§ 641. Actions against the trust. 1. Except in an action for wrongful death, no action or proceeding shall be prosecuted or maintained against the trust for personal injury or damage to real or personal property alleged to have been sustained by reason of the negligence or wrongful act of the trust or of any member of the board, officer, agent or employee thereof, unless (a) it shall appear by and as an allegation in the complaint or moving papers that a notice of claim shall have been made and served upon the trust, within the time limit prescribed by and in compliance with section fifty-e of the general municipal law, (b) it shall appear by and as an allegation in the complaint or moving papers that at least thirty days have elapsed since the service of such notice and that adjustment or payment thereof has been neglected or refused, and (c) the action or proceeding shall be commenced within the period provided under section fifty-i of the general municipal law. An action against the trust for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of the public authorities law.

2. Wherever a notice of claim is served upon the trust, it shall have the right to demand an examination of the claimant relative to the occurrence and extent of the injuries or damages for which claim is made, in accordance with the provisions of section fifty-h of the general municipal law.

3. The trust may require any person presenting for settlement an account or claim for any cause whatsoever against the trust to be sworn before a member of the board, counsel or an attorney, officer or employee thereof designated for such purpose, concerning such account or claim and when so sworn, to answer orally as to any facts relative to such account or claim. The trust shall have power to settle or adjust any claims in favor of or against the trust.

4. The rate of interest to be paid by the trust upon any judgment for which it is liable, other than a judgment on bonds, notes or other obligations, shall not exceed the rate of interest on judgments and accrued claims against municipal authorities as provided in the general municipal law. Interest on payments of principal or interest on any

bonds, notes or other obligations in default shall accrue at the rate specified in the general municipal law until paid or otherwise satisfied.

5. The venue of every action, suit or special proceeding brought against the trust shall be laid in the county of New York.