



## TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501  
(845) 373-8860 [www.ameniany.gov](http://www.ameniany.gov)

### **RESOLUTION No. 97 of 2023**

**RE: EMPLOYING SPECIAL COUNSEL FOR LEGAL SERVICES IN CONNECTION WITH  
A SECOND ARTICLE 78 PROCEEDING AGAINST THE TOWN OF AMENIA  
PLANNING BOARD**

**WHEREAS**, the Town of Amenia is in need of legal services in connection with a second Article 78 proceeding commenced by Barbara C. Meili, Joerg E. Meili and Arrowhead Hills Partners, L.P. against the Town of Amenia Planning Board, Cameron O. Smith and Liza Vann Smith; and

**WHEREAS**, David R. Everett, Esq. of Whiteman, Osterman & Hanna, LLP was appointed as legal counsel for the Planning Board and Zoning Board of Appeals by the Town Board at their January 5, 2023 Reorganization meeting and is familiar with Planning Board matters, which is the subject of the Article 78 proceeding filed against the Town of Amenia Planning Board; and

**WHEREAS**, the Town Board has determined that it is in the best interest of the Town of Amenia to employ the legal services of David R. Everett, Esq. of Whiteman, Osterman & Hanna, LLP to represent the Town of Amenia Planning Board against the second Article 78 proceeding commenced by Barbara C. Meili, Joerg E. Meili and Arrowhead Hills Partners, L.P.; now, therefore

**BE IT RESOLVED**, that David R. Everett, Esq. of Whiteman, Osterman & Hanna, LLP be, and hereby is employed and retained as Special Counsel for the purpose of defending the Town of Amenia Planning Board against Barbara C. Meili, Joerg E. Meili and Arrowhead Hills Partners, L.P., who commenced a second Article 78 proceeding against the Town of Amenia Planning Board, Cameron O. Smith and Liza Vann Smith; and be it further

**RESOLVED**, that David R. Everett, Esq. of Whiteman, Osterman & Hanna, LLP, shall be paid for such legal services in accordance with the Representation Letter previously submitted to the Town Board dated December 12, 2022.

Motion made by C/Blackman; Seconded by C/Rebillard

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye	Councilman Blackman	Aye
Councilwoman Doyle	Aye	Councilman Rebillard	Aye
Councilman Gutierrez	Absent		

Dated: Amenia, New York  
October 5, 2023

  
DAWN MARIE KLINGNER, TOWN CLERK