

***Massachusetts Municipal Lawyers Association***



**2023  
ANNUAL BUSINESS MEETING**

**Officer and Committee Reports**

**June 8, 2023**

# **2023 Annual Business Meeting Agenda**

## **June 8, 2023**

1. Call to Order
2. Presentation of Annual Reports
  - a. President's Report
  - b. Executive Director's/Treasurer's Report
  - c. Committee Reports
3. Presentation of Nominating Committee Recommendations and Election of Officers and Directors for 2023-2024
4. Presentation of Gavel to Incoming President
5. Adjournment

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# President's Report

## Submitted by Matthew G. Feher

It has been both an honor and privilege to serve you as President of the Massachusetts Municipal Lawyers Association, Inc. (MMLA) during the 2022-23 term. This year marked several key milestones for the MMLA – smoothly transitioning the organization in accordance with the recently restructured bylaws, implementing significant enhancements to our membership communications capabilities and web interface, and growing our membership by nearly 20% from last year – which were made possible due to the collective efforts and dedication of my fellow Officers, Executive Board Members and Committee Chairs. These mark but a few examples of the tremendous growth of this organization that I oversaw as President, building upon the foundation set during my term and that of my predecessors in this esteemed office.

I am particularly grateful that our members have been able to attend in-person events throughout this year after a prolonged period of remote meetings due to the pandemic. MMLA membership's greatest benefit (and the organization's greatest strength) is the ability for all of us to build relationships with colleagues, provide younger attorneys mentorship opportunities and exchange ideas as a bar. These benefits are only fully realized by meeting in-person with colleagues from across the Commonwealth at our many informational seminars and business meetings. I was particularly excited to have met many new members at MMLA events throughout the past year and have been grateful to have hosted these in-person throughout the Commonwealth, including in Boston, Sturbridge, Sudbury, and Worcester. It was also terrific to see a return to the MMA Annual Meeting & Trade Show this past January, at which the MMLA 'flag' was proudly waved at our booth while our annual municipal law update was attended by well over 200 local leaders from throughout the Commonwealth at the Hynes Convention Center.

At the beginning of my term as President, I convened the first-ever retreat of our Executive Board in August 2022 to set Board objectives and goals throughout this year and beyond. I am pleased to report that many of these and other objectives have been either achieved or are in process, including the

- formalization of the MMLA's budgeting, financial and auditing procedures;
- development of organizational administrative and financial policies;
- bifurcation of the MMLA Treasurer and Secretary positions;
- creation and restructuring of nearly a dozen new and existing standing and *ad hoc* committees to enhance the MMLA's capabilities including relative to its administrative and financial functions, legislative and court advocacy, and programming;
- transition to Wild Apricot, a new organizational communications platform that has enhanced member experiences;

- migration to a new website with improvements to member registration, meeting information and updates;
- enhancement of our legislative tracking and advocacy program;
- creation of mentorship and new attorney opportunities, and presentation of the MMLA's first-ever "Up and Coming" Award; and
- publication of our member newsletter on no less than a monthly basis.

In addition, MMLA played a prominent role in achieving early successes on Beacon Hill, notably passage of legislation extending certain pandemic-era relief to allow public bodies to continue to meet remotely. Most recently, the MMLA submitted extensive comments to the Cannabis Control Commission at their request, particularly relative to treatment of host community agreements as part of expected regulations. MMLA has also continued to serve as a resource to state policy leaders relative to guidelines implementing certain provisions of the state zoning act pertaining to MBTA communities. All of this is in addition to the many bills that the MMLA sponsored this year as part of its 2023-24 legislative package, and the countless other bills impacting our practice and municipal clientele that the Legislative Committee is monitoring and acting upon.

During this past year, MMLA forged an ever-stronger partnership with MMA and other organizations throughout the state on pressing legislative and administrative policy issues and I look forward to MMLA's continued commitment to serve as a resource to state and local leaders as policies impacting our practice and municipal clients are developed.

Besides legislative policy matters, MMLA continues to advocate before the federal and state courts. During this past year, for example, MMLA submitted an amicus brief in the matter of *Barron v. Kolenda*, which among other things, involved the tension of First Amendment rights and the importance of accessible and efficient discourse at public meetings.

Outside the State House and the Courts, MMLA also serves a critical role as a resource to other municipal organizations and policy groups. For example, the MMLA was approached by the Massachusetts Moderator's Association earlier this year to assist it with updating its *Town Meeting Time* publication, a volume nearly every one of us consults with each year during Town Meeting season. I am pleased to report that I have convened a new *ad hoc* committee of the MMLA to serve as a resource to the Moderator's Association as they undertake this important work.

In addition to these achievements, I am also pleased to report that the Executive Board, at its most recent meeting, unanimously approved the extension of last year's MMLA membership dues structure that affords certain eligible organizations an optional flat rate to cover all of their attorneys, and held harmless the current rates for the 2023-24 membership year. Due to prudent financial management, MMLA is able to maintain

this dues structure next year without compromising the organization's recent enhancement and member benefits, including the Wild Apricot and InstaTrac subscriptions.

Before closing, I want to extend my great appreciation for the continued leadership of MMLA's Executive Board, which has meet monthly throughout the year via video conference and in-person, our terrific Committee Chairs and Committee Members who have been routinely meeting and making timely recommendations to the Board, and all of those who have participated at our events and seminars this year to provide excellent presentations to our membership on a wide array of topics of importance to municipal legal practitioners. I also wish to thank all of our membership, the MMLA's greatest resource.

I am confident that our incoming officers, President Karis North and Vice President Ivria Fried, together with the new and current members of the Executive Board and MMLA Committees, will continue MMLA's upward trajectory set in motion throughout my term as President and I look forward to continuing to work with all my MMLA colleagues (and friends) in the years to come.

Lastly, I encourage all of you to participate in any way you are willing and able in order to contribute to the MMLA. There are many ways to become involved, including participation on a committee, joining our monthly Executive Board meetings (these meetings are open to all active members), contributing to the newsletter or website, speaking at our many events, mentoring our new lawyers, or exchanging ideas on the MMLA's active member ListServ. MMLA is your organization, and I look forward to seeing new folks volunteering in the year to come.

MMLA has and will always play an important part of my professional life and I remain dedicated to ensuring that many others in the years to come are able to share in that sentiment.

Onward and upward!

***Respectfully submitted,  
Matthew Gray Feher, Esq.  
MMLA President  
June 8, 2023***

# Executive Director's/Treasurer's Report

## Submitted by James B. Lampke, Executive Director and Treasurer

11:47 AM  
10/25/22  
Cash Basis

### Massachusetts Municipal Lawyers Association, Inc

### Profit & Loss

#### July 2021 through June 2022

	Jul '21 - Jun 22
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Direct Public Support</b>	
Individ, Business Contributions	790.00
<b>Total Direct Public Support</b>	790.00
<b>Other Types of Income</b>	
Bank Interest	0.49
Web Ads	1,900.00
<b>Total Other Types of Income</b>	1,900.49
<b>Program Income</b>	
Membership Dues	37,600.00
Program Service Fees	2,170.00
<b>Total Program Income</b>	39,770.00
<b>Total Income</b>	42,460.49
<b>Expense</b>	
<b>Business Expenses</b>	
Business Registration Fees	475.00
Corporate Filing Fee	15.00
<b>Total Business Expenses</b>	490.00
<b>Contract Services</b>	
Accounting Fees	1,750.00
Administration Fee	18,000.00
<b>Total Contract Services</b>	19,750.00
<b>Donations/Remembrances/Gifts</b>	75.60
<b>Operations</b>	
Awards, Plaques, Engraving	912.68
Books, Subscriptions, Reference	3,950.25
Conference Platforms	706.48
Other Expense	75.00
Postage, Mailing Service	107.24
Printing and Copying	136.80
Website	549.00
<b>Total Operations</b>	6,437.45
<b>Other Types of Expenses</b>	
Insurance - Liability, D and O	1,400.00
<b>Total Other Types of Expenses</b>	1,400.00
<b>Travel and Meetings</b>	
Conference, Convention, Meeting	2,894.29
<b>Total Travel and Meetings</b>	2,894.29
<b>Total Expense</b>	31,047.34
<b>Net Ordinary Income</b>	11,413.15
<b>Net Income</b>	11,413.15

11:50 AM  
 10/25/22  
 Cash Basis

**Massachusetts Municipal Lawyers Association, Inc**  
**Trial Balance**  
 As of June 30, 2022

	Jun 30, 22	
	Debit	Credit
Checking 3642 (HIS)	77,012.55	
Checking 412-0 (Citizens)	0.00	
Checking 568-1(Citizens)	0.00	
Money Market 6758 (HIS)	10,004.25	
Savings 570-3 (Citizens)	0.00	
Opening Balance Equity		69,729.84
Unrestricted Net Assets		25,611.62
Direct Public Support:Individ, Business Contributions		100.00
Other Types of Income:Bank Interest		0.43
Other Types of Income:Web Ads		1,300.00
Program Income:Membership Dues		4,600.00
Program Income:Program Service Fees		20.00
Business Expenses:Business Registration Fees	475.00	
Contract Services:Administration Fee	10,000.00	
Operations:Awards, Plaques, Engraving	124.22	
Operations:Books, Subscriptions, Reference	3,198.00	
Operations:Conference Platforms	403.48	
Operations:Other Expense	75.00	
Operations:Postage, Mailing Service	10.64	
Operations:Website	69.00	
Travel and Meetings:Conference, Convention, Meeting		10.25
<b>TOTAL</b>	<b><u>101,372.14</u></b>	<b><u>101,372.14</u></b>



11:48 AM  
10/25/22  
Cash Basis

**Massachusetts Municipal Lawyers Association, Inc**  
**Balance Sheet**  
**As of June 30, 2022**

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	<u>Jun 30, 22</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Checking 3642 (HIS)	77,012.55
Money Market 6758 (HIS)	10,004.25
<b>Total Checking/Savings</b>	<u>87,016.80</u>
<b>Total Current Assets</b>	<u>87,016.80</u>
<b>TOTAL ASSETS</b>	<u><b>87,016.80</b></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Equity</b>	
Opening Balance Equity	69,729.84
Unrestricted Net Assets	25,611.62
Net Income	-8,324.66
<b>Total Equity</b>	<u>87,016.80</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>87,016.80</b></u>

**Year to Date Income and Expense Statement - July 1, 2022 to June 30, 2023**

**as of April 30, 2022**

		<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>YTD</u>
<b>REVENUES</b>														
Membership Dues		11300.00	15350.00	5200.00	1700.00	600.00	450.00	450.00	450.00	300.00	450.00			36250.00
Web Ads		200.00				100.00		200.00	200.00		700.00			1400.00
Gifts/Donations		140.00		50.00	200.00			50.00	50.00		50.00			540.00
Interest		0.08	0.09	0.08	0.08	0.08	0.08	0.09	0.08	0.08	0.08			0.82
Refunds (SLL)								65.00						65.00
<b>Programs:</b>	<b># Registrants</b>													
August Half-day (8/11/2022)	25	1650.00												1650.00
Annual Meeting (10/14/2022)	35				4410.00	135.00								4545.00
Labor Program (4/11/2023)	17									105.00	245.00			350.00
Construction Update Program (6/8/2023)														0.00
<b>Monthly Revenues</b>		<b>13290.08</b>	<b>15350.09</b>	<b>5250.08</b>	<b>6310.08</b>	<b>835.08</b>	<b>450.08</b>	<b>765.09</b>	<b>700.08</b>	<b>405.08</b>	<b>1445.08</b>	<b>0.00</b>	<b>0.00</b>	<b>44800.82</b>
														<b>YTD TOTAL REVENUES</b>
														<b>44800.82</b>
<b>EXPENSES</b>														
Administration		2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00			20000.00
Contractual Services, Accountant						1800.00								1800.00
Insurance		1420.00												1420.00
Website			59.00				549.00	130.00		184.91				922.91
Wild Apricot-Web & Admin										2264.20				2264.20
Subscriptions (Instatrac)											3358.00			3358.00
Plaques										112.00				112.00
EB Lunch														0.00
Filing Fees														0.00
MMABooth \$1395; Hynes Service Charge \$671.50								2066.50						2066.50
Donations/Remembrances				150.00										150.00
Supplies, postage											3.50			3.50
Domain Registration-multi-year														0.00
Dues (IMLA)								475.00						475.00
Platforms (Zoom, FreeConfCall, etc.)														0.00
PayPal/Affini Pay											5.44			5.44
Survey Monkey														0.00
Wild Apricot Consultant			1650.00					1000.00		2170.00				4820.00
<b>Programs:</b>														
August Half-day (8/11/2022)			2118.39											2118.39
Annual Meeting (10/14/2022)					175.20			3141.88						3317.08
MCLE_MMLA Conference; copies 142.91, parking 39										181.91				181.91
Labor Program (4/11/2023)											1284.00			1284.00
Construction Update Program (6/8/2023)														0.00
<b>Monthly Expenses</b>		<b>3420.00</b>	<b>5827.39</b>	<b>2150.00</b>	<b>2175.20</b>	<b>3800.00</b>	<b>2549.00</b>	<b>8813.38</b>	<b>2000.00</b>	<b>6913.02</b>	<b>6650.94</b>	<b>0.00</b>	<b>0.00</b>	<b>44298.93</b>
														<b>YTD TOTAL EXPENSES</b>
														<b>44298.93</b>
														<b>YTD NET</b>
														<b>501.89</b>
														<b>BANK STATEMENT BALANCES. ALL ACCOUNTS</b>
														<b>88272.09</b>
														<b>GRANT FUND BALANCE (Included in Bank Statement Balances All Accounts)</b>
														<b>1565</b>

# **Amicus Committee Report**

## **Submitted by James Timmins, Committee Chair**

The Amicus Committee submitted one brief this past municipal cycle in the Supreme Judicial Court case, *Barron v. Kolenda*. Maura O'Keefe and Rose Crowley worked long and hard on the brief, submitted on behalf of MMLA in October, 2022. MMLA advocated for the outcome obtained in the decision ultimately issued by the court: clarity as to how public participation may be "managed" during the course of public meetings.

Quoting from the Statement of Interest in the MMLA brief: *The MMLA regards the challenge to Southborough's Public Participation Policy to be significant as it highlights the tension between the work conducted by municipal officials in open public meetings and the right of the public to observe that work in a manner that allows accessible and efficient civil discourse. The scope of the rights implicated turns on a determination whether the public comment section is a traditional, designated or limited public forum.*

The decision, published in March of this year, is well worth the read. Maura and Rose worked very hard on this and are to be commended for their efforts.

### **Amicus Committee**

James Timmins, Committee Chair

Bryan Bertram

Rose Crowley

Ian Keefe

Paul Kominars

Ginny Kremer

Maura O'Keefe

David Shapiro

Matthew Thomas

# Legislative Committee Report

## Submitted by Jillian Jagling, Committee Chair

In January 2023, at the start of the 193<sup>rd</sup> General Court of the Commonwealth, the Legislative Committee prepared recommendations for legislation, based upon MMLA's Legislative Review Criteria. In addition, throughout the Legislative Session, the Legislative Committee reviews bills that are brought to its attention, which are pending before the General Court and makes recommendations to the Executive Board on whether to support, oppose, or take no position.

The Review Criteria which the Legislative Committee and Executive Board consider in deciding whether to take a position on legislation include the following which are illustrative and not necessarily applicable to all requests. They are numbered only for reference and not by order of priority:

1. Does the matter affect cities and towns generally?
2. Have any other organizations, including those representing municipalities in the Commonwealth (such as the Massachusetts Municipal Association) and other bar associations, taken a position on this proposed legislation and if so what position have they taken?
3. Does the proposed legislation purport to solve a problem faced by municipalities, add to municipal costs, impact collective bargaining, affect public health, safety or welfare, or increase or decrease the flexibility municipalities have in dealing with local issues?
4. Would the legislation have any unintended consequences for municipalities which the drafters of the proposed legislation have not foreseen?

Based on this criteria, in January, the Legislative Committee submitted the MMLA's 2023-24 Legislative package to the Executive Committee for approval. The recommendations developed by the Legislative Committee include the following topics of focus, and associated bill information:

1. Permanent option for remote public meetings (new file): An Act to modernize municipal meetings, town meetings, and local elections [SD1059](#) (Oliviera). See also [HD911](#) (Driscoll) and [SD1247](#) (Gobi) which are similar in scope.
2. Legal notices (new file): An Act relative to legal advertisements in on-line only newspapers [HD109/SD953](#) (Pignatelli/Velis)
3. Chapter 30B procurement parity (new file): An Act relative to Chapter 30B procurement [HD2918/SD1028](#) (Vitolo/Lewis)
4. Water/sewer infrastructure P3 (refile) - Alternative delivery of infrastructure projects [SD122](#) (Tarr)
5. Local option civil penalty (refile): An Act relative to the effective enforcement of municipal ordinances and by-laws [HD954/SD1229](#) (Eldridge/Donaghue)

Legislative Committee members are tracking those, as well as related bills, and developing commentary and testimony on behalf of the MMLA. Committee members are also drafting a proposed letter to the Attorney General's office in connection with remote access to public meetings and Town meetings being an accessibility accommodation; and an introductory letter to the Governor and Lt. Governor regarding the MMLA.

Further, in March 2023, the Legislative Committee advocated on behalf of the MMLA in favor of the extension of the local option to remotely participate at meetings of public bodies and for fully remote or hybrid participation at Town Meetings, until March 31, 2025 (the extension was set to expire on March 31, 2023). The Committee drafted a number of letters to the General Assembly leadership, as well as to the Governor urging support of the measures. On March 29, 2023, the Governor signed into law a FY23 supplemental budget package (becoming Chapter 2 of the Acts of 2023) that includes the extensions we advocated for.

Also, in April 2023, the Legislative Committee prepared commentary to the Cannabis Control Commission about a potential new regulation under Chapter 180 of the Acts of 2022, an Act Relative to Equity in the Cannabis Industry. The Legislative Committee also continues to maintain an open request to the Executive Office of Housing and Livable Communities (EOHLC, formerly, the Department of Housing and Community Development) in connection with Compliance Guidelines for Multi-Family Districts under Section 3A of the Zoning Act.

Finally, in addition to recommendations of the Legislative Committee, the Executive Board as the governing body of MMLA, receives many requests to support or oppose proposed legislation before the General Court. MMLA recognizes that legislation may have a profound effect on municipalities, both in a positive and a negative way, and MMLA must advocate for municipalities and support or oppose proposed legislation accordingly. To that end, MMLA members are encouraged to submit requests for MMLA to take a position on bills before the General Court and to articulate with specificity the reasons for such a position.

### **Legislative Committee**

Jillian Jagling, Committee Chair

John Barrett

Andrew Bettinelli

Nicole Costanzo

John Moreschi

Susan Murphy

Brian O'Donnell

Stephen Roche

Ken Woodland

# Programming Committee Report

## Submitted by Brian O'Donnell, Committee Chair

MMLA is committed to providing its members with high quality continuing education programs on important municipal law issues. This year, we were able to hold our three signature (August Half-Day, Annual Conference and Construction Law Update) and a few other programs in-person. We also offered a number of webinars, which reflected member preferences as reflected in a survey conducted in 2021. This enabled MMLA to continue providing a busy schedule of outstanding and timely educational programming, as the following summary of the programs that MMLA conducted or co-sponsored with other organizations during this year demonstrates.

- **August 11, 2022 - Annual Half-Day Seminar – Municipal Shared Services** (Public House, Sturbridge)

This annual event returned in 2022 with a focus on municipal shared services, such as intermunicipal agreements (IMAs), regionalization, and mutual aid. Mark G. Cerel, Franklin and Medway Town Counsel, again chaired and moderated the seminar. This year's program had presentations from the following speakers:

- Kathleen Colleary, Esq., Former Bureau Chief, Division of Local Services, Department of Revenue (retired)
  - Mark G. Cerel, Esq., Town Counsel Franklin and Medfield
  - Donna M. Brewer, Esq., Miyares & Harrington LLP
  - Cheryl A. Sbarra, Esq., Massachusetts Association of Health Boards
  - Kevin Bresnahan, Esq., Murphy, Hesse, Toomey & Lehane LLP
  - Jack Collins, Esq., Collins & Associates
  - Steve Torres, Esq., West Group Law PLLC
  - Jillian Jagling, Esq., West Group Law PLLC
- **October 14, 2022 – Annual Conference and Social Event** (Hogan Center, Holy Cross, Worcester)

The annual conference returned this year as a one-day program at Holy Cross in Worcester. A social event at Worcester Beer Garden followed program. The program featured panels on municipal speech by the lawyers who argued the Shurtleff case before the United States Supreme Court, on zoning for solar developments by the lawyers who argued the Tracer Lane Solar case before the Supreme Judicial Court, and on recent developments on gun licensing after the Bruen case and Cannabis by experts on those matters. Karis North, MMLA Vice-President moderated the program. Panel presenters and moderators were:

- Robert Arcangeli, Esq., City of Boston Law Department
- Deanna FitzGerald, Esq., Ropes & Gray

- Henry C. Luthin, Esq., City of Boston Law Department
  - David A. DeLuca, Esq., Murphy, Hesse, Toomey & Lehane LLP
  - Jason A. Guida, Esq., Law Office of Jason Guida
  - Cindy L. Amara, Esq., Murphy, Hesse, Toomey & Lehane LLP
  - Bernadette Sewell, Esq., City of Waltham Solicitor's Office
  - Katherine Laughman, Esq., City of Waltham Solicitor's Office
  - Nicole J. Constanzo, Esq., KP Law PC
  - Jonathan Silverstein, Esq., Blatman, Bobrowski, Haverty & Silverstein LLC
- **October 25, 2022 – So, You Want to Be a Municipal Lawyer** (Rappaport Center for Law and Public Policy, Boston College Law School, Newton and Virtual)

Sponsored by the Member Outreach and committee, this program discussed possible careers in municipal law. The panel was moderated by Jason Grossfield, Marlborough City Solicitor. Panelists were:

- Rob Arcangeli, Esq., Assistant Corporation Counsel, City of Boston
  - Antoine Fares, Esq., Associate, Norris, Murray & Peloquin, LLC
  - Emily Izzo, Esq., Counsel, Division of Local Services, Department of Revenue
  - Rachel Millette, Esq., Associate, Murphy Hesse Toomey & Lehane LLP
- **January 17, 2023 – MBTA Community Housing** (Zoom Webinar)

This lunch time program with representatives of the Department of Housing and Community Development (DHCD) discussed legal issues related to compliance with the new section 3A of G.L. c. 40A that MBTA communities allow multi-family housing by right in at least one zoning district. MMLA Executive Board member Susan Murphy, Esq., Dain, Torpy, Le Ray, Wiest & Garner, P.C., moderated the discussion, which focused on the Action Plan each MBTA community is required to file with DHCD by January 31, 2023 in order to remain in compliance. DHCD will also provide an overview of the "Compliance Model" User Guide that was recently shared with communities. Panelists for this program were:

- Chris Klutchman, Department of Housing and Community Development
  - Nate Carlucci, Department of Housing and Community Development
- **January 20, 2023 – Hot Topics in Municipal Law** (Massachusetts Municipal Association (MMA) Annual Meeting, Hynes Convention Center, Boston)

This annual workshop focused on significant developments in municipal law, including key federal and state court cases, agency decisions and new legislation. Matthew G. Feher, MMLA President, moderated the program. The presenters were:

- Donna M. Brewer, Esq., Miyares and Harrington, LLP
  - Susan Murphy, Esq., Dain, Torpy, Le Ray, Wiest & Garner, P.C.
  - Kathleen Colleary, Esq., Former Bureau Chief, Division of Local Services, Department of Revenue (retired)
- **February 14, 2023 – *An Overview of Massachusetts Labor Law (Part 1)*** (Zoom Webinar)

This was the first of two programs for practitioners of all experience levels, new lawyers, and law students regarding the “nuts and bolts” of labor law that are important to know even for general municipal counsel. This first program presented and discussed the the relevant statutes, agencies, and general concepts for public sector labor law in Massachusetts. Program Chair Christopher Brown, Esq., Miyares and Harrington LLP, moderated the program. Presenters were:

- Katherine M. Feodoroff, Esq., Mead, Talerman & Costa LLC
  - Sarah C. Spatafore, Esq., Murphy, Hesse, Toomey & Lehane LLP
- **March 2, 2023 – *Working with the Attorney General’s Neighborhood Renewal Division*** (Zoom Webinar)

This program with representatives of the Attorney General’s Neighborhood Renewal Division (NRD) discussed how municipal counsel and local officials can work with the NRD to use the enforcement authority of the State Sanitary Code to turn around distressed and abandoned residential properties. Working in close partnership with cities and towns, the AG’s Office seeks out delinquent property owners and encourages them to voluntarily repair their properties and make them secure. If owners refuse, then the office’s attorneys will petition the relevant court to appoint a receiver to bring the property up to code. The NRD’s efforts have resulted in transforming abandoned properties into new homes for Massachusetts families and generated new tax revenues for their communities.

MMLA Executive Board member and Programming Committee Chair Brian O’Donnell, Esq., Common Ground Mediation Services, LLC, moderated the discussion. The presenters were:

- Amber Villa, Esq., Neighborhood Renewal Division, Office of the Attorney General
- Tara Ruttle, Esq., Neighborhood Renewal Division, Office of the Attorney General
- Amane AbdelJabar, Office of the Attorney General



- **March 22, 2023 – 21<sup>st</sup> Annual Municipal Law Conference** (MCLE Online)

This annual program by MCLE and co-sponsored by MMLA and MMA addressed new and evolving developments regarding the public records, open meeting, land use and zoning, environmental law, public employment law, cybersecurity and data breaches, and 2<sup>nd</sup> amendment, home rule and gun regulation. It also featured a presentation on administrative law. The program was again co-chaired by Jim Lampke and Bob Ritchie. Faculty members for the all day program were:

- Robert S. Arcangeli, Esq., City of Boston Law Department
- Carrie Benedon, Esq., Director, Division of Open Government, Office of the Attorney General
- Christopher L. Brown, Esq., Miyares and Harrington LLP
- John J. Cloherty, III, Esq., Pierce, Davis & Perritano LLP
- Nicole Costanzo, Esq., KP Law, PC
- John J. Davis, Esq., Pierce, Davis & Perritano LLP
- [Matthew G. Feher, Esq., KP Law, PC](#)
- [Deanna Barkett Fitzgerald, Esq., Ropes & Gray LLP](#),
- [Christopher H. Heep, Esq., Miyares and Harrington LLP](#)
- Katherine D. Laughman, Esq., City of Waltham Law Department
- Luke H. Legere, Esq., McGregor & Legere, P.C.
- Aladdine D. Joroff, Esq., City of Boston Environmental Department
- Gregor I. McGregor, Esq., McGregor & Legere, P.C.
- Angela M. Puccini, Esq., Senior Attorney, Office of the Secretary of the Commonwealth, Public Records Division
- Jonathan M. Silverstein, Esq., Blatman, Bobrowski, Haverty & Silverstein LLC
- Eve M. Slattery, Esq., State Ethics Commission

- **April 4, 2023 – An Overview of Massachusetts Labor Law - Employee Discipline (Part 2)** (Mast Restaurant, Boston)

This was the second of two programs for practitioners of all experience levels, new lawyers, and law students regarding the “nuts and bolts” of labor law that are important to know even for general municipal counsel. It presented and discussed the the various processes, concepts and considerations involved in disciplining public employees. Program Chair Christopher Brown, Esq., Miyares and Harrington LLP, moderated the program. Presenters were:

- Kay H. Hodge, Esq., Stoneman, Chandler & Miller LLP
- Melissa R. Murray, Esq., Norris, Murray & Peloquin LLC
- Katherine M. Feodoroff, Esq., Mead, Talerman & Costa LLC
- Sarah C. Spatafore, Esq., Murphy, Hesse, Toomey & Lehane LLP

- **June 8, 2023 - 12<sup>th</sup> Annual Public Construction and Infrastructure Conference**  
(Wayside Inn, Sudbury)

The 12<sup>th</sup> Annual Public Construction and Infrastructure Conference, which was held in connection with the Annual Business Meeting, provided municipal counsels with strategies and tips for preparing and trying complex construction and infrastructure cases or other cases involving experts, motion practice and presentation of complex materials in an effective and persuasive manner. Specific topics included effective use of multimedia tools at trial, tips for hiring and using experts and use of motions in limine to effectively address evidentiary issues before trial. Christopher J. Petrini of Petrini & Associates, P.C. was again the chair and moderator for this annual program. Panelists were:

- Roy Cooper Arcadis Technical Advisory Group
- Ian A. McWilliams New England Trial Services
- Steven A. Torres, Esq. West Group Law PLLC
- Heather C. White, Esq. Petrini & Associat

MMLA is fortunate to have so many members willing to volunteer time and energy to the organization by serving on planning committees or as chairs and speakers for our programs. It is their commitment to and passion for municipal law and willingness to share their expertise and experience with colleagues that enables MMLA to provide the first-rate programming that is a hallmark of the organization. MMLA extends its gratitude to all the speakers listed in the summary above and the following members who planned or chaired programs for their roles in ensuring another successful year of educational programming for its members.

- Mark G. Cerel (Chair, Annual Half-Day Program)
- James B. Lampke (Co-chair, MCLE Annual Municipal Law Update Program, Coordinator)
- Karis North, (Chair, Annual Conference)
- Christopher J. Petrini (Chair, Annual Public Construction Program)
- Robert W. Ritchie (Co-chair, MCLE Annual Municipal Law Update Program)

#### **Programming Committee**

Brian O'Donnell, Committee Chair

Kathleen Colleary

Lauren Goldberg

Donna MacNichol

Susan Murphy

Barbara Saint Andre

# **Annual Conference Planning Committee Report**

## **Submitted by Karis L. North, Committee Chair**

The goal of the Annual Conference Planning Committee for this year was to plan a return to the association's traditional fall multi-day conference. This follows the well-attended and well-received one-day program we held last October at Holy Cross in Worcester, which was followed by an evening social event.

The committee sought out possible venues and dates for a Friday all day and Saturday half-day conference to include four presentations on Friday, two to three on Saturday and social events. After narrowing the available dates and venues to two options, members were surveyed about their preferences and the Executive Board approved the committee's recommendation to hold the conference at the Devens Common Center on October 20-21. The committee also recommended that Red Jacket Inn/Cape Cod be pursued as the preferred location for the 2024 conference.

The committee will be working on the schedule and presentations over the summer. In addition to the presentations, the committee expects to include an event geared for new lawyers in the field, reinvigorating the President's luncheon, and scheduling a dinner and social event for Friday night. More information about schedule and hotel reservations to come later in June

### **Annual Conference Planning Committee**

Karis L. North, Vice-President, Committee Chair

Anatoly Darov

Greg McGregor

Brian Tobin

# **Finance Committee Report**

## **Submitted by Kathleen Colleary, Committee Chair**

In FY2023, the Finance Committee, which was established under the revised Bylaws approved by the membership at the 2022 Annual Business Meeting, met monthly and made significant progress on implementing the goals set forth in its Charter.

The committee is charged with developing and recommending an annual budget for MMLA. It developed a timetable and format for this budget. A preliminary budget will be developed and submitted to the Executive Board in April along with a recommendation on dues for the upcoming year. The final budget will be submitted to the Board in June for review and approval before the new fiscal year begins. The committee submitted both budgets and dues recommendation for FY2024 according to this timetable.

The committee also made significant progress in developing the framework for the separate treasurer position under the revised Bylaws. It reviewed best practices and the structure and policies of other organizations of similar size and structure regarding the specific roles the Executive Director and Treasurer should have in handling MMLA monies and paying bills to ensure proper segregation of duties and internal controls. It expects to incorporate its recommendations in that regard into a comprehensive set of financial policies and procedures that will also address such matters as financial record retention, accounting procedures, audits, investments and donated grant funds.

### **Finance Committee**

Kathleen Colleary, Committee Chair

Matthew G. Feher

Jim Lampke

Brandon Moss

Karis North

# **Governance Committee Report**

## **Submitted by Peter Mello, Committee Chair**

After forming in late 2022, the Governance Committee (GC) undertook a copious review to identify prevalent initial issues to address for the Executive Board. After several robust and thought-provoking discussions – both internally and with members of other organizations and MMLA committees – regarding a range of topics such as document retention practices, administrative operations and needs, the promotion of diversity within the organization, optimal insurance coverage for the organization, best practices for new member on-boarding, technology matters and other issues, at its May, 2023 meeting the GC decided to devote its imminent focus to formulating and proposing to the Executive Board: (1) a draft written policy governing members’ use of the MMLA’s e-mail listserv; and (2) an organizational chart. We anticipate developing these items during and between our monthly meetings in the coming months, and continuing our work on these and a variety of other important items throughout the MMLA’s 2023-2024 term.

### **Governance Committee**

Peter Mello, Committee Chair

Angela D. Atchue

Ellen Callahan Doucette

Christine Griffin

Karis L. North

Shawn Williams

# **Website and Technology Committee**

## **Submitted by Robert W Ritchie, Committee Chair**

After several years of planning, 2022 was the year in which MMLA made major technology changes aimed at both being a better information resource for its members and by providing significant administration tools for its officers and directors.

MMLA's new website reflects the desire of its members for information they feel is most useful to them, eliminating portions of its former website that history has shown not to have been much accessed by members. The cleaner formatting of the new site will facilitate our members' access to just the right information.

MMLA's former ListServ, hosted by Social Law Library, was decommissioned during the past year. The ListServ was one of MMLA's most significant ways of allowing its members to connect and share information with each other. A seamless transition to our new Google group went off without a hitch.

For both our website and our ListServ Social Law Library has heretofore been a fantastic partner to MMLA in meeting the Association's information technology requirements for which the Association is most grateful. MMLA and Social Law Library both felt that our transitions to new platforms for the website and ListServ were appropriate and timely.

Perhaps the most significant technology change made by MMLA this past year was a major upgrade to the Association's administration needs. With the assistance of a consultant, MMLA inaugurated its use of Wild Apricot administration software, equipping the Association to manage all aspects of membership and the administration of all its financial functions. MMLA is now in the process of transitioning to and implementing the new administration software. MMLA is determined to be a well-run organization, and to do that these new administration tools were felt to be imperative. Looking forward, MMLA hopes to make incremental changes to the website with feedback it hopes its members provide.

### **Website and Technology Committee**

Robert W. Ritchie, Committee Chair

Chris Brown

Joe Callanan

Kathleen Colleary

James B.Lampke

Brandon Moss

**Member Outreach/New Lawyers  
and  
New to Municipal Law Committee  
Submitted by Ivria Glass Fried, Committee Chair**

The New Lawyers Committee planned the following events this year:

- **So You Want to be a Municipal Lawyer:** Jason Grossfield, Rob Arcangeli, Antoine Fares, Emily Izzo, and Rachel Millette discussed their experiences working in municipal law and opportunities they see for the next generation of lawyers.
  
- **An overview of Massachusetts Labor Law:** Split over two sessions, panelists Katherine M. Feodoroff, Sarah C. Spatafore, Kay H. Hodge, and Melissa R. Murray presented a basic review of labor law issues in the Commonwealth.

**Member Outreach/New Lawyers and New Municipal Lawyers Committee**

Ivria Glass Fried, Committee Chair

Chris Brown  
Devan Braun  
Shamus Hyland  
Melissa Murray  
James Wellock  
Ken Woodland

# **E-Newsletter Committee**

**Submitted by Brandon Moss, President, Committee Chair**

The E-Newsletter Committee continued to implement the previous Executive Board's recommendation to establish an electronic newsletter for the MMLA membership. The MMLA Municipal Minute is generally published once or twice per month and has included 20 editions in the 2022 calendar year and 6 editions to date in the 2023 calendar year. The E-Newsletter includes information such as topics and registration details for upcoming MMLA programs and other relevant programs, legislative updates, noteworthy cases, and employment opportunities. It also includes submissions contributed by MMLA membership (for example, several alerts/articles were contributed by McGregor Legere & Stevens, PC). The E-Newsletter Committee continues to implement the objective of keeping MMLA membership up to date on relevant topics in an efficient, streamlined manner. Each edition of the MMLA Municipal Minute is circulated through the MMLA Listserv and contains hyperlinks for recipients to access selection portions of the content. With the new MMLA website, archived copies of earlier editions of the MMLA Municipal Minute remain available to MMLA members [here](#) under the News tab.

## **E-Newsletter Committee**

Brandon H. Moss, Committee Chair

Angela Atchue

Joe Callanan

John Clifford

Kathleen Colleary

Ellen Callahan Doucette

Christine Griffin

James Lampke



# **Emeritus Committee Report**

## **Submitted by Angela D. Atchue, Committee Chair**

In collaboration with the Annual Conference Planning Committee, the Committee is preparing a welcome reception and luncheon at the fall Annual Conference for past presidents, officers, directors and members.

### **Emeritus Committee**

Angela D. Atchue, Committee Chair

John Barrett

Mark Cerel

Kathleen Colleary

Ellen Callahan Doucette

John Finnegan

Robert Kerwin

Henry Luthin

Carol McGravey

Peter Mello

Brandon Moss

Chris Petrini

Ed Pikula

Robert W. Richie

Thomas Urbelis

Heather White

Ouida Young

### **Town Meeting Time Update Committee**

**Ivria Fried, Committee Chair**

Lauren Goldberg

Donna MacNichol

## **2022 MMLA Award Recipients**

### **Voted by Executive Board November 10, 2022**

Each year, MMLA recognizes individuals for their contributions to municipal law. This year's awards were announced in the November 18, 2022 *Municipal Minute*.

**President's Award.** This award recognizes an individual, or group of individuals, whose overall service and career has contributed significantly to the betterment of local government, municipal law or MMLA. This year we are recognizing four long-time retiring members of the municipal bar for their contributions to municipal law over the course of their distinguished careers. The awards presentation took place after the 12<sup>th</sup> Annual Public Construction and Infrastructure Conference, which was held in connection with the Annual Business Meeting, on June 8, 2023.

Patricia Correa, former First Assistant Town Counsel, Brookline,  
John W. Giorgio, Counsel, KP Law, P.C.  
Ray Miyares, founding member of Miyares and Harrington, and  
Frank Wright, former City Solicitor, Somerville.

**Robert W. Ritchie Special Achievement Award.** This award recognizes an individual whose special or unique achievement in the past year has contributed significantly to the betterment of local government, municipal law or MMLA. The awards presentation took place after the 12<sup>th</sup> Annual Public Construction and Infrastructure Conference, which was held in connection with the Annual Business Meeting, on June 8, 2023.

Robert Arcangeli, Boston Assistant Corporation Counsel and Deanna Fitzgerald, Ropes & Gray, were awarded the Robert W. Ritchie Award for their advocacy in *Shurtleff v. Boston*, the "Boston flag" case decided by the Supreme Court in October 2021.

**One to Watch Award.** This award recognizes an individual who has practiced municipal law for 10 or fewer years and who has already distinguished themselves in the field by providing outstanding legal service or otherwise furthering the practice of municipal law. The award was presented at the Labor Law Program on Employee Discipline held on April 4, 2023.

Kenneth Woodland, Chief, Municipal Finance Law Bureau, Division of Local Services, Department of Revenue, was the first recipient of the new One to Watch Award. Ken was recognized for continuing a great working relationship between the Division and municipal counsel and his contribution to MMLA through participation in the Member Outreach/New Lawyers Committee.

**Nominating Committee Report and Nominations  
MMLA Officers and Directors for the 2023-2024 Term  
Submitted by Matthew G. Feher, President, Committee Chair**

**Officers**

**Karis L. North**

**President, 2023-2024**

Vice-President, 2022-2023

Director, 2018-2022

Chair, Annual Conference Planning Committee

Member, Governance Committee

Member, Finance Committee

Chair, By-laws, Policies and Procedures Committee (until 2022)

Member, Programming Committee

Municipal Counsel

Murphy, Hesse, Toomey & Lehane, LLP

50 Braintree Hill Office Park

Suite 410

Braintree, MA 02184

T: 617-691-1948

E: [knorth@mhtl.com](mailto:knorth@mhtl.com)

**Ivria Glass Fried**

**Vice President, 2023-2024**

Director, 2018-2023

Chair, Member Outreach/New Lawyers Committee

Chair, *Town Meeting Time Update* Committee

Member, Legislative Committee (until 2022)

Member, Marijuana Resource and Response Committee (2018-2021)

Partner

Miyares and Harrington, LLP

40 Grove Street, Suite 190

Wellesley, MA 02482

T: 617-804-2427

E: [ifried@miyares-harrington.com](mailto:ifried@miyares-harrington.com)

## **James B. Lampke**

### **Executive Director/Secretary-Treasurer, 2023-2024**

(serving since 1985 as Secretary-Treasurer and, thereafter, as Ex. Dir./Secretary-Treasurer)

Member, Finance Committee

Member, Legislative Committee

Member, E-Newsletter Committee

Town Counsel, Hull

LampkeLaw LLC

115 North Street, Suite 3

Hingham, MA 02043

T: 781-749-9922 (direct) or 617-285-4561 (cell)

E: [jlampke@massmunilaw.org](mailto:jlampke@massmunilaw.org); [james.lampke@lampkelaw.com](mailto:james.lampke@lampkelaw.com)

## **Immediate Past President**

### **Matthew G. Feher**

President, 2022-2023

Vice-President, 2020-2022

Director, 2015-2020

Member, Legislative Committee

Chair, Legislative Committee (until 2021)

Member

KP | LAW, P.C.

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E: [mfeher@k-plaw.com](mailto:mfeher@k-plaw.com)

## **Executive Committee**

### **Christopher L. Brown**

#### **Director, 2023-2024**

(prior service since 2020)

Member, Website and Technology Committee

Member, Member Outreach/New Lawyers Committee

Municipal Counsel

Miyares and Harrington, LLP

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**Christine M. Griffin**

**Director, 2023-2024**

(prior service since 2021)

Member, Governance Committee

Member, E-Newsletter Committee

Town Attorney

Town Hall

41 S. Main Street

Randolph, MA 02368

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**Jason D. Grossfield**

**Director, 2023-2024**

City Solicitor

City Hall, 4th Floor

140 Main Street

Marlborough, MA 01752

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**Jillian Jagling**

**Director, 2023-2024**

Senior Counsel

West Group Law PLLC

4 Richmond Square, Suite 350

Providence, RI 02906

T: (401) 371-3636

E: [jjagling@westgrouplaw.com](mailto:jjagling@westgrouplaw.com)

**Donna MacNichol**

**Director, 2023-2024**

(prior service since 2022)

Member, Programming Committee

Member, *Town Meeting Time* Update Committee

MacNicol & Tombs, LLP

393 Main Street

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Greenfield, MA 01301

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E: [donna.mtb@verizon.net](mailto:donna.mtb@verizon.net)

**Susan C. Murphy**

**Director, 2023-2024**

(Prior service since 2021)

Member, Legislative Committee

Member, Programming Committee

Member, APA-MMLA Land Use Committee (until 2023)

Dain, Torpy, Le Ray, Wiest & Garner, P.C.

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**David Shapiro**

**Director, 2023-2024**

(prior service since 2021)

Member, Amicus Committee

Assistant City Solicitor

City Hall

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E: [dshapiro@somervillema.gov](mailto:dshapiro@somervillema.gov)

**Shawn A. Williams**

**Director, 2023-2024**

(prior service since 2022)

Member, Governance Committee

Director of Public Records

City of Boston

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Boston, MA 02201

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E: [shawn.williams@boston.gov](mailto:shawn.williams@boston.gov)

**2023-2024 Nominating Committee**

Matthew G. Feher, President, Committee Chair

Kathleen Colleary

Peter Mello

Brandon H. Moss

Heather White

## **APPENDIX 1**

### **MMLA Executive Board Short-term and Long-term Goals**

#### **Support initiatives to modernize and improve MMLA operational and financial practices**

1. Implement electronic membership records, renewal and dues payment
2. Implement electronic event registration and payment
3. Review records management and retention policies and practices and identify improvements
4. Evaluate operational staff support needs and explore options
5. Develop budget review and approval process
6. Review interim financial updates and annual 990 filings

#### **Evaluate MMLA governance structure and practices**

1. Review current governance structure and practices and recommend improvements
2. Conduct comprehensive review of by-laws and propose any amendments needed to conform to any recommended changes in structure and practices
3. Create set of written governance and operational policies and procedures
4. Develop orientation program/handbook for new Board and committee members

#### **Support outreach to increase and diversify MMLA membership and participation**

1. Host networking events for new lawyers and lawyers new to municipal law
  - a. Engage in proactive recruitment to increase membership and participation in events and committees
  - b. Introduce MMLA to personal network of attorneys and attorneys working in municipal firms and law departments to encourage them to join MMLA and attend MMLA events
    - i. Identify ways to further municipal law career path for new lawyers (e.g., mentorships, internships)
  - c. Work with law schools to host event promoting municipal law as practice option
2. Evaluate dues structure and other barriers to participation
3. Explore alternative and expanded modes of communication of organizational activities and benefits (e.g., website, social media platforms, e-newsletters)

#### **Own success of MMLA committee activities and educational programs**

1. Actively participate in work of assigned committee(s)
2. Enable Board members to evaluate our programs and tell personal stories as part of member outreach about importance and impact on member's own practice by attending or presenting at MMLA signature and other educational programs
3. Explore and expand modes of program delivery to make programming accessible to more members (e.g., webinars, streaming, locations, different times, etc.)

**Be active stewards of MMLA's strategic direction**

1. Engage in Board meeting discussion of strategic direction and long-term planning for organization
2. Schedule and hold retreat toward end of year to evaluate Board's performance toward meeting goals and begin discussion of goals for upcoming year

*Adopted by MMLA Executive Board: October 11, 2018*