

Supreme Court

Goff

CT Male

Associates

VILLAGE OF TANNERSVILLE

RESOLUTION #18 OF THE YEAR 2003

WHEREAS, the Village of Tannersville is a defendant and third party plaintiff in an action pending in the Greene County Supreme Court under index #97-963, entitled the "City of New York against the Village of Tannersville and Goff Construction";

WHEREAS, the City has dismissed its claim against Goff Construction and the Village has dismissed its third party claim against CT Male Associates; and

WHEREAS, the court, by order dated August 8, 2001, dismissed the Village of Tannersville's claim for damages against the City of New York; and

WHEREAS, after extensive negotiations wherein the Village was represented by the Mayor, Glenn Weyant, the Village Board and the Village attorney, William M. Simon, a tentative agreement has been reached subject to the approval of the Village Board; and

WHEREAS, after due deliberation, the Village Board has read the stipulation of settlement and is in full agreement that it is in the best interest of the Village of Tannersville that this case be fully settled on the terms and conditions of said stipulation, which is annexed hereto and made a part hereof;

NOW, THEREFORE, on motion of Trustee Paul Morra, seconded by Trustee Edward Legg, at a Public Hearing held on the 29th day of May, 2003; it is therefore

RESOLVED, that the Village of Tannersville hereby agrees to fully settle the litigation with the City of New York under index #97-963 in the Greene County Supreme Court; and

BE IT FURTHER RESOLVED, that the attorney for the Village of Tannersville, William M. Simon, be and hereby is authorized to sign and execute the stipulation of settlement and/or stipulation of discontinuance on behalf of the Village of Tannersville; and

BE IT FURTHER RESOLVED, that Mayor Glenn Weyant is authorized and empowered to execute and sign on behalf of the Village of Tannersville any document including general release, agreement or stipulation in order to give full effect to the goal of settling this litigation; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Voted upon as follows:


Aye: Weyant, Morra Legg

Nay: None

Abstentions: None

I, the undersigned Clerk of the Village of Tannersville, hereby certify that the above is a resolution duly adopted by the Village Board of Trustees on May 29th, 2003.

In Testimony Whereof I have hereunto set my hand and affixed the official seal of the Village of Tannersville, County of Greene, this 29th day of May, 2003.


Clerk