



Town of Sturbridge

Shaun A. Suhoski, Town Administrator
Email: ssuhoski@town.sturbridge.ma.us

MEMORANDUM

TO: Board of Selectmen
FR: Shaun A. Suhoski, Town Administrator
DT: July 11, 2011
RE: Town Administrator's Supplemental Report for July 11 Work Session

Although tonight's meeting (2nd Monday of month) is typically a work session, given that there is an agenda place for the Town Administrator's update, I offer the following for your consideration.

Appointment of Police Lieutenant

The Police Chief's recommendation to fill the vacant Lieutenant's position with David Diogo was both copied to your mailboxes on Friday and forwarded electronically by me yesterday. There were no internal candidates for the position.

Mr. Diogo was recently appointed as a police officer, but, as you know, served as Lieutenant in the Henderson, NC police department before moving back to Massachusetts to be closer to family. Mr. Diogo served for 12 years in Henderson; the last three in superior office positions. As Lieutenant he supervised many functions of the department and has already shown a strong aptitude for problem solving here in Sturbridge.

Since his initial appointment to the force, I had the opportunity to participate further in assessing Officer Diogo's qualifications and performance during a hypothetical role-playing situation developed by the Chief and through further interview and discussion. Therefore, I enthusiastically tender Officer Diogo's appointment to the rank of Lieutenant at the starting salary of \$68,500 and subject to a 12-month probationary period.

Recommended Action: That the Board of Selectmen ratify the Town Administrator's appointment of David A. Diogo to the position of Police Lieutenant effective July 12, 2011 at a starting salary of \$68,500 and subject to a 12-month probationary period.

Appointment of Town Counsel

Attached please find the offer of engagement for Town Counsel services that I had requested from Kopelman & Paige. Although there were a couple of concerns which your Board addressed to both Town Counsel and to me, in sum, Kopelman & Paige provides consistently reliable counsel in many areas during the course of a year.

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K&P has a strong contingent of labor attorneys, including Atty. Joseph Fair, that provide guidance in grievances, collective bargaining and personnel matters. The firm also has dedicated staff that provide advice on real estate and contract law and pretty much every practice area that municipal governments rely upon. The Town's litigation portfolio is shrinking, in part, because sound legal advice can help to mitigate against legal claims arising from poor or uninformed decision-making.

Atty. Joel Bard is the Town's primary point-of-contact and he has agreed to continue representation at the \$170 per hour rate from FY11. As you may also recall, the Town's legal budget was decreased by \$5,000 from FY11 and having the institutional knowledge of K&P will not only help with consistency, but, also to stay within the budget appropriation. Because of the breadth of knowledge, and particular emphasis on practice areas affecting municipal operations, I strongly recommend your Board ratify my re-appointment of Kopelman & Paige, P.C. as Town Counsel for FY12.

Recommended Action: That the Board of Selectmen ratify the Town Administrator's re-appointment of Kopelman & Paige, P.C. as Town Counsel for FY12 at an hourly rate of \$170.

Charter Review Committee Draft Articles for Special Town Meeting

Attached is a 13-page document that reflects the approved language for six proposed articles for the upcoming Special Town Meeting as previously endorsed by the Board of Selectmen at the recommendation of the Charter Review Committee.

Whereas the Finance Committee has requested to take action only on articles approved by the Board of Selectmen, I am submitting this language to your Board (it was last shown on the 4/26/11 ATM DRAFT Warrant) in the event you wish to sponsor these or similar articles for a yet-to-be-scheduled Special Town Meeting.

If your Board so votes, I can then forward this language to the Finance Committee for their recommendation and report.

Recommended Action: That the Board of Selectmen vote to place six articles proposing revisions to the Town Charter on the next Special Town Meeting warrant and refer said articles to the Finance Committee for their report.