

Resolution #9 of 2013 - Town of Middletown

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

Now therefore Be It RESOLVED, that the Town Board of the Town of Middletown, County of Delaware, designates Patty Kelly, in her capacity as *Town Clerk*, to receive notices of claims served upon the Secretary of State by mail at 42339 State Highway 28, PO Box 577, Margaretville, NY 12455 and email at middtwnclerk@catskill.net

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Motion made by: _____

Seconded by: _____

Resolution adopted by a vote of _____ ayes and _____ nays