

CHAPTER 58

TOWN COUNSEL

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S58-1. Appointment, compensation

The Board of Selectmen shall annually in May and whenever a vacancy shall exist choose some competent lawyer or lawyers to act as Town Counsel. They shall be paid such compensation as the Board may determine. The Board of Selectmen may remove them at pleasure.

S58-2. Term

The term of office for said Town Counsel shall begin on the first day of June of each year and shall continue until the appointment and acceptance of his successor.

S58-3. Powers and Duties

A. The Town Counsel shall prosecute all suits ordered to be brought by the town and shall appear before any court or other tribunal in defense of actions or suits brought against the town or its officers in their official capacity. He shall try any and all cases to which the town shall be a party before any tribunal, whether in law, equity or otherwise, or before any board, referee, commissioner, committee, arbitrator or other tribunal.

B. As soon as may be after receiving notice from the officer of injury to personal property under circumstances which may give rise to a claim for damages against the town, the Town Counsel shall make a careful investigation of all facts relative thereto and if he deems the same advisable, may cause a physical examination of any person or persons claimed to be injured to be made by a competent physician or physicians and a survey or plan to be made and a photograph or photographs to be taken of the place where the alleged injury occurred and of the surrounding territory. He shall take all steps which he deems necessary and adequate to defend such claim and to protect the name of the town.

C. The Town Counsel shall prosecute in behalf of the town in the local District Court all cases for the violation of any bylaws of the town, when requested to do so by the Chief of Police.

S58-4. Reports

The Town Counsel shall annually make a written report to the Board of Selectmen 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 in so far as the facts may be properly published, together with such other information and recommendations as he may deem advisable.

S58-5. Construal of provisions

Nothing in this chapter shall preclude any town officer or board from obtaining special counsel whenever necessary and authorized by law; providing, however, that they shall first get the consent of the Board of Selectmen.