



**PROPOSAL FOR TOWN COUNSEL
SERVICES**

TOWN OF SOUTHBOROUGH

Submitted by:

MEAD, TALERMAN & COSTA, LLC

30 Green Street
Newburyport, Massachusetts 01950
Phone (978) 463-7700

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Millis, Massachusetts 02054
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May, 2021



Mead, Talerman & Costa, LLC
Attorneys at Law

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

www.mtclawyers.com

April 28, 2021

Town of Southborough
Select Board's Office
17 Common Street
Southborough, MA 01772

Re: Town Counsel Services

Dear Members of the Select Board:

On behalf of Mead, Talerman & Costa, LLC ("MTC"), together with my partners, Lisa Mead and Adam Costa and at your invitation, I am pleased to submit a Proposal for Town Counsel Services. I believe that MTC would be an ideal fit to provide Town Counsel Services to the Town of Southborough; and we are confident that the transition from special counsel for Southborough would be seamless as we are familiar with the Town and the legal issues it faces.

MTC presently serves as Town Counsel for the Towns of Ashland, Berkley, Burlington, Deerfield, Easton, Hanson, Holliston, Kingston, Lunenburg, Maynard, Middleton, Millis, Newbury, Rehoboth, South Hadley, Townsend, Tyngsborough, Uxbridge, Wrentham and Yarmouth; and also provides general legal counsel services to the Towns of Marblehead and Douglas, where the firm serves as co-Town Counsel. Additionally, we represent dozens of other municipalities across the Commonwealth as Special Town Counsel on a wide variety of matters relating to general municipal law, as well as land use, planning and environmental law.

Included herewith for your information and review is our Proposal, containing a response to your RFP as well as a comprehensive description of the firm, our practice, together with a summary of attorney qualifications and a listing of notable firm projects. These materials offer a thorough overview of the firm's makeup and the experience of its attorneys. As is evident in these materials, our attorneys all have extensive municipal law experience and unique qualifications.

I have more than two decades of experience representing cities and towns in Massachusetts. I am MTC's lead counsel in Easton, Hanson, Holliston, Kingston, Middleton, Millis, Rehoboth, Uxbridge and Yarmouth. Further, I provide a variety of other services to each of our other communities, and regularly serve as Special Legal Counsel on development projects of all types, many of which complex and controversial, for regulatory bodies, including planning and zoning boards, as well as conservation commissions. I am also the elected Town Moderator in my hometown of Norfolk.

My partner Lisa Mead also has extensive experience serving municipal clients in all phases of municipal governance. She 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. She presently serves as MTC's lead counsel in Ashland, Burlington, Deerfield, Marblehead, Maynard, and South Hadley.

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
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My partner Adam Costa has more than a decade of experience representing cities and towns in Massachusetts, serving as lead counsel in Berkley, Lunenburg, Townsend and Tyngsborough. He regularly provides litigation-related services and advises and represents many communities on land use and permitting matters, as well as Appellate Tax Board Appeals.

MTC's associates are likewise experienced and resourceful. Attorney Katherine Feodoroff, who would serve as our immediate back up to the Town, is a former Senior Assistant City Solicitor for the City of Brockton. Kate manages MTC's labor and employment practice and also counsels our municipal clients on a wide variety of other matters, ranging from responding to open meeting and public records questions to providing counsel at Town Meeting. Kate is also our lead attorney in the burgeoning field of cannabis law.

In addition to his litigation practice, Attorney Michael Kennefick has substantial experience in general municipal, labor and employment, construction, land use and planning law. Attorney Brian Winner has more than a decade of experience advising municipalities and has significant expertise in a variety of land use disciplines. Attorney Jeffrey Poirier has over 15 years of experience with real estate and commercial business transactions. Jeff directs MTC's real estate practice, and counsels municipalities regarding property acquisition, disposition and leasing matters. Jeff is assisted by Colleen Court, a real estate law practitioner with nearly a decade of experience handling a wide range of transactional matters. Finally, Attorneys Alexander Castro, Benjamin Taylor and Olympia Bowker assist our clients on various day-to-day municipal matters, including litigation.

We are an accessible, responsive law firm; and we pride ourselves on our relationships with clients and their officials. Among the benefits of working with a smaller firm is direct access to its partners and, of course, to its associates and staff. We believe the best measure of our responsiveness and efficiency is the work we already do for the Town as Special Counsel. We have handled several complex and controversial matters for the Town and have established a productive working relationship with Town boards and staff.

We propose that I will be the Town's primary contacts with Attorney Feodoroff serving as immediate back-up. By designating limited points-of-contact with an immediate back-up, you are ensured prompt access to an attorney who is proficient in all phases of governmental law. Responsibilities can thereafter be delegated to other attorneys as necessary or as may be requested by the Town. All of the firm's attorneys regularly assist our clientele. Should you also choose to seek MTC's counsel for labor and employment services, Attorney Feodoroff will be lead counsel on all such matters, with Attorney Kennefick as immediate backup. As noted above, she is an experienced labor and employment law practitioner, as is Attorney Kennefick.

Upon reasonable notice, a member of the firm will be able to meet with local officials, attend board or commission meetings or make other necessary appearances. We have offices in both Newburyport and Millis, but our practice is statewide as evidenced by the communities we represent from Newbury to Yarmouth and from Maynard to Deerfield. MTC's attorneys have also become familiar with and quite adept at using the various virtual meeting platforms made necessary by the COVID-19 pandemic, including Zoom, Webex, GoToMeeting and the like.

The firm will provide the Town with periodic reports on ongoing matters as necessary, and will answer inquiries from boards, departments and/or officials in an expeditious manner. The firm will promptly respond to requests for legal opinions, will inquire as to the required timing of requests and will provide written responses by the deadlines provided. MTC also offers periodic office hours, if so desired, which has been so well received by the communities that we represent that it is now a hallmark of our practice. We further offer seminars on topics like the Open Meeting Law, the Conflict of Interest Law, Discrimination and Harassment, and other emerging areas of the law, as may be requested by the Town.

The enclosed Fee Proposal provided herewith offers three alternatives, a flat fee rate of \$7,000 per month, a hybrid fee rate of \$5,000 per month, and a traditional hourly arrangement at a rate of \$180.00. The flat fee includes virtually

all general services and substantially all litigation. The hybrid fee includes virtually all general services, excluding litigation matters, which are billed at an hourly rate of \$180.00 per hour, irrespective of the type of matter being addressed, e.g. general municipal, litigation or labor and employment, or whether the work is performed by a partner or by an associate. We have been employing flat fee arrangements for nearly 20 years and the clients that have chosen such billing methods are pleased with the results. Finally, the traditional hourly fee arrangement bills all matters on an hourly basis. No additional charges are assessed for services provided by the firm's paralegals, staff or other personnel. Nor would the Town be charged for the firm's internal costs, such as clerical assistance, telephone services, utilities, routine copying costs or standard mailing fees. Filing fees, the cost of bulk copying, extraordinary mailing fees (e.g. the use of FedEx for time-sensitive shipping) and direct costs associated with litigation, such as stenographer costs, are billed on a direct-cost basis. We are also pleased to discuss other hybrid fee arrangements.

Please do not hesitate to e-mail me at jay@mtclawyers.com, or call me at (508) 376-8400, if you have any questions whatsoever about the foregoing, or if you require additional information that would be beneficial to your review. We would also be pleased to meet with you to discuss MTC's Proposal for Town Counsel Services, if you would like.

Thank you for your interest in our firm.

Sincerely,

Jason R. Talerma

Jason R. Talerma
Enclosures



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 both Newburyport and Millis, 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 Town Counsel to a growing number of municipalities, including the Towns of Ashland, Berkley, Burlington, Deerfield, Easton, Hanson, Holliston, Kingston, Lunenburg, Marblehead, Maynard, Middleton, Millis, Newbury, Rehoboth, South Hadley, Townsend, Tyngsborough, Uxbridge, Wrentham, and Yarmouth. The firm has also represented well over 100 municipalities in the past 20 years on Special Counsel assignments. The firm has had ongoing relationships for over ten years with many of our municipal clients.

ATTORNEYS

Including being well-versed in the full scope 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; contracts and public procurement, real estate, renewable energy

Jason R. Talerman: Municipal law; land use, planning, wetlands and environmental law; 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

Jeffrey Poirier: Commercial and residential real estate law; municipal law

Michael Kennefick: Municipal law; municipal labor and employment law; trial and appellate court advocacy; renewable energy

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

Alex Castro: Municipal law; labor and employment

Ben Taylor: Municipal law; real estate; land use and permitting

Olympia Bowker: Municipal law; land use, permitting and environmental

Colleen Court: Commercial and residential real estate law; municipal 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, Talerma & 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 health care 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. Lisa teaches a municipal law course annually with Suffolk University in their Certificate in Local Government Leadership & Management program.

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 Managers 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

Jason R. Talerman
Partner



Jason R. Talerman, a partner in the firm, has been practicing municipal law for over two 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 a part-owner of the Boston Glory, a professional ultimate frisbee team that plays in the American Ultimate Disc League.

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:

- Panelist, Massachusetts Moderator's Association, Annual Conference, Fall, 2020
- Speaker, Massachusetts Association of Assessing Officials, Winter 2020
- Speaker, Conference of Massachusetts Building Commissioners (Annually, 2011-present)
- Recent Developments in Regulatory Takings, Boston Bar Journal, Fall, 2019
- 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:

- “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)

- Presenter, Annual Conference, Citizen Planner Training Collaborative (2016-present)
- Presenter, Various Fall Workshops, Citizen Planner Training Collaborative (2016-present)
- “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

Senior Attorney

Director, Labor & Employment Law



Katherine McNamara Feodoroff has been practicing law since 2003, twelve specializing in municipal law. Having served as the Senior Assistant Solicitor for the seventh largest city in the Commonwealth, Kate has a breadth of knowledge and deep experience in areas including labor and employment disputes, labor negotiations, open meeting law and public records, licensing and code enforcement, contract negotiation and drafting and zoning and planning appeals. Kate's broad experience has enabled her to provide quick and thoughtful advice to her clients on many topics routinely faced by municipalities.

Additionally, Kate has appeared frequently before the Housing Court, District Court, Land Court, Superior Court and U.S. District Court. Kate has also argued several times before the Massachusetts Appeals Court.

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

Education:

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

EEO Certifications

- Train the Trainer, Massachusetts Commission Against Discrimination
- Conducting Internal Complaints of Discrimination Investigations, Massachusetts Commission Against Discrimination
- Responding to Accommodation Requests

Presentations

- Presenter, Recreational Marijuana "One Year In" ~ The challenges, successes and failures in municipal regulation (Massachusetts Association of Planning Directors)

Michael Kennefick

Senior Attorney



Michael Kennefick is a Senior Associate in the firm and a leader in the firm's litigation practice. He has significant trial experience before the District, Housing, Superior and Land Courts and also represents clients before local and state boards. In addition to his litigation practice, Mike has substantial experience in general municipal, employment, construction and land use and planning law. He regularly meets with and counsels the firm's municipal clients on a variety of topics.

Mike was formerly employed with Perry, Hicks, Crotty and Deshaies, LLC, and then the Law Offices of Thomas P. Crotty & Associates, PLLC, where he represented several communities in Southeast Massachusetts. He was a member of the Rochester Zoning Board of Appeals from 2006 through 2013 and sat as the Chairman of the Board of Public Works for the Town of Acushnet

from 2002 through 2005. He received his Bachelor of Arts degree from the University of Massachusetts and his Juris Doctor from Roger Williams University. He has served as a guest lecturer at the University of Massachusetts School of Law regarding zoning, local and state licensing and municipal employment issues.

Education:

- B.A., University of New Hampshire (Durham, New Hampshire)
- J.D., Roger Williams University (Providence, Rhode Island)

Brian Winner
Senior Attorney



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, harbormasters, 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)

Jeffrey Poirier

Senior Attorney

Director, Real Estate Law



Jeffrey Poirier is an experienced real estate law practitioner and director of the firm's real estate practice. Jeff specializes in representing buyers, sellers and institutional and private lenders in the purchase, related financing and sale of residential and commercial property. Jeff also advises owners with respect to land use, permitting and condominium development and counsels municipalities regarding property acquisition, disposition and leasing matters.

Jeff has more than 15 years of experience working in Boston and North Shore law firms dealing with real estate and commercial business transactions. Jeff utilizes his wide-ranging experience and his diverse background to deliver very personalized, high-touch real estate services in which personal attention, efficiency, communication and responsiveness enhance the attorney-client relationship.

Education:

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

Alexander Castro

Associate



Alexander Castro primarily provides valuable counsel on labor and employment to our municipal clients. Alex previously served as labor and employment counsel with the Massachusetts Bay Transportation Authority (MBTA) where he advised and defended the Authority on a wide variety of matters. While in law school, Alex clerked for both the Equal Employment Opportunity Commission and the District Court. In addition to providing counsel on labor and employment matters, Alex provides counsel on a variety of other matters affecting our municipal clients.

Education:

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

Benjamin Taylor

Associate



Benjamin Taylor provides counsel across a wide variety of matters affecting our municipal clients and also provides substantial support to the firm's real estate practice. While in law school, Ben served as a legal intern with both the Boston Planning and Development Agency and the Massachusetts Division of Capital Asset Management, where he gained substantial experience managing public development projects.

Education:

- B.A., Emmanuel College (Boston, Massachusetts)
- J.D., Boston College Law School (Boston, Massachusetts)

Olympia Bowker

Associate



Olympia (Libby) Bowker routinely represents clients in a broad range of environmental, land use, zoning, permitting and other regulatory matters.

Prior to joining Mead, Talerman & Costa, Libby worked in Boston at New England's oldest environmental law firm, representing both public and private entities before zoning boards, planning boards, conservation commissions and other various administrative forums, as well as in arbitrations, mediations, Land Court and Superior Court.

Libby's written work has been featured in a variety of legal and environmental publications, including the Journal of Environmental Law and Litigation, Municipal Law Quarterly, the Real Estate Bar Association (REBA) Newsletter and the

Boston Jar Journal. She has presented seminars and webinars on zoning and legal developments affecting municipal boards for the Citizen Planner Training Collaborative (CPTC), the Annual Environmental Conference of the Massachusetts Association of Conservation Commissions (MACC) and Massachusetts Continuing Legal Education (MCLE).

Libby graduated from the University of Vermont, and went on to receive both her Juris Doctor and Masters of Environmental Law and Policy from Vermont Law School. In her time at Vermont Law School, she served on the editorial board of the Vermont Journal of Environmental Law, and completed specialized coursework to obtain certificates in Land Use Law and Water Resources Law.

Prior to law school, Libby conducted oceanic temperature research aboard a research vessel based out of Woods Hole, Massachusetts, led a backcountry trail crew repairing remote sections of the Pacific Crest Trail and taught outdoor science classes at the Oregon Museum of Science and Industry.

Education:

- B.A., University of Vermont (Burlington, Vermont)
- M.E.L.P., Vermont Law School (South Royalton, Vermont)
- J.D., Vermont Law School (South Royalton, Vermont)

Colleen Court

Associate



Colleen Court has been practicing law for over ten years. The primary focus of Colleen's practice involves a broad range of real estate matters, including representing buyers, sellers, lenders and developers in the acquisition and sale of residential and commercial real estate as well as condominium development and conversion.

Colleen is a 2010 cum laude graduate of New England School of Law and received her Bachelor of Arts degree from Boston College in English and Communications.

Colleen and her husband live in Revere, but she has spent all her summers at Salisbury Beach, where she was a lifeguard during her high school years. She and her husband are also dog lovers. In addition to their own golden retriever Quint, they foster rescue dogs waiting to be placed in permanent homes and Colleen spends weekends volunteering at the Yankee Golden Retriever Rescue in Hudson, Massachusetts.

Education

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

FIRM PROJECTS

General Municipal Counsel

Ashland, Massachusetts (2008-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): The firm served 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-present): The firm serves 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.

Grafton, Massachusetts (2013-2017): The firm served 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.

Holliston, Massachusetts (2017-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.

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.

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 Talerma 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 Talerma served as primary municipal law contact for Town, responsible for coordination of all legal representation and representation at Town Meeting.

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

Norton, Massachusetts (2004-2006): Attorney Talerma served as primary municipal law contact for 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.

Scituate, Massachusetts (2004-present): Attorney Talerma 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 serves as Special Town Counsel for regional school district and land use matters.

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.

Stoughton, Massachusetts (2016-present): Attorney Winner provided Town Counsel services from 2016 to 2018.

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.

Uxbridge, Massachusetts (2018-present): The firm serves 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

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, Westport and Winchester.

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.

Uxbridge, Massachusetts (2008): Completely recodified Zoning Bylaw.

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 | 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 | Mattapoissett |
| 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 | Brookline | Chelmsford |
| Dartmouth | Deerfield | Douglas |
| Franklin | Freetown | Georgetown |
| Great Barrington | Groton | Groveland |
| Haverhill | Holliston | Kingston |
| Lakeville | Lancaster | Longmeadow |

| | | |
|--------------|---------------|--------------------|
| 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 | 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 |
| 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 for Berkley, Brockton, Deerfield, Kingston, Maynard, Middleton, Millis, Newbury, Rehoboth, South Hadley, Townsend and Uxbridge. Members of the firm have been involved with collective bargaining and other labor issues with the AFSCME, IAFF, SEIU, LIUNA, FOP, and Police Patrolmen's Associations.

REFERENCES

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

Ashland, Town of

Contact: Michael Herbert, Town Manager

Phone: (508) 532-7911

E-mail: mherbert@ashlandmass.com

Berkley, Town of

Contact: Heather Martin-Sterling, Town Administrator

Phone: (508) 824-6794

E-mail: selectmen@berkleyma.us

Burlington, Town of

Contact: Paul Sagarino, Town Administrator

Phone: (781) 270-1635

E-mail: psagarino@burlington.org

Deerfield, Town of

Contact: Kayce Warren, Town Administrator

Phone: (413) 665-1400, Ext. 105

E-mail: townadmin@town.deerfield.ma.us

Easton, Town of

Contact: Connor Read, Town Administrator

Phone: (508) 230-0510

E-mail: cread@eastonma.us

Hanson, Town of

Contact: John Stanbrook, Town Administrator

Phone: (781) 293-2131

E-mail: jstanbrook@HANSON-MA.gov

Holliston, Town of

Contact: Travis Ahern, Town Administrator

Phone: (508) 429-0608

E-mail: Ahernt@holliston.k12.ma.us

Kingston, Town of

Contact: Keith Hickey

Phone: (781) 831-6021

Email: khickey@kingstonmass.org

Lunenburg, Town of

Contact: Heather Lemieux, Town Manager

Phone: (978) 582-4130, Ext. 143

E-mail: hlemieux@lunenburgonline.com

Marblehead, Town of

Contact: Jason Silva, Town Administrator

Phone: (781) 631-0000

E-mail: silvaj@marblehead.org

Maynard, Town of

Contact: Gregory Johnson, Town Administrator

Phone: (978) 897-1375

E-mail: gjohnson@TownofMaynard.net

Middleton, Town of

Contact: Andrew Sheehan, Town Administrator

Phone: (978) 777-3617

E-mail: Andrew.Sheehan@middletonma.gov

Millis, Town of

Contact: Michael Guzinski, Town Administrator

Phone: (508) 376-7040

E-mail: mguzinski@millisma.net

Newbury, Town of

Contact: Tracy Blais, Town Administrator

Phone: (978) 465-0862, Ext. 301

E-mail: administrator@townofnewbury.org

Southborough, Town of

Contact: Mark Purple, Town Administrator

Phone: (508) 485-0710

E-mail: mpurple@southboroughma.com

South Hadley, Town of

Contact: Michael Sullivan, Town Administrator

Phone: (413) 538-5017, Ext. 6136

E-mail: msullivan@southhadleyma.gov

Townsend, Town of

Contact: Jim Kreidler, Town Administrator

Phone: (978) 597-1700, Ext. 1701

E-mail: jkreidler@townsendma.gov

Tyngsborough, Town of

Contact: Matt Hanson, Town Administrator

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

E-mail: mhanson@tyngsboroughma.gov

Uxbridge, Town of

Contact: Steven Sette, Town Administrator

Phone: (508) 278-8600, Ext. 7

Email: ssette@uxbridge-ma.gov

Wrentham, Town of

Contact: Kevin Sweet, Town Administrator

Phone: (508) 384-5400, Ext. 5401

E-mail: ksweet@wrentham.ma.us

Uxbridge, Town of

Contact: Steven Sette, Town Administrator

Phone: (508) 278-8600, Ext. 7

E-mail: ssette@uxbridge-ma.gov

Yarmouth, Town of

Contact: Daniel Knapik, Town Administrator

Phone: (508) 398-2231

E-mail: DKnapik@yarmouth.ma.us



Mead, Talerman & Costa, LLC
Attorneys at Law

FEE PROPOSAL
TOWN OF SOUTHBOROUGH

Our experienced administrative staff generate 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.

Proposal No. 1 – Flat Fee

1. The Firm proposes a flat monthly fee of \$7,000.00, which shall include substantially all general municipal 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. 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 \$180.00 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, conservation, and licensing, as well as enforcement of zoning and general by-laws. All other litigation will be billed at the firm's hourly rate of \$180.00 per hour.
4. The flat fee does not encompass matters relating to labor and employment, given the variability of such matters. Such matters will be billed at the firm's hourly rate of \$180.00 per hour.
5. The flat fee includes all services relating to review of municipal contracts and procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Board of Selectmen, including liquor licensing.

7. The flat fee does not cover general tax-title matters or routine hearings before the Appellate Tax Board that can be handled without counsel but does cover all ATB hearings on substantial matters that require the assistance of counsel. Nor does the flat fee include negotiation of cable services agreements, as such specialized items are generally handled by outside special counsel.
8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. Ch. 44, § 53G. For such matters, the Firm will bill at the rate of \$180.00 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. Expert consultant fees, title examinations and costs for stenographic transcripts shall also be the Town’s responsibility.
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-mail 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 email exchanges with the Town’s officials.

Proposal No. 2 – Partial flat fee

1. The Firm proposes a flat monthly fee of \$5,000.00, 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 attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or other meetings per month. Attendance at additional meetings per month will be billed at the firm’s hourly rate of \$180.00 per hour.
3. The flat fee includes all services relating to review of municipal contracts and procurement issues.
4. The flat fee does not encompass matters relating to labor and employment, given the variability of such matters. Such matters will be billed at the firm’s hourly rate of \$180.00 per hour
5. The flat fee includes representation of the Town on all significant licensing matters handled by the Board of Selectmen, including liquor licensing.

6. The flat fee does not include defense and prosecution of litigation, mediation and arbitration. All litigation will be billed at the firm's hourly rate of \$200.00 per hour.
7. The flat fee does not include routine tax-title matters and negotiation of cable services agreements, as such specialized items are generally handled by outside special counsel.
8. The flat fee also does not include matters for which fees are required to be paid by permit applicants under G.L. Ch. 44, § 53G. For such matters, the Firm will bill at the rate of \$180.00 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. Expert consultant fees, title examinations and costs for stenographic transcripts shall also be the Town's responsibility.
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-mail 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 email exchanges with the Town's officials.

Proposal No. 3 – Hourly rate

1. The Firm proposes an hourly rate of \$180.00 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 to be paid by permit applicants under G.L. Ch. 44, § 53G will be 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 two (2) training seminars per year at no charge to the municipality.
6. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the municipality'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. Expert consultant fees, title examinations and costs for stenographic transcripts shall also be the Town's responsibility.

7. 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-mail 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 email exchanges with the Town's officials.
8. Travel time to the Town will be billed but capped at one hour, round trip.

RESPONSE TO REQUESTS FOR QUALIFICATIONS/INFORMATION FOR SOUTHBOROUGH TOWN COUNSEL

NAME: Jason Talerman
FIRM NAME: Mead, Talerman & Costa, LLC
ADDRESS: 730 Main Street, Suite 1F, Millis, MA 02054
TELEPHONE: 508.376.8400 FAX: 978.463.7747
EMAIL: jay@mtclawyers.com

Please respond to each of the following:

1. Please identify by name (address and phone number if different than above) the proposed Town Counsel and each proposed back-up counsel. The Board of Selectmen wants to know the specific individual attorney who will serve as Lead Counsel.

Jason Talerman (lead); Katherine Feodoroff (immediate backup)

2. Please attach resumes for each attorney identified above.

Please see firm summary

3. Do each of the attorneys identified above meet the minimum bar admission requirements of the RFQ/1? If other than "yes", please explain.

Yes

4. With respect to each attorney identified, please list each and every Massachusetts municipality represented by the attorney within the past ten years, the years of such representation, and the name, address and phone number of at least one contact person in each municipality with knowledge of the attorney's representation.

Please see firm summary

5. Please describe each identified attorney's experience in the municipal law, including but not limited to the following areas: labor, land use - zoning and planning, Conflict of Interest and Open Meeting Law, public construction, public contracts, environmental law, municipal finance, litigation and open town meeting.

Please see firm summary

6. Has any of the above identified attorneys had a complaint filed with the Board of Bar Overseers in the past five (5) years? If yes, provide applicable details.

No.

7. Please describe how you propose to satisfy the accessibility requirements of the RFP.

As noted in our cover letter, we are committed to responsiveness from both our lead and backup attorneys as well as the other attorneys of the firm

8. Please describe how you propose to satisfy the backup requirements of the RFP.

Kate Feodoroff will serve as the immediate backup and other attorneys of the firm will be available both generally and on specific projects

9. Please explain how you plan to meet the Billing requirements of the RFP, and whether you have used alternative fee arrangements with previous municipal clients and/or would propose using an alternative fee arrangement regarding services to the Town?

Please see the fee proposal

10. State whether you have represented a client in the preceding three (3) years who has or had a matter pending before any officer, agency board or committee of the Town of Southborough.

No

11. Please identify any past or current clients that may give rise to conflict of interest as a result of representing the Town of Southborough.

None. Please see firm summary.

12. Confirm that you will not, during the time of your representation of the Town, represent any client in any matter in which the interests of the client are adverse to those of the Town, or in any matter seeking action by any officer, agency, board or committee of the Town, in accordance with MGLA 44A c268A s17.

We confirm we will not represent clients adverse to the Town.

13. Provide a general description of the firm, its history, significant changes in its makeup over the last three (3) years and its range of business.

Please see firm summary

14. For Municipal Clients identified in paragraph 4, above, have you or the firm:

A. Exceeded the municipal legal budget appropriation (general fund) in the last three (3) fiscal years (FY2018, FY2019, FY2020) and if so, by what percent?

For our flat fee communities, we have never exceeded the annual legal budget. On rare occasions for our hourly clients, we have forecasted an extra expense associated with extraordinary services and worked closely with Town Administration to obtain supplemental appropriations or defer billings to subsequent fiscal years.

B. If you have a retainer arrangement with the above clients, please note the retainer amount vs. total amount billed for the last three (3) fiscal years.

NAME/FIRM NAME Jason Talerman - Mead, Talerman & Costa, LLC

List of municipalities represented over the last 10 years/references:

For complete list of municipal representation and list of references, please see attached Firm Summary Submission.

**RESPONSE TO REQUESTS FOR QUALIFICATIONS/INFORMATION FOR SOUTHBOROUGH TOWN
COUNSEL**

Fees and Expenses Response Sheet

(To be attached and made a part of the overall Response to Requests for Qualifications)

1. Please list the name and hourly rate for proposed Town Counsel and for each attorney intended or likely to serve as backup when the appointee is unavailable.

Outside of the flat fees, \$180 for all attorneys. For a more complete description, please see the attached fee proposal.

2. If you propose to bill for services provided by paralegals, clerical staff or other non-attorney personnel, please list by title and hourly rate each position for whom you may bill.

We will not bill for those services. For a more complete description, please see the attached fee proposal.

3. Please provide a complete listing of all charges for expenses you intend to impose as incurred (i.e. any and all copy charges, telephone charges, fax charges, mileage charges and the like, but excluding any fees for stenographers, court fees, service fees and the like.)

Routine charges as stated will not be billed. For a more complete description, please see the attached fee proposal.

4. In what hourly increments do you intend to bill?

1/10th of an hour. For a more complete description, please see the attached fee proposal.

5. Do you bill out attorney time out of the office on a portal-to-portal basis or some other basis? Please describe.

For hourly rates we cap travel time to one hour round trip to the Town. Otherwise, we charge portal to portal. For a more complete description, please see the attached fee proposal.

6. Do you intend to propose an alternative fee arrangement? Yes No If "yes", please attach additional sheet(s) fully describing and explaining your proposal.

For a more complete description, please see the attached fee proposal.