

Special Meeting of the Parma Town Board held on Monday, July 23, 2012 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Carmey Carmestro
Councilperson	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown

OTHERS IN ATTENDANCE

James Holahan, Kristina Gabalski

CALL TO ORDER

Supervisor Carmestro called the special meeting to order at 6:00 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence.

Supervisor Carmestro stated that the Town Board would enter into an executive session.

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 191-2012 Motion by Councilman Comardo, seconded by Councilman Roose, to enter into Executive Session to discuss a pending legal matter.

Motion carried: Aye 5 Nay 0

The Board entered into executive session at 6:02 p.m.

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 192-2012 Motion by Councilman Smith, seconded by Councilman Roose, to close the Executive Session at 6:25 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

At this time Supervisor Carmestro read the notice which was sent to the Suburban News and posted on the Town website, at the Library and the Community Center on July 20, 2012.

**Legal Notice
Town of Parma Special Meeting**

The Town of Parma will hold a Special Meeting on Monday, July 23, 2012 at 6:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York. The purpose of this special meeting is to consider, as required by Town

Law Section 65, the commencement of an action or proceeding for the benefit or protection of the Town.

Dated: July 20, 2012

Donna K. Curry

Parma Town Clerk

Supervisor Carmestro then read the following proposed resolution.

**RESOLUTION TO AUTHORIZE AND DIRECT THE
PURSUIT OR DEFENSE OF LITIGATION**

RESOLUTION NO. 193-2012 Motion by Councilman Smith, seconded by
Councilman Roose,

The Town Board of the Town of Parma hereby:

1. authorizes and directs the defense of any action or proceeding brought against the Town of Parma or against the Town Supervisor or other members of the Town Board by Highway Superintendent Speer or others concerning:
 - a. the actions or decisions of the Town Supervisor and Town Board concerning the appointment and/or employment of persons in the Parma Highway Department,
 - b. the Town Board's creation of the office of Deputy Highway Superintendent or any other office or position in the Parma Highway Department,
 - c. the civil service classification or reclassification of any office or position by the Monroe County Civil Service Commission,
 - d. eligibility for and appointment to the office of Deputy Highway Superintendent or to any other office or position in the Parma Highway Department,
 - e. the civil service status of any appointee, officer or employee in the Parma Highway Department,
 - f. compliance with the laws of the State of New York regarding the creation of offices or positions, eligibility for offices or positions in the Town of Parma, and the appointment and employment of persons in any office or position in the Town of Parma, and the certification of payroll and payment of persons rendering services in the Parma Highway Department, or
 - g. the operation of the Town of Parma Highway Department; and
2. further authorizes and directs the commencement of any action or proceeding on behalf of the Town of Parma and in its name for the benefit or protection of the Town's interests broadly defined concerning:

- a. the actions or decisions of the Town Supervisor and Town Board concerning the appointment and/or employment of persons in the Parma Highway Department,
 - b. the Town Board's creation of the office of Deputy Highway Superintendent or any other office or position in the Parma Highway Department,
 - c. the civil service classification or reclassification of any office or position by the Monroe County Civil Service Commission,
 - d. the eligibility and appointment of any person to the office of Deputy Highway Superintendent or to any other office or position in the Parma Highway Department,
 - e. the civil service status of any appointee, officer or employee in the Parma Highway Department,
 - f. compliance with the laws of the State of New York regarding the creation of offices or positions, eligibility for offices or positions in the Town of Parma, and the appointment and/or employment of persons to any office, title or position in the Town of Parma, and the certification of payroll and payment of persons rendering services in the Parma Highway Department, or
 - g. the operation of the Town of Parma Highway Department; and
3. appoints the firm of Bond Schoeneck & King PLLC, with advice and direction from Peter Rodgers, the Town Attorney for the Town of Parma, to represent the Town of Parma, its Town Supervisor, and the other members of the Town Board, in the prosecution or defense of any action or proceeding authorized by this resolution.

Motion carried: Aye 5 Nay 0

It was noted that the Town Board must authorize the defense and/or commencement of any action or proceeding. This resolution prepares the Town to defend itself regarding this personnel matter. At this time the Town has not been sued related to these matters nor has the Town started any litigation on this matter.

There being no further business before the Town Board, Councilperson Comardo made a motion to adjourn the meeting at 6:35 p.m., seconded by Councilperson Brown.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk