

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 19-01642

PRESENT: CENTRA, J.P., CARNI, LINDLEY, NEMOYER, AND BANNISTER, JJ.

IVES HILL COUNTRY CLUB, INC., AND PRIME, LLC,
PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

CITY OF WATERTOWN, JOSEPH BUTLER, JR.,
IN HIS OFFICIAL CAPACITY AS MAYOR, RYAN J.
HENRY-WILKINSON, CODY J. HORBACZ, LISA A.
L'HUILLIER RUGGIERO AND MARK C. WALCZYK, IN
THEIR OFFICIAL CAPACITIES AS COUNCIL MEMBERS,
CITY COUNCIL, RICHARD FINN, IN HIS OFFICIAL
CAPACITY AS CITY MANAGER, AND WATERTOWN GOLF
CLUB, INCORPORATED, DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

LEVENTHAL, MULLANEY & BLINKOFF, LLP, ROSLYN (STEVEN G. LEVENTHAL OF
COUNSEL), FOR PLAINTIFFS-APPELLANTS.

BARCLAY DAMON, LLP, SYRACUSE (MITCHELL J. KATZ OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS CITY OF WATERTOWN, JOSEPH BUTLER, JR.,
IN HIS OFFICIAL CAPACITY AS MAYOR, RYAN J. HENRY-WILKINSON, CODY J.
HORBACZ, LISA A. L'HUILLIER RUGGIERO AND MARK C. WALCZYK, IN
THEIR OFFICIAL CAPACITIES AS COUNCIL MEMBERS, CITY COUNCIL, AND
RICHARD FINN, IN HIS OFFICIAL CAPACITY AS CITY MANAGER.

CONBOY, MCKAY, BACHMAN & KENDALL LLP, WATERTOWN (IAN W. GILBERT OF
COUNSEL), FOR DEFENDANT-RESPONDENT WATERTOWN GOLF CLUB, INCORPORATED.

Appeal from an order of the Supreme Court, Jefferson County
(James P. McClusky, J.), entered July 19, 2019. The order denied the
motion of plaintiffs for leave to renew their motion for partial
summary judgment.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs.

Same memorandum as in *Ives Hill Country Club, Inc. v City of
Watertown* ([appeal No. 1] – AD3d – [July 24, 2020] [4th Dept 2020]).

Entered: July 24, 2020

Mark W. Bennett
Clerk of the Court