

REGULAR MEETING OF THE HANCOCK VILLAGE BOARD,  
MONDAY, JUNE 10, 2013 7:00 PM  
HANCOCK VILLAGE HALL, 85 EAST FRONT STREET, HANCOCK, NEW YORK

The Regular Meeting was called to order at 7:00 PM by Mayor John Martin. Roll call was taken by Clerk/Treasurer Falsetta.

Present: Mayor John Martin  
Deputy Mayor Alice Hartz  
Trustee Dawn Gotthardt  
Trustee William Schoonmaker  
Trustee Patrick O'Brien

Also Present: Phyllis Falsetta Clerk/Treasurer  
Attorney to the Village, Robert McKertich  
See attached attendance list

**A MOTION** was made by Mayor Martin, seconded by Trustee Schoonmaker, voted and carried to approve May 13, 2013 Minutes.

*2013-089  
Minutes Approval*

**A MOTION** was made by Trustee Schoonmaker, seconded by Deputy Mayor Hartz, voted and carried to approve the Abstract of Vouchers with the inclusion of invoice from NYS Academy of Fire Science for Explorer Training in the amount of \$265.00 and the removal of Smith's Repair invoice #10130 in the amount of \$399.98 to be paid from the 2012-2013 Fiscal Budget.

*2013-090  
Abstract Approval*

Local Law #2 of 2013 – Requiring the Registration of Multi Unit Apartments was discussed. Deputy Mayor Hartz requested that the first sentence of section two, paragraph B be removed. The Board was in agreement.

**A MOTION** was made by Trustee Schoonmaker, seconded by Trustee Gotthardt, voted and carried to schedule a Public Hearing on July 8, 2013 at 7 PM on Local Law #2-2013.

*2013-091  
Public Hearing on Local Law #2-2013*

A letter retirement from the Summer Rec Center Program was received from Eugene Morgan.

**A MOTION** was made by Trustee Gotthardt, seconded by Trustee O'Brien, voted and carried to accept Eugene Morgan's retirement effective immediately.

*2013-092  
E. Morgan Retirement from Rec Center Program*

**A MOTION** was made by Trustee O'Brien, seconded by Trustee Gotthardt, voted and carried to have the Pennsylvania Avenue property appraised.

*2013-093  
PA Property Appraisal*

**A MOTION** was made by Trustee Schoonmaker, seconded by Deputy Mayor Hartz, voted and carried to apply for CDBG Housing Rehabilitation Grant.

*2013-094  
CDBG Housing Rehabilitation Grant Application*

**A MOTION** was made by Deputy Mayor Hartz, seconded by Trustee Gotthardt, voted and carried to approve correction of N. Possemato 2013-2014 assessment with reduction of tax bill.

2013-095  
Correction to N.  
Possemato Assessment

The construction of the salt shed was discussed. The Village is currently awaiting a proposal from Delaware Engineering on the specs.

**A MOTION** was made by Mayor Martin, seconded by Trustee Gotthardt, voted and Carried to pass the following **RESOLUTION**:

2013-096  
Resolution Designation  
Sec. of State for Filing  
Claims

**RESOLUTION AUTHORIZING THE FILING OF A CERTIFICATE WITH THE SECRETARY OF STATE, DESIGNATING THE SECRETARY OF STATE AS AGENT FOR SERVICE OF A NOTICE OF CLAIM**

**WHEREAS**, the New York State Legislature has passed, and the New York State Governor has signed into effect, the Uniform Notice of Claim Act (hereinafter the "Act").

**WHEREAS**, Section Six (§6) of the Act amends the General Municipal Law by adding a new Section Fifty-Three (§53), effective June 15, 2013.

**WHEREAS**, New York General Municipal Law Section Fifty-Three, Subsection Two (§53(2)) requires that all public corporations, who are entitled to service of notice of claim as a condition precedent to commencement of an action or proceeding shall, file a certificate with the Secretary of State designating the Secretary as agent for service of a notice of claim.

**WHEREAS**, the Village of Hancock (the "Village") must file such certificate with the Secretary of State no later than thirty (30) days of the date upon which General Municipal Law, Section Fifty-Three (53) will take effect on June 15, 2013

**NOW, THEREFORE**, the Village Board of Trustees duly convened in regular session, does hereby resolve as follows:

Section 1. The Village Clerk be and hereby is directed to forward to the New York State Secretary of State a Certificate, pursuant to General Municipal Law section fifty-three (GML §53), a copy of which is attached hereto, designating the Secretary of State as agent for service of a notice of claim where a notice of claim is required by law as a condition precedent to the commencement of an action or special proceeding against the Village, or any officer, appointee or employee of the Village.

Section 2. This Resolution shall take effect immediately.

**CERTIFICATE**

**DESIGNATION OF THE NEW YORK STATE SECRETARY OF STATE AS AGENT FOR NOTICE OF CLAIM**

The Board of Trustees of the Village of Hancock (the "Village") hereby designates the New York State Secretary of State as an agent for service of a notice of claim, pursuant to New York General Municipal Law Section Fifty-Three, Subsection Two (§53(2)).

In any case founded upon tort where a notice of claim is required by law as a condition precedent to the commencement of an action or special proceeding against the Village, or any officer, appointee or employee thereof, the notice of claim shall comply with and be served in accordance with the provisions of General Municipal Law Section fifty-e (§50-e) within ninety days after the claim arises; except that in wrongful death actions, the ninety days shall run from the appointment of a representative of the decedent's estate.

All notices of claim received by the Secretary of State, as agent for service upon the Village, shall be transmitted to the Hancock Village Clerk as officer, person, designee, nominee, or other agent-in-fact for the Village, located at the Village Hall, 85 East Front Street, Hancock, New York, 13783.

A letter was received from Wayne Biggs of 345 East Main Street regarding parking on East Main Street. Clerk Falsetta was instructed to send letter to Mr. Biggs that parking is permitted on the south side of East Main Street.

**A MOTION** was made by Deputy Mayor Hartz, seconded by Trustee Schoonmaker, voted and carried to enter into executive session at 8:00 P.M. to discuss potential disciplinary action against a particular employee.

2013-097  
*Executive Session*

The regular meeting was reconvened at 8:48 P.M. with not action taken.

The meeting was adjourned at 8:48 P.M.

Respectfully Submitted by:

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Phyllis Falsetta - Clerk/Treasurer