

# June 19, 2012

## **Special Meeting**

9 a.m.

Michael Jackson called the meeting to order at 9:00 a.m.

### **Present:**

Members: Michael Jackson, Jack Boyer, Rex Swain, Barbara Brown, Craig Schoon

Alternates: A. J. DuBois, Ted Bent

Selectmen: Mark Lyon, Tony Bedini, Richard Carey

Treasurer: Linda McGarr

Auditor: Rico Melaragno (via phone)

The purpose of the Special Meeting was to discuss the continuance of the Legal Litigation Fund. Town auditor Enrico Melaragno was invited to be included in the discussion via phone.

Treasurer Linda McGarr noted she found the Fund cumbersome to use and suggested the Board consider the inclusion of these expenses with the Town's General Fund expenditures as they had several years before.

The Board discussed the Fund and recalled it had been established for the purpose of covering expenses arising only from litigation. They had not wanted these rising costs added to the General Fund budget; rather, that the legal fees included in the General Fund Budget be used for the commissioners to obtain legal advice prior to and during the course of the application process with the intent of coming to sound decisions that would not require litigation.

The Treasurer noted the process had become cumbersome, with each invoice requiring costs broken down into the various commissions, the various issues and the several litigants for the same issue. Many of the lawsuits had continued not only for several months but for several years and still continue.

Following discussion, the Board agreed that the Fund had been established specifically to cover the burden that litigious suits cost the Town. It was noted that over \$80,000 had been approved to cover these costs over the past few years. It was felt that the General Fund legal fees should be used for legal advice to the commissioners for their use in making them more knowledgeable and making the best decisions on behalf of the Town. It was agreed to continue the use of the Legal Litigation Fund.

Respectfully submitted,  
Kathy Gollow, Finance Secretary