

Warren County Board of Supervisors

RESOLUTION NO. 754 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AUTHORIZING COUNTY ATTORNEY TO NEGOTIATE AND TENDER AN AMOUNT UP TO THE COUNTY INSURANCE POLICY DEDUCTIBLE TO SETTLE ALL CLAIMS IN THE MATTER OF FRANK DENES V. COUNTY OF WARREN, ET AL.

WHEREAS, Plaintiff, Frank Denes, filed a Federal lawsuit against the County of Warren, and other County employees, on September 7, 2022, Case No. 1:22-cv-926, in the United States District Court for the Northern District of New York, alleging in part, violations of Plaintiff's constitutional rights and protections, pursuant to 42 U.S.C. 1983, along with other claims, and

WHEREAS, the County Attorney is requesting authority from the Warren County Board of Supervisors to engage in negotiations and mediation sessions, by and through the County's insurance carrier, NYMIR, to pursue a potential settlement agreement in the matter of *Frank Denes v. County of Warren, et al.*, Case No. 1:22-cv-926; now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Attorney to engage in negotiations and mediation sessions, by and through the insurance carrier, NYMIR, which may result in a settlement agreement of all claims in this legal action, and such negotiations may include any amount of the County's deductible, up to the full insurance deductible of Fifty Thousand Dollars (\$50,000.00), and be it further

RESOLVED, that the Chair of the Board of Supervisors may execute any future settlement documents on behalf of the County, in a form approved by the County Attorney, and issue payment up to the amount of the County's insurance deductible, which is not to exceed Fifty Thousand Dollars (\$50,000.00).