

Designating The Ulster County Attorney As The Official To Receive Service Of A Notice Of Claim From The Secretary Of State

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Donaldson, Fabiano, Loughran, Maio, Robert Parete and Ronk)

Chairman of the Laws and Rules, Governmental Services Committee, Kevin A. Roberts, and Deputy Chairman Robert S. Parete offer the following:

WHEREAS, Article 4 of the General Municipal Law of New York requires that prior to commencing any lawsuit against the County of Ulster, a notice of claim must be served; and

WHEREAS, effective June 15, 2013 Article 4 of the General Municipal Law of the State of New York has been amended to add the Secretary of State as an agent to receive service of a Notice of Claim against the County of Ulster; and

WHEREAS, the County of Ulster is required to file a certificate designating an official to receive service from the Secretary of State within 30 days of the amendment becoming effective; and

WHEREAS, the Ulster County Attorney is the Chief Legal Officer of the County and is the official with the duty of defending the County of Ulster against claims initiated by a Notice of Claim; now, therefore, be it

RESOLVED, that the Ulster County Attorney is hereby designated as the official to receive a Notice of Claim from the Secretary of State; and, be it further

RESOLVED, that the County Executive or County Attorney is authorized to execute any form necessary to authorize the Secretary of State to accept service of a Notice of Claim, and designate the Ulster County Attorney as the agent-in-fact for the transmittal of any Notice of Claim served upon the Secretary of State,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(Legislator Robert Parete arrived at 7:28 PM,
Legislator Mary Wawro arrived at 7:49 PM,
Legislator Harris left at 7:45 PM,
Legislator Briggs left at 8:30 PM,
Legislator Lopez left at 9:30 PM)

Resolution No. 171 June 18, 2013

**Designating The Ulster County Attorney As The Official To Receive
Service Of A Notice Of Claim From The Secretary Of State**

Passed Committee: Laws and Rules, Governmental Services on June 17, 2013

FINANCIAL IMPACT

NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18th Day of June, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of June in the year Two Thousand and Thirteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
20th Day of June, 2013.

Approved by the County Executive this
24th Day of June, 2013.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Michael P. Hein
Michael P. Hein, County Executive