings.** Our attorneys have appeared before all courts of the Commonwealth, the U.S. District Court for Massachusetts, the U.S. Bankruptcy Court of the District of Massachusetts, the U.S. Bankruptcy Appellate Panel for the First Circuit, and the First Circuit and D.C. Circuit Courts of Appeals. We have also participated in adjudicatory proceedings before administrative agencies such as the Alcoholic Beverages Control Commission, the Department of Environmental Protection, the Department of Public Utilities, the Housing Appeals Committee, the Appellate Tax Board, the Energy Facilities Siting Board, the Board of Conciliation and Arbitration, the Massachusetts Commission Against Discrimination, the Department of Labor Relations, the Civil Service Commission, and the Division of Administrative Law Appeals.

**Municipal Finance.** We advise our client municipalities on a host of budgeting, funding, taxation, borrowing, and accounting issues related to capital, operating, reserve, enterprise, and revolving funds, as well as special-purpose gift accounts. We work closely with bond counsel and the Department of Revenue's Division of Local Services to address concerns as they arise. We help prepare grant and loan applications, federal and state assistance agreements, Tax Increment Financing (TIF) agreements, and Host Community Agreements (HCAs). We have drafted numerous debt exclusions, capital outlay exclusions, override ballot questions, and related Town Meeting motions, and advise our municipal clients regarding a range of Community Preservation Act accounting issues. We have presented seminars to other municipal counsel on municipal finance in partnership with lawyers at the Division of Local Services, presented to municipal officials on some of the more obscure elements of TIFs and HCAs, and to state officials regarding private business use and other post-issuance compliance matters associated with governmental bond financings. We also regularly advise our clients regarding municipal funds held subject to charitable restrictions, including statutory investment and spending obligations, interpretation of restrictions, and modifications of gift purposes, and work closely with the Attorney General's Office in connection with such modifications.

**Insurance Coverage.** Insurance coverage issues are best resolved through negotiation with insurers, and we have successfully negotiated settlements with insurers when these disputes have arisen. That said, when litigation is necessary, we are experienced in asserting and defending the insured's rights against insurers in federal and state courts.

**Board of Health and Public Health Emergencies.** We work closely with local Boards of Health and Health Agents, providing guidance and support in the development of regulations and policies addressing a wide range of public health concerns. In addition, we assist our communities with enforcement matters, recognizing that achieving compliance often requires a balanced approach, one that combines legal tools with appropriate social service interventions.

While times of crisis may be infrequent, the COVID-19 public health emergency showed the importance of swift, sound legal advice on public health issues. Our attorneys are experienced in public health matters and can provide in-the-moment advice in the face of a rapidly developing emergency. As the COVID-19 pandemic evolved, we regularly updated our clients on all developments and were available around the clock to deal with issues as they arose. That included securing the first-of-its-kind injunction in Superior Court to delay a pending municipal election.

**Affordable Housing.** Many of our Towns have Affordable Housing Trusts or Housing Authorities, and we work with them regularly to provide guidance and advice on matters that range from rent and mortgage assistance programs to development projects. We also have extensive experience with Chapter 40B and have represented Boards of Appeal throughout many long and contentious comprehensive permit hearings and later appeals to the Housing Appeals Committee. Additionally, we have negotiated with 40B developers to produce developments that

are acceptable to the Town, and two such developments enabled our Towns to meet the 10% affordability requirement and insulate them from further comprehensive permit applications. We have also helped our Towns draft zoning bylaws that aim to increase the local stock of affordable housing and assisted them in administering such bylaws after their adoption, drafted legislation aimed at providing Towns with additional tools for the promotion of affordable housing, such as transfer fee legislation, and provided input to the state on regulations related to regional year-round housing trusts.

## MASSACHUSETTS MUNICIPAL REFERENCES

In the table below we provide the firm's current and former municipal clients. You are invited to contact any of the municipalities below for references.

| TOWN COUNSEL                                                        |                                         |                                                                                                                                       |                                                |
|---------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Client Name & Address                                               | Contact Name & Title                    | Dates of Appointment/ Service                                                                                                         | Telephone & Email                              |
| Town of Berlin<br>23 Linden Street<br>Berlin, MA 01503              | Michael Tusino,<br>Town Administrator   | <b>Town Counsel</b><br>(Lead: Heather White)<br>2023 to present                                                                       | (978) 838-0014<br>townadmin@townofberlin.com   |
| Town of Billerica<br>356 Boston Post Road<br>Billerica, MA 01821    | Christopher Dillon,<br>Town Manager     | <b>Town Counsel</b><br>(Lead: Ivria Fried)<br>2025 to present                                                                         | (978) 671-0943<br>cdillon@billerica.gov        |
| Town of Blackstone<br>15 St. Paul Street<br>Blackstone,<br>MA 01504 | Lauren Taylor,<br>Town Administrator    | <b>Town Counsel</b><br>(Lead: Chris Brown)<br>2021 to present                                                                         | (508) 883-1500<br>ltaylor@townofblackstone.org |
| Town of Bourne<br>24 Perry Avenue<br>Buzzards Bay, MA<br>02532      | Marlene McCollem,<br>Town Administrator | <b>Town Counsel</b><br>(Lead: Bryan Bertram)<br>2021 to present<br><br><b>Labor Counsel</b><br>(Lead: Chris Brown)<br>2021 to present | (508) 759-0600<br>mmccollem@townofbourne.com   |
| Town of Carlisle<br>66 Westford Street<br>Carlisle, MA 01741        | Ryan McLane,<br>Town Administrator      | <b>Town Counsel</b><br>(Lead: Tom Harrington)<br>2013 to present                                                                      | (978) 371-6688<br>rmclane@carlislema.gov       |

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|----------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Town of Dracut<br>62 Arlington Street<br>Dracut, MA 01826      | Kate Hodges,<br>Town Manager          | <b>Labor Counsel</b><br>(Lead: Donna Brewer)<br>2020 to 2023<br><br><b>Town and Labor Counsel</b><br>(Lead: Chris Brown)<br>2025 to present | (978) 452-1227<br>khodges@dracutma.gov       |
| Town of Fairhaven<br>40 Center Street<br>Fairhaven, MA 02719   | Keith Hickey,<br>Town Administrator   | <b>Town Counsel</b><br>(Lead: Heather White)<br>2022 to present                                                                             | (508) 979-4107<br>khickey@fairhaven-ma.gov   |
| Town of Grafton<br>30 Providence Road<br>Grafton, MA 01519     | Evan Brassard,<br>Town Administrator  | <b>Town Counsel</b><br>(Lead: Chris Brown)<br>2023 to present<br><br><b>Special Counsel</b><br>(Lead: Chris Brown)<br>2020 to 2021          | (508) 839-5335<br>brassarde@grafton-ma.gov   |
| Town of Hopkinton<br>18 Main Street<br>Hopkinton, MA<br>01748  | Elaine Lazarus,<br>Town Manager       | <b>Town Counsel</b><br>(Lead: Bryan Bertram)<br>2021 to 2025<br>(Lead: Ray Miyares)<br>2007 to 2021                                         | (508) 497-9700<br>elainel@hopkintonma.gov    |
| Town of Lancaster<br>701 Main Street<br>Lancaster, MA<br>01523 | John Woodsmall,<br>Town Administrator | <b>Town Counsel</b><br>(Lead: Ivria Fried)<br>2022 to present<br><br><b>Labor Counsel</b><br>(Lead: Chris Brown)<br>2022 to present         | (978) 365-3326<br>jwoodsmall@lancasterma.gov |
| Town of Littleton<br>37 Shattuck Street<br>Littleton, MA 01460 | James Duggan,<br>Town Administrator   | <b>Town Counsel</b><br>(Lead: Tom Harrington)<br>2001 to present<br><br><b>Labor Counsel</b><br>(Lead: Chris Brown)<br>2024 to present      | (978) 540-2461<br>jduggan@littletonma.org    |

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|--------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Town of Mansfield<br>6 Park Row<br>Mansfield, MA 02048                   | Mallory Aronstein,<br>Town Manager        | <b>Town Counsel</b><br>(Lead: Chris Brown)<br>2025 to present                                                                                                               | (508) 261-7370<br>mallory@mansfieldma.com         |
| Town of Monterey<br>435 Main Road<br>P.O. Box 308<br>Monterey, MA 01245  | Roger MacDonald,<br>Town Administrator    | <b>Town and Labor Counsel</b><br>(Lead: Donna Brewer)<br>2022 to present                                                                                                    | (413) 528-1443 (ext. 111)<br>admin@montereyma.gov |
| Town of Needham<br>1471 Highland Ave.<br>Needham, MA<br>02492            | Katie King,<br>Town Manager               | <b>Town Counsel</b><br>(Lead: Chris Heep)<br>2020 to present<br><br><b>Special Land Use Counsel</b><br>(Lead: Chris Heep)<br>2012 to 2020                                   | (781) 455-7500<br>kking@needhamma.gov             |
| Town of New Braintree<br>20 Memorial Drive<br>New Braintree, MA<br>01531 | Rebecca Acerra,<br>Executive Secretary    | <b>Town Counsel</b><br>(Lead: Heather White)<br>2024 to present                                                                                                             | (508) 867-2071 ext. 2<br>RAcerra@newbraintree.gov |
| Town of Norfolk<br>One Liberty Lane<br>Norfolk, MA 02056                 | Anita Mecklenburg,<br>Chair, Select Board | <b>Town Counsel</b><br>(Lead: Tom Harrington)<br>2021 to present<br><br><b>Labor Counsel</b><br>(Lead: Donna Brewer)<br>2023 to present                                     | 508-440-2855<br>amecklenburg@norfolkma.gov        |
| Town of Reading<br>16 Lowell Street<br>Reading, MA 01867                 | Jayne Wellman,<br>Town Manager            | <b>Town Counsel</b><br>(Lead: Ivria Fried)<br>2020 to present<br>(Lead: Ray Miyares)<br>2014 to 2020<br><br><b>Labor Counsel</b><br>(Lead: Donna Brewer)<br>2019 to present | (781) 942-9043<br>jwellman@ci.reading.ma.us       |

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| Town of Sherborn<br>19 Washington Street<br>Sherborn, MA 01770                     | Jeremy Marsette,<br>Town Administrator | <b>Town Counsel</b><br>(Lead: Heather White)<br>2026 to present                                                                                                          | (508) 651-7850<br>jmarsette@sherbornma.org                 |
| Town of Stockbridge<br>50 Main Street<br>Stockbridge, MA<br>01262                  | Michael Canales,<br>Town Administrator | <b>Town Counsel</b><br>(Lead: Donna Brewer)<br>2020 to present<br>(Lead: Ray Miyares)<br>1996 to 2020<br><b>Labor Counsel</b><br>(Lead: Donna Brewer)<br>2020 to present | (413) 298-4170<br>townadministrator@stockbridge-<br>ma.gov |
| Town of Scituate<br>600 Chief<br>Justice Cushing<br>Highway<br>Scituate, MA 02066  | James Boudreau,<br>Town Administrator  | <b>Town Counsel</b><br>(Lead: Bryan Bertram)<br>2023 to present                                                                                                          | (781) 545-8700<br>jboudreau@scituatema.gov                 |
| Town of Templeton<br>160 Patriots Road<br>East Templeton, MA<br>01438              | James Ryan,<br>Town Administrator      | <b>Town Counsel</b><br>(Lead: Tom Harrington)<br>2018 to present<br><b>Labor Counsel</b><br>(Lead: Chris Brown)<br>2025 to present                                       | (978) 894-2755<br>jryan@templetonma.gov                    |
| Town of Wellesley<br>525 Washington<br>Street, 3rd Floor<br>Wellesley, MA<br>02482 | Meghan Jop,<br>Executive Director      | <b>Town Counsel</b><br>(Lead: Tom Harrington)<br>2014 to present                                                                                                         | (781) 431-1019, ext. 2201<br>mjop@wellesleyma.gov          |

| SPECIAL COUNSEL                                            |                               |                                                                  |                                                   |
|------------------------------------------------------------|-------------------------------|------------------------------------------------------------------|---------------------------------------------------|
| Client Name &<br>Address                                   | Contact Name &<br>Title       | Dates of<br>Appointment/<br>Service                              | Telephone & Email                                 |
| Town of Barnstable<br>367 Main Street<br>Hyannis, MA 02601 | Mark S. Ells,<br>Town Manager | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2022 to present | (508) 862-4610<br>mark.ells@town.barnstable.ma.us |

|                                                                                        |                                                           |                                                                                          |                                               |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------|
| City of Boston<br>Law Department<br>1 City Hall Square<br>Room 615<br>Boston, MA 02201 | Jason Lederman,<br>First Assistant<br>Corporation Counsel | <b>Special Counsel</b><br>(Co Leads: Ivria Fried<br>and Donna Brewer)<br>2025 to present | (617) 635-4022<br>Jason.Lederman@boston.gov   |
| Town of Burlington<br>29 Center Street<br>Burlington, MA 01803                         | James Tigges,<br>Selectman                                | <b>Special Counsel</b><br>(Donna Brewer)<br>2019 to 2023                                 | (781) 270-1600<br>jtigges@burlington.org      |
| Chelmsford Water<br>District<br>20 Watershed Lane<br>Chelmsford, MA<br>01824           | Lisa Quatrala,<br>Business Director,<br>Treasurer         | <b>Special Counsel</b><br>(Lead: Donna Brewer)<br>2021 to 2025                           | (978) 256-2381<br>lisa@chelmsfordwater.com    |
| Town of Concord<br>22 Monument Square<br>Concord, MA 01742                             | Ryan Ferrara, Assistant<br>Chief Financial Officer        | <b>Special Counsel</b><br>(Lead: Tom Harrington)<br>2026 to present                      | (978) 318-3090<br>rferrara@concordma.gov      |
| Dedham-Westwood<br>Water District<br>50 Elm Street<br>Dedham, MA 02026                 | Blake Lukis, Executive<br>Director                        | <b>District Counsel</b><br>(Lead: Ivria Fried)<br>2026 to present                        | (781) 461-2776<br>blukis@dwwd.org             |
| Town of Falmouth<br>157 Locust Street<br>Falmouth, MA 02540                            | Maura O'Keefe,<br>Town Counsel                            | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2022 to present                         | (508) 548-8800<br>maura.okeefe@falmouthma.gov |
| City of Fitchburg<br>718 Main Street<br>Fitchburg, MA 01420                            | Mary Delaney,<br>Chief Procurement<br>Officer             | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2021 to 2023                            | (978) 829-1850<br>mdelaney@fitchburgma.gov    |
| Town of Groveland<br>183 Main Street<br>Groveland, MA 01834                            | Rebecca Oldham,<br>Town Administrator                     | <b>Special Counsel</b><br>(Lead: Donna Brewer)<br>2023, 2026 to present                  | (978) 556-7204<br>roidham@grovelandma.com     |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------|
| City of Haverhill<br>4 Summer Street<br>Haverhill, MA 01830                                                                                             | Christine Lindberg,<br>Chief of Staff                                                                              | <b>Special Counsel</b><br>(Lead: Donna Brewer)<br>2025 to present                          | (978) 420-3613<br>clindberg@haverhillma.gov            |
| Town of Harwich<br>732 Main Street<br>Harwich Center, MA<br>02645                                                                                       | Jay McGrail, Town<br>Administrator                                                                                 | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2026 to present                           | (508) 430-7514<br>jay.mcgrail@harwich-ma.gov           |
| Town of Holden<br>1196 Main Street<br>Holden, MA 01520                                                                                                  | John Woodsmall,<br>former Director,<br>Dept. of Public Works<br>(currently Town<br>Administrator for<br>Lancaster) | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2022 to 2024                              | (978) 365-3326 ext. 1016<br>jwoodsmall@lancasterma.gov |
| Nauset Regional School<br>Building Committee<br>78 Eldredge Park Way<br>Orleans, MA 02653                                                               | Greg Levasseur, School<br>Building Committee<br>Chair                                                              | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2023 to present                           | (508) 896-3023<br>gregorylevasseur2.0@gmail.com        |
| Northborough-<br>Southborough Regional<br>School District<br>Margaret A. Neary<br>Elementary School<br>53 Parkerville Road<br>Southborough, MA<br>01772 | Gregory L. Martineau,<br>Superintendent of<br>Schools                                                              | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2026 to present                           | (508) 486-5115<br>gmartineau@nsboro.k12.ma.us          |
| Town of Palmer<br>4417 Main Street<br>Palmer, MA 01069                                                                                                  | Michael Marciniac,<br>Planning Board Chair                                                                         | <b>Land Use Permitting<br/>Advice and Litigation</b><br>(Lead: Chris Heep)<br>2015 to 2024 | (413) 283-2600<br>Ext. 2605<br>mmarciniac@aol.com      |
| Town of Somerset<br>140 Wood Street<br>Somerset, MA 02726                                                                                               | Mark Ullucci,<br>Town Administrator                                                                                | <b>Special Counsel</b><br>(Lead: Ivria Fried)<br>2025 to present                           | (508) 646-2800<br>mullucci@town.somerset.ma.us         |

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|-----------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| City of Westfield<br>59 Court Street<br>Westfield, MA 01085                       | Shanna Reed,<br>City Solicitor          | <b>Special Counsel</b><br>(Lead: Chris Brown)<br>2022 to present                                                             | (413) 572-6260<br>s.reed@cityofwestfield.org           |
| Town of West Newbury<br>381 Main Street<br>West Newbury, MA<br>01985              | Angus Jennings,<br>Town Manager         | <b>Special Counsel</b><br>(Lead: Ivria Fried)<br>2023 to present                                                             | (978) 363-1100<br>Ext. 111<br>townmanager@wnewbury.org |
| Town of Weymouth<br>Legal Department<br>75 Middle Street<br>Weymouth, MA 02189    | Richard M. McLeod,<br>Town Solicitor    | <b>Litigation and<br/>Environmental Counsel</b><br>(Lead: Chris Heep)<br>2022 to 2024<br>(Lead: Ray Miyares)<br>1988 to 2022 | (781) 682-3503<br>rmcleod@weymouth.ma.us               |
| Wellesley Municipal<br>Light Department<br>4 Municipal Way<br>Wellesley, MA 02481 | Christopher Chan,<br>Assistant Director | <b>Counsel</b><br>(Leads: Jennie Merrill<br>and Tom Harrington)<br>2014 to present                                           | (781) 235-7600 X3388<br>chan@wellesleyma.gov           |

## ATTORNEY QUALIFICATIONS

Heather White will continue as lead counsel and Chris Brown is designated as her back-up. In addition to her current representation of Fairhaven, Heather is currently lead counsel in Berlin, Sherborn, and New Braintree, and Chris is lead counsel in Blackstone, Grafton, Dracut, and Mansfield, Labor Counsel in Bourne, Dracut, Lancaster, Littleton, and Templeton, and special counsel to Barnstable, Falmouth, Harwich, Westfield and the Nauset and the Northborough-Southborough Regional School Districts. Both also work on various legal issues in our other client towns. Together they have decades of legal experience representing municipal government.

Heather's responsiveness and expertise are well-known to Fairhaven. Heather and Chris will both advise Fairhaven and act as the principal points of contact for our firm's deep bench of attorneys. Heather and Chris will work diligently to ensure that every legal matter is treated with individualized attention and expedience by an attorney with experience in the subject matter at hand. Chris will work hard to build the supportive relationships with Fairhaven's officials and employees that Heather already enjoys, ensuring that you will always know the individual responding to your question.

The relationship that Heather has, and Chris will build, with Fairfield's officials and staff is significantly important to us. Our firm and service model is focused explicitly on providing responsive, high-quality legal representation and advice to towns. Unlike many of our

competitors, who have attorneys who represent only non-municipal clients, all our attorneys are municipal law attorneys. We keep the ratio of our attorneys (14) to our client towns for whom we serve as Town Counsel (21) deliberately balanced to ensure our responsiveness to our towns' needs. And our firm is intentionally staffed with a higher percentage of more experienced attorneys than many others in our field, ensuring high-quality legal advice, produced efficiently, by attorneys knowledgeable in a question's subject matter.

Put simply, our firm is constructed to ensure that you are not lost in the shuffle of other client demands, and your questions are not treated as a "lawyer of the day" projects for associate attorneys. Heather and Chris' responsibility as lead and backup counsel will be ensuring that is the case - both through their regular availability to the town, and their intentional staffing of attorneys to specific matters - to ensure that our firm's high standards for client service are satisfied.

We have attached to the end of this RFP response, as **Exhibit 2**, résumés of all attorneys in our firm, as all our attorneys will be available to provide legal services within their areas of experience. Additionally, and for your convenience, below we provide brief backgrounds for each of the attorneys designated as the core team for providing services to Fairhaven.

**Heather C. White, BBO#: 660284  
(Lead Counsel)**

Heather White has over twenty years of experience as a municipal attorney and has served as Fairhaven Town Counsel for the past four years. She is also currently Town Counsel in Berlin, New Braintree, and Sherborn and Special Counsel in West Brookfield. She has extensive experience in advising municipal clients on the full range of matters of interest to local governments, including procurement, municipal real estate transactions, public construction, land use, open meeting law, ethics, and public records. Heather has appeared as counsel at open and representative town meetings in over a dozen towns.

Prior to joining Harrington Heep, Heather was a principal with another municipal law firm where she served as Town Counsel, backup Town Counsel, and Special Counsel to numerous municipalities. Her past experience includes serving as Framingham Town Counsel's designee in house with the Department of Public Works where she provided legal counsel on all public construction matters during the peak of the department's massive capital improvement program. She later served as Legal Counsel at the Massachusetts Port Authority and focused her practice there on Capital Programs and Procurement. She started her legal career as an intern in the City of Waltham Law Department and after law school joined the municipal law firm of Brackett & Lucas in Worcester.

Heather's special counsel works has included representing the Boston Public Library in connection with the construction and planned acquisition of a condominium unit to be used as a new branch library as part of a mixed-use development including affordable housing. She also successfully represented the City of Lawrence before the Superior Court in obtaining a judgment upholding the City Council's authority over disposition of municipal property. She played a key role in representing the Town of Holden in the trial and subsequent appeal in the matter of Town of Holden v. Department of Conservation and Recreation and City of Worcester, in which Holden was awarded \$14.6 million plus interest for the City of Worcester's imposition of excessive wastewater transport charges on Holden.

Heather is a past president of the Massachusetts Municipal Lawyers Association and remains an active member. She previously served on the Massachusetts Bar Association's Public Law Section Counsel. She has authored articles on the Open Meeting Law and affordable housing, has contributed to Massachusetts Continuing Legal Education volumes on Procurement and Public Construction, and has been quoted by Lawyers Weekly regarding case law addressing municipal responsibility for drainage on a public way. She is a frequent presenter on topics of interest to municipalities and their counsel, including land use, procurement, trial practice, and case law updates.

Heather obtained a B.A. in Law and Society from American University and a J.D. from Boston College Law School. She is admitted to practice in the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts.

**Christopher L. Brown, BBO#: 663176  
(Proposed Back-up Counsel)**

Chris Brown joined the firm in 2022 and brings over two decades of experience to our team. He currently serves as Town Counsel for Blackstone, Dracut, Grafton and Mansfield, as Labor Counsel for Bourne, Dracut, Lancaster, Littleton, and Templeton, and in his prior practice served as town counsel or as a supporting counsel for several other municipalities. Chris is well experienced in general municipal law topics, with a particular expertise in the areas of labor/employment and procurement law, including advising Massachusetts municipalities regarding contract procurement and disputes under G.L. c. 30B, §§39M and 149 (including contracts with state and federal grant requirements). His general municipal law experience includes issues arising under the Public Records Law, the Open Meeting Law and the Conflict of Interest Law. He has drafted and negotiated hundreds of contracts during his career, some with significant levels of complexity, and regularly assists our clients in developing and refining contract and procurement templates to streamline municipal procurement operations. He is regularly consulted by other attorneys on insurance, indemnification and public procurement issues, and has presented on these topics on many occasions to the municipal bar over the course of his career.

Chris has served as both a lead and backup Town Counsel in multiple towns with open and representative town meeting forms of government, with varied executive structures, including charter and non-charter town governments. He has drafted warrant articles and motions and special legislation for a variety of issues. In Framingham Chris worked closely with the Charter Commission in the development of a home rule charter by which Framingham became a city in 2018, and then with several committees and the City Council on the transition of Town bylaws to City ordinances. He has assisted many of his municipal clients in addressing Open Meeting Law compliance and complaints, public records appeals and conflict of interest issues and has provided training on these topics to the boards and officials in communities he has represented on many occasions. Chris has taken the same MCPPO certification courses offered to municipal procurement officials through the Inspector General's Office, and using his public procurement expertise, in addition to helping clients solve day-to-day contracting issues he developed and refined contract forms for Framingham and his other regular municipal clients and as special counsel has provided comprehensive contract reviews and updates for several other communities.

What sets Chris apart from other general municipal law practitioners and litigators is his expertise in labor and employment law as well. Chris served as lead negotiator with the City of Framingham's public safety unions for over a decade in addition to labor work for his other

municipal clients, developing expertise in defending grievance and interest arbitrations (including multiple arbitrations before the Joint-Labor Management Committee). In his current role with Harrington Heep, Chris most recently has led or participated in collective bargaining with a variety of public safety and school bargaining units. He also has represented employers and appointing authorities in multiple matters at the Department of Labor Relations, the Joint Labor Management Committee, the Massachusetts Commission Against Discrimination, and the Civil Service Commission. He has conducted workplace investigations, holding a certificate from the Association of Workplace Investigators, and has served as a hearing officer for disciplinary hearings.

His experience also includes advising both public and private employers with regard to a wide array of employment issues, including review and development of personnel policies, employment agreements for town managers, police and fire chiefs, termination and severance agreements, performing investigations of personnel misconduct, advising employers regarding personnel records management, ADA and FMLA compliance, FLSA classification of exempt and non-exempt employees, Massachusetts Wage Act issues, USERRA compliance with regard to the hiring and reemployment of military service members and veterans, public employee involuntary retirement and pension forfeiture issues, and injured-on-duty leave and workers' compensation issues.

A graduate of the Illinois Institute of Technology and the Northeastern University School of Law, Chris is President of the Massachusetts Municipal Lawyers Association and has served as a member of the MMLA Executive Board since 2020. He is admitted to practice in all state and federal courts in Massachusetts. Chris is also a proud military veteran, serving as a field artillery officer in the U.S. Army, where he deployed to Germany and Kosovo while on active duty. Chris was the past Chair of the Board of Directors for Leadership MetroWest, and also served as an appointed member of the Framingham Charter Review Committee in 2023-24.

## APPROACH TO PROVIDING LEGAL SERVICES

We respond to any inquiry promptly and within 24 hours of receiving the email. In all cases, we will respond as necessary and as circumstances dictate, including faster if needed. We typically expect to provide legal opinions within one week, but we will do so more promptly if the situation requires it.

As Lead Counsel, Heather White commits to that availability, except during preplanned absences, which will be communicated in advance, and for which Chris Brown will fill the role. The Town is encouraged to call, text, or email Heather at any time if a response or other action is needed on an emergency basis. Put simply, our job is to provide legal services to Fairhaven in the time that the Town and circumstances require. We recognize that, in municipal government, last-minute requests are routine and not unexpected. We encourage our municipal clients to contact us at any time, including at home, to make necessary requests, and we have structured our team to answer last-minute requests when needed.

Notwithstanding Heather's role as "Lead Counsel," we propose, and highly encourage, that any request for legal services by email be directed to both Heather and Chris, and that Town officials not hesitate to call either Heather or Chris (or both if one proves unavailable in the short-term), irrespective of "Lead" and "Back-up" designations. Additionally, for many matters, other

firm attorneys will be involved with either Heather or Chris and will therefore also be available to support Fairhaven in any general legal, labor and/or employment-related matters.

Heather and the team are dedicated to ensuring that every matter submitted to our office is responded to promptly and thoroughly. Heather may assign a particular question or matter to another attorney, but she will supervise the work and continue to be included in all communications related to the matter. This team approach allows us to provide you with excellent service, giving you the reassurance that all matters are handled quickly and by an attorney with a focus or a background dealing with the issue at hand.

Our team's collaborative approach ensures that issues and matters are not viewed in isolation. Heather and Chris, as well as other firm attorneys, will ensure that Fairhaven's unique profile is considered and analyzed when approaching any labor question. This collaborative effort guarantees a comprehensive and well-rounded approach to addressing legal matters for the Town of Fairhaven.

At any time, the Town may request changes to the principal staffing assignments. We are here to support you and are flexible in accommodating your needs.

## REGULAR UPDATES AND TRAINING

We provide regular updates on regulations, legislation, and court decisions affecting municipalities at no expense to the Town. Our firm subscribes to numerous legal update services, ensuring we stay informed about new developments in the law. We publish a monthly newsletter, prior versions of which can be found on our blog at: <https://www.harringtonheep.com/blog>. We have attached recent examples of our newsletter to this proposal as **Exhibit 3**. We also have an active LinkedIn [page](#) where we post information.

In addition, and perhaps most critically, when we believe that a new court ruling, statute, regulation, or other legal development is of particular relevance to one or more of our municipal clients, we provide this information to the relevant boards or officials, either by memorandum or email, so that they will have ready access to the most current developments in the law relevant to their concerns and activities. The Town Administrator will always be copied on these Client Alerts.

Upon request, we present training programs to our municipal clients on issues such as conflict of interest, ethics, freedom of information, open meeting law, and harassment. Additionally, we would be pleased to provide two yearly training sessions to the Town on a topic of your choice at no charge.

We devote a substantial portion of our practice to preventive maintenance and believe that proper training of Town staff and officials can help prevent problems before they emerge. As noted above, we also issue written advisories to our municipal clients to address important new developments in case law and statutory amendments. We also encourage them to participate in relevant associations that support various aspects of their municipal work. When we identify an unrecognized problem within a municipality, we inform the Town staff of the issue and, with the concurrence of the applicable officials, take the necessary steps to address it.

## PRICE PROPOSAL FORM

Firm Name: Harrington Heep LLP

**Required Submissions:**

Hourly Rate for Attorneys

Hourly Rate for Paralegals

**FY27**

**FY28**

**FY29**

We agree not to raise our rates for FY28 and FY29 other than for an annual adjustment to reflect inflation, calculated using the Bureau of Labor Statistics' annual inflation rate. The rate is the same for general and labor counsel services.

**(Optional) Submissions, Annual Lump Sum:**

In lieu of an hourly-rate arrangement, we are also happy to engage in a discussion concerning a flat fee/retainer agreement.

We estimate that such a fee would be \$[REDACTED] per month, based on the size of your town and your current FY27 legal budget. If selected as Town and Labor Counsel, we would propose a collaborative review of your prior fiscal year legal expenditures (as reflected by prior Town Counsel's billings), to ensure that this number is equitable and adjust or fine tune this number based on discussion and that additional information. We would further propose a six-month and year-end review of this arrangement, to ensure the number agreed-upon in initial discussion remains fair and transparent for both parties.

Ultimately, flat fee arrangements best serve both parties by working together to select a fee that reflects cost-effective representation, adds value, and ensures monthly predictability in Town Counsel billings.

The flat fee includes representation on the following matters:

- All representation and legal opinions for general municipal matters, which includes, but is not limited to the following:
  - Municipal Finance
  - Town Bylaws and Regulations;
  - Open Meeting Law, Public Records Law, and State Ethics Law;
  - Procurement, contracts, and real estate matters;
  - Affordable Housing
  - Community Preservation Act;
  - Wetlands regulations, Oil and Hazardous Waste Contamination and other environmental matters;
  - Election Law and procedures; and
  - Licensing, including marijuana and liquor.
- All representation and legal opinions for land use matters, which includes zoning, planning, board of health and conservation;
- Labor and employment matters, excluding litigation or investigation of complaints;
- Preparation for and attendance at all Town Meeting and Special Town Meetings;

- Attendance at two public body meetings per month. Attendance at additional meetings per month will be billed at the Hourly Rate; and
- Two training sessions per year of approximately 1 to 2 hours each on a topic of the Town Administrator's choosing.

The flat fee does not include the following matters, which shall be billed at the Hourly Rate specified below, unless otherwise listed:

- All litigation, arbitration, and mediation;
- Labor and employment investigations and litigation;
- Matters for which fees are required to be paid by permit applicants under G.L. c.44, § 53G;
- Matters for which a fee may be collected from end users or other parties, such as legal review of sewer, water, or roadway projects involving betterments; and work on Development Agreements, PILOT Agreements, or similar contracts where legal fees are paid by the developer.
- Comprehensive reviews of general or zoning bylaws or form of government (e.g., charter);
- Negotiation of cable license renewals; and
- Significant bulk copying and extraordinary mailing fees (certified mailings or overnight or rushed mailings), recording costs, and costs for other similar items, which shall be billed on a direct cost basis.

Matters not included within the flat fee shall be billed at the Hourly Rate, recorded in tenths of an hour and billed monthly:

All Attorneys (Partners, Counsel, Associates)  
Law Clerks and Paralegals  
Office Staff  
Clerical or administrative personnel



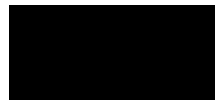
**(Optional) Additional Price Considerations:**

Hourly billings are recorded in tenths of an hour (0.1) and billed monthly.

All expenses and disbursements (filing and outside photocopying fees, certified and express mail) are billed at cost without any mark-up. There is no charge for telephone calls, in-house photocopying, faxes, or regular postage. Nor do we bill for overhead charges or on-line research expenses. Out-of-the-ordinary copying projects or fees will be subject to approval by the Town. The firm also charges mileage at the rate set by IRS guidelines, as periodically amended. We bill attorney time that must be conducted out of the office at our regular rates when the attorney performs legal work.

We will bill travel time as follows:

Attorneys  
Law Clerks and Paralegals  
Office Staff



To minimize costs, all travel time and mileage are calculated on the lesser of (1) portal to portal; or (2) from our office in Wellesley to location.

\*\*\*\*\*

Irrespective of whether we bill hourly, under a retainer, or through a hybrid of both models, we believe strongly that the foundation of cost-effective legal services is communication and planning. Legal fees can (and often do) vary based on the complexity of an issue and the timing under which it must be resolved. But while they may vary, legal fees should not be a surprise. We are committed to regular review of open matters with the appropriate Town officials, to ensure a complete understanding of all pending matters and proper planning for all matters reasonably anticipated.

We provide itemized monthly invoices detailing all the work performed for the Town and the time spent on each matter, allowing for tracking and accountability for all our costs. In addition, we believe that regular communication is the key to remaining within the legal budget and keeping costs reasonable; if a particular task or matter that has been assigned to us begins to require more time than may have been initially anticipated, we will alert the Town immediately to ensure that there are no surprises or large unanticipated legal costs.



## Harrington Heep LLP ORGANIZATIONAL CHART



# Heather C. White

## COUNSEL

(617) 804-2425

hwhite@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts  
Supreme Judicial Court of  
Massachusetts

Heather C. White has over twenty years of experience as a municipal attorney. She practices general municipal law and advises clients on the full range of matters of interest to local governments, including procurement, municipal real estate transactions, public construction, land use, open meeting law, ethics, and public records.

Prior to joining Harrington Heep, Heather worked as Framingham Town Counsel's designee in house with the Department of Public Works and provided legal counsel on all public construction matters during the peak of the department's massive capital improvement program. She later served as Legal Counsel at the Massachusetts Port Authority and focused her practice there on Capital Programs and Procurement. She currently serves as Town Counsel to the Towns of Berlin, Fairhaven, New Braintree, and Sherborn, and has served as special counsel for municipalities on real estate, procurement, and construction matters.

Heather graduated from American University with a Bachelor of Arts in Law and Society. She obtained her law degree from Boston College Law School. She is a past president and active member of the Massachusetts Municipal Lawyers Association and former co-chair of the Public Law Section Counsel of the Massachusetts Bar Association.

## ACADEMIC BACKGROUND

**Juris Doctor** Boston College Law School

**Bachelor of Arts in Law and Society** American University

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 2026-present  
(formerly Miyares and Harrington, LLP)

**Principal Of Counsel** 2022-2026  
2016-2022

**Associate Attorney** 2009-2014  
Petrini & Associates, P.C.

**Legal Counsel** 2014-2015  
Massachusetts Port Authority

**Associate Attorney** 2004-2009  
Brackett & Lucas

## COMMUNITY SERVICE

**Member** 2005-present  
**President** 2012  
Massachusetts Municipal Lawyers Association

**Public Law Section Counsel** 2009  
Massachusetts Bar Association

## HONORS & AWARDS

New England SuperLawyers®  
Rising Star 2013

# Christopher L. Brown

## PARTNER

(617) 804-2420

cbrown@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts  
United States Court of Appeals,  
First Circuit

Chris joined the firm in 2022 and brings over two decades of legal experience to our team, focusing his practice on labor and employment, contract procurement, public construction, and general municipal law issues.

In his general municipal role, Chris currently serves as primary Town Counsel for Blackstone, Dracut, Grafton, and Mansfield, and advises our clients on public records, Open Meeting Law, ethics, and other local issues. In his general practice he has handled eminent domain, betterment, insurance coverage and other miscellaneous litigation matters on behalf of municipalities and districts.

As a seasoned labor and employment attorney, Chris serves as Labor Counsel for several of our towns and has represented public employers in a wide variety of agency matters including proceedings before DLR, the JLMC, the Civil Service Commission and MCAD. He has over a decade of experience in collective bargaining, including health insurance coalition bargaining under G.L. c. 32B. His experience also includes advising employers regarding various employment issues, including personnel policies, employment and severance agreements, discipline, records management, and compliance with state and federal law. Chris also has been tasked to perform workplace investigations of alleged misconduct by public officials and holds a certificate from the Association of Workplace Investigators.

Outside of labor and employment, his litigation experience includes various construction disputes, including bid protests, defective design and installation, extra work claims, environmental issues and jobsite injuries. Chris frequently advises local governments on procurement issues and has drafted and negotiated hundreds of public contracts on their behalf. He is regularly consulted by other municipal attorneys on public construction matters, especially including bond, insurance and indemnification issues, and has presented on these and other municipal-related topics to MMLA, MCLE, the Massachusetts Bar Association, and the International Municipal Lawyers Association.

A graduate of the Illinois Institute of Technology and the Northeastern University School of Law, Chris is admitted to practice in all state and federal courts in Massachusetts. He currently serves as President of the Massachusetts Municipal Lawyers Association, and has served on several local non-profit boards and the Charter Review Committee in Framingham, where he lives with his wife and two children. Chris is a proud veteran of the U.S. Army, having served as a field artillery officer in the 1st Armored Division before attending law school.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University

**Bachelor of Arts  
History  
and Political Science** Illinois Institute of  
Technology

## PROFESSIONAL EXPERIENCE

**Partner** 2022-present  
Harrington Heep, LLP

**Principal** 2017-2022

**Associate** 2010-2016  
Petrini & Associates, P.C.

**Attorney** 2005-2010  
McDonough, Hacking & Lavoie, LLC

**Captain, Field Artillery** 1998-2002  
United States Army

## COMMUNITY SERVICE

**Framingham Charter Review  
Committee** 2023-2024

**President** 2026-present

**Vice President** 2025-2026

**Executive Board Member** 2020-2025  
Massachusetts Municipal  
Lawyers Association

**Board of Directors** 2019-2025  
Leadership MetroWest

**Board of Directors** 2015-2018  
Amazing Things Art Center  
Framingham, MA

## HONORS AND AWARDS

**MMLA Robert W. Ritchie  
Special Achievement Award** 2025

**International Municipal  
Lawyers Association -  
Amicus Service Award** 2016

**New England SuperLawyers®  
Super Lawyer** 2017-present  
**Rising Star** 2009-2015

# Thomas J. Harrington

PARTNER

(617) 804-2421

tom@harringtonheep.com



MEMBER OF THE BAR

Massachusetts

Thomas J. Harrington focuses his practice on real estate, land development, planning and wetlands protection issues, assisting municipal boards in contracting, conveyancing, permitting and litigation matters. He has particular experience representing municipal interests in construction and engineering contract matters, as well as in matters before the Department of Environmental Protection. Before joining our firm, he served in the state Division of Capital Planning and Operations.

Mr. Harrington is a graduate of Hartwick College and the Northeastern University School of Law. He is particularly recognized for his successful defense of a Conservation Commission's decision under a local Wetlands Bylaw, despite the project's having received an inconsistent Superseding Order of Conditions from the Department of Environmental Protection. See *Hobbs Brook Farm Property Co. v. Conservation Commission of Lincoln*, 65 Mass. App. Ct. 142 (2005).

Mr. Harrington has been a panelist at the Massachusetts Association of Conservation Commissions (MACC) Annual Meeting and was a member of the Sherborn Conservation Commission for five years. He has also served on the Board of Directors Roxbury Community College Center for Environmental Education from 1997 through 2000. He was an elected Town Meeting Member in the Town of Wellesley from 2005 through 2008, and was an elected member of the Wellesley Recreation Commission from 2010 through 2014.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University

**Bachelor of Arts** Hartwick College

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 1990-present  
(formerly Miyares and Harrington, LLP)

**Payment Appeals Coordinator** 1986-1987  
Office of the General Counsel, DCP

## COMMUNITY SERVICE

**Chair** 2010-2014  
Wellesley Recreation Commission

**Member** 2004-2009  
Wellesley Town Meeting

**President, Vice President** 2002-2009  
Wellesley United Soccer Club

**Member, Board of Directors** 1997-2000  
Roxbury Community College  
Center for Environmental Education

# Christopher H. Heep

**PARTNER**

☎ (617) 804-2422

✉ cheep@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts

Our partner, Christopher Heep, serves clients in all areas of the firm's practice, with particular emphasis on disputes concerning zoning and land use. Before joining Harrington Heep LLP, Mr. Heep served as Law Clerk to the Honorable Gordon H. Piper of the Massachusetts Land Court.

Mr. Heep received his law degree from Northeastern University School of Law and has worked for the Honorable William G. Young of the United States District Court for the District of Massachusetts and for the Office of Regional Counsel of the United States Environmental Protection Agency (Region 1). He received his B.A. in History from Oberlin College. Mr. Heep is presently a member of the Watertown Zoning Board of Appeals.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University

**Bachelor of Arts** Oberlin College

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 2005-present  
(formerly Miyares and Harrington, LLP)

**Law Clerk** 2004-2005  
The Honorable Gordon H. Piper  
Massachusetts Land Court

**Legal Intern** 2003  
Sugarman, Rogers, Barshak  
& Cohen PC

**Legal Intern** 2002  
U.S. Environmental Protection Agency  
Office of Regional Counsel

## COMMUNITY SERVICE

**Member** 2011-present  
Watertown Zoning Board of Appeals

**Lead Author** 2012  
"Municipal Real Estate Transactions,"  
Chapter 15 of Massachusetts  
Municipal Law (MCLE)

# Donna M. Brewer

## PARTNER

(617) 804-2423

dbrewer@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts  
United States Southern and Eastern  
Districts of New York  
United States Southern District of Texas  
United States Court of Appeals,  
First Circuit  
United States Court of Appeals,  
DC Circuit  
Supreme Court of the United States

Our partner, Ms. Brewer is experienced in the broad range of matters of particular concern to towns and regional school districts, including budget disputes, labor, citizens' petitions, Proposition 2 1/2, local board practice and procedure, Open Meeting Law, Public Records Act, intermunicipal agreements, public works and construction projects, elections, and zoning and non-zoning land use matters. She has advised municipalities and lectured on local regulation of Small Wireless Facilities in light of FCC Rulings.

In addition to her background in litigation, Ms. Brewer has substantial litigation experience in such varied fields as zoning and land use, 5G, real estate, business contracts, civil rights, consumer protection, professional malpractice, products liability, guardianship and conservatorship, employment, surety and insurance coverage disputes on behalf of individuals, corporations, partnerships, non-profit organizations and municipal clients. She has experience in all levels of regional federal and state courts and alternative dispute resolution forums.

Ms. Brewer is a member of the Massachusetts Municipal Lawyers Association. She is a board member of the Lawyers for Civil Rights.

Ms. Brewer is rated AV in Martindale-Hubbell®, assessed by her peers as holding the highest ethical standards and professional ability. She received her A.B. degree, cum laude, from Middlebury College and her J.D. from New York University School of Law.

## ACADEMIC BACKGROUND

**Juris Doctor** New York University  
School of Law

**Bachelor of Arts** Middlebury College  
(cum laude)

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 2014-present  
(formerly Miyares and Harrington, LLP)

**Partner** 2001-2014  
**Associate** 1984-2000  
Casner & Edwards LLP

**Associate** 1982-1984  
Hughes Hubbard & Reed  
New York, NY

## COMMUNITY SERVICE

**Board Member** 2011-present  
Lawyers for Civil Rights

**Contributor**  
Massachusetts Municipal Lawyers  
Association

**Co-Author**  
"Municipal Code Enforcement,"  
Massachusetts Municipal Law, Ch. 24  
(MCLE 2024)

**Lecturer**  
MCLE  
Municipal Law Issues

**Dive Volunteer** 2017-present  
New England Aquarium

## HONORS

AV®, Martindale-Hubbell®  
Massachusetts Super Lawyers®

2011 Bar Register of Preeminent Women  
Lawyers™ Inaugural Edition

# Jennie M. Merrill

## PARTNER

☎ (617) 804-2424

✉ [jmerrill@harringtonheep.com](mailto:jmerrill@harringtonheep.com)



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts

Partner Jennie M. Merrill's practice is focused on representing municipal interests in construction contracting, public works construction, public procurement, municipal real estate transactions, energy management contracts with a particular focus on photovoltaic facilities, cell tower leases and small cell wireless attachment agreements. She also represents municipalities and private clients in wetlands protection permitting and appeals, and advises our municipal clients with their administration of the Community Preservation Act.

Ms. Merrill received her law degree from Northeastern University School of Law and graduated magna cum laude from the University of Massachusetts at Lowell. She served as a law clerk for the Honorable James McHugh of the Massachusetts Appeals Court. Ms. Merrill currently serves as a member of the Topsfield Planning Board and formerly served as Chair of the Topsfield Conservation Commission.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University

**Bachelor of Arts** University of Massachusetts at Lowell

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 2005-present  
(formerly Miyares and Harrington, LLP)

**Law Clerk** 2006-2007  
The Honorable James F. McHugh  
Massachusetts Appeals Court

## COMMUNITY SERVICE

**Member** 2019-present  
Topsfield Planning Board

**Member** 2008-2014  
Topsfield Conservation Commission

**Member** 2009-2012  
Steering Committee of the  
Administration of Justice Section of  
the Boston Bar Association

**Lead Author** 2012-2023  
"Municipal Real Estate Transactions,"  
Chapter 15 of Massachusetts Municipal  
Law (MCLE)

**Scoutmaster**  
BSA Troop 81G, Topsfield

# Ivria G. Fried

## PARTNER

(617) 804-2427

ifried@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts  
United States Court of Appeals,  
First Circuit  
United States Court of Appeals,  
District of Columbia

Ivria Glass Fried graduated magna cum laude from the University of Vermont with a degree in a Political Science and Sociology and summa cum laude from Vermont Law School with a Master of Environmental Law and Policy. She received her law degree from Northeastern University School of Law, where she was a semifinalist in the Pace National Environmental Law Moot Court Competition.

Ms. Fried was selected to the Super Lawyers® list of Massachusetts Rising Stars for Environmental Law for seven years between 2017 and 2023, and to the Super Lawyers® list for 2025. In 2020, she was named an "Up & Coming Lawyer" by Massachusetts Lawyers Weekly®.

Ms. Fried concentrates her practice on general municipal governance, environmental, land use, and energy law, licensing matters, and implementation of open government requirements. Ms. Fried has litigated in Massachusetts and federal courts, as well as in administrative proceedings before the Department of Environmental Protection, the Energy Facilities Siting Board, and the Department of Public Utilities.

## ACADEMIC BACKGROUND

|                                               |                                            |
|-----------------------------------------------|--------------------------------------------|
| <b>Juris Doctor</b>                           | Northeastern University                    |
| <b>Master of Environmental Law and Policy</b> | Vermont Law School<br>(summa cum laude)    |
| <b>Bachelor of Arts</b>                       | University of Vermont<br>(magna cum laude) |

## PROFESSIONAL EXPERIENCE

|                                                                                                        |              |
|--------------------------------------------------------------------------------------------------------|--------------|
| <b>Partner</b><br>Harrington Heep, LLP<br>(formerly Miyares and Harrington LLP)                        | 2014-present |
| <b>Associate</b><br>Law Office of Stuart J. Farkas                                                     | 2013-2014    |
| <b>Legal Intern</b><br>Department of Justice,<br>Environmental Enforcement Section<br>Washington, D.C. | 2013         |
| <b>Law Clerk</b><br>Anderson & Kreiger, LLP                                                            | 2013         |
| <b>Legal Intern</b><br>Conservation Law Foundation                                                     | 2012         |

## COMMUNITY SERVICE

|                                                                                               |              |
|-----------------------------------------------------------------------------------------------|--------------|
| <b>Immediate Past President</b>                                                               | 2025-present |
| <b>President</b>                                                                              | 2024-2025    |
| <b>Vice President</b>                                                                         | 2023-2024    |
| <b>Executive Board Member</b><br>Massachusetts Municipal<br>Lawyers Association               | 2018-present |
| <b>Legal Food Hub Advisory<br/>Council Member</b><br>Conservation Law Foundation              | 2023-2024    |
| <b>Co-Chair</b><br>Wetlands, Waterways and Water Quality<br>Committee, Boston Bar Association | 2019-2021    |
| <b>Conservation Committee Member</b><br>City of Cambridge                                     | 2014-2015    |

# Bryan F. Bertram

## PARTNER

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## MEMBER OF THE BAR

Massachusetts  
United States District Court  
for Massachusetts  
United States Court of Appeals  
for the First Circuit

Bryan F. Bertram has advocated for public and private clients for over a decade. He is an experienced government attorney, focused on municipal law, and believes strongly that local government is the most impactful level of government on people's lives. Bryan is a municipal law generalist, who has served both as lead and associate Town Counsel for our clients, and as Special Counsel to towns and cities.

Before joining the firm, Bryan served as a Massachusetts Assistant Attorney General, representing State agencies and officials in a wide range of matters, including defending policies, programs, and government decision-making against legal challenges. He has won cases in the Supreme Judicial Court, Appeals Court, and other State and federal courts. Before government service, Bryan worked for an AmLaw 100 firm, where he focused on complex civil litigation, and government and internal investigations, and served for six months as a Special Assistant District Attorney.

At Boston College Law School, Bryan served on the Editorial Staff of the Boston College International and Comparative Law Review, and his student note was published in the Spring 2006 edition. He competed on Boston College's 2nd place J. Braxton Craven Constitutional Law Moot Court Competition team and was a quarterfinalist in the Boston College Grimes Moot Court Competition.

## ACADEMIC BACKGROUND

**Juris Doctor** Boston College Law School  
(cum laude)

**Bachelor of Science** The Ohio State University  
School of Business  
(cum laude)

## PROFESSIONAL EXPERIENCE

**Partner**  
Harrington Heep, LLP 2018-present  
(formerly Miyares and Harrington, LLP)

**Assistant Attorney General** 2013-2018  
Office of the Massachusetts  
Attorney General,  
Government Bureau

**Senior Associate** 2006-2013  
**Law Clerk** 2005  
Goodwin Proctor, LLP

**Special Assistant District Attorney** 2010  
Office of the Middlesex County  
District Attorney

# Ethan B. Dively

## COUNSEL

(617) 404-5887

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## MEMBER OF THE BAR

Massachusetts  
New Hampshire  
United States District Court  
for Massachusetts

Ethan Dively is a graduate of the Northeastern University School of Law and joined our firm in 2019 after serving as the judicial law clerk to the Hon. Robert Foster, Justice of the Land Court.

Mr. Dively focuses his practice on land use, real estate, environmental and energy law, as well as other areas of municipal law. He regularly serves our municipal clients advising Planning and Zoning Boards on all aspects of zoning and land use control, Conservation Commissions regarding wetlands permitting and enforcement; and providing general municipal support with real estate transactions involving complex title issues.

Mr. Dively graduated cum laude from Gettysburg College with a Bachelor of Science in Environmental Studies, with a particular focus on environmental science, land use, urban planning, and environmental justice. His academic experience at NUSL included serving as Staff Editor of the Northeastern University Law Review and internships at the Massachusetts Land Court, at the Environmental Protection Division of the Massachusetts Attorney General's Office, and at a private firm with a practice focus on real estate transactions and condominium law.

Mr. Dively is a member of the Massachusetts Municipal Lawyers Association and the Massachusetts Real Estate Bar Association.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University

**Bachelor of Science  
Environmental Studies** Gettysburg College  
(cum laude)

## PROFESSIONAL EXPERIENCE

**Counsel**  
Harrington Heep, LLP 2019-present  
(formerly Miyares and Harrington, LLP)

**Law Clerk** 2017-2019  
The Honorable Robert B. Foster  
Massachusetts Land Court

**Legal Intern** 2016  
Massachusetts Attorney  
General's Office  
Environmental Protection  
Division

**Law Clerk** 2015-2016  
Goldman & Pease, LLC

**Legal Intern** 2015  
The Honorable Robert B. Foster  
Massachusetts Land Court

## HONORS AND AWARDS

Gettysburg College David  
Wills Scholar and William F.  
Muhlenberg Award Recipient

## COMMUNITY SERVICE

Co-Author  
"Municipal Real Estate Transactions,"  
Chapter 15 of Massachusetts Municipal Law  
(MCLE 2021)

# Anthony J. Riley

## COUNSEL

(617) 420-2746

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## MEMBER OF THE BAR

Massachusetts

Anthony is a graduate of New England Law | Boston where he acted as a Comment and Note Editor for the New England Law Review and interned at the Massachusetts Land and Appeals Courts. After graduation, Anthony began his law career serving as a Law Clerk to the Hon. Michael D. Vhay of the Massachusetts Land Court. Prior to joining Harrington Heep, Anthony worked as an attorney at Galvin & Galvin, P.C. where he advised municipal and private clients on zoning, planning, conservation, public records, and general real estate and development issues. Anthony appears before state and local boards and commissions on behalf of both municipal and private clients.

Anthony is also an experienced litigator where he assists governmental and private parties achieve favorable outcomes in the Commonwealth's trial and appellate courts.

## ACADEMIC BACKGROUND

**Juris Doctor** New England Law | Boston  
(cum laude)

**Bachelor of Science  
Criminal Justice** Marist College

## PROFESSIONAL EXPERIENCE

**Counsel**  
Harrington Heep, LLP 2024-present  
(formerly Miyares and Harrington, LLP)

**Attorney** 2018-2024  
Galvin & Galvin, P.C.

**Law Clerk  
to Justice Michael D. Vhay** 2017-2018  
**Legal Intern  
to Justice Gordon H. Piper** 2016  
Massachusetts Land Court

**SJC Rule 3:03 Student Prosecutor** 2017  
**Appellate Division Legal Intern** 2015; 2016  
Suffolk County District Attorney's  
Office

**Legal Intern  
to Justice Vickie L. Henry** 2016  
Massachusetts Appeals Court

**Legal Intern  
to Clerk Joseph Stanton** 2015  
Massachusetts Appeals Court  
Clerk's Office

## HONORS AND AWARDS

New England Law Review

Honors Judicial Internship  
Participant

NEL | B Academic Achievement  
Scholarship Recipient

# Eric B. Reustle

## COUNSEL

(617) 580-2380

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## MEMBER OF THE BAR

Massachusetts

Eric Reustle rejoined the firm in August 2025 and focuses his practice on public and nonprofit law. Eric has represented municipalities, regional governmental entities and state agencies on matters including government structure, special legislation, management of public trusts, judicial modification of restricted funds, and state ethics matters. He has experience drafting bylaws, regulations and special acts, and advising municipalities with respect to the public records law, town meeting process, privacy law issues, and local tax assessments and abatements. In addition, Eric has represented numerous governmental entities that utilize nonprofit affiliates to further their public purposes, such as housing authorities and schools, regarding the complex interplay between the laws that govern public entities with those that govern tax exempt organizations.

Eric has extensive experience representing local and national nonprofit organizations on corporate and tax matters. He provides comprehensive advice to nonprofits from start-up through all phases of their operation including governance, organizational structure, tax compliance, management of charitable funds, lobbying, unrelated business income, grant making, mergers and acquisitions, restructuring, and dissolutions. Eric regularly assists clients with matters that involve interaction with government agencies, such as the Massachusetts Attorney General's Office and Internal Revenue Service.

## ACADEMIC BACKGROUND

**Juris Doctor** Boston College Law School  
(cum laude)

**Bachelor of Music in Horn Performance** San Francisco Conservatory of Music

## PROFESSIONAL EXPERIENCE

**Counsel** 2025-present  
**Associate** 2014-2019  
Harrington Heep, LLP  
(formerly Miyares and Harrington, LLP)

**Associate** 2019-2025  
Krokidas & Bluestein LLP

**Associate** 2011-2014  
**Legal Intern** 2011  
Casner & Edwards, LLP

## COMMUNITY SERVICE

**Vice Chair** 2018-present  
Upton Zoning Board of Appeals

**Member** 2017-present  
Upton Land Stewardship Committee

## HONORS AND AWARDS

**Best Lawyers in America**  
**Best Lawyers, Nonprofit/Charities Law** 2024

**Thomson Reuters and Boston Magazine**  
**Rising Star, Nonprofit Law** 2017-2021

# Alexandra B. Rubin

## AFFILIATED COUNSEL

(617) 838-1593

arubin@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts  
New York  
United States District Court for  
Massachusetts  
United States Court of Appeals,  
First Circuit

Alexandra Rubin brings nearly two decades of experience advising employers on complex workplace regulatory matters, with a particular focus on conducting and advising on workplace investigations. She partners with organizations to navigate sensitive complaints involving discrimination, harassment, misconduct, and wage/hour compliance, ensuring the delivery of defensible findings. Alex holds a specialty credential in workplace investigations from the Society for Human Resource Management.

She represents clients before state and federal agencies in discrimination and retaliation matters, and leverages that experience to ensure investigations are aligned with agency expectations and litigation risk. Her work includes advising on complaint intake, witness interviews, documentation, and ensuring investigation reports can withstand scrutiny from regulators and adverse counsel.

Previously, Alex served as Corporate Counsel at the nation's largest healthcare education company, where she advised on internal investigation and resolution involving employee misconduct, academic integrity, and professional licensure. She regularly advised on complex accommodation issues, including disability and religious request, and guided leadership through the interactive process and related compliance obligations. She also represented the organization in matters before the Department of Education.

Alex also served as Deputy General Counsel for the Massachusetts Department of Public Health, where she advised agency leadership on employment law, internal investigations, and regulatory compliance. In that role, she handled sensitive personnel matters, investigated and advised on various internal investigations, and worked closely with boards of health and other public bodies on compliance and ethics. She also served as both a prosecutor and administrative hearings officer in health licensure matters.

Earlier in her career, Alex was an associate at an Am Law 100 firm, where she counseled and represented medical organizations, private educational institutions, and nonprofit entities in labor and employment litigation and workplace counseling matters. She began her legal career as a judicial law clerk to the Honorable Maureen McKenna Goldberg, Senior Associate Justice of the Rhode Island Supreme Court.

## ACADEMIC BACKGROUND

**Juris Doctor** Suffolk University Law School  
*magna cum laude*

**Bachelor of Arts  
Political Science  
and Communications  
(Honors Program)** University of Rhode Island  
*summa cum laude*

## PROFESSIONAL EXPERIENCE

**Affiliated Counsel** 2025-present  
**Counsel** 2019-2023  
Harrington Heep, LLP  
(formerly Miyares and Harrington, LLP)

**Corporate Counsel** 2023-2025  
Covista

**Deputy General Counsel** 2013-2019  
Massachusetts Department of  
Public Health

**Associate** 2012-2013  
Newman & Newman, PC

**Associate** 2010-2012  
Troutman Pepper Locke, LLP  
(formerly Edwards Angell Palmer & Dodge, LLP)

**Judicial Law Clerk** 2009-2010  
Maureen McKenna Goldberg,  
Senior Associate Justice  
Rhode Island Supreme Court

## HONORS AND AWARDS

University of Rhode Island Academic  
Centennial Scholarship

Suffolk University Law School Academic  
Leadership Scholarship

**Executive Editor**  
Suffolk University Law Review

2016 Commonwealth of Massachusetts  
Performance Recognition and Citation for  
Outstanding Performance

# Rian R. Holmquest

## ASSOCIATE

(781) 285-6432

rhholmquest@harringtonheep.com



## MEMBER OF THE BAR

Massachusetts

Rian Rossetti Holmquest is a graduate of the UCLA School of Law, where she served as a Comments Editor of the UCLA Law Review and participated in El Centro, UCLA Law's volunteer legal aid clinic. Prior to law school, Rian earned her Bachelor of Science degree in Journalism from Northwestern University. Her experience includes a fellowship with the Berkshire Natural Resources Council in Pittsfield, Massachusetts.

Rian joined Harrington Heep LLP after spending two years practicing intellectual property litigation at WilmerHale in Boston, where she also worked as a summer associate after her second year of law school.

## ACADEMIC BACKGROUND

**Juris Doctor** UCLA School of Law

**Bachelor of Science in Journalism** Northwestern University  
**Minors in Political Science and English Literature**

## PROFESSIONAL EXPERIENCE

**Associate**  
Harrington Heep, LLP 2020-present  
(formerly Miyares and Harrington, LLP)

**Litigation Associate** 2017, 2018-2020  
WilmerHale

**Research Assistant** 2016  
Professor E. Tendayi Achiume  
UCLA Law Review

**Paralegal** 2014-2015  
Law Offices of Iannella and Mummolo

**Rice Fellow** 2013  
Berkshire Natural Resources Council (BNRC)

**Editorial Intern** 2013  
GlobalPost

## HONORS AND AWARDS

Masin Awards in Evidence and Patent Law classes

# Emily A. Meehan

## ASSOCIATE

(617) 804-2428

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## MEMBER OF THE BAR

Massachusetts

Emily A. Meehan is a graduate of Northeastern University School of Law and was admitted to the Massachusetts bar in November 2023. Emily focuses her practice on land use, real estate, environmental and energy law, as well as other areas of municipal law.

Emily's academic experience at NUSL includes serving as a Staff Editor of the Northeastern University Law Review and internships in both law firm and in-house environments, as well as with the City of Philadelphia Board of Ethics. Emily graduated from Bridgewater State University with a Bachelor of Arts in Political Science, with a concentration in legal studies, and a Bachelor of Science in Economics. Prior to law school, she worked as a paralegal in the City of Newton Law Department where she assisted City departments with public records requests and various other areas of municipal law.

## ACADEMIC BACKGROUND

**Juris Doctor** Northeastern University  
School of Law

**Bachelor of Arts**  
**Political Science**  
**Bachelor of Science**  
**Economics** Bridgewater State  
University

## PROFESSIONAL EXPERIENCE

**Associate**  
**Harrington Heep, LLP** 2023-present  
(formerly Miyares and Harrington, LLP)

**Legal Intern** 2022  
**Mass General Brigham**  
**General Counsel's Office**

**Law Clerk** 2022  
**Krokidas & Bluestein LLP**

**Law Clerk**  
**Wollmuth, Maher and Deutsch LLP** 2021

## HONORS AND AWARDS

**Northeastern University** 2021-2023  
**Law Review**



June and July saw many important developments in the field of municipal land use and zoning. Some raise critical questions of interpretation, so we'll be sure to keep you up to date as regulations and case law provide answers. For those not so interested in land use and zoning, we include an interesting Public Education Letter from the State Ethics Commission interpreting the application of the financial interest shared with a substantial segment of the population under G.L. c. 268A, § 19.

**- The Supreme Court Answers Some Questions Left Open by *Tyler v. Hennepin County***

**- Permits for Solar Energy Facilities are to be Judged on Site-Specific Factors**

**- Important Amendments to the Zoning Act, G.L. c. 40A, are Enacted as Emergency Legislation**

**- How to Determine Whether a Substantial Segment of the Population Shares Financial Interest with a Public Official Under G.L. c. 268A, § 19**

**- Trivia**



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**The Supreme Court Answers Some Questions Left Open by *Tyler v. Hennepin County***

Surplus equity after foreclosure sale is based on the sale price, not assessed value or fair market value.



**Permits for Solar Energy Facilities are to be Judged on Site-Specific Factors**

Generalized concerns about the effect on the neighborhood are not sufficient to deny a solar energy facility.



### Important Amendments to the Zoning Act, G.L. c. 40A, are Enacted as Emergency Legislation

By-right changes are expanded and variance standard is loosened.



### How to Determine Whether a Substantial Segment of the Population Shares a Financial Interest with a Public Official Under G.L. c. 268A, § 19

Ten percent of the population must share a substantially similar financial interest for a public official to participate in a matter in which he has a financial interest.

## Trivia!

**Question:** What Berkshire County municipality is named after a battle in the Mexican-American War?

**Last issue's trivia question:** What are the consequences if one fails to complete playing or singing the Star-Spangled Banner?

**Answer:** Per G.L. c. 264, § 9:

Whoever plays, sings or renders the "Star Spangled Banner" in any public place, theatre, motion picture hall, restaurant or café, or at any public entertainment, other than as a whole and separate composition or number, without embellishment or addition in the way of national or other melodies, or whoever plays, sings or renders the "Star Spangled Banner", or any part thereof, as dance music, as an exit march or as part of a medley of any kind, shall be punished by a fine of not more than one hundred dollars.

Jimi Hendrix's version runs afoul of this law, which is almost certainly unconstitutional.

**Winner:** We are awarding kudos this month to **Jim Boudreau**, Scituate Town Administrator, who stated that there are no consequences. He is likely correct.

Your musically-challenged editor would support a less challenging national anthem to sing.



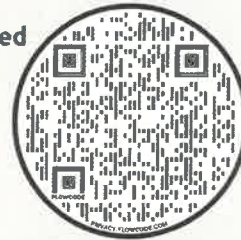
[www.harringtonheep.com](http://www.harringtonheep.com)



Once again, the dog days of August are upon us. But that doesn't mean that the law firm of Harrington Heep LLP is lazing about in sun puddles. We are pleased to announce that as of September 1, Heather C. White has joined the firm as a partner. Heather has approximately 20 years in municipal law, concentrating on procurement and land use, as well as a year as Legal Counsel for the Massachusetts Port Authority. Her expertise will serve all of our clients well, and we are confident that you will enjoy working with her as much as we are looking forward to her strengthening the expertise that Harrington Heep offers.

Now, on to the news:

- **DOER Publishes Guidelines, Model By-Laws for Consolidated Local Permits**
- **The First Data Center By-Law in the State is Approved by the Municipal Law Unit**
- **Governor Signs "An Act Regarding Free Expression" Affecting the Content of School Libraries**
- **Rapid Fire Update - State-Owned Land PILOT Commission Schedules Listening Sessions**
- **Trivia**



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### **DOER Publishes Guidelines, Model By-Laws for Consolidated Local Permits**

Small Clean Energy Facilities may apply for a consolidated local permit as of October 1.



### **The First Data Center By-Law in the State is Approved by the Municipal Law Unit**

Home Rule allows for local regulation of data centers.



### Governor Signs "An Act Regarding Free Expression" Affecting the Content of School Libraries

Protections extended to school librarians on their book selections.

### Rapid Fire Update:

#### ***State-Owned Land PILOT Commission Schedules Listening Sessions***

Municipalities are eligible for PILOT payments from the Commonwealth for state-owned land that is exempt from local taxation. The newly-formed State-Owned Land PILOT Commission is holding in-person and virtual sessions to hear feedback from municipalities on how municipalities are compensated. The sessions will be in September and early October. Comments may also be submitted in writing. Further details are found [here](#).



## Trivia!

**Question:** Another easy one for the summer. What famous murder occurred in August?

**Last issue's trivia question:** What Berkshire County municipality is named after a battle in the Mexican-American War?

**Answer:** Monterey, a bucolic, beautiful community near several state parks. Some of the best hiking in the state!

**Winner:** You were entitled to an easy summer trivia question and the number of correct responses shows that we delivered. Kudos to (unsurprisingly) **Justin Makuc**, Monterey Select Board; perennial trivia master **Bill Bowler**, former Hamilton Moderator; Norfolk Town Administrator **Rob Garrity**, who would like a Veracruz MA as well; and former Littleton Select Board member **Paul Glavey**. Congratulations to you all for knowing the name of a battle in a war that I suspect most Americans could not date or describe. But honestly, it was not much of a battle.



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