

CHAPTER 18 DEFENSE AND INDEMNIFICATION

§ 18-1. Adoption of standards.

§ 18-3. Cooperation of employee.

§ 18-2. Defense and indemnification of town officers or employees.

[HISTORY: Adopted by the Town Board of the Town of Henderson 11-7-1985 by L.L. No. 2-1985. Amendments noted where applicable.]

GENERAL REFERENCES

Personnel policies — See Ch. 46.

§ 18-1. Adoption of standards.

The Town Board hereby adopts § 18 of the Public Officers Law and confers the benefits thereof upon all town officers and employees.

§ 18-2. Defense and indemnification of town officers or employees.

The town shall provide for the defense of any town officer or employee in any civil action or proceeding arising out of any alleged act or omission in which it is alleged that the officer or employee has violated the civil rights of the claimant, petitioner or plaintiff under §§ 1981 and 1983 of the United States Civil Rights Act. The town shall indemnify and save harmless such officer or employee in the amount of any judgment or settlement of claim obtained against such officer or employee. Such legal defense and indemnification shall be provided where the officer or employee at the time of such alleged act or omission was acting in good faith and within the scope of his public employment, powers or duties. The provisions of this section shall be in addition to any other statute, local law or enactment providing legal defense and indemnification in civil actions brought against such officer or employee.

§ 18-3. Cooperation of employee.

The town's obligations pursuant to this chapter are expressly conditioned upon the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the town based upon the same act or omission and in the prosecution of any appeal.¹

¹ Editor's Note: Former § 4, dealing with liability insurance, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).