

**SPECIAL MEETING
OF THE
PUTNAM COUNTY LEGISLATURE
CALLED BY THE CLERK AT THE REQUEST OF THE CHAIR
TO BE HELD IN ROOM 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Monday

May 14, 2012

(Following Rules & Protective Mtgs.- Special Mtg will start no earlier than 7:30 P.M.)

The meeting was called to order at 7:50 P.M. by Chairwoman Conklin who led in the Pledge of Allegiance. Upon roll call, Legislators Tamagna, Oliverio, Othmer, Albano, Gross, LoBue, DiCarlo and Chairwoman Conklin were present. Legislator Birmingham was absent.

Item #3 – Potential Litigation/County Attorney

Chairwoman Conklin stated that the Legislature was asked by the County Attorney to have this meeting regarding a potential litigation. She believed that the Legislature was interested in having this be an open discussion to allow the people of Putnam County to be informed.

County Executive Odell agreed, however she deferred to advice of counsel.

County Attorney Bumgarner believed that it would be wise to discuss this issue in executive session so that we do not expose ourselves to any liability with anything being said. However, she understood Chairwoman Conklin's concerns.

Legislator Albano stated that he did want everyone to be aware of what was going on, however, he believed it was a practical decision to go into executive session.

Legislator DiCarlo stated that we needed to be very careful and if the recommendation is to go into executive session, he would rather err on the side of caution so as not to expose ourselves to a bigger issue.

At 7:51 P.M. Legislator Oliverio made a motion to go into executive session to discuss a litigation matters; seconded by Chairwoman Conklin. All in favor.

At 9:12 P.M. Chairwoman Conklin made a motion to come out of executive session; seconded by Legislator Oliverio. All in favor.

No Action was taken.

Chairwoman Conklin made a motion to pre-file the necessary resolution authorizing the County Attorney to commence litigation on behalf of the County of Putnam against Putnam Community Foundation and all necessary parties; seconded by Legislator Oliverio.

RESOLUTION #121

APPROVAL/COMMENCE LITIGATION/PUTNAM COMMUNITY FOUNDATION

WHEREAS, the County Executive, County Attorney, Putnam County Sheriff and Outside Counsel have sought authorization to commence litigation against the Putnam Community Foundation; and

WHEREAS, upon the recommendation of all parties mentioned above, now therefore be it

RESOLVED, that the Putnam County Legislature authorizes the County Attorney to commence litigation on behalf of the County of Putnam against Putnam Community Foundation and all necessary parties.

BY ROLL CALL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

There being no further business, at 9:15 P.M., Legislator Oliverio made a motion to adjourn; seconded by Legislator DiCarlo. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk