

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 1 OF 1990

A local law provides for the defense and indemnification of officers and employees

Be it enacted by the Board of Trustees of the Village of Island Park as follows:

Section 1: STATEMENT OF LEGISLATIVE INTENT

The purpose of this local law is to adopt and accept the applicability of Section 18 of the Public Officers Law of the State of New York to provide for the defense and indemnification of officers and employees of the Village of Island Park with respect to any civil action or proceeding, whether commenced in State or Federal Court, arising out of any alleged act or omission occurring or allegedly occurring while such officer and/or employee was acting within the scope of his or her public employment or duties and in accordance with the opinion of the Attorney General of the State of New York, dated February 1, 1988, to provide for the defense and indemnification of said officers and employees in the successful defense of criminal actions for acts or omissions allegedly occurring while such officer and/or employee was acting within the scope of his or her public employment or duties.

Section 2:: ENACTMENT

The Board of Trustees of the Village of Island Park, New York, does hereby accept and adopt the applicability of the provisions of Section '18 of the Public Officers Law of the State of New York and to confer the benefits provided for thereunder, upon its officers and employees (as defined in said law) and to be liable for the cost incurred thereunder and to confer similar benefits and the reimbursement of defense costs and litigation expenses of the officer and/or employee in a criminal action or investigation of their alleged acts or omissions occurring while acting within the scope of their employment or duties, provided that the said officer and/or employee is not or was not convicted of a crime or offense arising out of such act..

Section 3.: LIMITATION OF BENEFITS .

The benefits provided for under this local law shall be secondary' to any applicable insurance coverage available to the officer or employee whether under a policy of insurance procured by the Village of Island Park or a policy of insurance procured by the individual officer or employee.

Section 4. VALIDITY

If any provision of this local law or the application thereof to any person for circumstance be held unconstitutional or invalid in whole or part by any court of competent jurisdiction, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this local law or the application of any such provision to any other person or circumstance.

Section 5: EFFECTIVE DATE

This local law shall take effect immediately and shall cover all actions and prosecutions commenced against any officer or employee prior to or subsequent to its effective date, and any investigations or other proceedings prior to or subsequent to its effective date. .