

Holbrook Board of Selectmen

Minutes of the Regular Session of

Tuesday, February 2, 2010

Present: Robert A. Powilatis, Chairman
Matthew V. Moore, Vice-Chairman (Entered at 6:52 pm)
Paul S. Currie, Clerk
Richard B. McGaughey, Associate
Brinsley A. Fuller, Associate

In Attendance: Michael D. Yunits, Town Administrator

The meeting was called to order at 6:39 pm by Chairman Powilatis in the Holbrook Junior-Senior High School Auditorium, 245 South Franklin Street, Holbrook, MA 02343

Mr. Powilatis indicated that he had spoken to Fire Chief Edward J. O'Brien about the payment to Retired Firefighter William Walsh for unused sick time under the Firefighters contract. As he was budgeted for through June 30, 2010, and he retired in December, the Chairman asked the Chief to pay the first payment to Mr. Walsh out of the current year's budget and indicated the subsequent amounts, one-third per year, be budgeted in May at town meeting. The Chief was in agreement. The Chairman asked that the Board vote on this.

MOTION: By Mr. Powilatis, second by Mr. Fuller, to instruct Fire Chief O'Brien to pay the one-third contracted amount to Mr. William Walsh out of the FY10 Fire Department budget

VOTE: 4:0

Chairman Powilatis indicated that he wanted legal counsel to assist in the Tri Town Water issues and to represent the Conservation Commission in the law suit concerning the transfer station. The Town Administrator indicated that the law suit was against the Zoning Board of Appeals and Kopelman and Paige, PC was already representing them. Mr. Fuller indicated that Conservation had received a law suit today. Mr. Powilatis asked the Board to give him and Mr. Fuller the authority to negotiate with Murphy Hesse Toomey & Lehane for legal counsel services. Mr. Currie stated that he felt it was premature to get legal counsel on Tri Town now, since we are still working toward an agreement. The Chairman said counsel needs to begin to review the legislation to be prepared to negotiate or litigate Holbrook's interest in case Holbrook leaves Tri Town Water. Mr. Currie suggested that the Board contact Randolph and exhaust all efforts with them first. Mr. McGaughey suggested holding a Joint Water Board meeting to discuss this matter with Randolph, and Mr. Powilatis said that the Chairman of each joining town is the representative on the Joint Water Board because the legislation says the Chairmen are the representatives. Mr. Powilatis instructed the Town Administrator to call Mr. Dave Murphy in Randolph, and asked for a motion to engage counsel if it is necessary. Mr. Currie reiterated that he does not want to rush into this. After further discussion regarding the need for counsel,

MOTION: By Mr. Currie, second by Mr. McGaughey, that the Board of Selectmen give the Zoning Board of Appeals, Conservation Commission, Board of Health and Planning Board legal counsel

VOTE: 4:0

MOTION: By Mr. Currie, second by Mr. McGaughey, that the Board of Selectmen give legal counsel in regards to Tri Town

VOTE: 4:0

6:52 pm: Mr. Moore entered

The Town Administrator discussed the annual Federal Appropriations Request from Congressman Stephen Lynch's office, and presented the list of projects that was given to the State last year for consideration for Stimulus Funding. The Town Administrator suggested that we remove culvert, water main, water tower, and Library projects. The Board recommended submitting the former Fire Station/Town Hall renovations and the traffic safety signalization project at the Public Safety Building.

The Board reviewed the town meeting articles and resolution to reduce the authorized expenditure on sewer projects by \$500,000, due to a shortfall in revenue for FY2010. The Board is in support of the resolution and recommends No Action on the special town meeting articles that the Finance Committee did not recommend.

MOTION: At 6:59 pm, by Mr. Fuller, second by Mr. Currie, to adjourn the meeting.

VOTE: 5:0

Paul S. Currie, Clerk