

RESOLUTION 13 of 2025

At a meeting of the Town of Clinton Town Board duly held at the Town Hall, Centre Road in the Town of Clinton on the 11th day of March, 2025. Upon the calling of the roll by the Town Clerk the following members were:

Present: Supervisor Whitton
Deputy Supervisor Werner
Councilwoman Auspitz
Councilwoman Mustello

Absent: Councilman Dykas

The following resolution was offered for adoption by Deputy Supervisor Werner which resolution was seconded by Councilwoman Mustello

RESOLUTION APPROVING STIPULATION OF DISCONTINUANCE (INDEX. NO. 2023-51981).

WHEREAS, Katerina Maxianova, Edward Wilson and Wendie Adelman (the “Petitioners”) commenced a special proceeding by petition in Dutchess County Supreme Court (the “Court”) bearing Index. No. 2023-51981 (the “Article 78 Proceeding”) against the Town of Clinton and the Town of Clinton Town Board (collectively, the “Town”) and Medical Arts Sanitarium Inc et. al. (collectively “Cornerstone”); and

WHEREAS, The Petitioner’s and Cornerstone have entered into a Stipulation of Settlement which has been filed with the Court; and

WHEREAS, The Town is not a party to the Stipulation of Settlement; and

WHEREAS, The Petitioners, the Town and Cornerstone desire to discontinue the Article 78 Proceeding with prejudice pursuant the Stipulation of Discontinuance, a copy of which is attached hereto and made a part hereof; and

WHEREAS, Cornerstone will hold said Stipulation of Discontinuance in escrow pending the completion of the proceedings before the Planning Board regarding Cornerstone’s application for an increase in patient capacity; and

WHEREAS, the Town Board now desires to approve the Stipulation of Discontinuance and authorize, direct and empower Shane J. Egan, Esq. to execute the Stipulation of Discontinuance on behalf of the Town and take any further actions necessary to effectuate the terms of the Stipulation of Discontinuance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes, directs and empowers Shane J. Egan, Esq. to execute the Stipulation of Discontinuance on behalf of the Town and take any actions necessary to effectuate the terms of the Stipulation of Discontinuance.

The vote having been taken upon such resolution the result was as follows:

Supervisor Michael Whitton	VOTING	AYE
Councilman Eliot Werner	VOTING	AYE
Councilwoman Katherine Mustello	VOTING	AYE
Councilman Charlie Dykas	VOTING	ABSENT
Councilwoman Marion Auspitz	VOTING	AYE

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Town Supervisor to have been adopted.

IN WITNESS WHEREOF, I affix the seal of the Town of Clinton as the Clerk thereof, this 11th day of March, 2025.

TOWN OF CLINTON, NEW YORK

Town Clerk:



Carol – Jean Mackin