

Warren County Board of Supervisors

RESOLUTION NO. 426 OF 2024

RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, MERLINO, MADAY, BEAN, ETU AND THOMAS

AUTHORIZING COUNTY ATTORNEY TO NEGOTIATE AND SETTLE ALL CLAIMS FILED BY MICHAEL DAVIS; AND AUTHORIZING THE CHAIR TO EXECUTE SETTLEMENT DOCUMENTS

WHEREAS, Plaintiff, Michael Davis, filed a lawsuit against the County of Warren, et. al. on March 3, 2023, Index No. EF2023-71114, in the Warren County Supreme Court, alleging in part, negligence in the inspection, maintenance, management, control, construction and placement of traffic control devices at the intersection of West Mountain Road and Luzerne Road (hereafter, "Lawsuit"), and

WHEREAS, the County Attorney requested and the Personnel, Administration & Higher Education Committee approved the request for authority from the Warren County Board of Supervisors to engage in negotiations, by and through the County's insurance carrier, to pursue a Settlement Agreement with Michael Davis, and to tender an amount of Seven Thousand Five Hundred Dollars (\$7,500), which is an amount less than the self-insured retention amount under the applicable policies of insurance, and to authorize the Chair of the Board of Supervisors to sign all necessary settlement documents, in a form approved by the County Attorney, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the County Attorney to engage in negotiations, by and through the County's insurance carrier, for a settlement agreement of all claims filed and that such settlement shall be in an amount of Seven Thousand Five Hundred Dollars (\$7,500), which is an amount less than the self-insured retention amount under applicable policies of insurance, and be it further

RESOLVED, that the Chair of the Board of Supervisors may execute any future settlement documents for the Lawsuit on behalf of the County, in a form approved by the County Attorney, and issue payment of Seven Thousand Five Hundred Dollars (\$7,500).