

By Legislators Smith and Delehanty

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2023

**AUTHORIZING JURISDICTIONAL TRANSFER OF PORTION OF OLD BROOKS AVENUE  
IN TOWN OF GATES TO TOWN OF GATES**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Legislature hereby authorizes the jurisdictional transfer of a portion of Old Brooks Avenue West of Old Beahan Road from Monroe County to the Town of Gates.

Section 2. The Monroe County Legislature hereby authorizes an amendment of the County road system map to remove a portion of Old Brooks Avenue West of Old Beahan Road.

Section 3. The County Executive, or his designee, is hereby authorized to enter into a contract transferring a portion of Old Brooks Avenue from Monroe County to the Town of Gates.

Section 4. The County Executive, or his designee, is hereby authorized to execute any and all necessary documents to convey a portion of Old Brooks Avenue from Monroe County to the Town of Gates.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; December 7, 2023 - CV: 11-0  
File No. 23-0367

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

November 9, 2023

OFFICIAL FILE COPY	
No.	230367
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
WAYS & MEANS	-L

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Authorize the Jurisdictional Transfer of a Portion of Old Brooks Avenue in the Town of Gates to the Town of Gates to the Town

Honorable Legislators:

I recommend that Your Honorable Body authorize the jurisdictional transfer of a portion of Old Brooks Avenue in the Town of Gates (the "Town") from Monroe County to the Town.

The Town and Monroe County have agreed that Old Brooks Avenue west of Old Beahan Road should be transferred to the Town and removed from Monroe County's highway map. The reason for the requested transfer is to allow the Town to continue maintenance of the road. After the transfer, the Town will assume maintenance responsibility for Old Brooks Avenue. Therefore, the Monroe County Director of Transportation recommends the jurisdictional transfer of a portion of Old Brooks Avenue west of Old Beahan Road from Monroe County to the Town and the corresponding amendment of the County road system map under New York State Highway Law Sections 115 and 115-b.

**The specific legislative actions required are:**

1. Authorize the jurisdictional transfer of a portion of Old Brooks Avenue West of Old Beahan Road from Monroe County to the Town of Gates.
2. Authorize an amendment of the County road system map to remove a portion of Old Brooks Avenue West of Old Beahan Road.
3. Authorize the County Executive, or his designee, to enter into a contract transferring a portion of Old Brooks Avenue from Monroe County to the Town of Gates.
4. Authorize the County Executive, or his designee, to execute any and all necessary documents to convey a portion of Old Brooks Avenue from Monroe County to the Town of Gates.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) (23) (“mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns”) and is not subject to further review under the State Environmental Quality Review Act.

This transfer will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  


Adam J. Bello  
Monroe County Executive