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| Board approves $3K for attorney |
| By Sean DuBois - Staff Writer |
| TEMPLETON  The Finance Advisory Board approved on Wednesday a $3,000 emergency fund transfer for the Board of Health to hire a new attorney  an attorney who may end up representing the town in a potential lawsuit with Casella Waste Services.  With the $3,000 approval, Board of Health members intend to hire John Giorgio, of Kopelman and Paige, as their new attorney to replace James Masteralexis, of Brackett & Lucas. Masteralexis was hired by former board members and took part in contract negotiations with Casella Waste to build a new landfill near the towns capped landfill on Route 202.  Approval of the $3,000 transfer comes after Attorney General Thomas Reilly and assistant AG Kelli Gunagan issued a decision on Tuesday approving voters wishes to rescind a trash disposal bylaw amendment.  We would feel much more comfortable with having new legal representation, said newly elected Board of Health Chairman Richard Trifilo. Weve already had Giorgio from Kopelman and Paige look at the landfill contract and it seems that it is so one-sided that there was no way it was drawn up with the best interests of the town in mind.  Three new members were elected to the Board of Health on May 3 as part of a recall election replacing the former members who negotiated the landfill contract.  According to Reillys decision, the original wording to a bylaw was re-established as residents voted at a Feb. 19 Special Town Meeting that only garbage collected within town limits can be brought to the landfill.  Residents amended the bylaw during a Special Town meeting in June 2002 to allow trash generated from within and outside of town to be brought to the landfill.   The 2002 amendment was necessary to comply with the contract later signed in June 2003 between former Board of Health members and New England Waste Services for the construction of the new landfill. New England Waste Services is a wholly owned subsidiary of Casella Waste.  After hearing of the AGs decision on Wednesday, Casella representatives gave no indication that they were intending to take legal action at this time.  According to Casella Waste Vice President Joseph Fusco, the AGs decision has not affected the company involvement in the town.  We respect the high hurdle that the Attorney General had to overcome to make their decision. This decision does not dilute our mission Fusco said. We still feel we have legal rights but this decision will not affect our long-term relationship with the town.  Whether the proposed bylaw amendment results in a breach of contract by the town is a determination that falls to the jurisdiction of the courts, according to the AGs statement.  I think that Casella will either try to take legal action quickly or draw things out for a long time. I dont think there will be any in-between, said Trifilo.   The larger effort is to work to meet mutual satisfaction between the town and Casella, said Fusco. We want to build bridges between our company and the town.  By working together there are a lot of benefits for the town and Casella, said Fusco. We understand that some people will have issues with landfill facilities, but we will continue to educate Templeton residents.  Casella Waste Services main offices are located in Rutland, Vt.   sdubois@thegardnernews.com |