

Resolution No.7 of 2013

Village of Bergen, NY

**Resolution to Designate Administrator as agent
for service of notices of claim by the
New York Secretary of State**

WHEREAS, On December 17, 2012, Governor Cuomo signed the Uniform Notice of Claim Act into law, and,

WHEREAS, The Act, which became effective on June 15, 2013, amended New York's General Municipal Law to allow notices of claim against cities and villages to be served on the New York Secretary of State as agent for New York's public corporations, and,

WHEREAS, Pursuant to the Act, the New York Department of State will forward any notice of claim served on it to the individual the village designates to receive the notices of claim, and,

WHEREAS, To effectuate this new method of serving notices of claim on public corporations, General Municipal Law § 53 was added and requires each city and village to file with the New York Department of State a certificate that (a) designates the New York Secretary of State as the local government's agent for service of notices of claim, (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and (c) provides the applicable time limit for filing a notice of claim on the city or village, and,

WHEREAS, The Village of Bergen, New York, Genesee County, will appoint an agent to be its designee to receive notices of claim from the New York Secretary of State, pursuant to General Municipal Law § 53, and,

WHEREAS, The Board of Trustees of the Village of Bergen will compel the Village Administrator to file the Certificates of Designation of Notice of Claim with the Secretary of State no later than July 15th, 2013, and,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Bergen, New York, Genesee County, appoint the Village Administrator as its designee to receive notices of claim from the New York Secretary of State, pursuant to General Municipal Law § 53.

On a motion by Trustee Adams, seconded by Trustee Barclay, the resolution was adopted on a roll call vote, the results which follow:

3 Ayes

0 Nays

Dated: June 26th, 2013