

INSURANCE COMMITTEE  
SPECIAL MEETING  
JULY 12, 2012

***Committee Members:***

Jeffery L. Gallahan, Chairman  
John B. Cowley  
Rocky LaRocca  
Frederick S. Lightfoote  
Donald C. Ninestine  
Richard S. Russell

Others: John Park, County Attorney; Lisa Phillips, Stenographer

Meeting was called to order by Chairman Gallahan at 5:30 p.m. to discuss the proposed resolution entitled, "Uniform Notice of Claim Act, Resolution in Opposition".

Chairman Gallahan indicated that he sent a letter to the state legislators with regard to his opposition to the Uniform Notice of Claim Act, and has not received a response as of yet. Chairman Gallahan further questioned how the Secretary of State will be able to administer this new process with the current employment issues the way they are within the state.

In Mr. Park's opinion, he did not think the Governor should sign this bill, and the proposed resolution is in opposition to the Uniform Notice of Claim Act. Mr. Park explained that the new bill requires the county to designate the Secretary of State as the agent to receive notices of claim on behalf of Ontario County, and allows the filing of notices of claim against the county with the Secretary of State. The Secretary is to collect up to a \$250 fee, and split it with the county, and is also expected to transmit the notices of claim promptly to the county. Filing late can be excused due to a "good faith" mistake and we can't prove substantial prejudice. The purpose of this, in Mr. Park's opinion, is to allow a claimant a much easier path through the notice of claim issue, ostensibly because there are so many local government entities in New York that the average person can't figure out who is responsible for what. Mr. Park added that if the Governor signs this into law, it will be easier to sue every local government in the state.

***Motion was made by Supervisor Ninestine, seconded by Supervisor LaRocca to move the resolution as presented. Motion carried.***

There being no further business to come before the committee, motion was made by Supervisor Cowley, seconded by Supervisor Ninestine to adjourn. The meeting adjourned at 5:34 p.m.

Respectfully submitted,

Lisa Phillips, Deputy Clerk  
Board of Supervisors