



NEW YORK MUNICIPAL INSURANCE RECIPROCAL

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July 05, 2022

Melinda McKnight, Supervisor
Town of Hurley
P.O. Box 569
Hurley, New York 12443

Re: Recommendations for Town of Hurley

Dear Ms. McKnight,

I would like to thank you for affording me the opportunity to visit your facilities. As a member of NYMIR, we are all conscious of the exposures that face local governments and the importance of safe guarding employees, members of the public and municipal assets. We hope that the recommendations we have provided will help you achieve that goal.

These recommendations are by no means an all-inclusive list; rather highlighting certain areas based on your exposures and your prior claims experience. In addition, claim trends that have impacted NYMIR clients have been used in developing recommendations for your municipality. Some of the recommendations, if you agree to implement, can be done with limited resources. We realize that in some cases more resources and time will be needed.

The recommendations provided are no substitute for the safety and daily observations of your employees; and the report does not imply that other hazardous conditions do not exist. In addition, this is not to be considered a professional engineering analysis or findings. We assume no responsibility for the implementation of these recommendations; however, we are available for consultation on these issues.

After you have had a chance to review this report, we would appreciate a response in writing within 60 days. Please indicate recommendations you will be able to complete or others that will take some additional time. If you disagree with any recommendations, please bring those to our attention. Also, please let us know if we can assist in the implementation of any.

We do share this information with our Underwriting Department. Your pro-active approach to these recommendations is taken into consideration at your annual renewal. Should you have any questions, please feel free to contact me at 518-331-8958 or rcuva@wrightinsurance.com.

Yours truly,

Roger Cuva, CSP, ARM, ALCM
Senior Risk Control Specialist, NYMIR

cc: Marshall & Sterling, Inc.
407 Hurley Avenue, P.O. Box 3128
Kingston, NY 12402



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Location	Category	Rec#	Rec Severity
NYMIR Survey	PROPERTY	2022-07-01	High
<p>The municipality should consider utilizing the services of a professional consultant, structural engineer (P.E.) to examine the structural integrity and condition of the (designated building) due to deterioration and dilapidation noted of the (structural component(s)) for the purpose of preventing a collapse or failure of the building feature that would further damage the building, assets inside, or cause injury to members of the public, personnel, etc.</p> <p>The existing proposal from CPL Architectural, Engineering, Planning to rehab the existing highway garage should be carefully reviewed to determine if this is the best course of action relative to cost effectiveness and if indeed would make the old highway garage safer; and/or determine whether relocation to a more suitable facility that has been identified would be a more appropriate solution.</p> <p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p>			
NYMIR Survey	FIRE SAFETY	2022-07-02	High
<p>it is suggested that reserve oxygen cylinders be separated from fuel-gas cylinders by at least 20 feet, or by a non-combustible barrier at least 5 feet high having a fire resistance rating of at least one-half hour to reduce the exposure to fire and explosion. Gas cylinders should be secured and chained in the upright position.</p> <p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p>			

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NYMIR Survey	PARKS/PLAYGROUND	2022-07-03	High
<p>It is important that the town follow through on plans to rehab the Park and playground facility on Dugg Hill Road with the new playground meeting all CPSC (Consumer Product Safety Commission) requirements with respect to safe elements, surfacing materials and depth, rules of use and safety signage, and ADA and inclusive measures for the handicapped. .</p>			
<p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p>			
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NYMIR Survey	SECURITY	2022-07-04	High
<p>During the review of the municipality's workplace violence prevention program it was discussed that annual training is not being provided to all town employees and elected officials. Annualized training should be scheduled since it is a vital component in defending the town should there be a workplace violence incident involving the public. All employees and elected officials should be trained annually and the training should be documented. For further information visit http://www.dc37.net/about/graphics/factsheetspdf/workplaceviolence.pdf</p> <p>This also includes during a workplace assessment of the town's exposure to violence with particular respect to the justice court area.</p>			
<p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p>			
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NYMIR Survey	SECURITY	2022-07-05	High
<p>To improve its claim defense position in the event of a disturbance in the court resulting in personal injury, it is suggested that the town's uniformed court security officer obtain his Peace Officer certification if they have not already done so. For addition information visit http://www.criminaljustice.ny.gov/ops/registry/policereg.htm or call 518-457-2667.</p> <p>Currently, the person who is acting in this capacity is neither uniformed or trained as such and should either be replaced with a trained and certified peace officer or law enforcement officer or become DCJS trained as indicated with appropriate level of force options, firearm, taser, etc.</p> <p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p> <hr/> <hr/> <hr/>			
NYMIR Survey	POLICES AND PROCEDURES	2022-07-06	Moderate
<p>It is suggested that the town enact a local law to supersede New York Town Law 65-A to provide maximum protection against lawsuits from defects to streets, culverts, etc. not previously notified in writing.</p> <p>In addition, the town clerk should keep a log of the written prior notifications the town receives regarding defects to streets, sidewalks, etc.</p> <p>Please note that it is important for the log to be maintained even if it is blank with no recorded notices. This will serve as proof that a written notice was never received of the alleged defect.</p> <p><input type="checkbox"/> Completed <input type="checkbox"/> Pending <input type="checkbox"/> Not Completed</p> <hr/> <hr/> <hr/>			

While the municipality does have written anti-harassment and non-discrimination policies, training may not have been provided to all staff. Training for staff should be scheduled since it is a vital component in defending the district against these exposures. All staff should be trained and the training should be documented; as well as that of elected officials. Training should be done annually. Doing this can limit the municipality's potential for employment practices liability claims.

☐ Completed ☐ Pending ☐ Not Completed
