LOCAL LAW NO. 9 OF 1974
COUNTY OF OTSEGO, NEW YORK

A LOCAL LAW REQUIRING PRIOR NOTICE OF DANGEROUS HIGHWAY CONDITIONS AS A CONDITION UPON WHICH CLAIM MAY BE MADE

BE IT ENACTED by the Board of Representatives of the County of Otsego as follows:

Section 1. No civil action shall be maintained against the county or the county superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge or culvert was actually given to the clerk of the Board of Representatives or the county superintendent of highways, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of, or, in the absence of such notice, unless such defective, unsafe, dangerous or obstructed condition existed for so long a period that the same should have been discovered and remedied in the exercise of reasonable care and diligence; but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to the clerk of the Board of Representatives or the county superintendent of highways and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.
Section 2. No action shall be maintained against the county or the county superintendent of highways to recover any such damages, unless a notice of claim shall have been made and served in compliance with section fifty-e of the general municipal law. Every action against the county or the county superintendent of highways to recover any such damages shall be commenced pursuant to the provisions of section fifty-i of the general municipal law.

Section 3. This Local Law shall take effect on the 20th day after it shall have been adopted, and certified copies thereof have been filed as required by Section 27 of the Municipal Home Rule Law.

This Local Law is offered by the Committee on Buildings and Insurance.
RESOLUTION NO. 230

RESOLUTION—CREATING POSITIONS OF PART-TIME AIDES IN OFFICE FOR THE AGING AND ESTABLISHING SALARY THEREFOR—BRENNER, DI SCALA, TAUGHER

Messrs. Brenner, Di Scala and Taugher offer the following resolution and move its adoption:

RESOLVED, that there be and hereby are created positions for seven part-time Senior Aides in the Otsego County Office for the Aging, at a salary of $2.55 per hour.

Mr. Ames seconded the resolution and it was duly adopted.

RESOLUTION NO. 231

RESOLUTION—REQUESTING EXTENSION OF SNOW AND ICE REMOVAL AGREEMENT—COUSE, HIGGINS, GILDAY

Messrs. Coose, Higgins and Gilday offer the following preamble and resolution and move the adoption of the resolution:

WHEREAS, on the 1st day of July, 1973, an agreement was entered into between the State of New York, acting by and through the Commissioner of Transportation of the State of New York, and the County of Otsego, for the control of snow and ice on State highways in the County of Otsego; which said agreement is for a term of three years and has been assigned Comptroller’s No. D 71342; and

WHEREAS, said agreement provided, among other things, that at the expiration of each year of the term thereof, the County shall notify the Commissioner of Transportation that it requests the agreement to be extended for one year; it is therefore

RESOLVED, that the County of Otsego hereby requests the term of the agreement aforesaid be extended for a period of one year, and that the Clerk of this Board of Representatives is hereby authorized and directed to notify the Commissioner of Transportation of the State of New York of such request, in accordance with the terms of said agreement.

Mr. Trinkino seconded the resolution and it was duly adopted.

Mr. Tsienchek moved Local Law No. 9 and Local Law No. 10 be moved from the table and acted upon at this time. Mr. Taugher seconded the motion of Mr. Tsienchek. Motion carried. Mr. Kenyon moved Local Law No. 9 be adopted. Mr. Winsor seconded the motion of Mr. Kenyon. Motion carried. The roll was called on the adoption of Local Law No. 9 and resulted as follows: Total: 14; Ayes: 14; Noes: None; Absent: None. The Chairman declared Local Law No. 9 unanimously adopted.