

Abandoning A Portion Of County Road Number 29A Located In The Town Of Rochester, Removing A Portion Of County Road Number 29A From The County Road Map, And Authorizing The Chair Of The Ulster County Legislature To Sign Intermunicipal Agreement(s) With The Town Of Rochester – Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairwoman Petit and Legislators Fabiano, Greene, Litts, and Nolan), and The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, Maloney, Petit, Rodriguez, and Ronk)

Chairwoman of the Public Works and Capital Projects Committee, Laura Petit, and Deputy Chair Dean J. Fabiano offer the following:

WHEREAS, this Resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, in the 1960's the County re-aligned County Road Number 29A in the Hamlet of Alligerville in the Town of Rochester, Ulster County, New York, and relocated and replaced the Alligerville Bridge at the same location, resulting in a portion of County Road Number 29A only serving as an access point to the Town of Rochester's Creek Road, as shown on and identified on a Map entitled "Lot 1 A Portion of the Creek Road Right of Way" as certified by Prudent Engineering, LLP and signed by Michael Anthony Venturo, LLS, on July 17, 2019; and

WHEREAS, the Commissioner of the Ulster County Department of Public Works has proposed that the County of Ulster, pursuant to Sections 115-b and 115-c of the New York State Highway Law, abandon the identified portion of County Road Number 29A in the Town of Rochester to the said Town of Rochester, and that the identified portion be removed from the County Road System and be maintained by the Town of Rochester instead; and

WHEREAS, the Town of Rochester is willing to accept the abandoned portion of Creek Road for maintenance purposes; and

WHEREAS, pursuant to Section 115-c of the Highway Law, whenever a county road is abandoned or reverts to a town, the county legislature must give 30 days' notice that such abandonment or reverter is to take place to the Town Clerk and Town Supervisor or other chief executive officer of the municipality within which all or part of such road is situated; and

WHEREAS, the conveyances for this transaction are contingent upon the consent and agreement of all the parties involved including the Town of Rochester, as well as the approval of the Ulster County Legislature and the Ulster County Executive; and

Resolution No. 370 August 20, 2019

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WHEREAS, the abandonment constitutes a Type II action under Section 3.2 and Section 4.5.11 of the County of Ulster’s State Environmental Quality Review Act (SEQRA) Type II list, adopted by Resolution No. 118 on April 20, 2010; and

WHEREAS, Ulster County determines that this action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR part 617 of SEQRA; now, therefore, be it

RESOLVED, that the Chair of the Ulster County Legislature is authorized to sign an intermunicipal agreement and any related amendments with the Town of Rochester providing for removal of such portion of the old Alligerville Road from the County Road system, as well as any necessary deeds and such other documents as may be required to effectuate the terms of this resolution, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney; and, be it further

RESOLVED, that pursuant to Section 115-b of Highway Law, the County of Ulster does hereby remove a portion of County Road Number 29-A, being also a portion of the Alligerville Road, from the County Highway Map, being that portion of highway designated as “Lot 1” on its corresponding map prepared for the Town of Rochester by Prudent Engineering, LLP, and described and filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney and the Ulster County Department of Public Works, so that said Creek Road shall revert to and be maintained by the Town of Rochester pursuant to the provisions of Section 115-b of Highway Law, with said removal to be effective upon filing with the Ulster County Clerk; and, be it further

RESOLVED, that the Ulster County Legislature shall give 30 days’ notice to the Rochester Town Clerk and Town Supervisor or other chief executive officer of the municipality of said abandonment; and, be it further

RESOLVED, that this Resolution is subject to all of the parties, including the Town of Rochester, having agreed and consented to this transaction in its entirety, as well as the approval of the Ulster County Legislature and the Ulster County Executive,

