

TOWN OF MACHIAS

DATE: January 4, 2024

RESOLUTION NUMBER: 1

YEAR: 2024

MOVED BY: Robert Shenk

SECOND BY: Tom Reese

TITLE: **Resolution for the Official Undertaking of Municipal Officers**

WHEREAS, NYS Town Law §25 and Public Officers Law §11 require that certain Town officials execute an Official Undertaking;

WHEREAS, the certain Town officials are the Town Supervisor, Town Clerk, Tax Collector, Town Justices, and Highway Superintendent;

NOW THEREFORE BE IT RESOLVED, that we, the Machias Town Board approve the document entitled “Machias Official Undertaking of Municipal Officers” as to form and manner of execution and the sufficiency of the insurance; and

BE IT FURTHER RESOLVED, that said Official Undertaking containing the notarized signatures of those named municipal officials to be filed in the Office of the Town Clerk, as well as original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such Officials to properly discharge their duties.

The resolution as stated above is hereby adopted by a majority vote of the Machias Town Board at an official meeting held on January 4, 2024, the ayes and nays take and recorded below:

Aye Joshua Dusterhus, Supervisor

Aye Frank Bork, Councilmember

Aye Robert Shenk, Councilmember

Aye Tom Reese, Councilmember

Aye Nicholas Glasner, Councilmember

CERTIFIED: _____
Rebecca Grimmelt, Clerk
Town of Machias

Town Of Machias

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, **Joshua Dusterhus**, of the Town of Machias, County of Cattaraugus, New York has been elected to the Office of Supervisor of the Town of Machias, and

WHEREAS, **Rebecca Grimmelt**, of the Town of Machias, County of Cattaraugus, New York has been appointed to the Office of Town Clerk and Tax Collector of the Town of Machias, and

WHEREAS, **Francis Lounsbury**, of the Town of Machias, County of Cattaraugus, New York has been elected to the Office of Town Justice of the Town of Machias, and

WHEREAS, **Denise Richards**, of the Town of Machias, County of Cattaraugus, New York has been elected to the Office of Town Justice of the Town of Machias, and

WHEREAS, **Timothy Byroads**, of the Town of Machias, County of Cattaraugus, New York has been elected to the Office of Superintendent of Highways of the Town of Machias, and

NOW THEREFORE, we as respective officers above, do hereby undertake with the Town of Machias that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Town Clerk and Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk and Tax Collector; and

This undertaking of the Town Justices is further conditioned that they will well and truly keep, pay over and account for all moneys and property coming into their hands as such Town Justices; and

The Town does and shall maintain insurance coverage, presently with Vanner Insurance, in the sum of \$1,000,000 for the Tax Collector, Town Clerk and Supervisor to indemnify against losses through failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all monies or properties received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

Dated: January 4, 2024

Town Of Machias

Town Supervisor

Town Clerk and Tax Collector

Town Justice

Town Justice

Highway Superintendent

Notary Public

STATE OF NEW YORK :SS:

COUNTY OF CATTARAUGUS

On the _____ day of January, 2024 before, the undersigned, a Notary Public in and for said State, personally appeared **Joshua Dusterhus**, personally known to me or provide me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

The Town Board of the Town of Machias approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on January 4, 2024

Notary Public

STATE OF NEW YORK :SS:

COUNTY OF CATTARAUGUS

On the _____ day of January, 2024 before, the undersigned, a Notary Public in and for said State, personally appeared **Rebecca Grimmelt**, personally known to me or provide me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

The Town Board of the Town of Machias approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on January 4, 2024

Notary Public

STATE OF NEW YORK :SS:

COUNTY OF CATTARAUGUS

On the _____ day of January, 2024 before, the undersigned, a Notary Public in and for said State, personally appeared **Francis Lounsbury**, personally known to me or provide me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

The Town Board of the Town of Machias approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on January 4, 2024

Notary Public

STATE OF NEW YORK :SS:

COUNTY OF CATTARAUGUS

On the _____ day of January, 2024 before, the undersigned, a Notary Public in and for said State, personally appeared **Denise Richards**, personally known to me or provide me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

The Town Board of the Town of Machias approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on January 4, 2024

Notary Public

STATE OF NEW YORK :SS:

COUNTY OF CATTARAUGUS

On the _____ day of January, 2024 before, the undersigned, a Notary Public in and for said State, personally appeared **Timothy Byroads**, personally known to me or provide me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

The Town Board of the Town of Machias approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on January 4, 2024