

Minutes for a Special Ticonderoga Planning and Zoning Board Meeting held on December 6, 2022 commencing at 6:00 p.m. to Discuss Pending Litigation

Present: Chairman W.D. McTyier, Don Meserve, Ben Leerkes, Erik Leerkes, Tonya M. Thompson, Town Clerk

Absent: Walt Lender and Mike Powers

Others: Mark Wright

Chairman McTyier opened the Special Meeting with the Reciting of the Pledge of Allegiance .

Chairman McTyier explained that the reason for calling this special meeting was to consider a Resolution settling action filed by St. Joseph’s Rehabilitation Center, Inc.

Resolution #112-2022 brought by Doug McTyier, seconded by Ben Leerkes settling an action filed by St. Joseph’s Rehabilitation Center, Inc. **4 – Aye, 0 – Nays. Carried.**

Planning and Zoning Board of the Town of Ticonderoga

Resolution No. 112 of 2022
Adopted December 6, 2022

Introduced by Doug McTyier
who moved its adoption

Seconded by Ben Leerkes

**RESOLUTION SETTLING ACTION FILED BY
ST. JOSEPH’S REHABILITATION CENTER, INC.**

WHEREAS, the Planning and Zoning Board of the Town of Ticonderoga (hereafter the “Board”) issued zoning and planning determinations relative to applications of St. Joseph’s Rehabilitation Center, Inc., which determinations were challenged by St. Joseph’s Rehabilitation Center, Inc. in Supreme Court, Essex County, New York, bearing Index Numbers CV22-0072 and CV22-0117; and

WHEREAS, St. Joseph’s Rehabilitation Center, Inc. has proposed a settlement instrument which has been reviewed, negotiated and approved by counsel to the Town; and

WHEREAS, the Board does wish to approve the settlement and authorize counsel to the Town to execute same

NOW THEREFORE BE IT RESOLVED, that the Board approves the

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settlement negotiated by counsel to the Town and authorizes counsel to execute same, and that this resolution shall take effect immediately.

Dated: December 6, 2022

Roll Call Vote:

Doug McTyier, Chairman	Aye
Don Meserve, Board Member	Aye
Erik Leerkes, Alt. Board Member	Aye
Ben Leerkes, Board Member	Aye

SEAL

Tonya M. Thompson, Town Clerk

Resolution #113-2022 brought by Ben Leerkes, seconded by Erik Leerkes to adjourn the meeting at 6:04 p.m. **4 – Aye, 0 – Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk