

STATE OF NEW YORK

4806

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

Introduced by M. of A. SMULLEN -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to authorizing the town of Deerfield in Oneida county to transfer jurisdiction of a road to the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 31 of section 341 of the highway law is amended
2 by adding a new paragraph 6 to read as follows:

3 6. Effective April first, two thousand twenty, the legislative body of
4 the town of Deerfield in the county of Oneida, having previously
5 approved the abandonment of certain town roads, as set forth in this
6 subdivision, the commissioner is authorized and directed to assume
7 jurisdiction for state highway purposes over the road identified as the
8 south-bound service road and associated ramp sections built under New
9 York state department of transportation contract D250071 in nineteen
10 hundred eighty-two parallel to state route eight and twelve from the
11 city of Utica line north to the Mulaney Road interchange, including any
12 pavement, shoulder area, drainage system, landscaping, curbs, and
13 guiderail located thereon or immediately adjacent thereto.

14 § 2. The commissioner of transportation and the town of Deerfield are
15 authorized to permanently close such portions of the highway transferred
16 to the state as necessary to eliminate travel over sections of the high-
17 way that are unfit or unnecessary for travel due to flooding or erosion,
18 provided, however, that provision is made for the access to or acquisition
19 of any properties that would be denied access to public highways
20 due to such closure.

21 § 3. This transfer of jurisdiction shall be deemed to transfer all
22 right, title and interest of the town of Deerfield in the transferred
23 highways to the state. Furthermore, the state acquisition of such property
24 pursuant to this act shall be deemed to be an acquisition pursuant
25 to section 30 of the highway law for all subsequent purposes and uses.

26 § 4. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD08698-01-9