

June 2, 2004

David S. Steinmetz, Esq.
Zarin & Steinmetz
81 Main Street, Suite 415
White Plains, New York 10601

Re: Metro Enviro Transfer, LLC v. Village of Croton-on-Hudson

Dear Mr. Steinmetz:

The decision of the Appellate Division in the above matter dismissed your client's Article 78 proceeding and thus had the effect of reinstating the resolution adopted by the Village Board of January 27, 2003. That resolution directed Metro Enviro Transfer LLC ("Metro Enviro") to cease accepting waste at the end of the day on February 17, 2003, to begin implementation of the closure plan, and to remove all waste by February 24, 2003.

In order to allow for an orderly closure, the Village is now directing Metro Enviro to follow this schedule:

July 14, 2004, 5:00 p.m. – Cease accepting waste
July 15, 2004 – Commence closing facility in accordance with the closure plan approved under the New York State Department of Environmental Conservation permit
July 21, 2004, 5:00 p.m. – Remove all waste from facility

At all times, the facility must be fully secure to prevent illegal dumping.

You have indicated on several occasions that your client would like to meet with the Village in advance of any closure in order to see if an agreement can be reached that would obviate the need for closure. We are willing to hold such a meeting, though we are not confident that it will bear fruit. I will telephone you to work out the logistics of that meeting.

Sincerely,



Michael B. Gerrard

cc: Mayor and Village Board of Trustees
Richard Herbek
Seymour Waldman