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By Legislators Burgess and Maffucci

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

RESOLUTION NO. \_\_\_\_ OF 2025

**AUTHORIZING ALTERATION OF GATES-CHILI-OGDEN SEWER DISTRICT SEWER ASSETS BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION DURING NY-33A CHILI AVE OVER ERIE CANAL BRIDGE PROJECT, TOWN OF GATES AND CITY OF ROCHESTER, MONROE COUNTY, PIN 4077.31**

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a utility work agreement, and any amendments thereto, for the alteration of Gates-Chili-Ogden Sewer District sewer assets by the New York State Department of Transportation during the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31.

Section 2. The attached resolution required by New York State for the alteration of Gates-Chili-Ogden Sewer District sewer assets by the New York State Department of Transportation during the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31, 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; May 20, 2025 – CV: 7-0  
Ways & Means Committee; May 20, 2025 – CV: 11-0  
File No. 25-0175

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

**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 NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the, **Adjustment, relocation and replacement of sanitary and storm sewers facilities and related appurtenances as depicted in the contract plans**, 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 Pure Waters** 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 Pure Waters** 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 Environmental Services** has the authority to sign, with the concurrence of the **Monroe County Pure Waters Board of Directors**, any and all documentation that may become necessary as a result of this project as it relates to the **Monroe County Pure Waters**, and

BE IT FURTHER RESOLVED: That the **Monroe County Pure Waters** 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 \_\_\_\_\_

\_\_\_\_\_  
Name, title



# *Office of the County Executive*

Monroe County, New York

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

May 9, 2025

<b>OFFICIAL FILE COPY</b>	
No.	<u>250175</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>TRANSPORTATION</b>	<b>-L</b>
<b>WAYS &amp; MEANS</b>	

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

**Subject:** Authorize the Alteration of Gates-Chili-Ogden Sewer District Sewer Assets by the New York State Department of Transportation During the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31

**Honorable Legislatures:**

I recommend that Your Honorable Body authorize the alteration of Gates-Chili-Ogden Sewer District sewer assets by the New York State Department of Transportation ("NYSDOT") during the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31.

The NYSDOT proposes the construction/re-construction/improvement of NY Route 204 from Route 33A to Rochester City Line in the Town of Gates. As part of this work, the NYSDOT will need to alter the Gates-Chili-Ogden Sewer District's sewer assets (e.g., manhole frames and covers) that are within the project limits. The project is planned to commence in 2025, with actual dates to be determined.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to execute a utility work agreement, and any amendments thereto, for the alteration of Gates-Chili-Ogden Sewer District sewer assets by the New York State Department of Transportation during the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31.
2. Incorporate by reference and adopt the attached resolution required by New York State for the alteration of Gates-Chili-Ogden Sewer District sewer assets by the New York State Department of Transportation during the NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31.

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 alteration of assets 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 the 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 **NY-33A Chili Ave over Erie Canal Bridge Project, Town of Gates and City of Rochester, Monroe County, PIN 4077.31**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the, **Adjustment, relocation and replacement of sanitary and storm sewers facilities and related appurtenances as depicted in the contract plans**, 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 Pure Waters** 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 Pure Waters** 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 Environmental Services** has the authority to sign, with the concurrence of the **Monroe County Pure Waters Board of Directors**, any and all documentation that may become necessary as a result of this project as it relates to the **Monroe County Pure Waters**, and

BE IT FURTHER RESOLVED: That the **Monroe County Pure Waters** 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:

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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 \_\_\_\_\_

\_\_\_\_\_  
Name, title