

**Town of Charlton
Saratoga County**

**PUBLIC HEARING
February 25, 2019**

Regarding the establishment of a Local Law providing for prior written notice of the existence of a defective or hazardous condition existing on Town owned and/or maintained property

Present: Councilman Grasso, Councilwoman Heritage, Councilman Ranaletto, Councilman Robbins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Craig.

The Public Hearing began at 7:15 p.m. at the Charlton Town Hall. Supervisor Grattidge stated that this is a Public Hearing regarding the establishment of a Local Law providing for prior written notice of the existence of a defective or hazardous condition existing on Town owned and/or maintained property.

The Town Clerk read the following Legal Notice and confirmed that it was published in the official newspaper, The Daily Gazette on February 13, 2019:

**TOWN OF CHARLTON
PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Charlton will hold a public hearing concerning a proposed local law providing for prior written notice of the existence of a defective or hazardous condition existing on Town owned and/or maintained property in civil actions; said hearing to be on the 25th day of **February, 2019 at 7:15 p.m.** at the Town Hall of the Town of Charlton, 758 Charlton Road, Charlton, New York, at which time and place all persons desiring to be heard thereon will be heard.

A copy of said proposed new law is on file and available at the Town Clerk's Office.

Dated: February 11, 2019

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CHARLTON**

Brenda Mills, Town Clerk

Supervisor Grattidge said that the Loss Claims Specialist from the Town's Insurance Company suggested that the Town have this Local Law in place to lessen the Town's liability. The representative provided a template with the language for the Local Law.

Attorney Craig said that it is a very good idea to follow the suggestions of the Insurance Company so that they do not have a reason not to cover an incident. It is a little more protection for the Town, but the Town still needs to fix things when they are brought to the Town's attention.

The Floor was opened to public comment:

Bert Wilson, Cherry Lane, said that he arrived late for the Hearing and asked for a summary of what the purpose of this law was. Attorney Craig explained that this is to give the Town a little more protection from

civil lawsuits for damages or injuries suffered based on damages to our property. This Local Law requires that we have written notice beforehand and that will give the Town a reasonable amount of time to correct that defect before a suit can be filed.

RESOLUTION #67

Motion to Adjourn of Public Hearing

Motion by Councilman Grasso

Seconded by Councilwoman Heritage

Vote: All Ayes, No Nays. **CARRIED.**

The Hearing adjourned at 7:22 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk