

21.

By Legislators Morris and Colby

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

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

**AUTHORIZING ALTERATION OF MONROE COUNTY TRAFFIC SIGNAL AND FIBER SYSTEMS BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION DURING NY ROUTE 104 FROM LAKE AVENUE TO CULVER ROAD PROJECT IN CITY OF ROCHESTER**

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

Section 1. The Monroe County Legislature hereby authorizes the execution of a utility work agreement for the alteration of Monroe County traffic signal and fiber systems by the New York State Department of Transportation during the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester.

Section 2. The attached resolution required by New York State for the alteration of Monroe County traffic signal and fiber systems by the New York State Department of Transportation during the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester is hereby incorporated by reference and adopted.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Transportation Committee; November 28, 2023 - CV: 7-0  
File No. 23-0392

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.	230392
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
TRANSPORTATION	-L

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

**Subject:** Authorize the Alteration of Monroe County Traffic Signal and Fiber Systems by the New York State Department of Transportation During the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester

Honorable Legislators:

I recommend that Your Honorable Body authorize the alteration of Monroe County traffic signal and fiber systems by the New York State Department of Transportation ("NYSDOT") during the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester.

The NYSDOT proposes the construction/reconstruction/improvement of NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester. As part of this work, the New York State Department of Transportation will need to alter Monroe County traffic signal and fiber systems that are within the project limits. The project is planned to take place during 2024, with actual dates to be determined.


**The specific legislative actions required are:**

1. Authorize the execution of a utility work agreement for the alteration of Monroe County traffic signal and fiber systems by the New York State Department of Transportation during the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester.
2. Incorporate by reference and adopt the attached resolution required by New York State for the alteration of Monroe County traffic signal and fiber systems by the New York State Department of Transportation during the NY Route 104 from Lake Avenue to Culver Road Project in the City of Rochester.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(2) ("replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site") and is not subject to further review under the State Environmental Quality Review Act.

This project 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

**Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract**

Resolution # \_\_\_\_\_

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 104 from Lake Avenue to Culver Road, City of Rochester, Monroe County, P.I.N. 4104.90**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the **alteration of traffic signal and fiber systems**, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans and Utility Special Note relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans and Utility Special Notes, relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED: That the **Monroe County Department of Transportation** approves of the above mentioned work performed on the project and shown on the contract plans relating to the project and that the **Monroe County Department of Transportation** will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED that the **Director of Transportation** has the authority to sign, with the concurrence of the **Monroe County Legislature**, any and all documentation that may become necessary as a result of this project as it relates to the **Monroe County Department of Transportation**, and

BE IT FURTHER RESOLVED: That the **Monroe County** is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved By:

Seconded By:

Vote:

\*\*\*\*\*

I, \_\_\_\_\_, duly appointed and qualified \_\_\_\_\_, do hereby CERTIFY that the foregoing resolution was adopted at a meeting duly called and held in the office of, \_\_\_\_\_, a quorum being present on the \_\_\_\_\_ day of \_\_\_\_\_, and that said copy is a true, correct and compared copy of the original resolution so adopted and that the same has not been revoked or rescinded.

WITNESSETH, my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_ title