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Supervisor

Town of Greece

Town Clerk's Office

Ivana Casilio, Town Clerk

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FILING A CLAIM AGAINST THE TOWN

The following information is provided to assist you in determining whether or not to file a claim against the Town. Please be advised that the law allows the Town to pay only for damages caused as a direct result of Town operations. Also, the Town can pay only to repair or replace damaged property with comparable materials. For these reasons, accurate and honest estimates or repair bills are essential and should be obtained from a reputable source.

To make a claim for damage (including personal injuries) against the Town of Greece, New York, Section 50-e of the General Municipal Law requires you to take the following steps **within ninety (90) days of the incident**.

1. You must present a notarized statement of your account of the incident to the Town of Greece. Your statement must be sent by **CERTIFIED** or **REGISTERED MAIL** or **SERVED DIRECTLY** to the **Greece Town Clerk**.

Greece Town Clerk
Town of Greece
One Vince Tofany Boulevard
Greece, New York 14612

If you choose to serve the Town Clerk in person, please call (585) 723-2341 to arrange for a meeting.

2. Your notarized statement must contain the following information:

- a. Your name, address, and phone number(s). If you are being represented by an attorney, please include your attorney's name, address, and phone number(s).
- b. The specific time, date and location of the incident are essential. For example, "broken sidewalk in front of 30 English Road". A general statement of "English Road" would not be considered specific.
- c. Describe the damage or injury and explain how the incident occurred. If property damage is involved, describe the property. Also, an estimated value for damages is to be included in your claim. If this is a motor vehicle incident, please provide the license plate number and state registration as well as the registered owner of the vehicle.

3. Your signature on the letter must be witnessed by a **NOTARY PUBLIC OR COMMISSIONER OF DEEDS**. (Most banks provide Notary Public service). Although not required, it will help the Town handle your claim if you include the following information, if at all possible.

- a. Itemized bills and estimates, if available, or any other evidence that supports the amount of your damage. **The information must be sent within ninety (90) days. Do not wait beyond the ninety (90) days to file your claim or send your information, even if you do not have all your bills.**
 - b. Name and addresses of witnesses.
 - c. Date, name of court, Judge's name and disposition of any court appearance(s) related to the claim.
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COMMON QUESTIONS ABOUT CLAIMS AGAINST THE TOWN OF GREECE

How will my claim be handled?

Your claim will be recorded in the Town Clerk's Office and file opened. Town staff will gather information about your incident from various sources. You may be contacted for additional information. You may contact Town staff if you would like to submit additional information.

Can I do anything to speed up the review of my claim?

Claims are reviewed more quickly if they are accurate and detailed. This is why it is important that the exact location of an incident or defect be given and any witnesses and/or any Town personnel who may have been on the scene that can be identified.

Please remember that the Town can pay only to repair or replace damaged property with comparable materials. For these reasons, an accurate and honest estimate or repair bill is essential.

Why might my claim be denied?

The most common reasons that claims are denied are:

- a. The existence of a defense under the law that prevents liability.
- b. Failure to file the claim on time - within ninety (90) days from the date of the incident.
- c. The incident was caused by circumstances unrelated to the Town of Greece operations.

The Town is not alone in working in and under its streets. Utility companies, Monroe County Pure Waters, and contractors serving private property owners and others all have occasion to work in the streets. If a Town contractor is involved, your claim will be sent to the contractor and its insurer. Similarly, we will tell you if we find that your incident occurred outside of the Town of Greece, or on property controlled by someone other than the Town.

Who can I call regarding the status of my claim?

The Town of Greece Attorney's office and Finance Department work together to investigate and respond to claims. You may call Lisa Santillo at (585) 723-2388 with questions regarding a filed claim.