

## ARTICLE 10

### TOWN COUNSEL

#### Appointment and Term of Office

**SECTION 1.** The Town Administrator shall each year after the annual Town Meeting, and whenever a vacancy shall exist, choose some competent lawyer to act as Town Counsel. He shall be paid such compensation as the Town shall determine. The Town Administrator may remove him at pleasure. His term of office shall continue until the appointment and acceptance of his successor.

#### Duties

**SECTION 2.** The Town Counsel shall, when required by the several Town officers, boards and committees, furnish a written opinion on any legal question that be submitted to him in regard to any matter which concerns the Town or them as Town officers, and he shall at all times furnish legal advice to any officer of the Town who may require his opinion upon any subject with reference to the duties incumbent upon such officer by virtue of his office.

#### Prosecution and Defense of Suits

**SECTION 3.** The Town Counsel shall, unless otherwise directed by the Town Administrator, prosecute all suits ordered to be brought by the Town, or defend suits brought against the Town or its officers in their official capacity. He shall, when requested by the Town Administrator, appear before any tribunal, whether in law, equity or otherwise, or before any board, referee, commissioners, committee, arbitrators or other tribunal in matters in which the Town may be a party, or in which the Town may be interested. For such service he shall receive suitable compensation as determined by the Town Administrator.

#### Prosecution for Violation of Statutes

**SECTION 4.** The Town Counsel shall prosecute on behalf of the Town, all cases for the violation of the statutes, or of these By-Laws, when requested in writing by any board or officer of the Town. For such services he shall receive suitable compensation as determined by the Town Administrator. (T.M. 10/20/03)

#### Drawing Up and Approval of Legal Instruments

**SECTION 5.** Town Counsel shall draw up all bonds, deeds, leases, obligations, conveyances and other legal instruments or approve the same.

#### Annual Report

**SECTION 6.** Town Counsel shall annually make a written report to the Town Administrator, to be printed in the annual Town Report, concerning the professional services rendered by him during the preceding year. Said report shall contain a statement of each case or claim which has been tried, settled or otherwise disposed of by him during the year, and also a statement of each case which is still pending and the status of the same insofar as the facts may be properly published, together with such other information and recommendations as he may deem advisable.