



Massachusetts Municipal Lawyers Association

MMLA MUNICIPAL MINUTE

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Greetings, and welcome to this issue of the MMLA Municipal Minute, our e-newsletter to you, our Massachusetts Municipal Lawyers Association (MMLA) membership. Make sure to click the hyperlinks below for more information about a particular topic or matter.

2022-23 MMLA Membership Applications and Dues Reminder

If you have not already done so, please renew your MMLA membership for the membership year that began July 1, 2022 and ends June 30, 2023. **As a reminder, you must be current on your dues to use the ListServ and other membership benefits. Under MMLA Bylaws dues not paid by October 1 are delinquent.**

All applications **must** be made electronically this year. If you are part of a municipality, non-municipal government agency, law firm or other private organization with six (6) or more attorneys eligible for membership, an **Organizational Membership Application Spreadsheet** can be downloaded and submitted on behalf of you and all other eligible members and dues paid at one of three (3) flat rates. All other applications must be made using Survey Monkey. Please see the information found [here](#) for specific instructions for submitting applications and dues payments, including links to the spreadsheet and 2022-2023 dues schedule.

Upcoming Programs and Events:

- Massachusetts Municipal Lawyers Association is pleased to announce that the **Rappaport Center for Law and Public Policy** at Boston College Law School will be hosting our program to discuss possible careers in municipal law. The program will be offered in a hybrid format both at the Center's physical location at Barat House, 885 Centre Street, Newton, MA 02459 as well as virtually, on **Tuesday, October 25th from 12:00 p.m. to 1:30 p.m.** Our panel will be moderated by Jason Grossfield, City Solicitor for the City of Marlborough, and he will be joined by the following panelists:
 - Rob Arcangeli, Assistant Corporation Counsel, City of Boston
 - Antoine Fares, Associate, Norris, Murray & Peloquin, LLC
 - Emily Izzo, Division of Local Services, Department of Revenue, Commonwealth of Massachusetts

- Rachel Millette, Associate, Murphy Hesse Toomey & Lehane LLP

Please help us get the word out on this event to any of your students and recent graduates who may be interested in exploring this exciting field of legal practice.

Click [here](#) for additional information, including links to register in person or virtually.

- **Executive Board Meetings**: MMLA members are welcome to attend monthly Executive Board meetings, typically held on the second **Thursday** of each month. To attend an Executive Board meeting, please contact MMLA Executive Director/Secretary-Treasurer Jim Lampke (jlampke@massmunilaw.org).

Recent Decisions, Rulings, Cases, and Legislative Developments of Note:

- [*Murchison v. Zoning Board of Appeals of Sherborn*](#) (Appeals Court, October 7, 2022; Rule 23.0 Decision): “Defendants Merriann M. Panarella and David H. Erichsen appeal from a decision of a single justice of this court, affirming an order of a Land Court judge denying sanctions against the plaintiffs, Robert and Alison Murchison, under G. L. c. 231, § 6F. In the same decision, the Land Court judge denied the defendants' motion for costs under Mass. R. Civ. P. 11, as amended, 456 Mass. 1401 (2010). We affirm the order of the single justice under G. L. c. 231, § 6G. We decline to address the defendants' purported appeal from the denial of sanctions under rule 11, which is not properly before us.
- The Massachusetts Municipal Lawyers Association filed an amicus brief in the matter of *Barron v. Southborough Board of Selectmen* (SJC Docket No. SJC-13284). From the SJC’s solicitation: “In a case involving a facial challenge to the constitutionality of a policy adopted by Southborough board of selectmen entitled ‘Public Participation at Public Meetings,’ which provides, inter alia, that ‘[a]ll remarks must be respectful and courteous, free of rude, personal or slanderous remarks,’ whether the public comment segment of the board's meeting is a traditional, designated or limited public forum; whether the board's ‘Public Participation at Public Meetings’ policy is a constitutional, permissible prohibition on speech.” A copy of the MMLA’s amicus brief is available [here](#). Oral argument is scheduled for November 2, 2022.

Do you have any decisions that you would like to share with the MMLA membership and/or have posted on the MMLA website, such as recent federal or state court or administrative decisions? Note that the MMLA is looking to create a database of notable Supervisor of Public Records decisions, which are presently unavailable through a publicly available online search platform – we welcome your submissions. Please send an email containing any recent decisions that you would like to spotlight, to massmadmin@massmunilaw.org.

Member Contributions:

Thank you to MMLA Member Greg McGregor, who has generously provided articles for the MMLA membership, which will be featured in upcoming issues of the Municipal Minute. Here are some recent articles:

- [Outdoor Advertising, the First Amendment, and Free Speech: The Supreme Court Refines the Case of Reed v. Gilbert by its Decision in Austin v. Reagan](#)
- [Supreme Court Strikes Down the City of Boston's Flag-Flying Practice at City Hall Plaza as Going Over a Bright Line Between Rightful Control of Government Speech and Relaxed Regulation of Private Speech](#)

Do you have any client alerts, articles, news, or other information that you would like to share with the MMLA membership? If so, please send an email to massmadmin@massmunilaw.org.

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This newsletter is sent as a service to our membership. If you would like to update your contact information or city/town affiliation, please visit the [MMLA website](#).

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