

VILLAGE OF ROUSES POINT - PRESS RELEASE

The Village of Rouses Point learned on December 9, 2009, that the United States Court of Appeals, Second Circuit, affirmed the dismissal of the lawsuit brought by Susan Clarke, Gary Clarke and WWBITV, Inc. against the Village of Rouses Point, Mayor George Rivers, Code Enforcement Officer Michael Tetreault, Jr., and Brian Pelkey. The Second Circuit Court of Appeals' Decision ruled that the the earlier dismissal of the case by the United States District Court for the Northern District of New York was correct.

On June 6, 2006, the WWBI-TV (the former Holland Hotel) building was badly damaged by fire. The Village of Rouses Point Volunteer Fire Department, as well as many neighboring fire departments from Vermont and Canada responded. After the fire was brought under control, it was evident that the southern portion of the building was a threat to the public, as it appeared to be in danger of collapse. The Village of Rouses Point authorized the southern portion walls to be made safe by demolition. The Clarkes and WWBITV contended, in their lawsuit, that the Village's actions in rendering the building safe after the fire violated their Constitutional Rights.

The Village of Rouses Point, George Rivers and Michael Tetreault are pleased that the Court confirmed that their action in protecting the public well-being did not violate the Clarke's Constitutional Rights. The Village of Rouses Point, George Rivers and Michael Tetreault were represented by Thomas W. Plimpton, Esq., a member of the firm of Stafford, Piller, Murnane, Plimpton, Kelleher & Trombley, PLLC. Any questions concerning the litigation can be directed to Mr. Plimpton at (518)561-4400.