

**TOWN OF MILLVILLE**  
**BOARD OF SELECTMEN**  
**MINUTES OF MEETING**  
**MAY 19, 2015 – 6:00 P.M.**

**Board Members Present:** Vice Chairman Joseph Rapoza; Secretary Jennifer Dean Wing; Member John Laura

**Others Present:** Executive Secretary Helen Coffin; Chief Ronald Landry; Town Planner Joe Laydon

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Vice Chairman Rapoza opens the meeting at the Longfellow Municipal Center at 6:00 p.m. The purpose of the meeting is to interview the attorneys from the law firms of Petrini & Associates and Kopelman & Paige as potential Town Counsel.

Attorneys Barbara St. Andre and Christopher Petrini from Petrini & Associates are present. Introductions are made.

Rapoza asks what they can do for a small town with a small budget? Petrini replies he feels the firm is a good fit for a small town. They already represent other small towns and he feels they are big enough to tackle the specialized issues yet small enough to answer all questions in-house. They have five full-time municipal attorneys who cover the entire field of municipal law. St. Andre adds that they have a lot of experience and they currently work with W. Brookfield, a Town similar in size and budget to Millville, and have been very successful in staying within budget (\$25K-\$30K). The legal work is done in an efficient manner whether via email, telephone conferences, scanned documents, etc. and the attorneys at the firm cover all facets of municipal law. The firm also represents the Towns of Medway, Sherborn, Sudbury and Framingham.

Laura questions the first thing they would do to prepare for the transition if they are selected, and who will represent the Town at Town Meetings? St. Andre replies they will not charge for the transition work. They would meet with the department heads and the various boards/committees and try to get to know them. They would review all pending litigation matters in order to familiarize themselves with the ongoing issues and become up to speed with the Town. Either St. Andre or Petrini would represent the Town at Town Meetings. They are very experienced with Town Meetings and feel that the preparation for Town Meeting is very important. They would assist with the Warrants, Motions, Quantum of Votes, and meet with the Moderator and Finance Committee as necessary.

Chief Landry questions their availability after hours, weekends and holiday and their experience with collective bargaining and grievances. Petrini advises they are available anytime via cell phones. They do have experience with Collective Bargaining. They attend most negotiation sessions with unions. Chris Brown of their office specializes in this and can also help draft agreements. The vast majority of the grievances they have handled were settled amicably.

Laydon asks what their approach would be in complex land-use cases when time has allowed things to perpetuate. How would they deal with enforcement in a common sense and cost sensitive manner? Also, how can they assist the Town navigating and resolving non-conforming use cases? St. Andre replies that non-conforming use is a big issue in many towns and she has handled a number of cases. She believes in a practical approach with emphasis on use of the Zoning Board of Appeals. She has been efficient with litigation but would also use this as a last resort. She is comfortable with subdivision, special permits, and variances.

Wing questions the firm's turnaround. Petrini replies they value continuity and have a good environment. They have five attorneys and the firm was started in 2004. One attorney has been there since 2006 and another since 2010. St. Andre has been at the firm since 2006. One new attorney was recently hired.

Wing questions what they learned during research about Millville and why they want to be our lawyers? St. Andre replies that she recognized the name from her years working at Kopelman & Paige. She found the locality convenient as their other towns are all in the metro west area. She likes the size and geography. Petrini noted the upcoming issues with the municipal center such as funding and procurement could be challenging and he has a strong background in this area. He feels he could be a benefit to the Town in this regard.

Chief Landry questions if they are solely a municipal firm. Petrini replies that 99% of their work is municipal work. They do not represent developers. About 50% of their work is devoted to the Town of Framingham. He feels they have adequate resources to handle another small town. They would consider hiring an additional attorney if necessary; however, feel that adding Millville is manageable with their current workload.

Laydon states that he holds St. Andre in the highest regard from his past experience with her and her presentations at conferences. He is happy the Town is interviewing this firm and he has confidence in them. St. Andre speaks briefly to how she handles c40B projects.

Wing questions their experience with a regional school system. St. Andre replies that most of the Towns they work with are in regional systems. She understands there are often issues and she is very familiar with them. They often run into issues regarding capital projects and funding.

Laura questions the fee structure. St. Andre replies they would charge an hourly rate. They haven't had any problems keeping within budget. They would rather be proactive and handle things with preventable measures. They offer client advisories and will conduct seminars at no charge to the Town. Petrini adds that the seminars are often helpful in avoiding future problems and it can be written into the contract that they are free of charge.

Attorneys St. Andre and Petrini leave the meeting. The Board holds a brief recess until 7:00 p.m.

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At 7:00 p.m. Vice Chairman Rapoza calls the meeting to order. Attorneys Gregg Corbo, Brian Maser and Jonathan Eichman are present from the law firm of Kopelman & Paige.

Rapoza asks what they can do for a small town with a small budget but big town problems and what feature can they offer the Town of Millville? Corbo replies that this question speaks to their key philosophy. They understand that the smaller towns face the same issues that the big towns face. They have 37 attorneys who are experts in municipal law. They deal with complex

and varied issues and appreciate the budget constraints of the small towns. They also understand there are state mandates and expectations from the citizens. They have the power of a big firm but the feel of smaller sized firm. They enjoy getting to know the town officials and meeting them face to face.

Maser adds that the firm is cognizant of small town problems. They represent many of the smaller towns in Berkshire County. They are experienced in handling those issues with sensitivity.

Eichman has worked with Douglas, Oxford and Millbury as well as Montgomery.

Rapoza questions how the 3-person team approach works? Maser replies that Corbo would be the primary contact and he would be kept informed of anything going on within the Town. Maser handles the labor and employment issues while Eichman handles the land-use and real estate area. Corbo adds that this team approach helps prevent waste and allows them to not skip a beat in handling issues for the Town.

Chief Landry questions if they are available after hours and what is their experience with collective bargaining and grievances? Corbo replies that they pride themselves on being available all hours of the day and on weekends. They all carry cell phones and they are cognizant of emergency situations that may arise. They make every effort to return calls on the same day and they are very sensitive to issues requiring immediate action. They have experience with collective bargaining and have assisted many towns negotiating agreements. They can participate as much or as little as the Town desires. They can attend all meetings and strategy sessions or simply act in an advisory role. They are experienced in dealing with grievances and are familiar with interpreting collective bargaining agreements.

Laydon advises that as the Town Planner he is part-time and his principal way of communication is via email during off-hours. He questions some of the challenges they have faced with language in connection with non-conforming use issues and how they would approach getting up to speed on ongoing issues in Town? Eichman explains that a thorough review and update of the Bylaws gives additional protection. He briefly describes a few situations he has worked on regarding grandfathering and undersized non-conforming lots. He feels speaking with the town officials and getting a history is very important for them to do their jobs...they must consider everything in order to give good legal advice. Corbo adds that they are policy neutral. Their goal is to work with the Town to help achieve its goals. They give guidance to fit the situation.

Rapoza questions experience on zoning overlays and alternative energy sites. Eichman replies he has a fair bit of experience in this area. He feels it is a robust field with tax incentives and won't be going away anytime soon. Often neighbors are not receptive to alternative energy sources due to scenic vista issues.

Laura questions the firm size and turnaround as well as the pay scale. Corbo advises they have 40 attorneys and about 20 support staff. Turnaround is virtually non-existent. They just hired three new associates. They are very stable. They recently reorganized and they are part owners. They enjoy what they do and enjoy doing it together. Corbo advises the legal budget is hard to predict but the attorneys help to keep the bills low. They are a wealth of knowledge and most matters that come up can be handled quickly.

Laura questions what would be the first things they would do if selected. Maser advises they would meet with the department heads and get a sense of the issues. They would meet with the Board for guidance on the direction of the Board. Corbo adds that they will not charge for

transition costs. They would consult with current legal counsel on pending items and they would rely on the Board of Selectmen as to the direction they should go.

Wing questions why they are interested in working for Millville. Corbo was attracted to it geographically. They understand the challenges that are typical for small towns and they would like to help deal with the 21<sup>st</sup> century reality. Maser adds that he has worked in Northbridge, Douglas and Webster so he is familiar with the area. He felt this would be an opportunity for the firm to expand and assist another town.

Wing questions their experience in regional school systems. Master advises they represent several towns with regional school districts. They are familiar with the budget and construction issues that often arise. Eichman adds that he has been working with town in connection with issues with a regional school.

The attorneys leave the meeting at 7:35 p.m.

General Discussion regarding the attorneys interviewed this evening. The Board completes their evaluation forms. Kopelman & Paige have the resources available; however, the town may not get much attention. The K&P attorneys are young and ambitious but sound too much like a sales pitch. Petrini & Associates is smaller and more personal but less attorneys and resources. The attorneys have a lot of experience and seem easy to work with. DeRensis spent more time researching the Town; however, he is the highest cost. Brief discussion regarding rates proposed. This will be an agenda item at the next BOS meeting.

***On a motion by Rapoza and second by Laura, the Board votes unanimously to adjourn meeting at 7:50 p.m.***

Respectfully submitted,

Helen M. Coffin

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Joseph Rapoza, Vice Chairman

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Jennifer Dean Wing, Secretary

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John Laura