

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of

Sangerfield

FILED
STATE RECORDS

AUG 15 2022

DEPARTMENT OF STATE

Local Law No.

1-2022

of the year 20 22

A local law

(Insert Title)

Prior Written Notice of Highway
Defects

Be it enacted by the

Town Board
(Name of Legislative Body)

of the

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of

Sangerfield

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**TOWN OF SANGERFIELD
TOWN BOARD RESOLUTION
JANUARY 25, 2022
PRIOR WRITTEN NOTICE LOCAL LAW 1-2022
(A Local Law Imposing Prior Written Notice of Highway Defects)**

NOTICE OF HIGHWAY DEFECTS

Local Law # 1-2022 of the Year 2022

A local law providing for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Sangerfield.

Be it enacted by the Town Board of the Town of Sangerfield.

Section 1. No civil actions shall be maintained against the town or town superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk, 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, street, sidewalk, crosswalk, or culvert was actually give to the town clerk or town superintendent of highways, and there was a failure or neglect within a reasonable time after the filing of such notice to repair or remove the defect, danger, or obstruction complained of.

Section 2. The town superintendent of highways shall transmit in writing to the town clerk within five days after the receipt thereof all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law. The town clerk shall cause all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the town board within 5 days of the receipt thereof or at the next succeeding town board meeting, whichever hall be sooner.

Section 3. This local law shall supersede in its application to the Town of Sangerfield subdivisions 1 and 3 of section 65-a of the Town Law.

Section 4. This local law shall take effect immediately upon its filing in the office of the Department of State.

Please note that Town Law Section 65-a, Subdivision 4, requires the Town Clerk to keep a separate indexed record (by Location) of all such notices received. In the event of litigation, the Town will be expected to demonstrate compliance with this provision.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Kevin Kelley	Councilor	Voted	Yes
William Lachmann	Councilor	Voted	Yes
David Wicks	Councilor	Voted	Yes
Philip Olin	Councilor	Absent	
William Fredericks	Superv'or	Voted	Yes

The foregoing resolution was thereupon declared duly adopted
DATED: January 25, 2022

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
COUNTY OF ONEIDA) SS.:

MARY S BELFIELD. Being duly sworn, deposes and says that she is the Town Clerk of the Town of Sangerfield, Oneida County, New York, and that on the 13th day of January, 2022, she affixed the attached Notice of Public Hearing on the signboard maintained pursuant to Town Law Section 30 (6) near the entrance to the Town Clerk's Office in the Town Hall located at 1084 State Route 12, Sangerfield, NY.

Mary S Belfield
MARY S BELFIELD, Town Clerk

Subscribed and sworn to before me
This 27th day of January, 2022

Notary Public Patricia F Doughty

PATRICIA F DOUGHTY
Notary Public, State of New York
Registration No. 01DO5077424
Qualified in Oneida County
Commission Expires May 05, 2023

CERTIFICATE

**STATE OF NEW YORK}
COUNTY OF ONEIDA}**

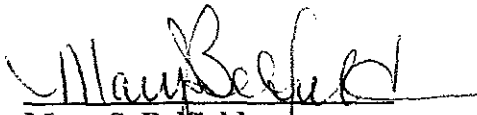
I, the undersigned Town Clerk of the Town of Sangerfield, Oneida County, New York,

DO HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sangerfield, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on February 1, 2022.


Mary S. Bellfield
Town Clerk
Town of Sangerfield