

**RESOLUTION OF THE VILLAGE OF HIGHLAND FALLS BOARD OF TRUSTEES
AUTHORIZING ALYSE D. TERHUNE, ESQ. AS COUNSEL TO DEFEND THE
VILLAGE OF HIGHLAND FALLS BEFORE THE SECOND DEPARTMENT IN THE
APPEAL OF MATTER OF DEBORAH KOPALD v. THE VILLAGE OF HIGHLAND
FALLS, NEW YORK VILLAGE BOARD, AND VERIZON WIRELESS OF THE EAST
LP d/b/a/VERIZON WIRELESS**

WHEREAS, Alyse D. Terhune, Esq., has represented the Village of Highland Falls as Village Attorney for several years; and

WHEREAS, Orange County Supreme Court granted the Village’s motion to dismiss the MATTER OF DEBORAH KOPALD v. THE VILLAGE OF HIGHLAND FALLS, NEW YORK VILLAGE BOARD, AND VERIZON WIRELESS OF THE EAST LP d/b/a/VERIZON WIRELESS, served on the Village Clerk on August 31, 2023, Index No. EF00732-2022 (“Kopald II”); and

WHEREAS, a notice of appeal has been filed by Kopald in the Appellate Division seeking to reverse the lower court’s decision; and

WHEREAS, a companion Order to Show Cause for injunctive relief seeking an order to halt the installation of a wireless facility on the Village Hall roof has also been filed by Kopald, which must be opposed no later than September 28, 2023; and

WHEREAS, Attorney Terhune has represented the Village in this and all other litigation initiated by Kopald against the Village and the Town of Highlands Consolidated Zoning Board of Appeals, and has prevailed in each case; and

WHEREAS, in light of her knowledge of the matter the Village Board of Trustees finds and determines that it would be in the best interest of the Village to retain the Law Firm of Alyse D. Terhune, Esq., to defend the Village in this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Highland Falls Board of Trustees hereby authorizes the retention of the Law Firm of Alyse D. Terhune, Esq., to appear for and defend the Village in the appeal of Deborah Kopald v The Village of Highland Falls, et al, Index No. EF00732-2022, and all cases related thereto to at the hourly litigation rate contained om the March 18, 2022, retainer agreement.

On a motion by Trustee Phillips, seconded by Trustee Guerrero, the Resolution was declared as adopted on a roll call vote of 5 ayes, 0 nays, with 0 abstention(s) and 0 absent(s).

Mayor D’Onofrio	X	Aye	___	Nay	___	Abstain	___	Absent
Trustee DiSalvo	X	Aye	___	Nay	___	Abstain	___	Absent
Trustee Phillips	X	Aye	___	Nay	___	Abstain	___	Absent
Trustee Guerrero	X	Aye	___	Nay	___	Abstain	___	Absent
Trustee Ramus	X	Aye	___	Nay	___	Abstain	___	Absent

Dated: September 18, 2023

Lynae Mesaris, Village Clerk of the Village of Highland Falls, does hereby certify that the foregoing Resolution of the Board of Trustees was filed in my office on the following date:

Lynae Mesaris September 26, 2023
Signature and Date