

VILLAGE OF STAMFORD

RESOLUTION 12 of 2026 APPROVING A CERTAIN SETTLEMENT AGREEMENT

At a special meeting of the Board of Trustees of the Village of Stamford held on the 25th day of August, 2026, the following resolution was offered and seconded:

WHEREAS, the Village is a party to ongoing litigation against Plaintiffs 5-9 Harper Street LLC and Mountain Dog Café LLC (Delaware County Sup. Ct. Index No. EF2023-530); and

WHEREAS, with the assistance of the Appellate Division, Third Department, Civil Appeals Settlement Program (CASP), the Village and the above-referenced Plaintiffs reached a settlement agreement in principal resolving said litigation on or about November 6, 2025; and

WHEREAS, the Village has recently hired a new Attorney for the Village, who reviewed and recommended approval of said settlement agreement by the Village Board at a regular meeting held on August 18, 2026; and

WHEREAS, the proposed Settlement Agreement presents the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties; and

WHEREAS, the Village Board has determined that entering into the proposed Settlement Agreement is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Stamford does hereby accept and approve the proposed Settlement Agreement, a true copy of which is attached to this resolution, for the purpose of resolving the pending litigation designated as Delaware County Supreme Court Index No. EF2023-530; and be it further

RESOLVED, that the Mayor is hereby authorized to execute said Agreement on behalf of the Village and to do and/or cause to be done any action(s) necessary to comply with its terms; and be it further

RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

I, Jamison Hanway, do hereby certify that I am the Village Clerk of the Village of Stamford and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Stamford at a meeting thereof held at the Village Hall on the 25th day of August, 2026. Said resolution was adopted by the following roll call vote.

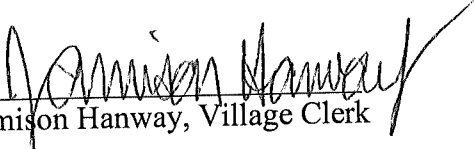
Robert Schneider, Mayor
Jim Kopp, Deputy Mayor
Clifford Roxburgh-Curley
Robert Orcutt
Catherine Snyder

Voted Y
Voted Y
Voted Y
Voted absent
Voted Y

The resolution was thereupon declared duly adopted by a vote of 4-0.

Dated: August 25, 2026

Village of Stamford Seal



Jamison Hanway, Village Clerk

The Law Office of Colleen Kerwick
1178 Broadway, 3rd Floor, 1245
New York, NY 10001
attorneycolleenkerwick@aol.com

June 8, 2026

Via E-Mail

Nicholas Stephen Cortese, Esq.
Coughlin & Gerhart LLP
99 Corporate Drive
Binghamton, New York 13904
ncortese@cglawoffices.com
ktrumbach@cglawoffices.com

Re : *5-9 Harper Street LLC and Mountain Dog
Café LLC v. Village of Stamford*
Index No. : EF2023-530

Dear Mr. Cortese:

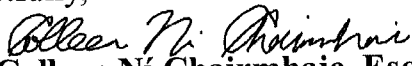
We represent Plaintiffs in the above captioned action. We write concerning the fully executed settlement agreement reached before the Appellate Division, Third Department Civil Appeals Settlement Program on November 6, 2025. The agreement expressly contemplated presentation of the settlement to the Village Board for approval. Schedule "A" provides that the settlement terms were to be presented to the Village Board and voted upon at the next scheduled meeting before December 1, 2025. This was not done. As you can see from the attached minutes, no vote was taken.

At the conference before Hon. Brian D. Burns on May 20, 2026, the Court directed counsel for the Village to bring the settlement agreement before the Village Board for a vote at the next meeting of the Village Board, which is June 9, 2026. Kindly recall that the settlement was executed on behalf of the Village by Deputy Mayor James Kopp and the Court specifically said the Board needed to be told that "this is a good deal for you". Accordingly, please ensure that the settlement agreement is placed on the agenda for the Village Board meeting scheduled for June 9, 2026 and that the Board takes a formal vote on the agreement.

In addition, it appears that Mayor Robert Schneider has a direct personal interest in matters underlying this litigation. To avoid any appearance of impropriety and to protect the integrity of the Board's decision-making process, we respectfully request that Mr. Schneider recuse himself from any discussion, deliberation, or vote concerning the settlement.

The parties participated in the Third Department's settlement program in good faith and reached a negotiated resolution intended to end this litigation and the related appeals. Plaintiffs simply seek compliance with the Court's directive and a definitive vote by the Village Board so that this matter may proceed toward final resolution. In the interim, should you have any questions, queries or concerns please do not hesitate to contact me.

Respectfully,


Colleen Ní Chairmhaic, Esq.

Date _____

Schedule "A"

pg 1 of 2

5-9 Harper St LLC and
Mountain Dog Cafe LLC
Plaintiffs

Index # EF2023-530

-against

Village of Stamford
Defendant

1. The parties will enter into a boundary line agreement which shall state that the boundary line of 5 Harper Street bearing tax map 10#54-9-4- be adjusted to include 19 feet from the building in an easterly direction starting from the curb of Harper Street down a southerly straight line running parallel with the building located on 5 Harper Street in a continuation thereof to the Delaware River.
2. The parties have agreed to exchange quitclaim deeds for the boundary line adjustment described in (1) above
3. The foregoing terms are subject to the approval of the Village of Stamford Board of Trustees and will be presented at the next scheduled meeting of said Board, which said meeting is scheduled for November 18, 2025

15 of 2
or at a special meeting, but in no event later than December 1, 2025. Time is of the essence.

4. In exchange for the boundary line adjustment to the benefit of Petitioners, Petitioners agree to withdraw any and all claims for damages against the Village of Stamford as detailed in the complaint at EF2023-530

5. The parties further stipulate and agree that based upon the foregoing agreement, assuming it is accepted by the Board of Trustees of the Village of Stamford, the parties shall withdraw their pending respective Appeals.

⑥ Failure of the Village of Stamford Board to approve by 12/1/25
~~SHALL VOID THIS AGREEMENT~~

Village of Stamford

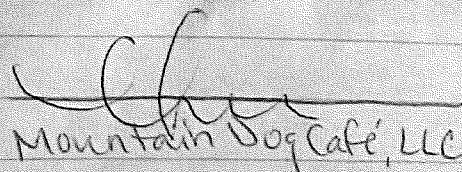
James Kopp, Deputy Mayor



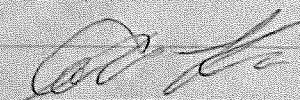
Attorneys for Village

S-A Harper St., LLC

By: Henry Saminski


Mountain Dog Café, LLC

By: Karen Saminski



Attorneys for
Colleen Saminski

Re: Saminski

From: attorneycolleenkerwick@aol.com (attorneycolleenkerwick@aol.com)

To: mstorm@mcclaw.com

Cc: lgulfo@mcclaw.com

Date: Friday, November 7, 2025 at 02:12 AM EST

If you are asked, you can tell them that the Village is not a party to that case. This settlement ends all litigation for the Village. You probably shouldn't address that other case more, in case it raises a conflict of interest for you as the privately retained attorney for that other client.

I don't know what else to tell you, other than that this was a really hard sell for my two clients in Albany today. In the end, I think that's what a balanced settlement looks like — one that neither side loves, but both can live with. One of the motivations was to end the cost of litigation for my two clients today.

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reviews: <https://www.avvo.com/attorneys/06085-ct-colleen-nichairmhaic-979800/reviews.html>

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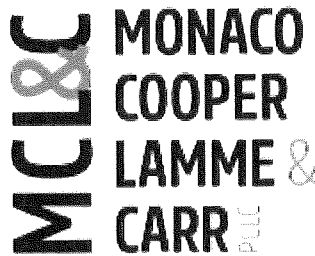
On Friday, November 7, 2025 at 01:10:51 AM EST, Michelle A. Storm <mstorm@mcclaw.com> wrote:

Thanks Colleen,

To clarify, I am not asking you for that information assuming that the matters are consolidated. I know they are not consolidated. I am asking for your client's position with respect to the defamation case as I anticipate that it will be questioned of me at the board meeting, and I will need to be prepared with a response. If you are now saying that the plaintiff is not willing to discontinue that action, so be it. But I know it will come up, and so I should be armed with an informative response for that meeting to ensure the Board will abide by the December 1 timeframe.

Any insight is greatly appreciated.

Best,
Michelle



Michelle A. Storm

Attorney at Law

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Albany, New York 12203



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From: attorneycolleenkerwick@aol.com <attorneycolleenkerwick@aol.com>
Sent: Friday, November 7, 2025 12:28 AM
To: Michelle A. Storm <mstorm@mclclaw.com>
Cc: Laura M. Gulfo <lgulfo@mclclaw.com>
Subject: Saminski

Dear Michele,

Thank you for your message regarding the CASP Conference today.

I am pleased that we were able to resolve the cross-appeals in *5-9 Harper Street and Mountain Dog Café v. Village of Stamford*, Docket No. CV-25-1492 on November 6, 2025, with the valued assistance of the Hon. Justice Michael Cocomma and Attorney Referee Timothy O'Keefe. I attached the Court, Attorney, and Party endorsed resolution again for your ease of reference.

It was a long day and, while neither of our clients achieved everything they hoped for, we successfully brought closure to the litigation against the Village of Stamford.

We appreciate that you represented to the Honorable Appellate Court that you would be presenting the fully executed and endorsed settlement agreement to the Board of Trustees of the Village of Stamford and shall make every good faith effort to encourage its adoption. I wish you success with your presentation to the Board of Trustees and trust they respect your counsel. It was a hard sell to my clients, but they accepted my counsel.

While you did not quote me accurately regarding the separate matter before the court on November 5, 2025, I will refrain from addressing that further in this matter as they are not consolidated. However, I do not intend to pursue any further litigation against the Village of Stamford for the Board of Trustees to have any other concerns.

Sincerely,

Colleen

The Law Office of Colleen Kerwick

Colleen Ni Chairmhaic, Esq.

Attorney and Counselor at Law

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On Thursday, November 6, 2025 at 09:01:57 PM EST, Michelle A. Storm <mstorm@mcclclaw.com> wrote:

Hi Colleen,

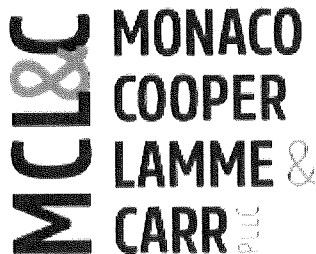
Just as a point of clarification before we get before the entire board. Yesterday you told Judge Burns that the action against the Mayor would be over and the need for depositions would be "moot" after today if we reached a resolution. Today, the defamation case was not mentioned as included in this discussion. Can you please clarify if I should represent to the Board that the defamation case would be discontinued as a part of this discussion, or if your client intends on pursuing that action despite this settlement agreement?

It was a pleasure working today towards this goal.

Please advise.

Best,

Michelle



Michelle A. Storm

Attorney at Law

DIRECT: 518-675-7743

MAIN: 518-855-3535

EMAIL: mstorm@mcclaw.com

**ADDRESS: 1881 Western Avenue, Suite 200,
Albany, New York 12203**



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REGULAR BOT MEETING – NOVEMBER 18, 2025 @ 7:00 PM

MEETING MINUTES

Present: Robert Schneider, Mayor; Jim Kopp, Deputy Mayor; Darren Hanway, Trustee; Catherine Snyder, Trustee; Robert Orcutt, Trustee; Jesse Calia, DPW Superintendent; members of the Media and Public

Public Forum:

1. Catskill Athletic Club – Lease

Andrew VanZandt, President of the Catskill Athletic Club, to discuss a lease extension for the use of the Churchill Gym. He presented the BOT with a proposal for a new plan for the future. The Village Attorney will review this proposal.

Old Business

1. Approval of Minutes – October 21, 2025 (Are there any corrections, additions, deletions? – So moved!)
Approved.

New Business

1. NYCDEP Land Acquisition Project 3 South Street.

The Mayor explained that Delaware County is razing the house at 3 South Street for the South Street culvert project, the NYCDEP is conveying this land to the Village of Stamford under the Flood Buyout Program. Trustee Hanway said that “after reading the letter from NYCDEP on the transfer, I do not believe that a formal Land Re-Use Plan needs to be submitted since the Village does not plan to redevelopment the property for public use such as recreation and will maintain it only as a right of way to the new bridge/culvert”

2. Firmer Policy for DPW mowing grass at delinquent properties -Create a fee schedule

Sandy created a new fee schedule for mowing delinquent properties to encourage people to keep up on their mowing so the DPW does not have to do it. Trustee Snyder made a motion to approve these fees, Trustee Kopp seconded. Vote passed.

3. Resolution 23 of 2025 – Election 2026

Trustee Hanway read the resolution to have Election Day on Wednesday March 18, 2026.
Roll call vote was taken. Vote passed.

4. Mayors Meeting Update

The Mayor explained that the Mayor's group is still leaning on the County for the sharing of sales tax. The County budget is already set for 2026 so this would be for the 2027 budget year, should they be successful.

DPW/Park

1. DPW Update

Jesse explained that leaf pick up season is over and the trucks have been converted to snow removal to prep for winter.

2. Carport for DPW to cover new trailer & excavator

Jesse is requesting to purchase a cover structure for the new excavator on the new trailer so that it is protected from snow and ice. Also, in emergencies in the winter, the crew would not have to clear the trailer from snow and ice and get to the issue quickly. Trustee Hanway suggested that Jesse could look at Behr's Buildings for another quote and Trustee Orcutt said he could ask Amish Barn for a quote on this also.

3. Pergola for the Park
Jesse said that he has only one quote for a pavilion for the park but has a call into Amish Barn to get another quote. The Mayor said that he can add this to the grant request for the pickle ball court to Robinson Broadhurst.
4. Tennis and Basketball Resurfacing Quote
Jesse said that Sandy the Treasurer will need to explain if there is available funds from other grants to pay for this project.
Tabled until the next meeting.

WWTP/WTP

Code Enforcement Officer

1. Monthly Report
Rich submitted his monthly report.
The Mayor explained that Rich is working with parties interested in purchasing the Catskill Craftsman property to have poultry processing. The current zoning for this property is industrial. These new owners would have to meet the requirements of the sewer law in the Village.

Finance/Office

1. Health Care Rates 2026
The health care will increase 9% for the next year.
2. WLB Water Sewer Contract
Trustee Hanway made a motion to approve the WLB water/sewer contract. Trustee Kopp seconded. Vote passed.
3. FB Marketplace Purchases -Procurement Policy
Jesse explained that he would like to make purchases on FB marketplace for equipment for the Village at a much lower cost. Municipalities usually have to go through Municibid, which drives up the costs. Sandy asked for guidance from NYCOM who said the BOT would have to revise the procurement policy to include FB marketplace. Trustee Hanway said he would work on this policy.
4. October Treasurer's Report – available for review
Trustee Hanway made an omnibus motion to approve the treasurer's report, budget adjustments and abstract # 6. Trustee Snyder seconded. Vote passed.
5. October Abstract #6– available for review
6. October Budget Adjustments

The Mayor asked the BOT to into executive session for legal reasons.
Trustee Hanway made a motion to end the regular BOT meeting at 7:29pm. Trustee Snyder seconded. Meeting adjourned. Trustee Hanway made a motion to go into executive session at 7:29pm. Trustee Kopp seconded.
The BOT came out of executive session at 8:40pm, no vote was taken in executive session.