

ARTICLE 1

MOTION OFFERED BY THE ADVISORY COMMITTEE

Voted: To reduce the Reserve Fund by \$198,050 and to transfer the amount of such reduction to the Claims and Settlements Account maintained by Town Counsel's Office ("Town Counsel"), with said appropriation to be used as payment of a sum not to exceed \$169,050 for an indemnification payment to Stanley Spiegel ("the Indemnification Payment") and of a sum not to exceed \$29,000 for payment to Mr. Spiegel or his counsel as a contingent fee for obtaining the Spiegel indemnification ("the Contingent Fee Payment"), provided that payment of the Indemnification Payment and the Contingent Fee Payment shall be conditioned on (a) the execution of a settlement agreement and release satisfactory to Mr. Spiegel, and the Town; and (b) and as soon as practicable but preferably no later than February 15, 2022 (i) the determination by a neutral third party, who shall be retained by Town Counsel and who shall report to the Advisory Committee at a public hearing, which will be expressly noticed to all Town Meeting Members no less than one week prior, and to the Select Board, and who shall be mutually acceptable to Mr. Spiegel, his counsel and Town Counsel, of the reasonableness of the amount of the Indemnification Payment and the determination by said third party that the Contingent Fee Payment is fair and consistent with normal contingent fee practices, or (ii) authorization by the Select Board.

Advisory Committee Amendment (Final - Redline)

Voted: To reduce the Reserve Fund by \$198,050 and to transfer the amount of such reduction to the Claims and Settlements Account maintained by Town Counsel's Office ("Town Counsel"), with said appropriation to be used as payment of a sum not to exceed \$169,050 for an indemnification payment to Stanley Spiegel ("the Indemnification Payment") and of a sum not to exceed \$29,000 for payment to Mr. Spiegel or his counsel as a contingent fee for obtaining the Spiegel indemnification ("the Contingent Fee Payment"), provided that payment of the Indemnification Payment and the Contingent Fee Payment shall be conditioned on (a) the execution of a settlement agreement and release satisfactory to Mr. Spiegel, and the Town; and (b) and as soon as practicable but preferably no later than February 15, 2022 (i) the determination by a neutral third party, who shall be retained by Town Counsel and who shall report to the Advisory Committee at a public hearing, which will be expressly noticed to all Town Meeting Members no less than one week prior, and to the Select Board, and who shall be mutually acceptable to Mr. Spiegel, his counsel and Town Counsel, of the reasonableness of the amount of the Indemnification Payment and the determination by said third party that the Contingent Fee Payment is fair and consistent with normal contingent fee practices, or (ii) authorization by the Select Board.