

Parma Town Board meeting held on Tuesday, September 13, 2011 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Peter McCann
Councilman	Carm Carmestro
Councilman	James Smith
Councilman	Gary Comardo
Councilman	James Roose

OTHERS IN ATTENDANCE

None.

CALL TO ORDER

Supervisor McCann called the meeting to order at 4:12 p.m. and the Pledge of Allegiance to the Flag, moment of silence and emergency exit procedures were dispensed with.

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 166-2011 Motion by Councilman Smith and seconded by Councilman Carmestro, to enter into Executive Session to discuss ongoing litigation.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

The board entered into Executive Session at 4:13 p.m. Councilman Comardo entered the meeting at 4:15 p.m.

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 167-2011 Motion by Councilman Smith and seconded by Councilman Comardo, to close the Executive Session at 4:35 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

APPOINT ATTORNEY FOR THE TOWN

RESOLUTION NO. 168-2011 Motion by Councilman Smith and seconded by Councilman Comardo, to appoint Knauf Shaw, LLP as an Attorney for the Town and to act as co-counsel with Lacy Katzen, LLP for representation in the current John Chart v. Town of Parma lawsuit; and requests that John Refermat, of Lacy Katzen, LLP and Alan Knauf, of Knauf Shaw, LLP immediately seek an extension so that a dismissal of this suit can be filed; and directs Lacy Katzen, LLP to provide all documents related to the legal matter, John Chart v. Town of Parma, to Knauf Shaw, LLP.

Motion carried: Aye 5 Nay 0

AUTHORIZATION TO APPOINT ALTERNATE COUNSEL

RESOLUTION NO. 169-2011 Motion by Councilman Smith and seconded by Councilman Carmestro, to authorize Councilman James Smith to replace Lacy Katzen, LLP with the services of Knauf Shaw, LLP for representation in the current legal matter John Chart v. Town of Parma should Lacy Katzen, LLP choose not to be co-counsel.

Motion carried: Aye 5 Nay 0

**ACKNOWLEDGMENT OF POTENTIAL CONFLICT OF INTEREST AND
WAIVER OF THE POTENTIAL CONFLICT**

RESOLUTION NO. 170-2011 Motion by Councilman Carmestro and seconded by Councilman Roose, to acknowledge receipt of correspondence from Knauf Shaw, LLP informing the Town of Parma that they have previously represented Crowley Development Corporation; that the Town of Parma waives the potential conflict; and understands that Knauf Shaw, LLP will not represent the Town of Parma or Crowley Development in any claims brought by the Town against the Crowley Development.

Motion carried: Aye 5 Nay 0

**AUTHORIZATION TO ACCEPT TERMS AND CONDITIONS OF
ENGAGEMENT**

The letter of engagement from Knauf Shaw, LLP identifies Councilman Smith as the contact for this agreement.

RESOLUTION NO. 171-2011 Motion by Councilman Smith and seconded by Councilman Comardo, to authorize Councilman James Smith to enter into agreement on behalf of the Town of Parma for the terms and conditions of engagement between the Town of Parma and Knauf Shaw, LLP in the legal matter of John Chart v. Town of Parma

Motion carried: Aye 5 Nay 0

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 4:50 p.m., seconded by Councilman Comardo. All were in favor.

Respectfully submitted,

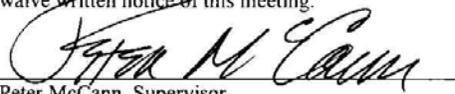
Donna K. Curry
Parma Town Clerk



TOWN OF PARMA

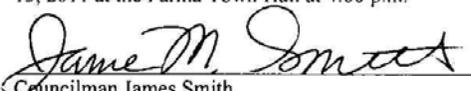
1300 Hilton-Parma Road
P.O. Box 728
Hilton, New York 14468
(585) 392-9461
Fax (585) 392-6659

I, Peter McCann, Supervisor for the Town of Parma, acknowledge that I was notified by email or phone by Councilman Smith on Friday, September 8, 2011 of a Special Town Board meeting to be held on Tuesday, September 13, 2011 at the Parma Town Hall at 4:00 p.m. If the notice was received by phone, I do hereby waive written notice of this meeting.


Peter McCann, Supervisor

9/13/11
Dated

I, James Smith, Town of Parma Town Board member, requested a special meeting and notified the Supervisor, Town Board members and the Town Clerk that a meeting was needed on Tuesday, September 13, 2011 at the Parma Town Hall at 4:00 p.m.


Councilman James Smith

9/13/11
Dated

I, Carm Carmestro, Supervisor for the Town of Parma, acknowledge that I was notified by email or phone by Councilman Smith on Friday, September 8, 2011 of a Special Town Board meeting to be held on Tuesday, September 13, 2011 at the Parma Town Hall at 4:00 p.m. If the notice was received by phone, I do hereby waive written notice of this meeting.



Councilman Carm Carmestro

9/13/11

Dated

I, Gary Comardo, Supervisor for the Town of Parma, acknowledge that I was notified by email or phone by Councilman Smith on Friday, September 8, 2011 of a Special Town Board meeting to be held on Tuesday, September 13, 2011 at the Parma Town Hall at 4:00 p.m. If the notice was received by phone, I do hereby waive written notice of this meeting.

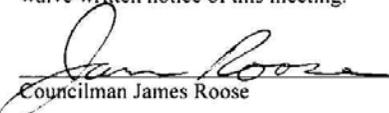


Councilman Gary Comardo

9/13/11

Dated

I, James Roose, Supervisor for the Town of Parma, acknowledge that I was notified by email or phone by Councilman Smith on Friday, September 8, 2011 of a Special Town Board meeting to be held on Tuesday, September 13, 2011 at the Parma Town Hall at 4:00 p.m. If the notice was received by phone, I do hereby waive written notice of this meeting.



Councilman James Roose

9/13/11

Dated

I, Donna K. Curry, Town Clerk for the Town of Parma, acknowledge that the following notice was sent to the Suburban News (media) via email; Waylen Bray (website posting) via email; posted on the Parma Town Hall official bulletin board and at the Hilton Post Office, Community Center and Library on September 12, 2011.



Town Clerk Donna K. Curry

9/13/11

Dated

**Public Notice
Town Of Parma**

Special Town Board Meeting

Pursuant to Section 104 Public Notice of the Open Meetings Law, this notice is to inform the public that the Parma Town Board will hold a special meeting on Tuesday, September 13, 2011 at 4:00 pm at the Parma Town Hall; 1300 Hilton Parma Corners Road, Hilton, New York.

Dated: September 12, 2011
Donna K. Curry
Parma Town Clerk