

**WEEKLY TOWN BOARD MEETING
DECEMBER 10, 2014 7:30 P.M. TOWN HALL**

1. Discussion with regard to Universal Outdoor, Inc. and the removal of the billboard on Route 9 as ordered by the courts.
2. Workshop with the Highway Department with regard to plowing.
3. Adjournment.

At the Supreme Court of the State of New York, held in and for the County of Putnam, at the Courthouse thereof located at 20 County Center, Carmel, New York on the day of December, 2014

PRESENT: HON. VICTOR G. GROSSMAN, J.S.C.

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UNIVERSAL OUTDOOR, INC.,

Index No. 1455/97

Petitioner/Plaintiff,

- against -

ORDER ON CONSENT

TOWN OF PHILIPSTOWN, TOWN OF PHILIPSTOWN CODE ENFORCEMENT OFFICIAL THOMAS MONROE, TOWN OF PHILIPSTOWN BUILDING INSPECTOR KEN TUMAN, TOWN OF PHILIPSTOWN DEPUTY TOWN ATTORNEY ALAN STEINER, and THE TOWN BOARD OF THE TOWN OF PHILIPSTOWN,

Respondents/Defendants.

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UPON the motion of respondents/defendants in the above-captioned matter, and the exhibits annexed thereto, and upon all the prior pleadings and proceedings heretofore had herein, and

UPON the consent of CLEAR CHANNEL OUTDOOR, successor in interest to the plaintiff/petitioner named above, UNIVERSAL OUTDOOR, INC. ("Universal"), and defendants,

NOW, it is

ORDERED AND ADJUDGED that CLEAR CHANNEL OUTDOOR be and hereby is substituted for petitioner Universal as petitioner, having previously appeared and entered into a stipulation as successor-in-interest to Universal; and it is further

ORDERED AND ADJUDGED that Petitioner shall, on or before February 10, 2015, comply with the Stipulation of Settlement entered into on or about May 15, 2002 and "so ordered" by this Court on November 26, 2002, to the extent that petitioner shall remove all portions of the sign and uni-pole steel structure above ground level; and it is further

ORDERED AND ADJUDGED that petitioner shall not be required to remove the below-ground base upon which the uni-pole structure currently sits, which, based on respondents' representation, will allow petitioners to proceed with the work described in the second decretal paragraph hereinabove without obtaining a wetlands permit; and it is further

ORDERED AND ADJUDGED that prior to commencing the work described in the second decretal paragraph hereinabove, petitioner shall advise respondent, through counsel, in writing

that petitioner has obtained a demolition permit to perform said work; petitioner will also advise respondent, through counsel, of the expected commencement date for the work described in paragraph 1 hereinabove; and it is further

ORDERED AND ADJUDGED that, in consideration of the provisions of the third decretal paragraph hereinabove, petitioner shall make payment to defendant Town of Philipstown in the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) simultaneously with notice to respondent, through counsel, of the expected commencement date for the work described in paragraph 1 hereinabove; and it is further

ORDERED AND ADJUDGED that Petitioner shall not make any further application to use the site in question for the purposes of constructing a sign of any kind; and it is further

ORDERED AND ADJUDGED that upon completion of the work described in in the second decretal paragraph hereinabove, petitioner shall discontinue this action by submitting a stipulation of discontinuance to the Court, and the parties shall exchange general releases as against each other; and it is further

ORDERED AND ADJUDGED that Upon petitioner's failure

to comply with any of the provisions of this Order, this Court shall grant respondents' application for a contempt order upon respondents' application, and shall immediately schedule a hearing to determine fines and/or damages to be awarded, including respondents' reasonable attorney's fees.

ENTER:

J.S.C.

Signing and entry of the within
Order is hereby consented to:

CLEAR CHANNEL OUTDOOR

By:
99 Park Avenue
New York, New York 10016

TOWN OF PHILIPSTOWN et al.

GOLDSAND & CINQUE
By: Robert A. Cinque, Esq.
Attorney for Defendants
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