

Holbrook Board of Selectmen

Minutes of the Regular Session of

Thursday, July 8, 2010

Present: Robert A. Powilatis, Chairman
Matthew V. Moore, Vice-Chairman
Paul S. Currie, Clerk
Richard B. McGaughey, Associate
Brinsley A. Fuller, Associate

In attendance: David DeLuca, Esq., Murphy, Hesse, Toomey & Lehane, LLP, Town Counsel
Richard Dailey, Esq., Dailey & Associates
Michael D. Yunits, Town Administrator

The meeting was called to order at 7:10 pm by Chairman Powilatis, in the Selectmen's Meeting Room, 50 North Franklin Street, Holbrook, MA 02343, and began with a request that all cell phones and electronic devices be turned off and the Pledge of Allegiance.

Discussion took place about going into Executive Session. Some members thought it was the prerogative of the person being discussed; however, Town Counsel indicated that since correspondence from Mr. Yunits and his counsel indicated there was potential for litigation, it was the Board's prerogative. The Board then voted not to go into Executive Session.

The Chairman then declared a recess to confer with counsel from Murphy, Hesse, Toomey & Lehane, LLP.

After discussion of the issues, in consultation with Counsel, and further negotiation between counsel for the Board of Selectmen and counsel for Mr. Yunits to discuss various options, concerns and positions, including the reasons therefore, the Board of Selectmen reconvened the open meeting.

The Chairman asked if there was a motion.

A motion was made and seconded to reinstate Mr. Yunits to the position of Town Administrator, subject to the terms of the October 2007 contract with Mr. Yunits.

The motion passed with a vote of 3 yes, 1 no, and 1 abstention.

The meeting was then adjourned.

Paul S. Currie, Clerk