

(Please Use this Form for Filing your 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~~ of Duanesburg
~~Town~~
~~Village~~

Local Law No. 1 of the year 19 77

Providing for written notification of defects and obstructions
A local law on town highways and sidewalks in the Town of Duanesburg
(Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Duanesburg
~~Town~~
~~Village~~ as follows:
LOCAL LAW NO. 1 OF THE YEAR 1977

Be it enacted by the Town Board of the Town of Duanesburg as follows:

Section 1. No civil action shall be maintained against any town or town 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 town clerk or town superintendent of highways, and 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; 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 town clerk or town 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. The town superintendent of highways shall transmit in writing to the town clerk within five days after the receipt thereof all written notices received by him 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 by him or her pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the town board within five days of the receipt thereof or at the next succeeding town board meeting whichever shall be sooner.

Section 3. This local law shall supersede in its application to the Town of Duanesburg 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 Secretary of State in accordance with the provisions of section 27 of the Municipal Home Rule Law.

(If additional space is needed, please attach sheets of the same size as this and number each)

Received 9/5/77

Public Hearing-Local Law #1
September 8, 1977

Meeting called to order at 7:00 pm.

Present were Justice MacDougall, Justice Peeke, Councilman Schworm, Councilman Vincent and Supervisor Dunlop. Also present was Attorney Callahan.

Pledge to the flag was led by Justice MacDougall.

Supervisor Dunlop read the legal notice of Local Law #1, 1977, and the proposed Local Law #1 of 1977.

Attorney Callahan explained the Law.

After questions from George Lent and Joseph Dacier the public hearing was adjourned at 7:15pm.

Regular Meeting
September 8, 1977

Meeting called to order at 7:30pm.

Present were Justice MacDougall, Justice Peeke, Councilman Schworm, Councilman Vincent, Supervisor Dunlop. Also present was Attorney Callahan.

Pledge to the flag was dispensed with as it already had been done at the public hearing.

The clerk read the minutes of the previous meeting which were approved as read.

Supervisor Dunlop opened the privilege to the floor. After questions and comments from Elbert Gallup, Gary Thompson, Ray Countermine, George Lent and Joseph LaPorte the privilege to the floor was closed.

COMMUNICATIONS:

The Supervisor read the following letters:

The Village of Delanson concerning the approval of the CETA Title 6 grant.

Schenectady County Board of Representatives concerning a study of quarterly payment of taxes. Schenectady County Board of Representatives concerning the increase in welfare of 88% in the last 4 years, and the need to have the Federal Government help.

An oral communication from Mr. Conway saying that the no right turn on Route 20 at the intersection of 7 and 20 will be removed.

COMMITTEES:

Finance and Ordinance - Councilman Vincent reported on the questionnaires sent out by the Planning Board - there were 419 responses, or 26% of the 1,600 sent out.

Buildings and Grounds - no report

Highway - no report

Assessment - Justice Peeke read the Assessor's monthly report.

Supervisor Dunlop read the Building and Sanitation Inspector's monthly report and the Supervisor's monthly financial report.

UNFINISHED BUSINESS:

Justice MacDougall moved and seconded by Councilman Schworm that the bills be paid as audited. Adopted 5 ayes.

Councilman Vincent moved and seconded by Justice MacDougall that Local Law #1 of 1977 providing for written notification of defects and obstructions on Town highways and sidewalks in the Town of Duaneburg, be adopted and that Attorney Callahan be authorized to certify and file the law. This was adopted by a roll call of 5 ayes, 0 nos.