CHAPTER 63

AN ACT relating to highways, constituting chapter twenty-five of the consolidated laws

Became a law March 4, 1936, with the approval of the Governor. Passed, three-fifths being present

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

CHAPTER 25 OF THE CONSOLIDATED LAWS

Article I. Short title and definitions (§§ 1-3).
II. Commissioner of transportation (§§ 10-23*).
III. State highways (§§ 29-66).
IV. Improvement with federal aid (§§ 80-89).
V. County superintendents (§§ 100--104-a).
VI. County roads (§§ 110--139-a).
VII. Town superintendents (§§ 140-159).
VIII. Town highways (§§ 170-218).
VIII-A. Town highway improvement program (§§ 219--229-d).
IX. Bridges (§§ 230-255).
X. Finances (§§ 260-292).
XI. Miscellaneous provisions (§§ 300-332).
XII. State routes (§§ 340-a--345-e).
XII-A. State thruways (§§ 346--349-a).
XII-B. State arterial highways passing through cities (§§ 349-b--349-g).
XII-C. New York State Scenic Byways Program (§§ 349-aa--349-dd).
XIII. Saving clause; laws repealed; when to take effect (§§ 350-354).

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1. Short title.
2. Definitions.
3. Classification of highways.

§ 1. Short title. This chapter shall be known as the "Highway Law."

§ 2. Definitions. 1. When used in this chapter, unless the context or subject matter otherwise requires, the terms "state department of transportation," "state transportation department," "department of transportation," "transportation department," "department," "state commissioner of transportation," "commissioner of transportation," "commissioner," and "state engineer," shall each be deemed to refer to and to mean the state department of transportation and the state commissioner of transportation, respectively.

2. The term "county engineer" or "county superintendent," when so used, shall mean the county engineer of highways or county superintendent of highways respectively.

3. The term "town superintendent," when so used, shall mean the town superintendent of highways.

4. A highway within the meaning of this chapter shall be deemed to include necessary sluices, drains, ditches, waterways, embankments, retaining walls and culverts having a width of opening of twenty feet or less except as provided in section two hundred and thirty, and also the approaches of any bridge or culvert beginning at the back of the abutments. The pavement over any such bridge or culvert may also be included as a part of the highway provided such pavement is separated from such structure by an earth fill.

5. An "infant", as used in this chapter, shall mean any person who has not attained the age of eighteen years.

§ 3. Classification of highways. Highways are hereby divided into five classes.

1. State highways are those constructed or improved under this chapter at the sole expense of the state, including the highways specified and

described in sections three hundred and forty and three hundred and forty-one of this chapter and acts amendatory thereof, including the highways heretofore classified or referred to as county highways elsewhere in this chapter and heretofore constructed or improved at the joint expense of state, county and town, or state and county as heretofore provided by law.

2. Controlled access highways are those state highways which are entirely or partly constructed, reconstructed or improved at a location where no public highway theretofore existed and to and from which the owners or occupants of abutting property or of any other persons shall have no right of access either as pedestrians, as operators of vehicles or in any other capacity, excepting at junctions of such highways with other public highways, and also excepting as such access may be reserved pursuant to the description and map of the property which has been or which hereafter shall be acquired in accordance with this chapter for the purpose of such controlled access highways.

3. State thruways are those highways specified and described in section three hundred forty-nine-a of this chapter, constructed, improved or reconstructed as provided in such section.

4. County roads are those roads constructed, improved, maintained and repaired under article six of this chapter and roads constructed or improved under a general or special law, which are maintained by the county.

5. Town highways are those constructed, improved or maintained by the town with the aid of the state or county, under the provisions of this chapter, including all highways in towns, outside of incorporated villages constituting separate road districts which do not belong to either of the two preceding classes.

ARTICLE II

COMMISSIONER OF TRANSPORTATION

Section 10. General powers and duties of the commissioner of

transportation relating to highways.
10-a. Special powers of the commissioner of transportation.
10-c. Consolidated local highway assistance payments.
10-d. Statewide preventive maintenance plan for highways and bridges.
10-e. Additional special powers of the commissioner of transportation.
10-f. Long Island suburban highway improvement program.
10-g. Hudson Valley suburban highway improvement program.
11. Maps, plans, specifications and estimates.
12. Commissioner to provide for maintenance, repair, and for control of snow and ice; roads and driveways on state lands.
12-a. The New York state buy American salt act. 1. Use of American materials.
13. Qualifications of certain employees.
14. Rules and regulations for state highways.
15. Removal of vehicles.
16. Removal of noxious weeds and brush within state highways.
17. Public hearings.
19. Planting trees and shrubs along state highways.
20. Roadside rest areas.
21. Restoration, preservation and enhancement of natural or scenic beauty.
22. Multi-use areas adjacent to and recreational, natural and scenic areas along state highways.
23. Rubber-modified asphalt pilot project.
23*2. Coal combustion by-product demonstration project.

§ 10. General powers and duties of the commissioner of transportation relating to highways. The commissioner of transportation shall:

1. Have general supervision of all highways and bridges which are constructed, improved or maintained in whole or in part by the aid of state moneys.

2. Cause surveys, maps, plans, specifications and estimates to be made for the improvement, construction and maintenance of state highways.

2-a. In consultation with the commissioner of commerce and the commissioner of parks and recreation, cause the preparation and distribution of a highway map for the state, including but not limited to a representation of the state highway system, the thruway system, the principal bikeways and highway systems of the municipalities within the state. Such map shall be intended to facilitate travel and promote tourism throughout the state, and shall not be admissible in any proceeding as proof of ownership, location or condition of the highways represented thereon.

3. Cause investigations and reconnaissance surveys to be made for the purpose of ascertaining and determining the practicability and feasibility of extensions to the system of state highways by the construction of possible branches or cut-offs from state highways for the purpose of affording by-passes around cities, villages and hamlets of the state to relieve traffic congestion therein, and also for the construction of additional routes to relieve traffic congestion on present main routes. The expense of such investigations and reconnaissance surveys shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways.

4. Approve and determine the final plans, specifications and estimates for state highways and cause a contract to be let for the construction or improvement of same after due advertisement.

5. Direct and cause to be made such repairs of state highways as he deems necessary, within the estimates and appropriations made therefor.

6. Cause an inspection and examination to be made of all work on state highways.

7. Annually cause to be inspected all improved state highways, and shall require a complete report of such inspection which shall show the condition of the highway inspected, the necessary work to be performed

in the repair and maintenance of such highways, and the estimated cost thereof.

8. Approve and certify to the monthly estimates of allowances for work being performed under any contract let for the construction, improvement or maintenance of state highways.

9. Prescribe rules and regulations not inconsistent with law, fixing the duties of county and town superintendents in respect to all highways and bridges and determining the method of the construction, improvement or maintenance of such highways and bridges. Such rules and regulations shall, before taking effect, be printed and transmitted to the highway officers affected thereby.

9-a. Prescribe rules and regulations not inconsistent with law, fixing the duties of county and town superintendents, in respect to oil spill control, pursuant to authority given the commissioner in section one hundred seventy-seven of the navigation law.

10. Compel compliance with laws, rules and regulations relating to highways and bridges by highway officers and see that the same are carried into full force and effect.

11. Aid county and town superintendents in establishing grades, preparing suitable systems of drainage and advise with them as to the construction, improvement and maintenance of highways and bridges.

12. Investigate and determine upon the various methods of road construction adapted to different sections of the state, and as to the best methods of construction and maintenance of highways and bridges.

13. Compile statistics relating to the public highways throughout the state, and collect such information in regard thereto as he shall deem expedient.

14. Cause public meetings to be held whenever he deems it advisable, in each district or county, for the purpose of furnishing such general

information and instructions as may be necessary, regarding the construction, improvement or maintenance of the highways and bridges and the application of the highway law, and the rules and regulations of the department, and also for the purpose of hearing complaints. He shall notify the county engineer or county superintendent of his intention to hold such meeting or meetings, specifying the date and the place thereof.

15. Prepare tables showing the total number of miles of highways in the state, by town and county, and file a copy of the same in the office of the comptroller.

16. Aid at all times in promoting highway improvement throughout the state, and perform such other duties and have such other powers in respect to highways and bridges as may be imposed or conferred on him by law.

17. When the corners of the boundaries of counties, cities, villages and subdivision lots of towns shall have been located, as provided in subdivision ten of section one hundred and two of this chapter, the commissioner shall cause a monument to be accurately set at each such corner, except in cases where the improvement of such highway or road has been completed prior to the location of such corners as provided in such subdivision. Such monuments shall be of some durable material and shall be so set that the top thereof shall be on a level with the surface of such improved highway or road. The cost and expense of such monuments and the setting of the same shall be a state charge.

18. Include in his annual report to the legislature a statement of the condition of the highways and bridges, the progress of the improvement and maintenance of state highways, county roads and town highways, the amount of moneys received and expended during the year, upon highways and bridges and such matters, as in his judgment, should be brought to the attention of the legislature, together with recommendations as to such measures in relation to highways as the public interests require.

18-a. Include, in addition to the requirements of subdivision eighteen

of this section, in his or her annual report to the legislature a statement of the number of motor vehicle collisions with bridges and elevated structures on or crossing highways under the jurisdiction of the department during the previous year, the location of such collisions, any repairs completed including any actions performed at or around such bridges and elevated structures to prevent the future occurrence of such collisions, any efforts of the department during the previous year to prevent such collisions, and any recommendations in relation to preventing such motor vehicle collisions with bridges and elevated structures. Nothing contained herein shall be deemed to supersede any other reporting requirements otherwise imposed upon the department by law, rule or regulation.

19. During the construction or improvement of a state highway, if such highway be closed to the traveling public and another existing highway is caused to be used in lieu of the closed highway as provided in section one hundred and four of this chapter, provide, erect and maintain a sufficient number of detour signs so that the temporary route or detour shall be clearly indicated throughout its entire length, and upon the discontinuance of said temporary route or detour, shall cause such signs to be removed, and the cost of all thereof shall be paid out of any funds available for the construction, improvement or reconstruction of state highways.

20. Whenever the construction or improvement of a state highway or section thereof under a contract shall be completed and the final payment therefor shall have been made, prepare a statement of the cost of such construction or improvement, including engineering expenses, inspection and all charges and expenses properly chargeable thereto, showing in detail the date of each payment, and the purpose and amount of such payment. Such payments shall be grouped as far as practicable by dates and the total thus obtained shall be deemed the cost of such construction or improvement.

21. Provide for the separation of highway-railroad crossings at grade under the act known by the short title of "grade crossing elimination act." He shall also provide for such work as he is authorized to perform

under the provisions of the railroad law, and the portion of the cost of such work which is payable by the state under section ninety-four of the railroad law shall be paid out of any funds available for the construction, improvement or reconstruction of state highways.

22. Provide for the construction of sidewalks adjacent to state highways outside of cities and incorporated villages, when he is of the opinion the same are necessary. He shall have full authority to determine the type, width, location with respect to the highway, and the general construction details of such sidewalks. The expense of such construction shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways.

23. Provide for the installation and maintenance of lights on such state highways as he is of the opinion are necessary. The expense of such installation and maintenance shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways.

24. Have power, whenever such commissioner of transportation deems it is necessary as a result of work of construction, reconstruction or maintenance of state highways, to provide at the expense of the state for the removal, relocation, replacement and reconstruction of water mains, sewer pipes, communication systems, fire alarm systems, street lighting, traffic control systems and any other similar facilities that are owned by any municipality and are maintained for public use and to participate in the expense of the removal, relocation, replacement and reconstruction of all other types of facilities or parts thereof that are owned by any municipality and are maintained for public use, the state's share of such expense not to exceed the appraised value of such facilities or parts thereof, as the case may be, as determined by the commissioner of transportation. However, in connection with any federally funded highway project, the commissioner of transportation may agree to pay an amount not to exceed the state's share, based on its proportionate share of the cost of the entire highway project, of the functional replacement cost of any of the aforesaid facilities owned by any municipal corporation, school district, board of cooperative

educational services, public benefit corporation or any other state or municipal governmental agency where the federal government agrees to pay its share of such functional replacement cost, which shall be based on its proportionate share of the cost of the entire project. If such work requires additional property or if it is necessary that the relocation of such facilities be made to other property, he may acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he may enter into a written agreement with the municipality involved to convey such property as deemed necessary for the purposes of this subdivision to such municipality on terms beneficial to the state. The expense of such removal, relocation, replacement and reconstruction or the state's share thereof, as the case may be, shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways, and such work may be performed by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor. However, if the commissioner of transportation deems it to be in the interest of the public, he may contract with the municipality, upon such terms as he may deem advantageous to the state, to have such work performed (a) by the employment of the forces and the use of the equipment of such municipality and by the use of any material on hand or necessary to be purchased by such municipality or (b) by such other method as such commissioner of transportation shall approve or (c) by a combination of the methods provided in this subdivision. Any such municipality is hereby authorized to enter into such contract for the purposes of this subdivision. In all cases pursuant to this section where the state is to pay part of the expense of removal, relocation, replacement and reconstruction of any facilities that are municipally owned and that are maintained for public use, the commissioner of transportation, if he deems it in the best interest of the state, may offer to remove, relocate, replace or reconstruct such facilities and may prepare plans, specifications and estimates of cost of such projects, together with an estimate of the share of the expense to be borne by the municipality, which shall be submitted to the governing board of such municipality. If the municipality approves such plans,

specifications and estimates of cost and share of the expense, it shall by resolution appropriate the funds necessary to pay its share of the expense. A certified copy of the resolution shall be filed with the commissioner of transportation and with the state comptroller and the funds shall, prior to the award of a contract, be deposited by the municipality with the state comptroller subject to the draft or requisition of the commissioner of transportation. Upon the completion and acceptance of the work such facilities shall be maintained by the municipality. As used in this subdivision, the term "municipality" shall include a public water authority.

24-a. Have power, whenever such commissioner of transportation deems it is necessary as a result of work of construction, reconstruction or maintenance of state highways to provide for the removal, relocation, replacement and reconstruction of any facilities of the United States government. The expense of such removal, relocation, replacement and reconstruction shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways, and such work may be performed by contract in the same manner as provided for state highways in article three of this chapter, or by the use of departmental forces and equipment and of materials purchased therefor. Upon the completion and acceptance of the work done pursuant to this subdivision such facilities shall be maintained by the United States government.

24-b. Have power, whenever such commissioner of transportation deems it is necessary as a result of work of construction, reconstruction or maintenance of state highways, to provide for the removal, relocation, replacement or reconstruction of privately, publicly or cooperatively owned water, storm and sewer lines and facilities, facilities for the transmission and/or distribution of communications, power, electricity, light, heat, gas, crude products, steam and other similar commodities, municipal utility facilities, or facilities of a corporation organized pursuant to the transportation corporations law that are located on privately owned property. If such work requires additional property or if it is necessary that the relocation of such facilities be made to other property, he may acquire such property as may be necessary for the

purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he and the owner of such facilities may enter into a written agreement to convey such property as deemed necessary for the purposes of this subdivision to such owner on terms beneficial to the state. The expense of such removal, relocation, replacement or reconstruction and cost of property acquisition shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways. Except when such facilities are owned by a corporation organized pursuant to the transportation corporations law, the work of such removal, relocation, replacement or reconstruction shall be performed by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor, unless the commissioner of transportation consents to having the owner of such facilities provide for the work of such removal, relocation, replacement or reconstruction. In the case where such facilities are owned by a corporation organized pursuant to the transportation corporations law, the work of such removal, relocation, replacement or reconstruction shall be provided for by such corporation unless it consents to having the commissioner of transportation provide for such work to be performed by contract, in accordance with specifications provided by such corporation, in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor. Upon the completion of the work, such facilities shall be maintained by the owners thereof.

In the event that the commissioner of transportation, in connection with the work of construction, reconstruction or maintenance of state highways, encounters such facilities, other than facilities owned by a corporation organized pursuant to the transportation corporations law or operating as a transportation corporation that are located within the highway right-of-way, he may provide for the removal, relocation, replacement or reconstruction of such facilities as he deems it necessary. To the extent the commissioner determines it equitable, the expense of such removal, relocation, replacement or reconstruction shall be a proper charge against funds available for the construction,

reconstruction or maintenance of state highways pursuant to the provisions of this subdivision, and such work shall be performed by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor, unless the commissioner of transportation consents to having the owner of such facilities provide for the work of such removal, relocation, replacement or reconstruction. In the event that the commissioner of transportation determines prior to undertaking such removal, relocation, replacement or reconstruction that the owner of such facilities is responsible for all or any portion of such expense he shall enter into a written agreement with such owner, for the purpose of providing funding, and the deposit with the state comptroller of such funds as are determined by the commissioner to be sufficient to provide for such owner's share of the expenses. The state comptroller is authorized to receive and accept such funds subject to a draft or requisition from the commissioner of transportation. If the funds deposited with the state comptroller are subsequently determined by the commissioner to be insufficient to meet such owner's share, the owner shall in every case be responsible for any balance due. When such work has been completed, the commissioner of transportation shall render an accounting to the owner, and any surplus moneys shall be paid to such owner, without interest, on the warrant of the comptroller on vouchers therefor approved by the commissioner of transportation. Upon completion of the work, such facilities shall be maintained by the owners thereof.

In the event that the commissioner of transportation, in connection with the work of construction, reconstruction or maintenance of state highways, encounters such facilities of a corporation organized pursuant to the transportation corporations law or operating as a transportation corporation that are located within the highway right-of-way, he shall provide compensation for the fair and reasonable cost of the removal, relocation, replacement or reconstruction of such facilities provided the following conditions are met:

(a) the project for which such facilities are to be removed, relocated or replaced or reconstructed must be federally funded and the cost of such removal, relocation, replacement or reconstruction are a part of

the approved project cost by the appropriate federal authorities; and

(b) such compensation shall be provided only: (i) for the interstate category of projects; and (ii) for the other categories of projects only when a specific appropriation has been made for such purpose; and

(c) for those categories for which compensation is provided the commissioner of transportation shall reimburse the corporation at a rate not less than the rate of reimbursement as the state shall receive from the federal government; and

(d) such corporation enters into an agreement with the commissioner of transportation in connection with undertaking the work of removal, relocation, replacement or reconstruction which shall specify the amount or the basis of compensation that is to be provided toward the fair and reasonable cost of such removal, relocation, replacement or reconstruction.

The fair and reasonable cost of such removal, relocation, replacement or reconstruction shall mean the amount paid by such a corporation properly attributable to the work of such removal, relocation, replacement or reconstruction of such facilities after deducting therefrom any betterment incorporated into the new facilities plus the salvage value and depreciation from the old facility determined by the established methods utilized by the state. Nothing in this subdivision shall be construed to grant to the owner of such private facilities within the highway right-of-way any greater or new rights, other than as provided herein, to compensation for removals, relocations, replacements or reconstructions of such facilities in connection with work of construction, reconstruction or maintenance of state highways that existed prior to the effective date of the amendment to this subdivision and compensation to be paid hereunder is strictly limited as provided herein.

24-c. Have power, whenever such commissioner of transportation deems it necessary as a result of work of construction, reconstruction, improvement or maintenance of state highways, including the separation of highway-railroad crossings, pursuant to this chapter, and the construction or reconstruction of highway-railroad crossings at grade, to provide for the removal, relocation, replacement, alteration and

reconstruction of railroad facilities normally used for the maintenance and operation of the railroad and including tracks, signals, communication lines, electrical lines, sewer lines, water lines, buildings, structures and their appurtenances. Such removal, relocation, replacement, alteration or reconstruction of facilities may be performed on property of the railroad company. If such work requires additional property or if it is necessary that the consequential relocation of such facilities be made to other property, he may acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he may enter into a written agreement with the owner of the railroad lands to convey such property as deemed necessary for the purposes of this subdivision to such owner on terms beneficial to the state. The expense of such removal, relocation, replacement, alteration or reconstruction and right of way acquisition shall be a proper charge against funds available for the construction, reconstruction, improvement or maintenance of state highways, and such work may be performend by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor. However, if the commissioner of transportation deems it to be in the interest of the public, he may contract with the railroad, upon such terms as he may deem advantageous to the state, to have such work performed (a) by the employment of the forces and the use of the equipment of such railroad and by the use of any material on hand or necessary to be purchased by such railroad or (b) by such other method as such commissioner of transportation shall approve or (c) by a combination of the methods provided in this subdivision. In the event that the commissioner of transportation and the railroad are unable to agree upon the terms of such contract, the commissioner shall notify the railroad, in writing, of his intent to issue an order directing the railroad to have such work performed as required of its forces and to permit entry upon railroad lands of employees and agents of the department of transportation in order to perform such work as the commissioner of transportation shall deem necessary. The railroad shall have thirty days after the receipt of such notification in which it may request a hearing before the commissioner of transportation. The

commissioner of transportation shall give the railroad notice of not less than ten days of the time and place scheduled for such hearing. If a hearing is not requested or if, after such hearing is held, agreement between the parties is not reached, the commissioner of transportation may issue such order directing the railroad to have such work performed. Such order shall require the railroad to submit an estimate of the cost of work required of its forces including the material necessary to perform such work, which cost, subject to the approval of the commissioner of transportation, shall be reimbursed by the state in accordance with the terms of such order. Such order shall also include terms protecting the railroad in the safe and uninterrupted maintenance and operation of said railroad during the performance of any work on railroad lands by employees and agents of the department of transportation, if their entry upon railraod lands for such work is deemed necessary by the commissioner of transportation as hereinabove provided. Upon the completion and acceptance of the work such facilities shall be owned and maintained by the railroad.

24-d. Have power, whenever such commissioner of transportation deems it is necessary as a result of work of construction, reconstruction or maintenance of state highways, to provide for the re-establishment of private access to a public road where such access is destroyed by acquisition of right of way for the project. If such re-establishment of private access requires additional property or if it is necessary that such re-establishment of private access be made to other property, he may acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he may enter into a written agreement with the owner of such private access to convey such property as deemed necessary for the purposes of this subdivision to such owner on terms beneficial to the state. The expense of such re-establishment of private access shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways, and such work may be performed by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor, or by a combination of such methods. Upon the

completion of the work, such re-established private access shall be maintained by the owners thereof.

25. Have power to combine, connect, alter, relocate, terminate, and pave intersecting highways, roads or streets and to provide drainage therefor; to divert traffic from an existing highway, road or street to an existing or a new highway, road or street, and to provide, when he deems it to be in the interest of public safety, for a suitable structure or structures across highways to accommodate at an adjusted grade the continuity of such highways, roads or streets by an under-pass or over-pass, and to adjust grades and traffic to such structures; to plan, designate, construct, alter, improve and vacate frontage, marginal and service roads, in connection with the development of any controlled access facility; and to acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter. The cost of the work and of the acquisition of property as provided in this subdivision shall be a proper charge against funds available for the construction, reconstruction or improvement of state highways. Any such frontage, marginal or service road or portion of intersecting highway, road or street upon which such work is completed shall, if not determined by the commissioner of transportation to be a part of the state highway system, be maintained by the municipality or the municipalities in which such frontage, marginal or service road or such portion of intersecting highway, road or street is located, except that if the intersecting highway, road or street or the frontage, marginal or service road is under the jurisdiction of an authority, commission or other public agency, said portion thereof shall, if not determined by the commissioner of transportation to be a part of the state highway system, be maintained as determined jointly by the commissioner of transportation and the chairman or chief executive officer of the authority, commission or other public agency.

26. Provide for the separation of highway-railroad crossings and construction of highway-railroad crossings at grade where in the construction or reconstruction of any part of the state highway system, or county roads with federal-aid, or where highways, roads or streets

are combined, connected, altered or relocated pursuant to this section, an additional crossing of a railroad is made at a place where no highway grade crossing exists. In the discretion of the commissioner of transportation, and in connection with the construction or reconstruction of any part of the state highway system, a structure may be constructed to eliminate an existing crossing at grade of a railroad and a state highway or of a railroad and a highway which intersects or closely parallels a state highway. The commissioner of transportation may also, in connection with the construction or reconstruction of any part of the state highway system, or county roads with federal-aid, provide for the reconstruction of existing highway-railroad separation structures or highway-railroad crossings at grade on any part of the state highway system, or on county roads with federal-aid, or on highways, roads or streets combined, connected, altered, or relocated pursuant to this section.

The cost of construction or reconstruction of such separation facilities or grade crossings, including the cost of such crossing protection as is ordered by the commissioner of transportation, shall be a proper charge against funds available for the construction or reconstruction of state highways or county roads.

Notwithstanding the provisions of section ninety-three of the railroad law, structures hereafter constructed or reconstructed pursuant to this subdivision to separate the grade of railroads and any part of the state highway system shall be maintained upon completion as follows: (a) A structure and its supports which carries railroad tracks over the state highway shall be maintained and repaired by the operating railroad corporation or corporations. (b) A structure and its supports which carries a state highway over railroad tracks shall be maintained and repaired by the state. This maintenance provision shall not apply to structures constructed or reconstructed pursuant to section three hundred forty-b, three hundred forty-d and three hundred forty-nine-c of this chapter.

26-a. Have power, whenever such commissioner of transportation deems it to be in the best interest of the state, in connection with work upon

certain bridges for which the maintenance responsibility is divided between the state and a railroad corporation, where such work is authorized pursuant to this chapter or the transportation law and upon the request of the railroad corporation, to provide for the reconstruction, repair or alteration of bridge structures, bridge supports, bridge approaches or any other bridge parts which are the maintenance responsibility of such railroad corporation. The expense of such reconstruction, repair or alteration shall be borne entirely by the railroad corporation except so much thereof as would constitute compensable damages under any provision of law. Whenever the commissioner of transportation shall approve such a request of a railroad corporation, he shall, with the assistance of such railroad corporation, make an estimate of the cost of the work which he is requested to perform in accordance with plans and specifications submitted to him by the railroad corporation. Such railroad corporation shall thereupon deposit with the state comptroller, who is authorized to receive and accept the same for the purposes of this subdivision, a sum equal to such estimate and subject to the draft or requisition of the commissioner of transportation. If at any time during the course of the work the commissioner of transportation deems the sum submitted by the railroad corporation to be insufficient to meet anticipated costs of the work, he shall notify the railroad corporation of such anticipated deficiency, whereupon the railroad corporation shall deposit with the state comptroller, who is authorized to receive and accept the same subject to the draft or requisition of the commissioner of transportation, such additional sum as is deemed necessary by the commissioner of transportation to meet anticipated costs. When the work authorized by this subdivision has been completed the commissioner of transportation shall render to the railroad corporation an itemized statement showing in full (a) the amount of money that has been deposited by such railroad corporation with the state comptroller as hereinbefore provided, and (b) all disbursements made pursuant to this subdivision including a proportionate charge for engineering. Any surplus money shall be paid to such railroad corporation, without interest, on the warrant of the comptroller on vouchers therefor approved by the commissioner of transportation.

26-b. Have power, whenever the commissioner of transportation deems it in the best interests of the state to do so and with the written permission of the railroad corporation charged with the responsibility for maintaining such structure, in connection with construction, reconstruction or maintenance of state highways, to provide for the removal and disposition, on terms beneficial to the state, of highway-railroad grade separation structures which are no longer used or useful for railroad purposes.

27. Have power, upon the request of a municipality, to perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the commissioner of transportation deems it practicable to perform such work for such municipality in connection with the performance of any work of construction, reconstruction or improvement under the provisions of this chapter. Whenever the commissioner of transportation shall approve such a request of a municipality, he shall make an estimate of the cost of the work which he is requested by such municipality to perform in accordance with plans and specifications submitted to him by such municipality, which cost estimates, plans and specifications shall be approved by the municipality in writing before the commissioner of transportation shall proceed with any such municipal work. Such municipality shall thereupon deposit with the state comptroller, who is authorized to receive and accept the same for the purposes of this subdivision, a sum equal to such estimate and subject to the draft or requisition of the commissioner of transportation. Provided, however, that nothing contained in this subdivision shall be construed to prevent the commissioner of transportation from proceeding with the state work, incorporating the work requested by the municipality in accordance with cost estimates, plans and specifications approved by such municipality, if he determines it to be necessary and in the best interest of the state to do so. When the work authorized by this subdivision has been completed and the cost thereof shall have been paid by the state, the commissioner of transportation shall render to the governing body of such municipality an itemized statement showing in full (a) the amount of money that has been deposited by such municipality with the state comptroller as hereinbefore provided, and

(b) all disbursements made pursuant to this subdivision. Any surplus money shall be paid to such municipality on the warrant of the comptroller on vouchers therefor approved by the commissioner of transportation. In the event, upon the completion of the work authorized by this subdivision, it is determined by the commissioner of transportation that the amount of the cost to be borne by a municipality is in excess of the amount deposited by such municipality with the state comptroller, then, in such event, such municipality shall within ninety days of the receipt of the notice from the commissioner of transportation of the amount of the deficiency required to fully compensate the state for the municipality's cost of such work, pay such amount to the state comptroller. As used in this subdivision, the term "municipality" shall include a public benefit corporation.

28. Notwithstanding any other provisions of this chapter or any other law, the commissioner of transportation is authorized to use either exclusively for, or in conjunction with, for state purposes as set forth in this chapter any state owned property under his jurisdiction acquired for other public purposes. Transfer of such use shall be effected by an official order of the commissioner of transportation to be filed in the offices of the department of transportation and of the department of state, accompanied by a description and map of such property as prescribed by an applicable section of this chapter. When the use is to be exclusively for the state purposes as set forth in this chapter then upon such filing of the description, map and official order of transfer of use, the property shall be used and maintained for the state purposes as set forth in this chapter and be governed as though the said property was acquired pursuant to the provisions of this chapter. When dual use is to be made of such property for the state purposes as set forth in this chapter and other public purposes by the state, the official order of transfer shall so certify, and upon such filing of the description, map and official order of transfer, the property shall be used and maintained for such dual purposes, and shall be governed either by this chapter or the law under which jurisdiction was acquired by the commissioner of transportation or both as determined by the commissioner of transportation and as will best effectuate the said dual use of such property. The provisions of this subdivision shall not apply to any

property, the use of which is restricted by the state constitution.

29. The commissioner of transportation, subject to the approval of the division of the budget, is hereby authorized to enter into cooperative agreements with municipalities or municipal urban renewal agencies established and organized pursuant to article fifteen-a of the general municipal law relating to the acquisition and clearance of property deemed necessary for the effectuation of any of the purposes of this chapter which lies within or immediately adjacent to an urban renewal area, as defined in the general municipal law, in such municipalities and to the equitable sharing of the costs of such acquisition and clearance. When the acquisition of such property as is deemed necessary for highway purposes would result in consequential damages to the owner's remaining property and all or a portion of such remaining property lies within an urban renewal area in a municipality, the commissioner of transportation may acquire such remaining property and transfer the same to the municipality or municipal urban renewal agency upon payment by the municipality or such municipal urban renewal agency to the state, pursuant to the terms of a cooperative agreement as here in authorized, of an equitable share of the cost of the acquisition of such property and the clearance thereof where such clearance is deemed necessary or appropriate by the commissioner. Such cooperative agreements may also provide for the acquisition and clearance of such property, necessary for highway purposes, by the municipality or municipal urban renewal agency and the transfer thereof to the state upon payment by the state to the municipality or municipal urban renewal agency of an equitable share of the cost of such acquisition, and clearance if any.

29-a. The commissioner of transportation, subject to the approval of the division of the budget, is hereby authorized to enter into agreements with the Kingston urban renewal agency as defined in article fifteen-a of the general municipal law relating to the clearance and transfer of property owned by the Kingston urban renewal agency deemed necessary for the effectuation of any of the purposes of this chapter which lies within the Kingston urban renewal area. When the acquisition of such property owned by the Kingston urban renewal agency, deemed

necessary for highway purposes, would result in consequential damages to the remaining property owned by the Kingston urban renewal agency, the commissioner of transportation may acquire such remaining property from the Kingston urban renewal agency and transfer the same to the municipality upon payment by the municipality to the state. Such agreements may also provide for the clearance of such property, necessary for highway purposes, by the Kingston urban renewal agency and the transfer thereof to the state upon payment by the state to the Kingston urban renewal agency of an equitable share of the cost of such clearance.

29-b. The commissioner of transportation, subject to the approval of the division of the budget, is hereby authorized to enter into cooperative agreements with the official authorized by the governing body of the city of Yonkers, relating to the acquisition and clearance of property deemed necessary for the effectuation of any of the purposes of this chapter which lies within or immediately adjacent to a development area, as defined herein, within the city of Yonkers and the equitable sharing of the costs of such acquisition and clearance. When the acquisition of such property as is deemed necessary for highway purposes would result in consequential damages to the owner's remaining property and all or a portion of such remaining property lies within a development area in the city of Yonkers, the commissioner of transportation may acquire such remaining property and transfer the same to the city of Yonkers upon payment by such city to the state, pursuant to the terms of a cooperative agreement as herein authorized, of an equitable share of the cost of the acquisition of such property and the clearance thereof where such clearance is deemed necessary or appropriate by the commissioner. Such cooperative agreements may also provide for the acquisition and clearance of such property, necessary for highway purposes, by the city of Yonkers and the transfer thereof to the state upon payment by the state to such city of an equitable share of the cost of such acquisition, and clearance if any. As used in this subdivision the term "development area" shall mean an area adjacent to a state highway facility in the city of Yonkers which has been designated as such by the governing body of the city of Yonkers, on its own initiative, upon a finding that such area is appropriate for development

and that it is in the public interest for the city to control development thereof in conjunction with the state highway facility.

30. Have power, on behalf and in the name of the state, whenever he deems it to be necessary and in the best interests of the state, to enter into cooperative contracts with any adjoining state, commonwealth, nation, province, or any agency of the government of the United States for data collection, studies, design, construction, reconstruction and maintenance of state highway connections, including, but not limited to, border crossing facilities, within any such adjoining state, commonwealth, nation or province notwithstanding the provisions of any general, special or local law to the contrary; provided, however, that before any such contract shall take effect, it shall be approved by the governor and attorney general and thereafter approved by the state comptroller and filed in his or her office; and further provided, that such contract shall provide for the manner in which the costs are to be borne, including, but not limited to, the cost of data collection, studies, design, surveys, the preparation of plans and specifications, the acquisition of real property required for rights of way, construction, reconstruction and maintenance of such highway connections and bridges thereon and of approaches thereto, and border crossing facilities, and such other costs incidental thereto. In no event, however, shall such contract require any fixed annual payment or subsidy by the state of New York to any adjoining state, commonwealth, nation or province for the maintenance or repair of any such highway connection lying outside of the state of New York. The costs incurred by the state pursuant to any such cooperative contracts as authorized herein shall be payable from appropriations made to the department for the planning, construction, reconstruction and improvement of state highways, with or without federal aid.

31. Cause signs to be erected and maintained designating the point of intersection of each state highway with the "Appalachian Trail".

32. Have power, upon the request of a county, city, town or village, whenever such commissioner deems an existing state highway or portion thereof lying within such municipality to be no longer needed or useful

to the state highway system, to enter into an agreement with the appropriate authorities of such municipality to abandon by an official order to such municipality such highway or portion thereof. Upon the filing of certified copies of such official order with the county clerk, the county board of supervisors or county legislative body and the county finance officer of the county in which such municipality lies, the clerk of such municipality, the appropriate officer of such municipality having general direction and supervision of the public highways thereof and the state comptroller, the state shall cease to maintain such highway or portion thereof and all the rights and obligations of the state therein shall be turned over and surrendered to such municipality and such highway or portion thereof shall thereafter be maintained as a part of the highway or road system of such municipality.

33. Have power, whenever such commissioner of transportation deems it to be in the best interest of the state and necessary, as a result of work authorized pursuant to this chapter, the transportation law or chapter six hundred seventy-eight of the laws of nineteen hundred twenty-eight, as amended, constituting the grade crossing elimination act, and upon the request of a public utility corporation, to provide for the removal, relocation, replacement or reconstruction of pipes, mains, wires, poles, lights, and other similar facilities of such utility corporation. The expense of such removal, relocation, replacement or reconstruction shall be borne entirely by the utility corporation except so much thereof as would constitute compensable damages under any provision of law. Whenever the commissioner of transportation shall approve such a request of a public utility corporation, he shall, with the assistance of such utility corporation, make an estimate of the cost of the work which he is requested to perform in accordance with plans and specifications submitted to him by such utility corporation. Such utility corporation shall thereupon deposit with the state comptroller, who is authorized to receive and accept the same for the purposes of this subdivision, a sum equal to such estimate and subject to the draft or requisition of the commissioner of transportation. If at any time during the course of the work the commissioner of transportation deems the sum submitted by the

utility corporation to be insufficient to meet anticipated costs of the work, he shall notify the utility corporation of such anticipated deficiency, whereupon the utility company shall deposit with the state comptroller, who is authorized to receive and accept the same subject to the draft or requisition of the commissioner of transportation, such additional sum as is deemed necessary by the commissioner of transportation to meet anticipated costs. When the work authorized by this subdivision has been completed the commissioner of transportation shall render to the utility corporation an itemized statement showing in full (a) the amount of money that has been deposited by such utility company with the state comptroller as hereinbefore provided, and (b) all disbursements made pursuant to this subdivision including a proportionate charge for engineering. Any surplus money shall be paid to such utility company, without interest, on the warrant of the comptroller on vouchers therefor approved by the commissioner of transportation.

34. Have power to utilize federal aid to undertake the federal traffic operations program to increase capacity and safety on existing street and highway systems in urban areas. Before any project under such program is commenced, the city or municipality in which the improvement is to be made shall consent to and approve of the project. If such project requires additional property, the commissioner of transportation may acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he may enter into a written agreement with the municipality involved to convey such property as deemed necessary for the purposes of this subdivision to such municipality on terms beneficial to the state. The cost of the acquisition of additional property as provided in this subdivision shall be a proper charge against funds available for the project. If such project requires the removal, relocation, replacement, alteration or reconstruction of railroad facilities normally used for the maintenance and operation of the railroad, and including tracks, signals, communication lines, electrical lines, sewer lines, water lines, buildings, structures and their appurtenances, he may arrange through the railroad for the performance of such removal, relocation,

replacement, alteration or reconstruction of such facilities as he may deem necessary. Such removal, relocation, replacement, alteration or reconstruction of facilities may be performed on property of the railroad company. If such work requires additional property or if it is necessary that the consequential relocation of such facilities be made to other property, he may acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, and he may enter into a written agreement with the owner of the railroad lands to convey such property as deemed necessary for the purposes of this subdivision to such owner on terms beneficial to the state. The expense of such removal, relocation, replacement, alteration or reconstruction of the railroad facilities and any right of way acquisition therefor shall be a proper charge against funds available for the project and such work may be performed by contract in the same manner as provided for state highways in article three of this chapter, or, by the use of departmental forces and equipment and of materials purchased therefor. However, if the commissioner of transportation deems it to be in the interest of the public, he may contract with the railroad, upon such terms as he may deem advantageous to the state, to have such work performed (a) by the employment of the forces and the use of the equipment of such railroad and by the use of any material on hand or necessary to be purchased by such railroad or (b) by such other method as the commissioner of transportation shall approve or (c) by a combination of the methods provided in this subdivision, and upon completion and acceptance of the work, such facilities shall be owned and maintained by the railroad. The commissioner and the city or municipality in which the improvement is to be made are authorized to enter into any necessary agreements to carry out such projects in accordance with the federal standards and criteria.

34-a. Have power to utilize federal aid to undertake federal aid programs available for highways and bridges not on the state highway system. Before any project under any such program is commenced, the governing body of the county, city, town or village which has jurisdiction of the highway or bridge and in which the project is to be undertaken shall consent to and approve of such project. If any project

under any such program requires additional property, the commissioner may, at the request of the governing body of the municipality having jurisdiction of the highway or bridge acquire such property as may be necessary for the purposes of this subdivision, in the same manner as other property is acquired for state highway purposes pursuant to this chapter and the eminent domain procedure law. Whenever the commissioner determines that such project requires additional property, he shall make an estimate of the cost of the property acquisition, in addition to an estimate of the cost of constructing the project, and submit such estimate to the municipality. The cost estimates shall be approved by the municipality in writing in the form of a resolution of the legislative body of the municipality authorizing participation in the cost of such acquisition and such construction to the extent of the amount of the estimated cost to be borne by the municipality. Such resolution shall also authorize the municipality to deposit a sum equal to the municipal share of the estimated costs with the state comptroller. The commissioner shall not proceed with any such acquisition until the municipality has deposited with the state comptroller, who is authorized to receive and accept the same for the purposes of this subdivision, a sum equal to the amount of such estimate of the cost of acquisition to be borne by the municipality and subject to the draft or requisition of the commissioner. Before the commissioner shall proceed with the construction of such project, such municipality shall deposit with the state comptroller, who is authorized to receive and accept the same for the purposes of this subdivision, a sum equal to the remainder of the amount of the estimated cost to be borne by the municipality. When the work authorized by this subdivision has been completed and the cost thereof has been paid by the state, the commissioner shall render to the governing body of such municipality an itemized statement in accordance with section eighty-b of this chapter. The commissioner may enter into a written agreement with the municipality involved to convey such property as deemed necessary for the purposes of this subdivision to such municipality on terms beneficial to the state. The cost of the acquisition of additional property as provided in this subdivision shall be a proper charge against funds available for the project. The commissioner and the municipality in which any such project is to be undertaken are

authorized to enter into any necessary agreements to carry out such projects in accordance with federal standards and criteria.

34-b. Have power, on behalf and in the name of the state, whenever he deems it necessary and in the best interests of the state, to enter into cooperative agreements with any one or several municipalities within the state for the operation and maintenance of computerized traffic control signal systems extending through, among or between such municipalities, portions of which systems may be on local roads and portions of which systems may be on the state highway system, notwithstanding the provisions of any general, special or local law to the contrary. Such agreements shall provide for the manner in which the work of the operation and maintenance of such computerized traffic control signal systems shall be performed, including but not limited to, the authorization for the forces or agents of a municipality to perform such work on the state highway system for the best overall efficient operation and maintenance of the entire system. Such agreements shall also provide for the manner in which the costs of the operation and maintenance of such computerized traffic control signal systems shall be borne including but not limited to, the cost of materials, equipment and labor necessary for the operation and maintenance of such systems and such other costs incidental thereto. The costs incurred by the state pursuant to any such cooperative agreements as authorized herein shall be payable from appropriations made to the department of transportation for the operation, and/or maintenance of state highways, with or without federal aid. Such operation and maintenance work to be performed in accordance with the agreements contemplated herein may be performed (a) by contract pursuant to state law applicable to the state or to the municipality letting the contract, or (b) by the use of department forces with equipment and materials purchased therefor, or (c) by the use of the forces of any one or several of the municipalities through which such computerized traffic signal systems extend, with the use of the equipment of such municipality and by the use of any material on hand or necessary to be purchased by any such municipality therefor, or (d) by such other method as the commissioner of transportation shall approve or (e) by a combination of such methods. Any such municipality is hereby authorized to enter into all necessary agreements and

contracts for the purposes of this subdivision, in accordance with state and/or federal standards and criteria.

35. Have power, subject to the approval of the director of the budget, whenever the commissioner deems it to be in the best interest of the state in connection with an authorized or anticipated state highway construction, reconstruction or maintenance project and in conjunction with an authorized or anticipated city, county, town, village or public authority public work project, and ancillary thereto, to enter into agreements with cities, counties, towns, villages or public authorities for the performance by or on behalf of any such city, county, town, village or public authority of any work connected with or necessitated by such authorized or anticipated construction, reconstruction or maintenance of any part of the state highway system located within the jurisdiction of such city, county, town, village or public authority and to make payments to any such city, county, town, village or public authority on account of such work notwithstanding the provisions of any general, special or local law to the contrary. The costs incurred by the state pursuant to any such agreements with cities, counties, towns, villages, or public authorities as authorized herein shall be payable from appropriations made to the department of transportation for the construction, reconstruction and maintenance of state highways with or without federal aid, and the work authorized herein may be performed by contract in the same manner as provided in article five-A of the general municipal law or in the case of public authorities, as provided in the public authorities law. Any such city, county, town, village or public authority is hereby authorized to enter into agreements with the commissioner of transportation for the purposes of this subdivision.

36. Have power to acquire property, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, for the purpose of parking facilities and appurtenances thereto at or adjacent to transportation interfaces and connections to such facilities.

37. Have power, whenever such commissioner of transportation deems it feasible and in the best interests of the state upon the request of the

head of a state department, agency, institution or public benefit corporation to construct access or branch connections from any state highway to any highway or roadway system of any facility of such state department, agency, institution or public benefit corporation. Before undertaking such construction, the commissioner and the head of the state department, agency, institution or public benefit corporation shall enter into a written agreement, subject to the approval of the director of the budget, providing the funds therefor, or reimbursement by such state department, agency, institution or public benefit corporation of the funds therefor, including all costs incurred by the department in connection with such construction. Where such access or branch connections are to be made to a highway or roadway system of any facility of either the state university of New York or the state university construction fund, both the state university of New York and the state university construction fund shall be parties to such agreement. If such access or branch connection is not determined by the commissioner of transportation to be a part of the state highway system, it shall be maintained as determined jointly by the commissioner and the head of such state department, agency, institution or public benefit corporation.

38. Have power, whenever such commissioner of transportation deems it to be in the best interests of the state, to sell or lease to the highest responsible bidder furnishing the required security after advertisement for sealed bids has been published in a newspaper or newspapers designated for such purpose, for a term not to exceed ninety-nine years, property rights in air space, unused surface or subsurface space in connection with any state-owned property under his jurisdiction or other property acquired for state highway purposes. The terms of said sale or lease shall be determined by the commissioner and shall be subject to approval by the director of the budget. In order to carry any such sale or lease into effect, the commissioner is hereby authorized to execute and deliver, in the name of the people of the state, a quitclaim of or lease to such property rights in the air space and/or subsurface space. Each such instrument of conveyance or lease shall be prepared by the attorney general and prior to delivery of possession of the subject property rights in air space, unused surface

and/or subsurface space shall be approved by him as to form and manner of execution. No such sale or lease by the commissioner shall deprive an abutting landowner of his right of access. The development of any property interest granted pursuant to this subdivision shall be subject to the zoning regulations and ordinances of the municipality in which said property is located and to the support, protection or relocation of any public utility facilities within the right of way of any highways within said property at the sole cost and expense of the grantee, lessee or developer. The provisions of this subdivision shall not apply to any property, the use of which is restricted by the state constitution.

39. Have power to acquire property, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, adjacent to or in the vicinity of the right of way on any state or federal-aid highway system, or public transportation system or installation outside a central business district, and to construct publicly owned parking facilities and appurtenances thereon or within such right of way, including connections to such facilities, and, subject to the rights of utility companies to install and maintain their facilities within the highway right of way, provide for the use of the air space above and below the established grade line of the highway pavement, to serve an urban area. Such parking facility and appurtenances shall be located and designed to permit their use in conjunction with existing or planned public transportation systems or installations. Before undertaking any such facility the commissioner shall first obtain the approval of the governing body of the municipality in which such facility is to be constructed. In cities having a population of a million or more, the approval of the city council must also be obtained. The commissioner of transportation may provide for the operation and maintenance in whole or in part of any such parking facility and appurtenances by any person, firm, corporation, public authority, municipality, or state department or agency, and may enter into any agreement or contract and establish the terms and conditions of such agreement or contract as he deems necessary to facilitate such operation and maintenance. In the event fees are charged for the use of any such facility, the rate thereof, or the manner of establishing the rate thereof, shall be set forth in such

agreement or contract. The municipality in which the improvement is constructed is authorized to enter into any such agreement or contract with the commissioner of transportation to carry out such projects in accordance with state and/or federal standards and criteria. The proportion of the total cost of work performed on any project pursuant to this subdivision, in addition to any or all elements thereof that are not subject to federal aid, which shall be borne by the state of New York and charged against funds available for the construction, reconstruction or maintenance of state highways shall be the difference between the funds contributed for such work by the federal government and the actual cost thereof less any amount which may be provided by any municipality, person, firm, corporation or public benefit corporation in accordance with any provision of law.

40. Have power whenever the commissioner of transportation determines that it is in the best interest of the state, considering safety, over-all economy of providing transportation services, and effect on the flow of vehicular traffic along a state highway traversing a municipality to eliminate parking within the right of way of such highway, and upon the determination of the commissioner to acquire property and to construct thereon any parking facilities and appurtenances, including connections thereto, which he may deem necessary in order to facilitate the purposes of this subdivision. He may provide for state maintenance of facilities and appurtenances if he determines such maintenance to be desirable. If the commissioner determines that parking facilities and appurtenances are justified and necessary and in the best interest of the state he may submit to the governing body of the appropriate municipality a proposal to provide such facilities. Before undertaking any such facility he shall first obtain the approval of the governing body of the municipality involved. In cities having a population of a million or more, the approval of the city council must also be obtained. The commissioner may as a condition to undertaking any such facility and prior to the acquisition of any property or the commencement of any work for same by the commissioner, require the municipality to assume all the rights and obligations for the operation, maintenance and control of said parking facility and appurtenances. Acquisition of the property for the purposes of this

subdivision shall be in the same manner as other property is acquired for state highway purposes pursuant to this chapter. The expense of such property acquisition, construction and any state maintenance of such parking facilities and appurtenances, including connections to such facilities, shall be a proper charge against funds available for the construction, reconstruction or maintenance of state highways. The commissioner of transportation is authorized, with the approval of the director of the budget, to sell, lease or otherwise dispose of any real property acquired or improved pursuant to this subdivision upon terms which he has determined to be in the best interest of the state. Any such disposition, however, shall provide for the assumption by the grantee of all the rights and obligations for the operation, maintenance and control of said parking facilities and appurtenances.

41. Have power, in connection with a department construction project undertaken with federal aid, whenever the commissioner determines that it is in the best interest of the state considering among other factors the cost and feasibility of other alternatives, to provide for the noise insulation of publicly owned school buildings which are off the highway right-of-way. The commissioner may provide for the noise insulation by entering into an agreement with the appropriate board of education or school district to provide the capital funds necessary for the design and construction of such noise insulation to abate highway generated noise within the school building. The expenses of such noise insulation shall be charged against funds available to the department for highway construction.

42. (a) Within ninety days after the effective date of this subdivision establish a local road classification task force which shall within two years recommend:

(i) alternative guidelines for classifying town or county roads in rural areas according to principal uses, traffic volume and such other criteria as it may deem appropriate;

(ii) for each class of road, the width of driving surfaces and the guidelines that are necessary to construct or reconstruct such roads and bridges;

(iii) for each class of road, the guidelines for maintenance that may

be required;

(iv) signs that may be erected to designate each class of road along with designated speed limits and other applicable guidelines;

(v) guidelines by which local legislative bodies would apply classifications to specific roads within their jurisdiction; and

(vi) undertake all other acts which are consistent with the purposes of this subdivision and which, in the opinion of the task force, will promote the most effective use of the town and county road system in rural areas.

(b) Members of the task force. The task force shall consist of the commissioner or his designee, who shall serve as chairman, eleven persons appointed by the governor, the commissioner of the department of agriculture and markets or his designee and the Dean of the College of Agriculture and Life Sciences at Cornell University or his designee. Of those appointed by the governor, there shall be four town highway superintendents then in office in rural areas, three county highway superintendents then in office in rural areas, one official from the department, and three persons who own or operate a business in rural areas of this state. In addition, a representative from the federal highway administration may be invited to serve in an ex-officio capacity. The commissioner may also invite representatives of town and county governments to consult with the task force on a regular basis. Vacancies shall be filled in the same manner as the original appointments.

(c) Compensation of members. Members of the task force shall receive no compensation for their services, but shall be reimbursed for their necessary expenses of up to seventy-five dollars per diem, not to exceed seven hundred fifty dollars in a given year.

(d) Staff support. The department shall provide staff support to the task force for organizational support including background research and report development.

(e) As used in this subdivision the term "rural areas" shall mean any county of less than two hundred thousand population or any town which has a population of less than one hundred fifty persons per square mile.

43. Have power, whenever the commissioner finds it is necessary for the construction or reconstruction of state highways, or transportation

projects under the transportation law, to acquire property to replace publicly owned park, recreation area, wildlife and waterfowl refuge, wetland or historic site lands acquired or to be acquired for state highway or transportation purposes. The commissioner, after consultation with the public owner of the property to be replaced, the commissioner of the department of environmental conservation and the commissioner of the office of parks, recreation and historic preservation, is authorized to acquire such replacement land of approximate equality in fair market value, and of reasonably equivalent resource value, usefulness and location to those lands acquired for highway or transportation purposes. The commissioner may enter into written agreements to convey property to the owners of such public lands for the purposes of this subdivision on terms beneficial to the state. Acquisition of property deemed necessary for the replacement of such land shall be in the same manner as other property is acquired for state highway purposes pursuant to this chapter and the expense of such acquisition shall be a proper charge against funds available for the construction or reconstruction of state highways or the transportation project as the case may be.

* 44. On or before December thirty-first, two thousand four, and on or before December thirty-first of every fifth year thereafter, the commissioner shall submit to the governor, the temporary president and majority leader of the senate and the speaker of the assembly a special additional assessment report of the condition of the state highway and bridge system and the goals for the five year period following the date of such report. Such report shall describe the condition of the state highway and bridge system, the department's procedures for the management of pavements and bridges, and measurements for and an evaluation of system performance. Such report shall also recognize the importance of addressing the most urgent regional needs as determined by such measurements and evaluation. Nothing contained herein shall be deemed to supersede any other reporting requirements otherwise imposed upon the department by law, rule or regulation.

* NB Not effective due to defeat of the Transportation Bond Act of 2000

45. On or before December thirty-first, two thousand nine, and on or before December thirty-first of every fifth year thereafter, the

commissioner shall submit to the governor, the temporary president and majority leader of the senate and the speaker of the assembly a special additional assessment report of the condition of the state highway and bridge system and the goals for the five year period following the date of such report. Such report shall describe the condition of the state highway and bridge system, the department's procedures for the management of pavements and bridges, and measurements for and an evaluation of system performance. Such report shall also recognize the importance of addressing the most urgent regional needs as determined by such measurements and evaluation. Nothing contained herein shall be deemed to supersede any other reporting requirements otherwise imposed upon the department by law, rule or regulation.

46. Have the authority to enter into agreements and/or contracts to provide or receive services pursuant to section ninety-nine-r of the general municipal law upon such terms and conditions as deemed appropriate by the commissioner or commissioner's designee.

§ 10-a. Special powers of the commissioner of transportation. 1. The commissioner of transportation, subject to the approval of the director of the budget, is hereby authorized to enter into a cooperative highway contractual agreement or agreements with the New York state thruway authority and municipalities for the financing by such authority of expenditures made in advance by the state for design, acquisition, construction, reconstruction or the reconditioning and preservation of transportation facilities, including associated costs for planning, engineering services and construction inspection, pursuant to the provisions of section eighty-eight-b of the state finance law, state highways, state parkways, state arterial highways in cities and related facilities and structures thereon, including bridges and the reconditioning, preservation of structures separating highways and railroads, the traffic operations program to increase capacity and safety on existing street and highway systems in urban areas, capacity and infrastructure improvements to state, county, town, city or village roads, highways, parkways and bridges, and buildings, equipment, and facilities used or useful in connection with the maintenance, operation,

and repair of said transportation facilities, streets, highways, parkways and related facilities and structures, in any case where the expense thereof is paid in whole or in part by the state. Such advance expenditures by the state shall be recorded on a project basis and referred to as "cooperative highway contractual agreement expenditures".

2. Such cooperative highway contractual agreement or agreements shall include but not be limited to: (a) description and location of each project; (b) the projected dates of commencement and completion; (c) the estimated total cost of each project, including the amount of federal aid available therefore.

3. In addition to the requirements of subdivision two of this section, each such cooperative highway contractual agreement or agreements shall provide that: (a) each project upon completion shall be maintained and operated under the supervision of the department of transportation or the municipality without cost to the New York State thruway authority; (b) upon completion of each project the New York State thruway authority shall issue a use permit to the commissioner of transportation or the municipal agency designated by him for such project or municipality, which shall be made available to the commissioner of transportation or the municipal agency designated by him or the municipality on a toll free basis; and (c) no project shall be undertaken which will require cooperative highway contractual agreement payments for a term in excess of the probable life of such project, as defined in section sixty-one of the state finance law, and, provided further, that at the expiration of such term all rights and interest of the New York State thruway authority in each such project shall without any additional payment by the state to such authority be vested in the people of the state of New York or the municipality.

4. The commissioner of transportation and, with respect to municipal projects, the municipality having jurisdiction over the project is hereby authorized to undertake design, acquisition, construction, reconstruction or the reconditioning and preservation of transportation facilities, pursuant to the provisions of section eighty-eight-b of the state finance law, state highways, state parkways, state arterial

highways in cities and related facilities and structures thereon, including bridges, reconditioning and preservation of structures separating highways and railroads, and the traffic operations program to increase capacity and safety on existing street and highway systems in urban areas, and capacity and infrastructure improvements to state, county, town, city or village roads, highways, parkways and bridges, in any case where the expense thereof is paid in whole or in part by the state, as financed by the New York State thruway authority of expenditures made in advance by the State; and, provided that all such projects and traffic operations program projects shall be performed in accordance with the provisions of the highway law.

5. The commissioner of transportation is hereby authorized and empowered to provide in each cooperative highway contractual agreement or agreements during the term or terms of each such agreement or agreements against loss or damage to any project caused by storm, flood, fire, explosion or other catastrophe, whether by insurance or otherwise.

Each cooperative highway contractual agreement or agreements pursuant to this section shall contain a clause that such agreement or agreements of the state thereunder shall be deemed executory only to the extent of the monies available to the state and no liability on account thereof shall be incurred by the state beyond the monies available for the purpose thereof.

6. The state comptroller shall at the commencement of each month, certify to the director of the budget, the commissioner of transportation, the chairman of the senate finance committee, the chairman of the assembly ways and means committee, and the chairman of the New York State thruway authority, the amounts expended from the advance appropriation made by this act for design, acquisition, construction, reconstruction or reconditioning and preservation projects and traffic operations program projects for the month preceding such certification and such certification shall not exceed in the aggregate the amounts appropriated.

7. The commissioner of transportation may, subject to the approval of

the director of the budget, enter into a supplemental cooperative highway contractual agreement or agreements with the New York State thruway authority or municipalities pursuant to the provisions of this section, provided that each such cooperative highway contractual agreement or supplemental thereto is approved as to form by the attorney general of the state of New York.

8. (a) Notwithstanding any other provisions of law, general or special or local, the commissioner of transportation is hereby authorized for and on behalf and in the name of the people of the state of New York to execute and deliver to the New York State thruway authority, for such consideration or upon such terms and conditions as may be determined by the commissioner of transportation and the New York State thruway authority, subject to the approval of the director of the budget, a lease or mortgage for a term not exceeding the term authorized by subdivision three of this section or a quitclaim deed conveying to the New York State thruway authority all the right, title and interest of the people of the state of New York in and to any of the lands and in and to any of the design, acquisition, construction, reconstruction or reconditioning and preservation improvements thereon or traffic operations program improvements over which the commissioner of transportation has possession, jurisdiction, supervision and control pursuant to the provisions of the highway law or other law.

(b) Notwithstanding any other provision of law, general or special or local, for capacity and infrastructure improvements to county, town, city or village roads, highways, parkways and bridges, the municipality with jurisdiction over the project shall enter into an agreement with the department of transportation for the conveyance of all affected real property including highways, roads, parkways and bridges to the thruway authority, for the term of the bonds or notes issued by the thruway authority, or its successor agency, for such project or for such lesser period that such bonds or notes are outstanding. During the period of such conveyance to the thruway authority, the department of transportation or the municipality shall agree to maintain the facility in a state of good repair, the responsibility for which shall be with the state, or municipality, which had jurisdiction over said facility prior to such agreement.

9. The attorney general shall pass upon the form and sufficiency and manner of execution of any lease, mortgage or deed of conveyance executed by the commissioner of transportation pursuant to the provisions of subdivision eight of this section.

10. As used in this section "reconditioning and preservation" shall mean resurfacing of existing pavements to correct structural deficiencies or substandard riding characteristics; the sealing of pavements; the treatment of highway pavements to improve skid resistance; modification of roadway geometrics for improvement of operational safety; the improvement of highway appurtenances including but not limited to shoulders, guiderail systems, slopes, traffic control devices, sidewalks, curbs, drainage systems; retaining and sustaining walls; removal of hazards and/or their replacement or correction by the use of recognized and approved safety or protective devices; bridge painting and improvement including structural rehabilitation or replacement.

11. As used in this section "traffic operations program" shall mean the program authorized by subdivision thirty-four of section ten of the highway law.

12. Subject to the approval of the director of the budget, the commissioner is authorized to pledge and assign to the New York state thruway authority federal moneys to be paid to the state as reimbursement for the federal share of expenditures.

13. (a) The state shall defend any unit, entity, officer or employee of the New York state thruway authority using the forces of the department of law in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the department pursuant to a shared services agreement.

(b) Defense pursuant to paragraph (a) of this subdivision shall be conditioned upon the full cooperation of the New York state thruway authority.

(c) The state shall indemnify and hold harmless any unit, entity, officer or employee of the New York state thruway authority in the amount of any judgment obtained against the New York state thruway authority or in the amount of any settlement the New York state thruway authority enters into with the consent of the state for any and all claims, damages or liabilities arising from or occasioned by the acts or omissions to act of the department pursuant to a shared services agreement, provided, however, that the act or omission from which such judgment or settlement arose occurred while the department was acting within the scope of its functions pursuant to a shared services agreement. Any such settlement shall be executed pursuant to section twenty-a of the court of claims act.

(d) Any claim or proceeding commenced against any unit, entity, officer or employee of the department pursuant to any shared services agreement shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the department, or to impair, alter, limit, modify, abrogate or restrict any right to defense and indemnification provided for any governmental officer or employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

(e) This subdivision shall not in any way affect the obligation of any claimant to give notice to the state under sections ten and eleven of the court of claims act or any other provision of law provided, however, that notice served upon the state or the authority shall be valid notice on both parties to the agreement, when such claim arises out of such agreement. The state and authority shall notify each other when they receive a notice of claim, notice of intention to make a claim or a claim arising out of such agreement.

(f) The provisions of this subdivision shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any insurance agreement.

(g) Notwithstanding any other provision of law, employees of the thruway authority, its subsidiaries and the department shall be deemed employees of all such entities and the state for purposes of the workers' compensation law.

(h) Any payment made pursuant to this subdivision or any monies paid

for a claim against or settlement with the department or the New York state thruway authority pursuant to this section and pursuant to a shared services agreement shall be paid from appropriations for payment by the state pursuant to the court of claims act.

§ 10-c. Consolidated local highway assistance payments. 1. Notwithstanding any other provisions of this chapter or any other law, and subject to an appropriation made therefor and in accordance with the provisions of this section and with the rules and regulations promulgated by the commissioner in connection therewith, on and after the first day of April, nineteen hundred eighty-two, a consolidated local highway assistance program is hereby established for the purpose of making payments toward the construction, operation and/or maintenance of highways, bridges and highway-railroad crossings that are not on the state highway system. For purposes of this section, such program shall apply to any county, city, town or village highway, bridge and/or highway-railroad crossing within the state that is not on the state highway system and not under the maintenance and/or operational jurisdiction of the state. The commissioner shall promulgate all necessary rules and regulations to carry out the program so that an equitable distribution of aid shall be made for the construction, operation and/or maintenance of any county, city, town and village highways, bridges and highway-railroad crossings.

2. On or before the twenty-fifth day of April, June, September and November of each state fiscal year commencing with the state fiscal year beginning on April first, nineteen hundred eighty-four there shall be distributed and paid to counties, cities, towns and villages an amount equal to the moneys appropriated for the purposes of this section divided by the number of payment dates in that state fiscal year. Such amounts shall be distributed and paid pursuant to subdivision three of this section.

3. Amounts shall be distributed for local highways, bridges and highway-railroad crossings in accordance with the following three step process:

(a) First, 41.40 percent of moneys so appropriated or authorized by the legislature for distribution pursuant to this subdivision in any fiscal year shall be distributed to New York city and to the counties outside of New York city, fifty percent on the basis of their relative shares of motor vehicle registration and fifty percent on the basis of the relative shares of center line highway mileage, except interstate and state highways, under the maintenance jurisdiction of the city of New York and the several counties.

(b) Second, the balance of the moneys so appropriated or authorized by the legislature for distribution pursuant to this subdivision in any fiscal year shall be distributed among four jurisdictional systems based on relative vehicle miles of travel as follows:

JURISDICTIONAL SYSTEM	PERCENT OF VEHICLE MILES OF TRAVEL
Cities	42.7
Counties	18.5
Villages	10.7
Towns	28.1
Total	100.0

Within each jurisdictional system, the distribution made to each municipality shall be based on the ratio of the number of lane miles under the maintenance jurisdiction, except interstate and state highways, of each municipality that is devoted to the movement of traffic, excluding lanes devoted to the parking of vehicles, to the total number of such lane miles under the operational jurisdiction, except interstate and state highways, of all municipalities in the state within each jurisdictional system.

(c) Third, the amounts distributed to each municipality in accordance with paragraphs (a) and (b) of this subdivision shall be adjusted so

that such amounts will not be less than the "funding level" as defined in subdivision five of this section for each such municipality. In order to achieve the objectives of this paragraph, to the extent necessary the amounts in excess of the funding levels to be distributed to each municipality under paragraphs (a) and (b) hereof shall be reduced in equal proportion.

4. (a) For each fiscal year commencing on and after April first, nineteen hundred eighty-two and prior to April first, nineteen hundred eighty-seven, amounts shall be distributed pursuant to an annual appropriation from the local assistance account of the general fund of thirty-four million dollars in accordance with the percentums established in subdivision five of section two hundred thirty-two of the transportation law.

(b) For each fiscal year set out in the schedule hereinbelow amounts shall be distributed pursuant to an annual appropriation from the local assistance account of the general fund in an amount set out in such schedule for the corresponding state fiscal year. Each fiscal year distribution shall be made in accordance with the per centums established in subdivision five of section two hundred thirty-two of the transportation law:

State Fiscal Year	Appropriation
1987-88	$65,000,000
1988-89	$70,000,000
1989-90	$75,000,000
1990-91	$80,000,000
1991-92	$85,000,000
1992-93	$87,000,000

(c) Sub-allocations within each percentum shall be made in accordance with the allocations established by the commissioner pursuant to chapter three hundred sixty-nine of the laws of nineteen hundred seventy-nine.

(d) The amounts distributed pursuant to this subdivision shall be paid in four equal payments on or before the twenty-fifth day of April, June, September and November.

(e) Funds allocated for local street or highway projects under this subdivision shall be used to undertake work on a project either with the municipality's own forces or by contract, provided however, that

whenever the estimate for the construction contract work exceeds one hundred thousand dollars but does not exceed three hundred fifty thousand dollars such work must be performed either with the municipality's own forces or by contract let by competitive bid in accordance with the provisions of section one hundred three of the general municipal law and provided further, however, that whenever the estimate for the construction contract work exceeds three hundred fifty thousand dollars such work must be performed by contract let by competitive bid in accordance with the provisions of section one hundred three of the general municipal law.

5. For amounts to be distributed pursuant to this section above the funding level, as defined in this subdivision, received by any municipality, such municipality shall use at least seventy-five percent of such apportioned moneys for the construction, reconstruction or improvement of local highways, bridges and/or highway-railroad crossings, including right of way acquisition, preliminary engineering, and construction supervision and inspection, where the service life of the project is at least ten years. Such moneys made available may be used to match other state and federal funds made available for such projects under federal-aid highway acts. The remainder of the apportionment, may be used for any highway purposes, except debt service, including but not limited to, the acquisition of materials and equipment devoted to operation and maintenance of local highways, bridges and/or highway-railroad crossings and the payment of any costs directly attributable to operation and maintenance of local highways, bridges and/or highway-railroad crossings. At the discretion of the commissioner, the requirement specified in this subdivision may be waived for assistance payments in amounts of less than five thousand dollars. For purposes of this section "funding level" shall mean the average amounts, calculated for each municipality, received over two years ending March thirty-first, nineteen hundred eighty-two from the provisions of the town highway improvement program, the distribution made by former section one hundred twelve of this chapter, as repealed by section twenty-one of the transportation systems assistance and financing act of 1981 of amounts collected from taxes on motor fuel imposed by sections two hundred eighty-four and two hundred

eighty-four-a of the tax law and on Diesel motor fuel imposed by sections two hundred eighty-two-a and two hundred eighty-two-b of the tax law, and from motor vehicle fees collected from residents pursuant to the vehicle and traffic law, and the distribution made by former section two hundred seventy-nine of this chapter, as repealed by section twenty-one of the transportation systems assistance and financing act of 1981.

6. On the first day of the third month following the end of its fiscal year ending in nineteen hundred eighty-three and each succeeding fiscal year, each municipality which has received five thousand dollars or more in total funds paid pursuant to subdivision two or four of this section during the preceding fiscal year shall certify to the commissioner, pursuant to rules and regulations promulgated by the commissioner in relation thereto, that the expenditure by such municipality in such fiscal year of nonstate funds raised by the municipality for the operation and maintenance (exclusive of capital construction) of its highways, bridges and/or highway-railroad crossings was not reduced below the level of the average of the previous two years. Provided, however, that in calculating the expenditures and revenues of the municipality to determine the local maintenance of effort for the fiscal year being certified and the expenditure level of the average of the previous two years, municipalities shall not be required to include the amount of revenues and expenditures for operation and maintenance of its highways, bridges, and/or highway-railroad crossings necessitated by any unforeseen event for which the municipality was officially declared a disaster area. Where a reduction in such spending or non-use has occurred, the distributions above the funding level to such municipality in the then-current state fiscal year shall be reduced by an amount equivalent to the amount of such reduction or non-use, except that no reduction to the funding level shall be taken for an amount caused by any unforeseen event for which the municipality was officially declared a disaster area. Municipalities not required to certify under this section may continue such non-certifying status, with the approval of the commissioner, if the apportionment to such municipality is increased to more than five thousand dollars but less than seven thousand dollars in any local fiscal year. For the purposes of this section, a

municipality shall mean a county, city, town or village or two or more such jurisdictions acting jointly.

7. For any city, town, or village which consolidates or merges with another municipality, the resulting successor government shall file with the office of the state comptroller a certificate of any such consolidation, merger and any accompanying dissolution. In the event that the amount which would otherwise be apportioned to the individual governments exceeds the amount which is payable to the successor government pursuant to this section, such successor government shall receive no less in consolidated local highway apportionments than the predecessor governments would have received in the aggregate had the merger or consolidation not occurred.

8. (a) For each fiscal year set out in the schedule hereinbelow amounts shall be distributed pursuant to annual appropriation from the local assistance account of the general fund in an amount set out in such schedule for the corresponding state fiscal year:

State Fiscal Year	Appropriation
1993-94	$72,652,000
1994-95	$72,652,000
1995-96	$72,652,000
1996-97	$72,652,000

(b) For each fiscal year set out in the schedule hereinbelow amounts shall be distributed pursuant to annual appropriation from the dedicated highway and bridge trust fund or by authorization by the legislature for capital projects in an amount set out in such schedule for the corresponding state fiscal year:

State Fiscal Year	Appropriation
1993-94	$170,000,000
1994-95	$175,000,000
1995-96	$180,000,000
1996-97	$185,000,000

(c) The moneys appropriated or authorized in each fiscal year pursuant to the schedules in paragraphs (a) and (b) of this subdivision shall be distributed in accordance with the procedures contained in subdivisions three and four of this section. The total of funds distributed in

accordance with the procedures in subdivision three of this section shall equal one hundred forty-five million dollars in each fiscal year. The balance of funds shall be distributed in accordance with the procedures in subdivision four of this section. For purposes of calculating distributions in accordance with subdivision three of this section, the "funding level" shall be proportioned between amounts distributed pursuant to paragraphs (a) and (b) of this subdivision.

§ 10-d. Statewide preventive maintenance plan for highways and bridges. 1. Definitions. For the purposes of this section, unless the context or subject matter otherwise requires:

(a) "Preventive maintenance" shall mean planned activities undertaken by the commissioner to reduce or arrest the rate of deterioration of state highways and bridges, or to maintain such highways and bridges in a state of good repair. These activities may correct minor defects as a secondary benefit.

(b) "Pavement management system" shall mean a system to assist in determining the optimum strategy to preserve state pavements in a safe and serviceable condition at the lowest feasible total capital and maintenance cost over the useful life of such pavement. Such system shall conform with or exceed federal requirements and shall include an annual survey of state highway pavement conditions.

(c) "Bridge management system" shall mean a system to assist in determining the optimum strategy to preserve state bridges in a safe and serviceable condition at the lowest feasible total capital and maintenance cost over the useful life of such bridges. Such system shall conform with or exceed federal requirements and shall include an inspection of state bridges in accordance with section two hundred thirty-two of this chapter.

2. Statewide preventive maintenance plan. Every year the commissioner shall develop a five-year plan for the preventive maintenance of state highways and bridges. The plan shall be submitted to the governor and the chairs of the senate finance committee and the assembly ways and means committee at the time the department submits its annual budget request, but no later than December thirty-first of each year. The plan

shall:

(a) describe the current condition of state highways, by setting forth the number of lane miles in each highway condition level in each department of transportation residency and region based on an annual pavement condition survey conducted pursuant to the department's pavement management system;

(b) describe the current condition of state bridges, by setting forth the number of bridges in each bridge condition level in each department of transportation region based on an inspection of each bridge conducted pursuant to the department's bridge management system and in accordance with section two hundred thirty-two of this chapter;

(c) establish goals for the condition of the state's highways and bridges for each of the next five fiscal years which can be achieved through an integrated program of capital investment and preventive maintenance, set forth for each highway and bridge condition level in each department of transportation region;

(d) describe the preventive maintenance activities and levels of funding projected to be necessary to achieve the goals for the condition of the state's highways and bridges for each of the next five fiscal years, set forth for each highway and bridge condition level in each department of transportation region. Such description shall be developed utilizing the department's pavement management and bridge management systems;

(e) demonstrate the cost effectiveness of these preventive maintenance activities and levels of funding through an analysis of the cost of alternative preventive maintenance techniques over the life cycle of state highways and bridges consistent with the highway law life cycle requirements;

(f) summarize the preventive maintenance work which could occur if the amounts requested for the next fiscal year pursuant to section fourteen-b of the state finance law are appropriated, set forth for each state highway pavement condition level by department of transportation residency, and for each state bridge condition level by department of transportation region; and

(g) commencing with the statewide preventive maintenance plan due no later than December thirty-first, nineteen hundred ninety-five, provide information relative to the prior and current fiscal year's preventive

maintenance plan, including the extent to which goals relative to the condition of state highways and bridges established pursuant to paragraph (c) of this subdivision have been achieved, set forth for each state highway and bridge condition level by department of transportation region.

3. Submission of the statewide preventive maintenance plan shall constitute compliance with the requirements of subdivision (d) of section fourteen-b and section twenty-six of the state finance law.

4. Incorporation of statewide preventive maintenance plan. The statewide preventive maintenance plan developed pursuant to subdivision two of this section shall be incorporated into the department's capital projects statement to be submitted to the governor pursuant to section fourteen-b of the state finance law, and shall be considered by the division of the budget prior to the submission of the budget pursuant to section twenty-two of the state finance law.

5. Within nine months after the enactment of the budget for fiscal year nineteen hundred ninety-three--ninety-four, the commissioner shall submit to the governor a summary of the preventive maintenance work which has been undertaken or is planned to be undertaken in such fiscal year. Copies of such summary shall forthwith be furnished to the chairs of the senate finance committee and the assembly ways and means committee.

6. Independent program evaluation. The commissioner shall cause to be performed once every five years an independent evaluation of the preventive maintenance of state highways and bridges. Such evaluation shall be conducted by a professional engineering firm expert in the field of preventive maintenance and preventive maintenance planning. The first evaluation shall be submitted to the governor no later than October first, nineteen hundred ninety-five, and succeeding evaluations shall be submitted every five years thereafter. Such evaluation shall include but not be limited to:

(a) an assessment of the adequacy of the preventive maintenance of state highways and bridges;

(b) an assessment of the adequacy of the department's pavement management system and bridge management system and recommendations for improvements to those systems;

(c) recommendations for any improvements or technological advances in the way in which the state should maintain state highways and bridges;

(d) an assessment as to whether the level or allocation of funding for the preventive maintenance of state highways and bridges is sufficient considering the goals for the condition of the state's highways and bridges for the next five fiscal years as set forth in the statewide preventive maintenance plan developed pursuant to subdivision two of this section.

7. Liability provisions. No preventive maintenance plan or evaluation of such plan required by this section shall be admissible in any action or proceeding in which the state or any of its departments, agencies or authorities, or any municipal corporation or other political subdivision, or any officer or employee thereof, is a party, to prove the existence of a particular defect or dangerous condition of a highway or bridge; nor shall the state or any of its departments, agencies or authorities, or any municipal corporation or other political subdivision, or any officer or employee thereof, be held liable for damages as a result of a failure to comply with any preventive maintenance plan required by this section or to take any action as a result of an evaluation of such plan.

§ 10-e. Additional special powers of the commissioner of transportation. 1. The commissioner of transportation, subject to the approval of the director of the budget, is hereby authorized to enter into a dedicated highway and bridge trust fund cooperative agreement or agreements with the New York state thruway authority for the financing by such authority of disbursements made by the state for any of the activities authorized pursuant to the provisions of section eighty-nine-b of the state finance law, in any case where the expense thereof is paid in whole or in part by the state. Such disbursements by the state shall be recorded on a project basis and referred to as "dedicated highway and bridge trust fund cooperative agreement

disbursements". Copies of such agreement shall be filed with the chairpersons of the assembly ways and means committee and the senate finance committee.

2. The dedicated highway and bridge trust fund cooperative agreement or agreements shall provide for dedicated highway and bridge trust fund cooperative agreement payments to the New York state thruway authority, and may further provide for necessary instruments of transfer by quitclaim deed or otherwise, to the New York state thruway authority pursuant to subdivision eight of this section, of such real property interests that are held by the department in the name of the people of the state for any of the activities undertaken under this section. Such dedicated highway and bridge trust fund cooperative agreement or agreements shall also include but not be limited to: (a) description and location of each activity; (b) the projected dates of commencement and completion; (c) the estimated total cost, including the amount of federal aid available therefor. Nothing in such agreement shall provide for the transfer of any interests in buildings or personal property, including equipment, materials and facilities used or useful in connection with activities authorized in this section.

3. In addition to the requirements of subdivision two of this section, each such dedicated highway and bridge trust fund agreement or agreements shall provide that: (a) any real property interest transfer pursuant to subdivision eight of this section shall be maintained and operated under the supervision of the department of transportation without cost to the New York State thruway authority; (b) simultaneously with the conveyance of any real property interest by the department by quitclaim deed or otherwise pursuant to subdivision eight of this section the New York state thruway authority shall issue a use permit or lease to the department of transportation for such real property interest on a toll free basis; and, (c) no such activity shall require dedicated highway and bridge trust fund cooperative agreement payments for a term in excess of thirty years and, at the expiration of such term as the commissioner and the authority may agree, pursuant to subdivision eight of this section all rights and interest of the New York state thruway authority in each such activity shall without any additional

payment by the state to such authority revert to and be vested in the people of the state of New York. In no event shall any property transferred to the thruway authority pursuant to this section be deemed part of the thruway for the purposes of any provision of the tax law.

4. The commissioner of transportation is hereby authorized to undertake any of the authorized activities pursuant to section eighty-nine-b of the state finance law, in any case where the expense thereof is paid in whole or in part by the state, as financed by the New York state thruway authority of disbursements made by the state; and, provided that all such activities shall be performed in accordance with the provisions of this chapter and other applicable laws.

5. The commissioner of transportation is hereby authorized and empowered to provide, in each dedicated highway and bridge trust fund cooperative agreement or agreements during the term or terms of each such agreement or agreements, against loss or damage to any project caused by storm, flood, fire, explosion or other catastrophe, whether by insurance or otherwise.

Each dedicated highway and bridge trust fund cooperative agreement or agreements pursuant to this section shall contain a clause that such agreement or agreements of the state thereunder are not a debt of the state and that such agreement or agreements shall be deemed executory only to the extent of the monies available to the state and no liability on account thereof shall be incurred by the state beyond the monies available for the purpose thereof.

6. The comptroller shall at the commencement of each month certify to the director of the budget, the chairpersons of the senate finance and assembly ways and means committees, the commissioner of transportation, and the chairman of the thruway authority the amount disbursed from the dedicated highway and bridge trust fund in the preceding month, the amounts reimbursed by the thruway authority, the revenues received in the fund, and the unreimbursed disbursements. The department of transportation shall report, not less than quarterly, to the director of the budget, the chairs of the senate finance committee and assembly ways

and means committee, the amounts disbursed from appropriations in the dedicated highway and bridge trust fund which may be reimbursable from bonds authorized by this section. The director of the budget shall review the report and certify to the comptroller the disbursements that are not reimbursable from bonds.

7. The commissioner of transportation may, subject to the approval of the director of the budget, enter into a supplemental dedicated highway and bridge trust fund cooperative agreement or agreements with the New York State thruway authority pursuant to the provisions of this section, provided that each such dedicated highway and bridge trust fund agreement or supplement thereto is approved as to form by the attorney general of the state of New York.

8. Notwithstanding any other provisions of law, general or special or local, the commissioner of transportation is hereby authorized for and on behalf and in the name of the people of the state of New York to execute and deliver to the New York state thruway authority at such time, for such consideration or upon such terms and conditions as may be determined by the commissioner of transportation and the New York state thruway authority, a lease or mortgage or a quitclaim deed in a form acceptable to the commissioner and the chairman which form may provide for amendment by certificate or supplement by the parties for the addition of property, which upon delivery shall therewith be deemed to convey to the New York state thruway authority such interest as the people of the state of New York may have in and to any of the lands over which the commissioner of transportation has possession, jurisdiction, supervision and control pursuant to the provisions of this chapter or other law. Such lease, mortgage or quitclaim deed shall not exceed a term authorized by subdivision three of this section. Provided, however, that at any time after April first, nineteen hundred ninety-five, no dedicated highway and bridge trust fund cooperative agreement with the New York state thruway authority pursuant to this section, nor any supplement thereto, need provide any such foregoing conveyance of property to the New York state thruway authority in connection with any obligations incurred pursuant to section three hundred eighty-five of the public authorities law, and any such

conveyance evidenced by a dedicated highway and bridge trust fund cooperative agreement before such date shall, consistent with the rights of holders of any such obligations incurred pursuant to section three hundred eighty-five of the public authorities law, revert to the people of the state of New York by appropriate instrument or instruments, by quitclaim deed or otherwise, in confirmation of such reversion.

9. Subject to the approval of the director of the budget, the commissioner is authorized to pledge and assign to the New York state thruway authority federal moneys to be paid to the state as reimbursement for the federal share of expenditures advanced by the state.

§ 10-f. Long Island suburban highway improvement program. 1. There is hereby established the "Long Island suburban highway improvement program".

2. The program shall provide fifty million dollars to be made available as follows:

State Fiscal Year 1993-1994	$12.5 million
State Fiscal Year 1994-1995	$12.5 million
State Fiscal Year 1995-1996	$12.5 million
State Fiscal Year 1996-1997	$12.5 million

Such fifty million dollars shall be provided pursuant to annual appropriations from the dedicated highway and bridge trust fund or pursuant to authorization by the legislature for capital projects.

3. Program funds shall be made available for financing any of the following types of capital projects within Nassau and Suffolk counties where the service life of the project is at least ten years:

(a) reconstruction, replacement, reconditioning, restoration, rehabilitation, and preservation of state, county, town, city and village roads, highways, parkways, and bridges to restore such facilities to their intended functions; and

(b) construction, reconstruction, enhancement and improvement of

state, county, town, city and village roads, highways, parkways and bridges to address current and projected capacity problems.

The amount of state funds historically appropriated statewide for transportation capital purposes from other sources shall not be reduced because of the availability of program moneys. Prior to the allocation of program funds for a county, town, city or village capital project, the municipality responsible for the project shall certify to the commissioner of transportation that the amount of funds appropriated for transportation capital purposes by that municipality shall not be reduced because of the availability of such program funds.

4. It is the intention of the governor, the temporary president of the senate and the speaker of the assembly to enter into a memorandum of understanding with respect to the selection of capital projects and the allocation of program moneys among capital projects. The minority leaders of the senate and assembly may also enter into the memorandum of understanding.

5. (a) Funding of municipal projects will be made upon the application for funding of prior expenditures in a format prescribed by the commissioner. Such funding of state projects may be pursuant to agreements between the commissioner and the New York state thruway authority and may be from the proceeds of bonds, notes or other obligations issued pursuant to section three hundred eighty-five of the public authorities law.

(b) Funding of municipal project expenditures for an approved project shall require the certification of the sponsoring municipality to the department that:

(i) the amount of municipal funds appropriated for transportation capital projects by municipalities shall not be reduced because of the availability of these funds, and each recipient municipality shall certify annually that its own level of funding of transportation capital projects, excluding funds expended for those capital projects funded pursuant to this section, was not diminished;

(ii) program funds will be used solely to fund actual expenditures for the construction, reconstruction, replacement, reconditioning,

restoration, rehabilitation, preservation, enhancement and improvement of state and local roads, highways, parkways and bridges, including but not limited to right-of-way acquisition, preliminary engineering, and construction supervision and inspection;

(iii) the project constructed with program funds has a service life of ten or more years;

(iv) the amount of funds requested is no greater than prior unreimbursed municipal project expenditures for work completed or materials incorporated in qualifying projects; and

(v) program funds are not to be used for the mandated non-federal share of federally funded projects.

(c) By written agreement between them, a county may act for one or more cities, towns or villages in the implementation of projects eligible for funding pursuant to this section. A copy of such agreement shall be filed with the commissioner in connection with the program plan that includes such a project.

§ 10-g. Hudson Valley suburban highway improvement program. 1. There is hereby established the "Hudson Valley suburban highway improvement program".

2. The program shall provide ninety million dollars to be made available as follows:

State Fiscal Year 1993-1994	$22.5 million
State Fiscal Year 1994-1995	$22.5 million
State Fiscal Year 1995-1996	$22.5 million
State Fiscal Year 1996-1997	$22.5 million

Such ninety million dollars shall be provided pursuant to annual appropriations from the dedicated highway and bridge trust fund or pursuant to authorization by the legislature for capital projects.

3. Program funds shall be made available for financing any of the following types of capital projects within Westchester, Rockland, Putnam, Dutchess, Columbia, Orange and Ulster counties where the service life of the project is at least ten years:

(a) reconstruction, replacement, reconditioning, restoration, rehabilitation, and preservation of state, county, town, city and village roads, highways, parkways, and bridges to restore such facilities to their intended functions; and

(b) construction, reconstruction, enhancement and improvement of state, county, town, city and village roads, highways, parkways and bridges to address current and projected capacity problems.

The amount of state funds historically appropriated statewide for transportation capital purposes from other sources shall not be reduced because of the availability of program moneys. Prior to the allocation of program funds for a county, town, city or village capital project, the municipality responsible for the project shall certify to the commissioner of transportation that the amount of funds appropriated for transportation capital purposes by that municipality shall not be reduced because of the availability of such program funds.

4. It is the intention of the governor, the temporary president of the senate and the speaker of the assembly to enter into a memorandum of understanding with respect to the selection of capital projects and the allocation of program moneys among capital projects. The minority leaders of the senate and assembly may also enter into the memorandum of understanding.

5. (a) Funding of municipal projects will be made upon the application for funding of prior expenditures in a format prescribed by the commissioner. Such funding of state projects may be pursuant to agreements between the commissioner and the New York state thruway authority and may be from the proceeds of bonds, notes or other obligations issued pursuant to section three hundred eighty-five of the public authorities law.

(b) Funding of municipal project expenditures for an approved project shall require the certification of the sponsoring municipality to the department that:

(i) the amount of municipal funds appropriated for transportation capital projects by municipalities shall not be reduced because of the availability of these funds, and each recipient municipality shall

certify annually that its own level of funding of transportation capital projects, excluding funds expended for those capital projects funded pursuant to this section, was not diminished;

(ii) program funds will be used solely to fund actual expenditures for the construction, reconstruction, replacement, reconditioning, restoration, rehabilitation, preservation, enhancement and improvement of state and local roads, highways, parkways and bridges, including but not limited to right-of-way acquisition, preliminary engineering, and construction supervision and inspection;

(iii) the project constructed with program funds has a service life of ten or more years;

(iv) the amount of funds requested is no greater than prior unreimbursed municipal project expenditures for work completed or materials incorporated in qualifying projects; and

(v) program funds are not to be used for the mandated non-federal share of federally funded projects.

(c) By written agreement between them, a county may act for one or more cities, towns or villages in the implementation of projects eligible for funding pursuant to this section. A copy of such agreement shall be filed with the commissioner in connection with the program plan that includes such a project.

§ 11. Maps, plans, specifications and estimates. Whenever the commissioner of transportation shall have determined upon the construction or improvement of a state highway, or section thereof, he shall make or cause to be made surveys, and suitable preliminary maps, plans and specifications. The commissioner shall have the following powers and duties in respect to such highways:

1. He shall cause the highway or section thereof so determined to be improved to be mapped both in outline and profile.

2. He may provide for a deviation from the line of a highway already existing, if thereby a shorter or more direct highway, or a lessened gradient may be obtained without decreasing the usefulness of the highway. If such deviation requires the consequential relocation of any

tracks and appurtenances of a railroad company, he may acquire adequate right of way to provide for the relocation of the highway as well as the railroad tracks, pursuant to section thirty of this chapter, and he may enter into a written agreement with the owner of the lands from which the tracks shall be relocated to exchange such lands for the lands acquired for their relocation. The work of relocating the tracks may be done by the owner, and the commissioner of transportation is hereby empowered to enter into an agreement with the owner for the performance of all or any part of the work at the expense of the state, and such expense shall be deemed to be a part of the cost of the relocation of the highway.

3. He may provide for the widening of an existing highway.

4. He shall cause to be prepared preliminary plans and specifications for the construction or improvement of such highway or section thereof providing for a telford, macadam or gravel roadway, or other suitable construction, taking into consideration climate, soil and materials to be had in the vicinity thereof, and the extent and nature of the traffic likely to be upon such highway, specifying in his judgment the kind of highway a wise economy demands.

5. He shall provide in such plans and specifications for necessary culverts, drains, ditches, waterways, embankments, guard rails and retaining walls, and he may also provide for cattle passes wherever he may deem them to be necessary and suitable in the interest of public safety and as a traffic precaution.

6. He may provide therein for the removal or planting of trees, and seeding or sodding, within the boundaries of the highway, when necessary for the preservation thereof.

7. He may provide therein for the removal of, or the trimming of any trees within the boundaries of the highway necessary for the convenience or safety of the public, or the construction or preservation of the highway.

8. He shall provide therein for the erection of suitable guide boards.

9. He may provide for such other work as may be required to complete the construction or improvement in a proper manner.

10. He shall cause an estimate to be made of the cost of the construction of such highways or section thereof in accordance with such plans and specifications. In making such estimate he shall cause to be ascertained and specified with all practical accuracy the quantity of embankment, excavation and masonry, the quantity of all materials to be used and all items of work to be placed under contract.

§ 12. Commissioner to provide for maintenance, repair, and for control of snow and ice; roads and driveways on state lands. 1. The maintenance and repair of improved state highways in towns and incorporated villages, exclusive, however, of the cost of maintaining and repairing bridges having a span in excess of twenty feet shall be under the direct supervision and control of the commissioner and he or she shall be responsible therefor. The cost of such maintenance and repair shall be borne wholly by the state and be paid from moneys appropriated therefor by the legislature. Such maintenance and repair may be done in the discretion of the commissioner either directly by the department or by contract awarded to the lowest responsible bidder at a public letting after due advertisement, and under such rules and regulations as the commissioner may prescribe. The commissioner shall also have the power to adopt such system as may seem expedient so that each section of such highways shall be effectively and economically preserved, maintained and repaired.

2. The maintenance of state highways shall include the control of snow and ice on such highways or any parts thereof, as the commissioner may deem to be necessary to provide reasonable passage and movement of vehicles over such highways. The commissioner is authorized also to erect snow fences at suitable locations. The work of such control of snow and ice may be done by any municipality which for the purposes of this section shall include only a county, city, town or village. The

governing board or body of any such municipality and the commissioner are hereby authorized to enter into an agreement for the performance of the work of such control of snow and ice upon such terms, rules and regulations as may be deemed by the commissioner to be for the best interest of the public. Such agreement may provide for periodic payments based upon a percentage of the estimated total cost. Any agreement authorized by this subdivision shall be for a term of up to five years and at the expiration of the year preceding the last year of the term specified in the agreement, as such term may be extended as herein provided, the municipality shall notify the commissioner either (a) that it requests, with the approval of the commissioner, that the term of the agreement be extended for a specified term of up to five years or (b) it intends not to extend the agreement and such agreement shall expire at the end of the term. If the municipality fails to notify the commissioner as herein provided, it shall be deemed that the municipality intends not to extend the agreement. Such agreement may be terminated during the specified term provided the municipality shall notify the commissioner eighteen months prior to such termination. If any such agreement expires, a new agreement between the commissioner and a municipality may be entered into for a term of up to five years, with extended term or terms upon notification as above provided. Whenever the commissioner shall deem the work of control of snow and ice by any municipality to be inadequate or unsatisfactory according to the terms of any such agreement, he or she may, by official order to be filed in the department, and by filing a certified copy thereof in the office of the department of state, cancel said agreement, and the payments thereunder provided by the state shall cease; whereupon the commissioner may carry out the work of control of snow and ice. The official order provided in this subdivision shall become effective at the expiration of five days after the commissioner shall mail a certified copy thereof to the clerk or other official who performs related duties in such municipality. The governing board or body of any such municipality is authorized to appropriate such sum as it deems necessary to enable such municipality to perform the terms of such agreement. The work of such control of snow and ice may be done by any of the methods provided in subdivision one of this section for the work of maintenance and repair, or by a combination of such methods. Any county is hereby authorized to

enter into a contract with another municipality located within the same county for the performance of the work of such control of snow and ice as a subcontractor under any agreement with the commissioner as such agreement is hereinbefore provided. Moneys received by a county under the terms of any agreement authorized by this subdivision shall be credited to the fund from which moneys were appropriated to enable the county to perform the terms of such agreement. Moneys so received by a town shall be credited to the highway fund. Moneys so received by a city or village shall be credited to the general fund.

2-a. (a) Except as provided hereafter the state shall indemnify and hold harmless such municipalities for any and all liability for damages for personal injury, injury to property or wrongful death for losses arising from or occasioned by the manner of performance of the functions under any agreement with a municipality for the control of snow and ice pursuant to this section.

(b) In no event shall the state be obligated to defend or indemnify such municipality, in any action, proceeding, claim or demand arising out of the actual operation of an insured vehicle or vehicle subject to self-insurance while engaged in the operation of snow and ice control functions under such agreement.

(c) The municipality shall be entitled to representation by the attorney general in any claim described in paragraph (a) of this subdivision, provided, however, that the municipality shall be entitled to itself defend any such action, proceeding, claim or demand whenever the attorney general determines, based upon his investigation and review of the facts and circumstances of the case that representation by the attorney general would be inappropriate, or whenever a court of competent jurisdiction determines that a conflict of interest exists and that the municipality is entitled to be separately represented. Whenever the municipality is entitled to defend the action itself, the state shall reimburse the municipality for any and all costs and expenses, including, but not limited to, counsel fees and disbursements.

(d) The state shall indemnify and save harmless such municipality in the amount of any judgment obtained against such municipality in any state or federal court on any claim described in paragraph (a) of this subdivision, or in the amount of any settlement of such claim, or shall

pay such judgment or settlement; provided, however, that the act or omission from which such judgment or settlement arose occurred while the municipality was acting within the scope of its functions for control of snow and ice; provided, further, that no stipulation of settlement of any such action, proceeding, claim or demand shall be made or executed without approval of the attorney general and of the commissioner or his designee. Payment of any claim made pursuant to settlement shall not exceed the sum of fifty thousand dollars. Nothing herein shall authorize the state to indemnify or save harmless with respect to punitive or exemplary damages.

(e) The duty to defend or indemnify and save harmless prescribed by this subdivision shall be conditioned upon (i) delivery to the attorney general or an assistant attorney general at the office of the department of law located in Albany or New York city and by delivery to the commissioner or his designee a copy of any claim, summons, complaint, process, notice, demand or other pleading within ten days after such municipality is served with such document and (ii) the full cooperation of the municipality in the defense of such action, proceeding, claim or demand and in the defense of any action, proceeding, claim or demand against the state based upon the same act or omission, and in the prosecution of any appeal.

(f) The benefits of this subdivision shall inure only to such municipalities and shall not enlarge or diminish the rights of any other party nor shall any provision of this subdivision be construed to effect, alter or repeal any provision of the workers' compensation law.

(g) This subdivision shall not in any way affect the obligation of any claimant to give notice to the state under section ten of the court of claims act or any other provision of law.

(h) The provisions of this subdivision shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any insurance agreement.

(i) Except as otherwise specifically provided in this subdivision, the provisions of this subdivision shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the state or municipality or any other level of government, or any right to defense and indemnification provided for any governmental officer or

employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

3. The commissioner shall have the power to purchase (a) materials for such maintenance and repair, except where such work is done by contract, and to contract for the delivery thereof at convenient intervals along such highways, and (b) equipment and appliances that he may deem necessary to carry out the provisions of this section. Any municipality, acting by and through its authorized official, is hereby empowered to rent its machinery, tools, equipment, and storage space, to the state, acting by and through the commissioner, for the purpose of such control of snow and ice upon such terms and at such rate as may be agreed between the municipality and the commissioner. Notwithstanding the provisions of any general, special or local law or of any charter, the governing board or body of any such municipality is hereby authorized to sell such machinery, tools and equipment to the state, acting by and through the commissioner, for the purposes of this section and without competitive bidding or other limitation or restriction provided in any general, special or local law or of any charter, and the commissioner, may, upon approval by the state comptroller and the state commissioner of general services, purchase such machinery, tools and equipment from any such municipality as herein provided.

4. Whenever funds therefor are made available, the commissioner shall have power to acquire for the state, by purchase, or by appropriation through the procedure described in section thirty of this chapter, property for the purpose of storing, maintaining or processing construction and maintenance supplies, material or equipment and for the purpose of providing, erecting and maintaining offices for department personnel and structures for storing, maintaining or processing construction and maintenance materials or equipment.

5. Whenever a state highway has been constructed at a greater width than that provided in the original plans, upon petition of a village, as provided in sections forty-six and forty-seven of this chapter, or upon petition of a town or county, as provided in sections forty-eight, forty-nine, or fifty-nine of this chapter, or whenever such highway has

been widened by a town or county under a permit granted as provided in, or under conditions and regulations prescribed pursuant to section fifty-two of this chapter, the additional width of pavement shall be deemed to be a part of the highway and shall be maintained by the commissioner as provided herein, but in no case where any such highway has been widened as provided above, shall the state be responsible for the maintenance of any curb or of any paved gutter or paved shoulder, provided, however, that on any highway maintained by the state the commissioner shall have authority to clean any pavement or paved gutter or repair any unpaved shoulder or unpaved gutter outside of the pavement maintained by the state, where necessary for the protection of such pavement.

6. Whenever the head of any state department having jurisdiction or control over lands owned and occupied by the state, requests the commissioner to maintain and to repair any road and driveway which is located on, over and across such lands, the commissioner is, notwithstanding the provisions of any general, special or local law, authorized to grant such request by his official order therefor. Such official order shall contain a general description of any such road and driveway. A certified copy of such official order shall be filed by the commissioner in the office of (a) the state department having jurisdiction or control over such lands, and (b) the department of audit and control. Thereupon any such road and driveway shall be maintained and repaired under the direct supervision and control of the commissioner in the same manner as is provided in this section for the maintenance and repair of improved state highways in towns and in incorporated villages.

7. Whenever the head of any state department, agency, institution or public benefit corporation having jurisdiction or control over the lands owned and occupied by the state or such department, agency, institution or public benefit corporation requests the commissioner to construct, reconstruct, and/or maintain any loop or peripheral roadway which is or is to be located on, around, over, or across such lands, notwithstanding the provisions of any general, special or local law, the commissioner is authorized to grant such request and undertake such construction,

reconstruction and/or maintenance. Before undertaking the work of construction, reconstruction and/or maintenance of such roadways, the commissioner and the head of the state department, agency, institution or public benefit corporation shall enter into a written agreement, subject to the approval of the director of the budget, providing the funds therefor, or reimbursement by such state department, agency, institution or public benefit corporation of the funds therefor, including all costs incurred by the department in connection with such construction, reconstruction and/or maintenance. Where such loop or peripheral roadway is to be constructed, reconstructed and/or maintained on lands occupied by either the state university of New York or the state university construction fund, both the state university of New York and the state university construction fund shall be parties to such agreement. Such roadway shall be constructed, or reconstructed, to mutually agreeable standards, in the same manner as state highways are constructed or reconstructed pursuant to this chapter. The maintenance of such roadway shall be in the same manner as provided for state highways in this chapter. If such a maintenance agreement extends for a period greater than one year, the funds shall be made available for, or reimbursed, on an annual basis. The head of such state department, agency, institution or public benefit corporation may terminate such maintenance agreement upon six months written notice to the commissioner making provision for the department to be reimbursed for all costs incurred by such department up to such termination date. In connection with the maintenance of such a roadway the commissioner shall cause an official order to be issued therefor. Such official order shall contain a general description of such roadway. A certified copy of such official order shall be filed by the commissioner in the office of the head of the state department, agency, institution or public benefit corporation making such request for maintenance and with the department of audit and control.

§ 12-a. The New York state buy American salt act. 1. Use of American materials. (a) Notwithstanding any other provision of law, when soliciting a contract for the purchase of rock salt or sodium chloride, the commissioner of transportation may award such contract to the

responsible and reliable bidder offering to supply rock salt or sodium chloride that is mined or hand harvested in the United States, and which offer is within ten percent of the lowest price or best value offer, rather than to the lowest responsible and reliable bidder.

(b) If it has been determined by a court or federal or state agency that any person intentionally:

(i) affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any rock salt, or sodium chloride product used in projects to which this section applies, sold in or shipped to the United States that was not mined or hand harvested in the United States; or

(ii) represented that any rock salt, or sodium chloride product procured in a contract to which this section applies that was not produced in the United States, was produced in the United States; then that person shall be ineligible to receive any contract or subcontract with this state pursuant to the debarment or suspension provisions provided under section one hundred thirty-nine-a of the state finance law.

(c) This section shall be applied in a manner consistent with the state's obligations under any applicable international agreements pertaining to government procurement.

2. Definitions. For the purposes of this section, the following words shall have the following meanings unless specified otherwise:

(a) "Mined or hand harvested in the United States" means: extracted or collected from land or ponds within the boundary of the United States, from the initial separation from the earth through the addition of any additives necessary for commercial sale;

(b) "United States" means the United States of America and includes all territory, continental or insular, subject to the jurisdiction of the United States.

§ 13. Qualifications of certain employees. To the end that the employees of the department of transportation engaged in the work of constructing, improving or maintaining highways under the provisions of this chapter may be practical highway builders, the commissioner is

authorized to indicate to the civil service commission the relative value which should be given to experience and scientific attainments.

§ 14. Rules and regulations for state highways. The commissioner of transportation is hereby empowered to make rules and regulations from time to time for the protection of any state highway or section thereof. He may prohibit the use of chains or armored tires by motor vehicles upon such highways, and any violation of this section shall be punishable as a traffic infraction. Any person convicted of a violation of this section shall for a first conviction thereof be punished by a fine of not more than fifty dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment; for a second such conviction within eighteen months thereafter such person shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen months after the first conviction such person shall be punished by a fine of not more than two hundred fifty dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

§ 15. Removal of vehicles. 1. The commissioner of transportation shall have the power to cause the removal and disposition of any vehicle left unattended for more than twenty-four hours within the right of way of any state highway or on any other public property under his jurisdiction.

2. The commissioner of transportation shall have the power to cause the immediate removal, from the right of way of any state highway, of any vehicle which obstructs or interferes with the use of such a highway for public travel; or which obstructs or interferes with the construction, reconstruction or maintenance of such a highway; or which obstructs or interferes with the clearing or removal of snow or ice from such a highway; or which obstructs or interferes with any operation of the department of transportation during a public emergency.

3. The owner of a vehicle removed under any of the provisions of this section may be charged the reasonable cost of removal and disposition thereof.

4. The term vehicle, as used in this section, shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

§ 16. Removal of noxious weeds and brush within state highways. The commissioner of transportation may cause noxious weeds, briers and brush growing within the bounds of state highways to be cut and removed, and the cost thereof shall be paid from funds as now provided under section two hundred and sixty-two of the highway law.

§ 17. Public hearings. To give the public an opportunity to become fully acquainted with proposed highway projects and to express its views on the social, economic and environmental effects of the proposed facilities, the commissioner of transportation, as he deems necessary, shall hold a public hearing or hearings, or offer the opportunity for such hearing or hearings in order to consider the various highway locations or corridors and designs deemed feasible by the commissioner of transportation for the construction or reconstruction at a new location of any highway heretofore or hereafter authorized pursuant to the provisions of this chapter or any other general or special law, or extensions of such highways, notwithstanding the fact that a particular highway location or corridor may be specified by law. Provided, however, that nothing herein shall be construed to authorize construction of any highway in a location or corridor different from that which is authorized pursuant to the provisions of this chapter or any other general or special law, or to require construction of any highway in a location or corridor so authorized if, after such hearing or hearings and based on all the evidence available to him, the commissioner finds such location or corridor not feasible. Prior to such hearing or hearings, the commissioner of transportation shall consider and make

available to the public the various locations or corridors and design alternates which he deems feasible.

§ 19. Planting trees and shrubs along state highways. The commissioner of transportation, in his discretion, may plant rows or groups of suitable trees along the bounds of existing state highways at such places as he may determine and may also plant on the banks of such cuts and fills as were made in constructing, reconstructing or improving such highways such shrubs as are necessary and suitable to prevent or stay erosion thereof. Upon the construction, reconstruction or improvement of any state highway the commissioner of transportation shall plant along such highways rows or groups of suitable trees, except where such highways pass through wooded sections of country, and shall also plant on the banks of such cuts and fills as are made in constructing, reconstructing or improving such highways such shrubs as are necessary and suitable to prevent or stay erosion thereof. The commissioner of transportation may, with the consent of the owner of the abutting premises, enter upon such premises to plant suitable trees or shrubs as he may determine as desirable for reasons of safety and to maintain such trees and shrubs for a period not to exceed two years. The commissioner of transportation is not required to plant shrubs and trees under the provisions of this section should such plantings already be in existence, should the soil in any place be too stony for such planting or should such planting imperil the safety of the public. The work may be done by forces in the department or by contract let to the lowest responsible bidder after due advertisement. Moneys appropriated for the construction and maintenance of state highways shall be available for any of the work authorized by this section.

§ 19-a. Pollinator friendly plant species; medians. 1. The commissioner shall, in cooperation with the department of environmental conservation, develop policies and procedures to encourage the use of native plant species that are pollinator friendly in medians along highways under the jurisdiction of the department and to encourage and provide technical assistance to counties, cities, towns and villages in

the use of native plant species that are pollinator friendly in medians along highways under the respective jurisdiction of such counties, cities, towns and villages.

2. The commissioner shall develop policies and procedures for mowing medians located along highways on the state system of highways that will, wherever feasible and consistent with standards of safety for motor vehicle operators, cyclists, and pedestrians, reduce the amount of area within such highway medians that is mowed.

§ 20. Roadside rest areas. 1. The commissioner of transportation is hereby authorized and empowered to acquire roadside sites along state highways and to develop roadside rest areas. The commissioner may utilize for this purpose suitable lands already owned by the state, except that use of any such lands in the forest preserve or under the jurisdiction of the department of environmental conservation shall first be approved by the commissioner of environmental conservation and the use of any lands under the jurisdiction of the office of parks and recreation shall first be approved by the commissioner of parks and recreation.

2. Such sites shall be so located as to give convenient and safe access thereto by vehicular traffic and shall be chosen with regard both to the roadside rest and recreational needs of the traveling public and suitability for the purpose.

3. The commissioner may in his discretion develop such sites by providing any or all of the following: a water supply, sanitary facilities, parking space for automobiles or such other non-commercial facilities as are suitable for rest and relaxation stops by highway travelers. The commissioner may also permit the installation of vending machines dispensing such food, drink and other articles as he deems appropriate or desirable. Such sites shall be suitably marked and markings indicating their location may be erected on highways leading thereto.

4. At the discretion of the commissioner such rest areas may be maintained by state expenses from any appropriation for the maintenance of state highways, or he may enter into agreement with any authorized municipality for the maintenance by the municipality of such a roadside rest area for such period and in accordance with such standards as may be agreed upon.

§ 21. Restoration, preservation and enhancement of natural or scenic beauty. The commissioner of transportation is hereby authorized and empowered to acquire property for the restoration, preservation and enhancement of natural or scenic beauty of areas traversed by state highways, in order for the state to comply with any federal aid highway acts. Acquisition of property for the purposes of this section shall be in the manner provided by section thirty of this chapter, except that any property in the city of New York, which is deemed by the commissioner of transportation and the city of New York to be necessary for the purposes of this section, shall be acquired by the city of New York in the same manner as provided in section three hundred forty-nine-c of this chapter relating to the acquisition of property for the state arterial system in the city of New York. However, any property located more than six hundred sixty feet from the nearest edge of the right of way of any state highway, as shown on the final construction plans for such highway on file in the department of transportation, shall be acquired for the purposes of this section only by grant or purchase. The term "property" as used in this section is defined to include lands, waters, rights in lands or waters, structures, franchises, and interest in land, including lands under water and riparian rights and any and all other things and rights usually included within the said term and includes also any and all interests in such property less than full title, such as easements, permanent or temporary, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable. Notwithstanding any provision of this section, no property may be appropriated for the purposes of this section which is in areas zoned industrial or commercial under authority of state law or areas which are used predominantly for industrial or commercial activities.

§ 22. Multi-use areas adjacent to and recreational, natural and scenic areas along state highways. The commissioner of transportation is hereby authorized and empowered to acquire property in order to provide multi-use areas adjacent to state highways and recreational, natural and scenic areas along, but not necessarily contiguous to, state highways, except that the commissioner may acquire property anywhere in the state for the purpose of constructing bikeways. Such multi-use areas may be utilized for, but not limited to walking, hiking, bicycle, trail-bike, recreational vehicle and snowmobile trails and the installation of public utilities. Such acquisitions shall constitute a state highway purpose. Property acquired for multi-use areas shall be such as to complement the highway facilities by providing the multi-use areas adjacent to the highway facilities. Property acquired for recreational, natural and scenic areas along, but not necessarily contiguous to, state highways shall consist of predominantly unimproved, natural or scenic areas suitable to serve the recreational needs of the expanding population of the state, or desirable to preserve the natural or scenic resources of the state, and shall lend itself to restoration, preservation or enhancement as a recreational, natural or scenic area or provides visual access from the highway to such an area. The commissioner is hereby authorized to undertake work of construction, improvement, restoration, preservation or enhancement of such areas and the expense of such work may be a proper charge against funds available for the construction, reconstruction, improvement or maintenance of state highways. The commissioner shall submit plans for such acquisitions and work to the department of state, the office of parks, recreation and historic preservation and the department of environmental conservation for review and recommendation prior to such acquisitions and work being undertaken. Such acquisitions and work, and any agreements entered into in connection therewith, shall not be undertaken unless approved by the director of the budget. Such acquisitions and work in multi-use areas may be undertaken pursuant to a written agreement with a person, firm, corporation, public authority, city, county, town, village, or state department or agency, which agreement shall provide for the funding of such acquisitions and work. Such

acquisitions and work in recreational, natural or scenic areas may be undertaken in cooperation with other state departments or agencies and provision shall be made for the funding of such acquisitions and work. Any real property which the commissioner deems necessary for the purposes of this section may be acquired and disposed of by him in the name of the people of the state of New York according to the procedure provided in this chapter for the acquisition and disposition of property for state highway purposes. The provisions of this chapter shall also control the meaning of property as used herein, the manner in which possession of such property may be obtained and the circumstances under the procedure by which it may be sold or exchanged. Adjusted claims for such acquisition and awards and judgments of the court of claims made in respect thereto shall be paid out of the state treasury from moneys available for the purposes of this section. All state departments, agencies, counties, towns and villages are hereby authorized to enter into agreements with the commissioner of transportation for the purposes of this section.

When a bikeway constructed on property acquired in accordance with the provisions of this section must cross a railroad, it shall be deemed a public crossing. If the commissioner shall determine that it is impracticable to construct such bikeway above the grade of the railroad, the commissioner shall determine the manner and method of crossing at grade and what safeguards shall be maintained.

The commissioner is hereby authorized to provide for the separation of such bikeway-railroad crossing or for the construction of a bikeway-railroad crossing at grade. The cost of construction of such separation facilities or grade crossings, including the cost of such crossing protection as is ordered by the commissioner, shall be a proper charge against funds available for the construction, reconstruction, improvement or maintenance of state highways.

Upon completion of construction, the bikeway-railroad crossing shall be maintained as follows:

The grade crossing surface shall be maintained and kept in repair by

the railroad for the width of the crossing as constructed, between the rails and for a distance of two feet either side or outer rail at the crossing. The railroad shall also maintain and keep in repair any protective devices installed by the railroad at the crossing.

Notwithstanding the provisions of section ninety-three of the railroad law, bikeway-railroad separation structures constructed pursuant to this section shall be maintained and kept in repair by the state department or agency, public authority or municipality responsible for the maintenance of the bikeway.

The commissioner is hereby authorized to submit plans for such acquisitions and work to the chief engineer of the railroad crossed by the bikeway for review and recommendation prior to such work being undertaken and the commissioner may enter into agreement with the railroad for the entry upon lands owned by the railroad, for the construction of the bikeway-railroad crossing and for the reimbursement to the railroad for all construction cost incurred by the railroad, in the same manner as is used in connection with the construction of state highways.

In the event the commissioner and the railroad are unable to agree upon the terms of such agreement, the procedure for the resolution of such disagreement as outlined in subdivision twenty-four-c of section ten of this article shall apply.

*** § 23. Rubber-modified asphalt pilot project.** 1. The commissioner shall undertake in nineteen hundred eighty-eight, a pilot project for the utilization of rubber-modified asphalt in the construction or improvement of state highways. Such rubber-modified asphalt pilot project shall utilize rubber derived from motor vehicle tires discarded in the state, including but not limited to use in granulated form as a percentage of asphalt mix and use as a joint material, and may be required in a contract or contracts for capital construction or improvement of highways in fiscal year nineteen hundred eighty-nine.

2. On or before April first, nineteen hundred eighty-nine, the commissioner of transportation shall submit a report to the governor, to the speaker of the assembly and to the president pro tem of the senate. In making such report, the commissioner may make use of and report on existing studies, analyses and pilot projects conducted within or outside the state by other states or the federal government, along with any other sources of information he deems appropriate. Such report shall include a summary and analysis of the procedures and results of the pilot project, including the following:

(a) a comparison of costs of conventional asphalt mixes to the costs of the use of rubber-modified asphalt;

(b) a comparison of the application methods of conventional paving materials to rubber-modified asphalt and the ability to adapt equipment and processes, if necessary, to incorporate rubber in asphalt mix to the commissioner's specifications;

(c) performance of rubber-modified asphalt as compared to conventional materials with regard to longevity of pavement, traction, road glare, icing, and such other characteristics as may be deemed appropriate by the commissioner;

(d) the findings of the commissioner as to the optimum and appropriate percentage of scrap rubber in rubber-modified asphalt paving mixtures for construction or improvement of state highways in consideration of projected performance, safety and costs;

(e) the quantity of rubber that would be used annually if the percentage of rubber content recommended by the commissioner were to be utilized in rubber-modified asphalt paving mixtures for all contracts for the construction or improvement of state highways or sections thereof;

(f) existing or potential impediments to the maximum utilization of rubber-modified asphalt in contracts for the construction or improvement of state highways;

(g) recommendations of the commissioner as to future actions that could be taken by the department of transportation, the governor and the legislature to facilitate the use of scrap rubber for highway construction or improvement;

(h) an analysis of the potential for the use of rubber-modified asphalt by local governments, regional and statewide authorities

governing the construction or improvement of highways or bridges, including, but not limited to:

(i) the projected annual demand for scrap rubber by local governments, regional and statewide authorities, based upon the percentage mix in asphalt for rubber derived from motor vehicle tires recommended by the commissioner; and

(ii) known or anticipated impediments to the maximum utilization of rubber-modified asphalt by local governments, regional and statewide authorities.

3. The commissioner shall further examine, and make recommendations regarding the following:

(a) actions that may be necessary to ensure the availability of an adequate supply of scrap rubber to meet projected demand in the construction or improvement of public highways; and

(b) an estimation of the additional expense, if any, to the state or localities in the utilization of rubber-modified asphalt technologies.

4. In the preparation of this report the commissioner shall consult with the county and other state governments, the New York state thruway authority, the port authority of New York and New Jersey and such public or private agencies as the commissioner deems appropriate.

* NB There are 2 § 23's

*** § 23. Coal combustion by-product demonstration project.** 1. The commissioner shall undertake in nineteen hundred eighty-eight, after consultation with and in cooperation with the commissioner of environmental conservation, a demonstration project utilizing coal combustion by-products in the construction or improvement of state highways. Such project shall demonstrate the feasibility of the use of coal combustion by-products generated in the state, for the purpose of, but not solely limited to, large volume applications of such by-products as embankments and/or as fill.

2. On or before April first, nineteen hundred eighty-nine, the commissioner and the commissioner of environmental conservation shall

submit a report to the governor, to the speaker of the assembly and to the president pro tem of the senate. In making such report, the commissioner shall make use of and report on existing studies, analyses and pilot projects conducted by the state of New York or the other states or the federal government, and such other sources of information they deem appropriate. Such report shall summarize and analyze the demonstration project and other data and information compiled by the commissioners. Such summary and analysis shall include:

(a) a comparison of costs of conventional embankment and fill materials to the costs of the use of coal combustion by-products for such purposes;

(b) a comparison of the methods of application of conventional embankment and fill materials to the application of coal combustion by-products for the same purposes and the ability to adapt equipment and processes, if necessary, to incorporate coal combustion by-products into the commissioner's specification for embankments and fill;

(c) a comparison of the performance of coal combustion by-products to conventional materials with respect to stability, erosion, environmental compatibility and such other similar characteristics as may be deemed appropriate by the commissioners;

(d) a comparison of the environmental benefits and detriments of the use of coal combustion by-products with those of alternative products or materials;

(e) the findings of the commissioner as to the optimum and appropriate percentage of coal combustion by-products for construction or improvement of state highways in consideration of projected performance, and costs;

(f) a finding of the quantity of coal combustion by-products that would be used annually if the percentage of coal combustion by-products recommended by the commissioners were to be utilized in embankments and fills for contracts for the construction or improvement of state highways or sections thereof;

(g) a description of existing or potential impediments to the maximum utilization of coal combustion by-products in contracts for the construction or improvement of state highways;

(h) recommendations of the commissioner as to future actions that could be taken by the department, the governor and the legislature to

facilitate the use of coal combustion by-products for highway construction or improvement;

(i) an analysis of the potential for the use of coal combustion by-products by local governments, regional and statewide authorities governing the construction or improvement of highways or bridges, including, but not limited to:

(i) the projected annual demand for coal combustion by-products by local governments, regional and statewide authorities, based upon the percentage recommended by the commissioner for use in fills and embankments; and

(ii) known or anticipated impediments to the maximum utilization of coal combustion by-products by local governments, regional and statewide authorities; and

(j) an estimation of the additional expense, if any, to the state or localities in the utilization of coal combustion by-products technologies.

3. The commissioner shall further examine, and make recommendations regarding the following:

(a) actions that may be necessary to ensure the availability of an adequate supply of coal combustion by-products to meet projected demand in the construction or improvement of public highways;

(b) methods of encouraging the use of coal combustion by-products in concrete and asphalt applications.

4. In the preparation of this report, the commissioner and the commissioner of environmental conservation shall consult with the county and other state governments, the New York state thruway authority, the port authority of New York and New Jersey and such public or private agencies as the commissioner deems appropriate.

* NB There are 2 § 23's

ARTICLE III

STATE HIGHWAYS

Section 29. Property for highways, bridges and other highway uses and purposes to be acquired by acquisition.

30. Acquisition by the state of property required for the construction and reconstruction of state highways and structures thereon.
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53. Highways and bridges on Indian reservations.

53-a. Highways on Indian reservations.
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§ 29. Property for highways, bridges and other highway uses and purposes to be acquired by acquisition. 1. Notwithstanding any inconsistent provisions of this chapter, or any other laws, general or special, the commissioner of transportation shall, whenever the federal government shall agree to grant or contribute to the state not less than twenty-five per centum of the cost thereof, acquire pursuant to the provisions of the eminent domain procedure law any and all property necessary for the construction and reconstruction of highway projects located on the "strategic network of highways," as defined in the federal defense highway act of nineteen hundred forty-one and as revised to May fifteenth, nineteen hundred forty-one and approved by the secretary of war, or on such network as hereafter revised and approved,

and also any and all property necessary for any other highway project, exclusive of parkways, when certified by the army or navy as important for the purposes of national defense, and a like grant or contribution is to be made by the federal government. A highway indicated under this section for construction or improvement, or any portion of such highway, may be constructed or improved, or reconstructed, as a controlled access highway, upon the adoption of a resolution by a majority vote of the board of supervisors of the county in which the highway is to be constructed. The resolution of the board of supervisors herein referred to shall not be required in relation to highways to be projected as through trunk routes and principally on new location. The costs of all such property as may be acquired under this section shall be paid in the first instance from any funds available for the construction, reconstruction and improvement of state highways and bridges.

2. The commissioner of transportation shall cause to be prepared an accurate acquisition map of any property which he may deem necessary for purposes connected with such highway projects or of any property in and to which he may deem the acquisition or exercise of an easement, interest or right to be necessary for such purposes indicating and describing in each case the particular easement, interest or right. On the approval of such acquisition map by the commissioner of transportation, he shall acquire such property, easements, interests or rights pursuant to the eminent domain procedure law.

3. If the commissioner shall determine, prior to the filing of a copy of a map of acquisition, as provided in section four hundred two of the eminent domain procedure law, in the office of the county clerk as aforesaid, that changes, alterations or modifications of such map as filed in the main office of the department should be made, he or she shall, subject to the provisions of article two of the eminent domain procedure law, if applicable, direct the preparation of an amended map, either by preparing a new map or by making changes on the original tracing of such map, with a notation indicating such changes. On the approval of such amended map by the commissioner, it shall be filed in the main office of the department in the same manner as the original map was filed and the amended map shall thereupon in all respects and for

all purposes supersede the map previously filed.

4. If the commissioner shall determine, prior to the filing of such copy of the acquisition map in the office of the county clerk as provided in section four hundred two of the eminent domain procedure law, that such map should be withdrawn, he or she shall file a certificate of withdrawal in the offices of the department and department of law. Upon the filing of such certificate of withdrawal, the map to which it refers shall be cancelled and all rights thereunder shall cease and determine.

5. If, at or after the vesting of title to such property in the people of the state of New York in the manner provided for in the eminent domain procedure law, the commissioner of transportation shall deem it necessary to cause the removal of an owner or other occupant from such property, he may cause such owner or other occupant to be removed therefrom by proceeding in accordance with section four hundred five of such law. The proceeding shall be brought in the name of the commissioner of transportation as agent of the state. If any person proceeded against shall contest the petition by an answer, the attorney general shall be notified, and he thereafter shall represent the petitioner in the proceedings. No execution shall issue for costs, if any, awarded against the state or the commissioner of transportation, but they shall be part of the costs of the acquisition and be paid in like manner. Proceedings may be brought separately against one or more of the owners or other occupants of a property, or one proceeding may be brought against all or several of the owners or other occupants of any or all property within the territorial jurisdiction of the same justice or judge; judgment shall effect or be made for immediate removal of persons defaulting in appearance or in answering, or withdrawing their answers, if any, without awaiting the trial or decision of issues raised by contestants, if any.

6. The commissioner of transportation upon making any agreement provided for in section three hundred four of the eminent domain procedure law shall deliver to the comptroller such agreement and a certificate stating the amount due such owner or owners thereunder on

account of such appropriation of his or their property and the amount so fixed shall be paid out of the state treasury, after audit by the comptroller, from moneys appropriated for purposes connected with such highway projects, but not until there shall have been filed with the comptroller a certificate of the attorney general showing the person or persons claiming the amount so agreed upon to be legally entitled thereto.

7. Application for reimbursement of incidental expenses as provided in section seven hundred two of the eminent domain procedure law shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereof, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from monies appropriated for the acquisition of property under this section.

8. The commissioner of transportation, with the approval of the director of the budget, shall establish and may from time to time amend rules and regulations authorizing the payment of actual reasonable and necessary moving expenses of occupants of property acquired pursuant to this section; of actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not exceeding an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the commissioner; and actual reasonable expenses in searching for a replacement business or farm; or in hardship cases for the advance payment of such expenses and losses. For the purposes of making payment of such expenses and losses only, the term "business" means any lawful activity conducted primarily for assisting in the purchase, sale, resale, manufacture, processing or marketing of products, commodities, personal property or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted.

Such rules and regulations may further define the terms used in this subdivision. In lieu of such actual reasonable and necessary moving expenses, any such displaced owner or tenant of residential property may elect to accept a moving expense allowance, plus a dislocation allowance, determined in accordance with a schedule prepared by the commissioner and made a part of such rules and regulations. In lieu of such actual reasonable and necessary moving expenses, any such displaced owner or tenant of commercial property who relocates or discontinues his business or farm operation may elect to accept a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than two thousand five hundred dollars nor more than ten thousand dollars. In the case of a business, no such fixed relocation payment shall be made unless the commissioner finds and determines that the business cannot be relocated without a substantial loss of its existing patronage, and that the business is not part of a commercial enterprise having at least one other establishment, which is not being acquired by the state or the United States, which is engaged in the same or similar business. In the case of a business which is to be discontinued but for which the findings and determinations set forth above cannot be made, the commissioner may prepare an estimate of what the actual reasonable and necessary moving expenses, exclusive of any storage charges, would be if the business were to be relocated, and enter into an agreed settlement with the owner of such business for an amount not to exceed such estimate in lieu of such actual reasonable and necessary moving expenses. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section. As used in this subdivision the term "commercial property" shall include property owned by an individual, family, partnership, corporation, association or a nonprofit organization and includes a farm operation. As used in this subdivision the term "business" means any lawful

activity, except a farm operation, conducted primarily for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property; for the sale of services to the public; or by a nonprofit organization.

9. The commissioner of transportation pursuant to section three hundred five of the eminent domain procedure law may make agreements on such terms, conditions and consideration as he deems beneficial to the state with respect to any property heretofore or hereafter acquired, whereby such property may be used and occupied by the former owner, tenant or by any other party from a date specified in said agreement, until such time as the state requires and obtains actual physical possession. The agreements for the use and occupancy of such property may be managed, supervised and enforced (1) by the staff, forces and equipment of the department of transportation; or (2) by the commissioner of transportation contracting for the management, supervision and enforcement thereof with any person, firm or corporation; or (3) by a combination of such methods.

The use and occupancy of such property under the provisions of this section and the right of the state or its duly authorized agent to recover possession thereof shall not be subject to the emergency housing rent control law.

Expenses which are determined by the commissioner of transportation to have been incurred in connection with the use and occupancy of such property may be paid out of the state treasury after audit by the comptroller from moneys appropriated for the duly authorized project for which the property was acquired. However, such expenses incurred under a contract for management and supervision of such property may be paid out of the gross revenue therefrom. All moneys received by the commissioner of transportation for such use or occupancy shall be paid into the treasury of the state to the credit of the capital construction fund.

10. Authorization is hereby given to the commissioner of transportation to make supplemental relocation payments, separately

computed and stated, to displaced owners and tenants of residential property acquired pursuant to this section who are entitled thereto, as determined by him. The commissioner, with the approval of the director of the budget, may establish and from time to time amend rules and regulations providing for such supplemental relocation payments. Such rules and regulations may further define the terms used in this subdivision. In the case of property acquired pursuant to this section which is improved by a dwelling actually owned and occupied by the displaced owner for not less than one hundred eighty days immediately prior to initiation of negotiations for the acquisition of such property, such payment to such owner shall not exceed fifteen thousand dollars. Such payment shall be the amount, if any, which, when added to the acquisition payment equals the average price, established by the commissioner on a class, group or individual basis, required to obtain a comparable replacement dwelling that is decent, safe and sanitary to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market, but in no event shall such payment exceed the difference between acquisition payment and the actual purchase price of the replacement dwelling. Such payment shall include an amount which will compensate such displaced owner for any increased interest costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired pursuant to this section was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located. Any such mortgage interest differential payment shall, notwithstanding the provisions of section twenty-six-b of the general construction law, be in lieu of and in full satisfaction of the requirements of such section.

Such payment shall include reasonable expenses incurred by such displaced owner for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses. Such payment shall be made only to a displaced owner who purchases and occupies a replacement dwelling which is decent, safe and sanitary within one year subsequent to the date on which he is required to move from the dwelling acquired pursuant to this section or the date on which he receives from the state final payment of all costs of the acquired dwelling, whichever occurs later, except advance payment of such amount may be made in hardship cases. In the case of property acquired pursuant to this section from which an individual or family, not otherwise eligible to receive a payment pursuant to the above provisions of this subdivision, is displaced from any dwelling thereon which has been actually and lawfully occupied by such individual or family for not less than ninety days immediately prior to the initiation of negotiations for the acquisition of such property, such payment to such individual or family shall not exceed four thousand dollars. Such payment shall be the amount which is necessary to enable such individual or family to lease or rent for a period not to exceed four years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities and reasonably accessible to his place of employment, but shall not exceed four thousand dollars, or to make the down payment, including reasonable expenses incurred by such individual or family for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses, on the purchase of a decent, safe and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities, but shall not exceed four thousand dollars, except if such amount exceeds two thousand dollars, such person must equally match any such amount in excess of two thousand dollars, in making the down payment. Such payments may be made in installments as determined by the commissioner. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the

commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller, together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section.

11. Any owner may present to the court of claims, pursuant to section five hundred three of the eminent domain procedure law, a claim for the value of property acquired and for legal damages, as provided by law for the filing of claims with the court of claims. Awards and judgments of the court of claims shall be paid in the same manner as awards and judgments of that court for the acquisition of lands generally and shall be paid out of the state treasury from moneys appropriated for purposes connected with such highway projects.

12. If the work of construction or reconstruction of any highway project shall cause actual damage to property not acquired as above provided, the state shall be liable therefor, but this provision shall not be deemed to create any liability on the part of the state not already existing in law. Claims for such damage may be adjusted by the commissioner of transportation, if the amounts thereof can be agreed upon with the persons making such claims, and any amount so agreed upon shall be paid as a part of the cost of the construction or reconstruction of such highway project as prescribed by this section. If the amount of any such claim is not agreed upon, such claim may pursuant to the eminent domain procedure law, be presented to the court of claims which is hereby authorized to hear such claim and determine if the amount of such claim or any part thereof is a legal claim against the state and if it so determines, to make an award and enter judgment thereon against the state, provided, however, that such claim is filed with the court of claims within three years after the final acceptance of the work by the commissioner of transportation.

13. Notwithstanding any other provision of this section, the commissioner of transportation shall have the power to acquire by grant or purchase, in the name of the people of the state of New York, any

property which he deems necessary for any of the purposes provided for in this section, and payment therefor, if any, shall be made in the manner prescribed in this section for the payment of adjusted acquisition claims, provided, however, that no real property shall be so acquired unless the title thereto shall be approved by the attorney general.

14. The expense of such acquisitions including administrative duties in connection therewith, the cost of making surveys, and preparing descriptions and maps of property to be acquired, serving notice of appropriation, publication, making appraisals and agreements and of searches ordered and examinations and readings of title made by the attorney general, and expenses incurred by the commissioner or attorney general in proceedings for removal of owners and occupants, shall be deemed part of the cost of such highway projects.

15. Notwithstanding the provisions of any general, special or local law, the commissioner of transportation, his officers, agents or contractor and the officers or agents of the United States when engaged on such highway projects, may, pursuant to section four hundred four of the eminent domain procedure law, enter upon property for the purpose of making surveys, test pits, test borings, or other investigations and also for temporary occupancy during construction. Claims for any damage caused by such entry, work or occupation not exceeding two thousand five hundred dollars may be adjusted by agreement by the commissioner of transportation with the owner of the property affected as determined by him by reasonable investigation without appropriating such property. Upon making any such adjustment and agreement, the commissioner of transportation shall deliver to the comptroller such agreement and a certificate stating the amount due such owner and the amount so fixed shall be paid out of the state treasury from monies appropriated for the acquisition of property for the project requiring such entry, work or occupation.

17. The provisions of this section shall not affect any proceeding for the acquisition by a county of property for state highway purposes where such county has, before the effective date of this section, certified to

the commissioner of transportation that certain property has been purchased or options therefor executed or acquisition proceeding instituted, but all such undertakings instituted by a county shall be continued and the acquisition of the property consummated in the manner provided by law applicable thereto as in force prior to the taking effect of this section.

18. Notwithstanding any other provision of this section, the commissioner of transportation shall have the power to acquire by grant or purchase, in the name of the people of the state of New York, any property which he deems necessary for any of the purposes provided for in this section and may also acquire for such purposes from the Palisades interstate park commission, in the name of the people of the state of New York, such lands and such easements, licenses, permits and other rights over lands as the said commission is authorized to grant, sell, exchange or convey. When the acquisition by appropriation, grant or purchase of property deemed necessary for highway purposes would result in substantial consequential damages to the owner's remaining property, due to loss of access, severance or control of access, the commissioner of transportation, for and in behalf of the people of the state of New York, may acquire by purchase or grant all or any portion of such remaining property. Payment therefor, if any, shall be made in the manner prescribed in this section for the payment of adjusted appropriation claims, provided, however, that no real property shall be so acquired unless the title thereto shall be approved by the attorney general.

§ 30. Acquisition by the state of property required for the construction and reconstruction of state highways and structures thereon. 1. (a) Upon the construction, reconstruction or improvement, pursuant to this chapter of a state highway the property required therefor may be acquired by the state as provided in the eminent domain procedure law. A state highway indicated under this chapter for construction or improvement, or any portion of such highway, may be constructed, reconstructed or improved, as a controlled access highway, upon the adoption of a resolution by a majority vote of the members of

the board of supervisors of the county in which the highway is to be constructed. The resolution of the board of supervisors herein referred to shall not be required in relation to highways to be projected as through trunk routes and principally on new locations.

(b) Whenever plans for the construction, reconstruction or improvement of a state highway which is now or which shall hereafter be designated in section three hundred forty-one of this chapter, shall provide for the relocation of such state highway or portion thereof on a location which deviates from the location of the existing highway for a continuous length in excess of one mile as measured along the center line of the existing highway, the commissioner of transportation shall, before filing the descriptions and the original tracings of any maps or proceeding with the acquisition of property or the work of construction, reconstruction or improvement, transmit such plans to the board of supervisors of each county in which such relocation or any portion thereof is situated. In case the relocation or any portion thereof as proposed, is situated in a county other than the county in which the existing highway or portion thereof is located, such plans shall be transmitted to both of such counties and shall be subject to the approval, disapproval or modification by each of such counties in the manner as hereinafter provided. The board of supervisors, after the receipt of such plans, may conduct a public hearing or hearings upon such notice as such board of supervisors shall deem reasonable, but not less than ten days, to the commissioner of transportation and to such other party or parties deemed by said board of supervisors to be interested in the project. In any event, and within ninety days after receipt of the plans, the board of supervisors shall, by resolution, duly adopted by a majority vote of its members, approve, disapprove or recommend modifications in such plans as the public interest shall require. Within ten days after the adoption of the resolution, the clerk of the board of supervisors shall mail a certified copy thereof to the commissioner of transportation. In case such relocation is situated in two or more counties, such resolution must be separately adopted by the board of supervisors of each county as to the relocation situated therein. The form of the resolution shall be prescribed by the commissioner of transportation. In case the board of supervisors shall disapprove the plans, without proposing modifications, the commissioner

of transportation may, in his discretion, prepare and submit to the board of supervisors for approval other plans for the construction, reconstruction or improvement of the state highway to be acted upon by the board of supervisors in the manner herein prescribed within sixty days after receipt of such plans. In case the board of supervisors shall disapprove the plans, and shall recommend modifications, the commissioner of transportation may approve the plans as so modified, or recommend other modifications for approval, and such state highway shall be constructed, reconstructed, or improved in accordance with such plans as finally approved. When the plans, for construction, reconstruction or improvement of a state highway have finally been approved as herein provided, no resolution thereafter adopted by the board of supervisors of a county shall rescind, annul or modify such prior resolution either directly or indirectly, excepting upon the advice and with the consent of the commissioner of transportation. Upon the failure or omission of any board of supervisors to act within the time and manner herein required, the said plans shall be deemed to be approved so far as such board of supervisors is concerned.

2. The commissioner of transportation, for and in behalf of the people of the state of New York may acquire, pursuant to the eminent domain procedure law any and all property necessary for the construction, reconstruction and improvement of state highways and bridges or culverts on the state highway system, including the appropriation of property for drains, ditches, spoil banks, gravel pits and stone quarries; also for the removal of obstructions, improvement of sight distances; also for acquisition of property for the reconstruction of existing highway-railroad separation structures and for the separation of highway-railroad grades on newly laid-out highways; and for other purposes to improve safety conditions on the state highway system. When the commissioner is exercising the property acquisition power granted him pursuant to subdivision six of section eighty-nine of this chapter, relating to control of junkyards and scrap metal processing facilities, such term "property" shall include junk located upon land to be appropriated and described on the acquisition map in a manner sufficient to permit reasonable identification thereof.

3. The commissioner of transportation shall cause to be prepared an accurate acquisition map of any property which he may deem necessary for purposes connected with such highway projects or of any property in and to which he may deem the acquisition or exercise of an easement, interest or right to be necessary for such purposes indicating and describing in each case the particular easement, interest or right. Unless access to and from abutting property is expressly acquired by the terms of the description and map, any permanent drainage easement heretofor or hereafter acquired pursuant to this chapter shall be deemed as reserving to the owner of the property, his successors and assigns, the right of access over, through or across the easement for utility lines, cables or conduits and by foot or by vehicle and with the right to construct and maintain on such property a road or roads as necessary for the exercise of such right, provided that the exercise of such right does not interfere with the drainage for which the easement was acquired. On the approval of such acquisition map by the commissioner of transportation, he shall acquire such property, easements, interests or rights pursuant to the eminent domain procedure law.

4. If the commissioner shall determine, prior to the filing of such copy of the acquisition map in the office of county clerk as aforesaid, that changes, alterations or modifications of such map as filed in the office of the department should be made, he or she shall, subject to the provisions of article two of the eminent domain procedure law, if applicable, direct the preparation of an amended map, either by preparing a new map or by making changes on the original tracing of such map, with a notation indicating such changes. On the approval of such amended map by the commissioner, it shall be filed in the main office of the department in the same manner as the original map was filed and the amended map shall thereupon in all respects and for all purposes supersede the map previously filed.

5. If the commissioner shall determine, prior to filing a copy of an acquisition map in the office of the county clerk as provided in section four hundred two of the eminent domain procedure law, that such map should be withdrawn, he or she shall file a certificate of withdrawal in the offices of the department and department of law. Upon the filing of

such certificate of withdrawal, the map to which it refers shall be cancelled and all rights thereunder shall cease and determine.

6. The commissioner of transportation shall deliver to the attorney general a copy of such acquisition map whereupon it shall be the duty of the attorney general to advise and certify to the commissioner of transportation the names of the owners of the property, easements, interests or rights described in the said acquisition map, including the owners of any right, title or interest therein pursuant to the requirements of section four hundred three of the eminent domain procedure law.

7. If, at or after the vesting of title to such property in the people of the state of New York in the manner provided for in the eminent domain procedure law, the commissioner of transportation shall deem it necessary to cause the removal of an owner or other occupant from such property, he may cause such owner or other occupant to be removed therefrom by proceeding in accordance with section four hundred five of said law. The proceeding shall be brought in the name of the commissioner of transportation as agent of the state. If any person proceeded against shall contest the petition by an answer, the attorney general shall be notified, and he thereafter shall represent the petitioner in the proceedings. No execution shall issue for costs, if any, awarded against the state or the commissioner of transportation, but they shall be part of the costs of the acquisition and be paid in like manner. Proceedings may be brought separately against one or more of the owners or other occupants of a property, or one proceeding may be brought against all or several of the owners or other occupants of any or all property within the territorial jurisdiction of the same justice or judge; judgment shall effect or be made for immediate removal of persons defaulting in appearance or in answering, or withdrawing their answers, if any, without awaiting the trial or decision of issues raised by contestants, if any.

8. The commissioner of transportation, upon making any agreement provided for in section three hundred four of the eminent domain procedure law, shall deliver to the comptroller such agreement and a

certificate stating the amount due such owner or owners thereunder on account of such appropriation of his or their property and the amount so fixed shall be paid out of the state treasury, after audit by the comptroller, from moneys appropriated for purposes connected with such highway projects, but not until there shall have been filed with the comptroller a certificate of the attorney general showing the person or persons claiming the amount so agreed upon to be legally entitled thereto.

9. Application for reimbursement of incidental expenses as provided in section seven hundred two of the eminent domain procedure law shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereof, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from monies appropriated for the acquisition of property under this section.

10. The commissioner, with the approval of the director of the budget, shall establish and may from time to time amend rules and regulations authorizing the payment of actual reasonable and necessary moving expenses of occupants of property acquired pursuant to this section; of actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not exceeding an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the commissioner; of actual reasonable expenses in searching for a replacement business or farm; and of actual reasonable expenses necessary to reestablish a displaced farm, not-for-profit organization or small business at its new site, but not to exceed ten thousand dollars, or in hardship cases for the advance payment of such expenses and losses. In lieu of such actual reasonable and necessary moving expenses, any such displaced owner or tenant of residential property may elect to accept a moving expense allowance, plus a dislocation allowance, determined in accordance with a schedule prepared by the commissioner and made a part of such rules and regulations. In lieu of such actual reasonable and necessary moving

expenses and actual reasonable reestablishment expenses, any such displaced owner or tenant of commercial property who meets eligibility criteria and relocates or discontinues his business or farm operation may elect to accept a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than one thousand dollars nor more than twenty thousand dollars. A displaced not-for-profit organization may choose a fixed payment of one thousand to twenty thousand dollars in lieu of the payment for actual moving and related expenses and actual reasonable reestablishment expenses if eligibility criteria are met. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section. As used in this subdivision the term "commercial property" shall include property owned by an individual, family, partnership, corporation, association or a not-for-profit organization and includes a farm operation. As used in this subdivision the term "business" means any lawful activity, except a farm operation, conducted primarily for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property; for the sale of services to the public; or by a not-for-profit organization. The term "small business" means a business having not more than five hundred employees working at the site being acquired or permanently displaced. As used in this subdivision, the term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantities to be capable of contributing materially to the operator's support.

11. The commissioner of transportation pursuant to section three hundred five of the eminent domain procedure law may make agreements on

such terms, conditions and consideration as he deems beneficial to the state with respect to any property heretofore or hereafter acquired, whereby such property may be used and occupied by the former owner, tenant or by any other party from a date specified in said agreement, until such time as the state requires and obtains actual physical possession. The agreements for the use and occupancy of such property may be managed, supervised and enforced (1) by the staff, forces and equipment of the department of transportation; or (2) by the commissioner of transportation contracting for the management, supervision and enforcement thereof with any person, firm or corporation; or (3) by a combination of such methods.

The use and occupancy of such property under the provisions of this section and the right of the state or its duly authorized agent to recover possession thereof shall not be subject to the emergency housing rent control law.

Expenses which are determined by the commissioner of transportation to have been incurred in connection with the use and occupancy of such property may be paid out of the state treasury after audit by the comptroller from moneys appropriated for the duly authorized project for which the property was acquired. However, such expenses incurred under a contract for management and supervision of such property may be paid out of the gross revenue therefrom. All moneys received by the commissioner of transportation for such use or occupancy shall be paid into the treasury of the state to the credit of the capital construction fund.

12. Authorization is hereby given to the commissioner to make supplemental relocation payments, separately computed and stated, to displaced owners and tenants of residential property acquired pursuant to this section who are entitled thereto, as determined by him. The commissioner, with the approval of the director of the budget, may establish and from time to time amend rules and regulations providing for such supplemental relocation payments or replacement housing. Such rules and regulations may further define the terms used in this subdivision. In the case of property acquired pursuant to this section which is improved by a dwelling actually owned and occupied by the

displaced owner for not less than one hundred eighty days immediately prior to initiation of negotiations for the acquisition of such property, such payment to such owner shall not exceed twenty-two thousand five hundred dollars. Such payment shall be the amount, if any, which, when added to the acquisition payment equals the average price, established by the commissioner on a class, group or individual basis, required to obtain a comparable replacement dwelling that is decent, safe and sanitary to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market, but in no event shall such payment exceed the difference between acquisition payment and the actual purchase price of a replacement dwelling which is decent, safe and sanitary. Such payment shall include an amount which will compensate such displaced owner for any increased interest costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired pursuant to this section was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Any such mortgage interest differential payment shall, notwithstanding the provisions of section twenty-six-b of the general construction law, be in lieu of and in full satisfaction of the requirements of such section. Such payment shall include reasonable expenses incurred by such displaced owner for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses. Such payment shall be made only to a displaced owner who purchases and occupies a replacement dwelling which is decent, safe and sanitary within one year subsequent to the date on which he is required to move from the dwelling acquired pursuant to this section or the date the department identifies, for the displaced owner, replacement housing actually available within the limits of the offer extended for replacement housing, whichever occurs later, except advance payment of such amount may be made in hardship cases. In the case of property acquired pursuant to this section from which an individual or family, not otherwise eligible to receive a payment pursuant to the above provisions of this subdivision, is displaced from any dwelling thereon which has been actually and lawfully occupied by such individual

or family for not less than ninety days immediately prior to the initiation of negotiations for the acquisition of such property, such payment to such individual or family shall not exceed five thousand two hundred fifty dollars. Such payment shall be the amount which is necessary to enable such individual or family to lease or rent for a period not to exceed forty-two months, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities and reasonably accessible to his place of employment. Such payment may be used as a down payment, including reasonable expenses incurred by such individual or family for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses, on the purchase of a decent, safe and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities. Such payments may be made in installments as determined by the commissioner. However, notwithstanding the provisions of this subdivision, if it is determined by the commissioner that replacement housing cannot be obtained for the supplemental relocation payments specified herein, he may, subject to the approval of the director of the budget, take such action as is necessary or appropriate to provide last resort housing with the use of funds authorized for the project. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller, together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section.

13. The owner of any property, easements, interests or rights acquired, may present to the court of claims, pursuant to section five hundred three of the eminent domain procedure law, a claim for the value of such property appropriated and for legal damages, as provided by law for the filing of claims with the court of claims. Awards and judgments

of the court of claims shall be paid in the same manner as awards and judgments of that court for the acquisition of lands generally and shall be paid out of the state treasury from moneys appropriated for the construction, reconstruction or improvement of state highways and bridges.

14. If the work of construction or reconstruction of any highway project shall cause actual damage to property not acquired as above provided, the state shall be liable therefor, but this provision shall not be deemed to create any liability on the part of the state not already existing in law. Claims for such damage may be adjusted by the commissioner of transportation, if the amounts thereof can be agreed upon with the persons making such claims, and any amount so agreed upon shall be paid as a part of the cost of the construction or reconstruction of such highway project as prescribed by this section. If the amount of any such claim is not agreed upon, such claim may pursuant to the eminent domain procedure law, be presented to the court of claims which is hereby authorized to hear such claim and determine if the amount of such claim or any part thereof is a legal claim against the state and if it so determines, to make an award and enter judgment thereon against the state, provided, however, that such claim is filed with the court of claims within three years after the final acceptance of the work by the commissioner of transportation.

15. Notwithstanding any other provision of this section, the commissioner of transportation shall have the power to acquire by grant or purchase, in the name of the people of the state of New York, any property which he deems necessary for any of the purposes provided for in this section, and payment therefor, if any, shall be made in the manner prescribed in this section for the payment of adjusted acquisition claims, provided, however, that no real property shall be so acquired unless the title thereto shall be approved by the attorney general.

16. The expense of the acquisition of property including the cost of making surveys and preparing descriptions and maps of property to be acquired, and of administrative duties in connection therewith, serving

notice of acquisition, publication, making title searches, appraisals and agreements, and examinations and readings and approval of titles made by the attorney general, and expenses incurred by the commissioner of transportation or the attorney general in proceedings for removal of owners or occupants, shall be deemed part of the cost of such improvement. The comptroller is hereby authorized to charge against any moneys available for the construction and reconstruction or improvement of state highways and bridges and to reserve therefrom such sums as may be sufficient to defray the necessary expenses to be incurred by the attorney general for examination, readings, and approval of titles, upon the filing with him by the attorney general from time to time of a certificate or certificates approved by the commissioner of transportation setting forth such estimated expenses. Such expenses shall be paid from the funds so reserved after audit by the state comptroller.

17. Notwithstanding the provisions of any general, special or local law, the commissioner of transportation, his officers, agents or contractor and the officers or agents of the United States when engaged on such highway projects, may, pursuant to section four hundred four of the eminent domain procedure law, enter upon property for the purpose of making surveys, test pits, test borings, or other investigations and also for temporary occupancy during construction. Claims for any damage caused by such entry, work or occupation not exceeding twenty-five hundred dollars may be adjusted by agreement by the commissioner of transportation with the owner of the property affected as determined by him by reasonable investigation without appropriating such property. Upon making any such adjustment and agreement, the commissioner of transportation shall deliver to the comptroller such agreement and a certificate stating the amount due such owner and the amount so fixed shall be paid out of the state treasury from monies appropriated for the acquisition of property for the project requiring such entry, work or occupation.

18. The commissioner of transportation may determine whether any property heretofore or hereafter acquired pursuant to this section for any of the purposes connected with the highway system of the state of

New York may be, in whole or in part, sold or exchanged on terms beneficial to the state, and in all cases of such determination he may, subject to compliance with section four hundred six of the eminent domain procedure law and notwithstanding the provisions of any general, special or local law, so dispose of such property, provided however, that on highways where access is not controlled such disposal of property shall not thereby deprive an owner of any existing frontage thereon immediately in front of his premises. In order to carry any such sale or exchange into effect the commissioner of transportation is hereby authorized to execute and deliver, in the name of the people of the state, a quitclaim of, or a grant in and to, such property. Each such instrument of conveyance shall be prepared by the attorney general and before delivery thereof, shall be approved by him as to form and manner of execution.

20. If, subsequent to the acquisition of a temporary easement right in property pursuant to this section, the commissioner shall determine; (a) that the purposes for which such easement right was acquired have been accomplished and that the use and occupancy of said property for such purposes is no longer necessary, or (b) that the period fixed by the terms of such easement for expiration of the same should be further limited, or (c) if the acquisition of such easement was for an indefinite period, that such period should be fixed and determined, the commissioner shall make a certificate to such effect. Upon the expiration of the then fixed and determined term of the easement, the easement will expire by the terms of the certificate and the affected property will be surrendered back to the owner, free of such easement, and the easement will be accordingly thereupon terminated, released and extinguished. The commissioner shall cause a copy of such certificate to be filed in the main office of the department. In the event that the term of a temporary easement has been fixed at a specific period of time by the description and map no further certificate shall be required.

The commissioner shall cause a copy of such certificate together with notice of the filing thereof in the main office of the department to be mailed to the owner of the property affected, as certified by the attorney general, if the place of residence of such owner is known or

can be ascertained by a reasonable effort. A further copy of such certificate and notice of filing shall be filed in the office of the recording officer of each county wherein the property affected is situated. On the filing of such certificate and notice with such officer it shall be the duty of such officer to record same in the books used for recording deeds in the office of such officer.

21. Notwithstanding any other provision of this section, the commissioner of transportation shall have the power to acquire by grant or purchase, in the name of the people of the state of New York, any property which he deems necessary for any of the purposes provided for in this section and may also acquire for such purposes from the Palisades interstate park commission, in the name of the people of the state of New York, such lands and such easements, licenses, permits and other rights over lands as the said commission is authorized to grant, sell, exchange or convey. When the acquisition by appropriation, grant or purchase of property deemed necessary for highway purposes would result in substantial consequential damages to the owner's remaining property, due to loss of access, severance or control of access, the commissioner of transportation, for and in behalf of the people of the state of New York, may acquire by purchase or grant all or any portion of such remaining property. Payment therefor, if any, shall be made in the manner prescribed in this section for the payment of adjusted appropriation claims, provided, however, that no real property shall be so acquired unless the title thereto shall be approved by the attorney general.

§ 31. Exchange of reservation lands of the Seneca Nation of Indians. 1. Notwithstanding any other provision of law, the Seneca Nation of Indians which owns and occupies reservation lands or any real property interest therein as the common property of the Seneca Nation may, by the act of the Seneca Council and, if required by federal statute or treaty, with the approval of appropriate federal officials, grant and convey any such lands or real property interest therein to the state for the construction of Route 17 (Southern Tier Expressway) upon such terms and conditions as the Seneca Council shall deem to be just and reasonable.

The terms lands and real property interest therein as used in this section shall include lands, waters, rights in lands or waters, structures, franchises and interests in land, including lands under water and riparian rights, and any and all other things and rights usually included within the said terms and includes also any and all interests in such land and property less than full title, such as permanent or temporary easements, right-of-way uses, leases, licenses and all other incorporeal hereditaments, and every estate, interest or right, legal or equitable.

2. Notwithstanding the provisions of any other law, the commissioner of transportation is hereby authorized, where such property is identified and requested by the Seneca Nation, to acquire property outside the Seneca reservations, in the same manner as other property is acquired for state highway purposes pursuant to this chapter or to use property under the jurisdiction of the department of transportation, to be exchanged in whole or in part on terms beneficial to the state for Seneca reservation lands or real property interests therein acquired or to be acquired from the Seneca Nation for the construction of Route 17 (Southern Tier Expressway). In order to effect any such exchange the commissioner of transportation is hereby authorized to execute and deliver, in the name of the people of the state, a quitclaim of, or a grant in and to, such property, to the Seneca Nation involved to hold for the benefit of the Nation. Each such instrument of conveyance shall be prepared by the attorney general and, before delivery thereof, shall be approved by him as to form and manner of execution.

3. Any propery granted and conveyed to the Seneca Nation of Indians in exchange for reservation lands or interests in real property pursuant to the provisions of this section shall thereafter be Indian reservation lands, enjoying all the rights and privileges and subject to all the limitations which now or hereafter shall inhere in Indian reservation lands under law.

§ 38. Contracts for construction or improvement of highways. State highways shall be constructed or improved by contract. Upon the

completion and final adoption or approval, as provided by law, of the plans and specifications for the construction or improvement of a state highway, contracts therefor shall be executed as provided herein.

1. Advertising for proposals. The commissioner of transportation shall advertise for proposals for the construction or improvement of such highways or sections thereof according to the plans and specifications prepared therefor. The advertisement shall be limited to a brief description of the work proposed to be done, with an announcement stating where the maps, plans and specifications may be seen, the terms and conditions under which proposals will be received, the time and place where the same will be opened, the amount of the draft or certified check to accompany the proposal, and such other matters as the commissioner of transportation may deem advisable to include therein. Such advertisement shall be published at least once in each week for two successive weeks in a newspaper published in the county in which such highway or section thereof is to be constructed or improved, and in such other newspapers as the commissioner of transportation may designate. If no newspaper is published in the county, the publication of the advertisement shall be in such newspaper or newspapers in an adjoining county as may be selected by the commissioner of transportation. Failure of such newspaper, published in such county or adjoining county, to publish such advertisement as provided in this subdivision or as directed by the commissioner of transportation shall not invalidate the publication of advertisement for proposals provided such advertisement is published in another newspaper or trade publication, which will be most likely to give adequate notice to contractors of the work contemplated and of the invitation to submit proposals therefor, at least once in each week for any two successive weeks preceding the date on which proposals described in such advertisement are to be received and opened.

2. Proposals. Each proposal shall specify the correct gross sum for which the work will be performed and shall also include the amount to be charged for each item specified on the proposal estimate sheet. The commissioner of transportation may prescribe and furnish forms for the submission of such proposals and may prescribe the manner of submitting

the same which shall not be inconsistent herewith. Accompanying each proposal there shall be either a certified check or bank cashier's check for the amount of the bid deposit, to be fixed by the commissioner of transportation and specified in the advertisement for proposals or such other security from the bidder as may be acceptable to the commissioner of transportation. The checks of the two low bidders shall be deposited by the commissioner of transportation in a special account. Provided, however, that if prior to or upon receipt of said checks by the commissioner of transportation a bidder who is one of the two low bidders shall have duly filed a bond as hereinafter provided the commissioner of transportation shall forthwith return to said bidder his aforesaid check without depositing the same. If alternate proposals are taken, the checks of the two low bidders of all alternate proposals shall be deposited. All checks other than those of the two low bidders shall be returned promptly by the commissioner of transportation. Notwithstanding the provisions of any general or special law, the money represented by the checks of the two low bidders shall be paid from the special account when the contractor has duly executed and delivered to the commissioner of transportation the contract and the bond or bonds, if any, required by law for the performance of the work of a public improvement for the state of New York, or upon the rejection of all bids. The low bidder, in the discretion of the commissioner of transportation, and the second low bidder, as a matter of right, may at any time after the opening of the respective proposals, file with the commissioner of transportation a bond, the principal amount of which shall at least equal the amount of the respective bidder's check, theretofore deposited with his proposal, in the form prescribed by the commissioner of transportation, with sufficient sureties, to be approved by the commissioner of transportation, conditioned that the said bidder will execute a contract and furnish such performance or other bonds as may be required by law in accordance with the terms of the bidder's said proposal. If a bidder complies with the aforesaid provision, the commissioner of transportation shall forthwith return the money represented by the check of such bidder. In case the bidder to whom the contract shall be awarded shall fail to execute such contract and bond if required, the moneys represented by such check shall be regarded as liquidated damages and shall be forfeited to the state and shall be

deposited by the commissioner of transportation with the commissioner of taxation and finance to the credit of the general fund. Provided, however, that although a performance bond or a payment bond or both may be accepted from a bidder by the commissioner of transportation, a requirement to furnish such bond or bonds may be dispensed with where the aggregate gross sums of the contracts to be awarded for the project is under fifty thousand dollars and provided further, that in a case where a single contract is issued for a project which is not subject to the multiple contract award requirements of section one hundred thirty-five of the state finance law, such requirements may be dispensed with where the commissioner finds it to be in the public interest and where the aggregate amount of the contract awarded or to be awarded is less than two hundred fifty thousand dollars. The gross sums indicated on the proposals when opened shall be publicly read. The commissioner shall keep the bids for the several items of the proposals confidential until an award of the contract is made, after which the proposals shall be subject at all reasonable times to public inspection.

2-a. Contracts; rubber-modified asphalt materials. In regard to contracts for construction or improvement of highways incorporating the use of asphalt construction materials after May first, nineteen hundred eighty-nine, the commissioner may require that the paving materials incorporate a percentage of scrap rubber derived from motor vehicle tires discarded in the state. Such percentage of rubber additives may be established by the commissioner subsequent to the completion of a rubber-modified asphalt pilot project to be conducted pursuant to section twenty-three of this chapter.

3. Award of contracts. The contract for the construction or improvement of such highway or section thereof shall be awarded to the lowest responsible bidder, as will best promote the public interest. No contract shall be awarded to a bidder other than the lowest responsible bidder without the written approval of the comptroller. The lowest bid shall be deemed to be that which specifically states the lowest gross sum for which the entire work will be performed, including all the items specified in the estimate thereof. The lowest bid shall be determined by the commissioner of transportation on the basis of the gross sum for

which the entire work will be performed, arrived at by a correct computation of all the items specified in the estimate therefor at the unit prices contained in the bid.

4. Rejection of proposals. The commissioner of transportation may reject any or all proposals and may advertise for new proposals as provided in this section, if, in his opinion, the best interests of the state will thereby be promoted.

5. Form of contract. The commissioner of transportation shall prescribe the form of contract and may include therein such matters as he may deem advantageous to the state.

6. Bond of contractor. Each contractor, before entering into a contract for such construction or improvement, shall execute a bond in the form prescribed by the commissioner of transportation, with sufficient sureties, to be approved by the commissioner of transportation, conditioned that he will perform the work in accordance with the terms of the contract and the plans and specifications, and that he will commence and complete the work within the time prescribed in the contract. The bond shall also provide against any direct or indirect damages that shall be suffered or claimed on account of such construction or improvement during the time thereof, and until the highway is accepted.

7. Payments on contract, state taxes. The contract shall provide for partial payments as the work progresses as hereinafter provided:

(c) Whenever a contract shall in the judgment of the commissioner of transportation be substantially completed, the commissioner of transportation may, provided the regional director certifies that the essential items in the contract have been completed in accordance with the terms of the contract and the provisions of this chapter, direct the regional director to include in the final account such uncompleted items and pay therefor at the item prices in the contract upon the contractor depositing with the commissioner of transportation a certified check drawn upon a legally incorporated bank or trust company equal to at least double the value of such uncompleted work or, with the approval of

the state comptroller, securities as are listed in subdivision three of section one hundred thirty-nine of the state finance law, equal to at least double the value of such uncompleted work. The deposit may be used by the commissioner of transportation to complete the uncompleted portion of the contract and shall be returned to the contractor if he completes the uncompleted portion within a specified number of working days after he has been notified to proceed with the work.

(d) No certificates approving or authorizing a partial or final payment shall be made by the commissioner of transportation until he is satisfied that all laborers employed on the work have been paid for their services for the last payroll period preceding the said partial or final payment. The commissioner of transportation may, if he deems necessary, require an affidavit to such effect from the contractor or he may depend on any other source which he deems proper for such information.

(e) No such certificate approving or authorizing the first partial payment or any final payment to a foreign contractor shall be made unless such contractor shall furnish satisfactory proof that all taxes due the state tax commission by such contractor, under the provisions of or pursuant to a law enacted pursuant to the authority of article nine, nine-a, twelve-a, sixteen, sixteen-a, twenty-one, twenty-two, twenty-three, twenty-eight, twenty-nine or thirty of the tax law or article two-E of the general city law have been paid. The certificate of the state tax commission to the effect that all such taxes have been paid shall be, for purpose of this paragraph, conclusive proof of the payment of such taxes. The term "foreign contractor" as used in this subdivision means, in the case of an individual, a person who is not a resident of this state, in the case of a partnership, one having one or more partners not a resident of this state, and in the case of a corporation, one not organized under the laws of this state.

(f) Payment of the moneys due under a contract shall be made in accordance with the provisions of article eleven-A of the state finance law, provided failure to make such payment, as heretofore prescribed, shall not be due to any fault, neglect, or omission on the part of the contractor or by reason of the filing of any lien, attachment, or other legal process against the money due said contractor.

(g) For the purpose of making a final payment on a highway

construction contract, the date to be used for determining the receipt of an invoice in subdivision two of section one hundred seventy-nine-f of the state finance law shall be the date on which the contract work has been accepted as completed by the commissioner of transportation.

8. Contingencies and extra work. Whenever the commissioner of transportation determines that from any unforeseen cause the terms of any contract should be altered to provide for contingencies or extra work, he may, if funds are available for payment of the cost thereof, issue an order on contract therefor to the contractor, a copy of which shall be filed with the director of the budget and the state comptroller. The estimated expenditure pursuant to the order on contract shall not increase the total amount of the primary contract until the estimated expenditure shall have been approved by the commissioner of transportation and a duplicate of such approval shall have been filed with the comptroller. No such extra work shall be commenced or undertaken until the commissioner of transportation has issued an order on contract as herein provided.

When such order on contract provides for similar items of work or materials which increase or decrease the itemized quantity provided for in the primary contract, the price to be paid therefor shall not exceed the unit bid price in the primary contract for such items. Agreed prices for new items of work or materials may be incorporated in the order on contract as the commissioner of transportation may deem them to be just and fair and beneficial to the state.

Whenever the commissioner of transportation also determines that in the cases herein provided it is impracticable for him to ascertain in advance the just and fair price to be paid by the state for new items of work or materials, the order on contract therefor may provide for performance of the work and the furnishing of the materials and equipment, in which event the contractor shall keep and shall make available at all times to the commissioner of transportation such accounting records, data and procedure as may be required by the commissioner of transportation. An estimate of the value of such work and the furnishing of materials and equipment shall be submitted by the

commissioner of transportation to the state comptroller who is hereby empowered to approve such estimate. Partial and final payments shall be made upon proper records and data itemized as hereinbefore indicated.

Before any final accounting shall become effective, a supplemental contract and final agreement shall first be approved by the comptroller, and filed in his office. The director of the budget may at his discretion require the commissioner of transportation to submit periodic summaries of and reports on the scope and status of highway projects in such form and at such intervals as he may require, including any and all contract documents.

9. Adjustment of disputes. Notwithstanding the provisions of any general or special law, and in case of a dispute between a contractor and the commissioner of transportation concerning questions of fact which may arise under a contract, the contractor may, at any time before the final estimate is rendered, petition the commissioner of transportation for a hearing in relation thereto, provided (1) the amount involved therein as shown by such petition does not exceed five thousand dollars or five per centum of the final estimate of the completed contract, whichever is greater, (2) the contractor has complied with all provisions of the contract that relate to the filing of any protest and also of any statement concerning the subject-matter thereof, and (3) the contractor shall expressly agree in such petition that any determination as hereinafter provided, shall be final and conclusive upon all parties thereto. If the commissioner of transportation grants such petition, he shall, within a reasonable time, mail a notice to the contractor which shall specify the place of such hearing and the date thereof which shall be within thirty days after the mailing of such notice. Within ten days after such mailing, the commissioner of transportation shall also mail a copy of the petition and of such notice of hearing to the attorney general, who together with the commissioner of transportation, shall constitute a board to (a) hear such dispute, either personally or by any duly authorized officer or employee of their respective departments, and (b) determine the issues thereof.

Any amount fixed in the determination to be paid to the contractor shall be deemed to be a special item to be incorporated in a final supplemental contract and shall be payable from monies available for construction and reconstruction of state highways, on the audit and warrant of the comptroller on vouchers approved by the commissioner of transportation.

§ 39. Patented material or articles. In the construction, maintenance or repair of state highways, no patented material or article or any other material or article shall be specified, contracted for or purchased, except under such circumstances that there can be fair and reasonable opportunity for competition, the conditions to secure which shall be prescribed by the commissioner of transportation.

§ 40. Authority of commissioner of transportation with respect to the performance of contracts for construction, reconstruction or improvement of state highways, highway projects under the supervision of the department of transportation, bridges, grade crossing eliminations and stream channel improvements; completion of work by surety; cancellation of contract by commissioner of transportation.

The performance of every contract for the construction, reconstruction or improvement of a state highway, bridge, grade crossing elimination or stream channel improvement shall be under the supervision and control of the commissioner of transportation, and it shall be his duty to see that every such contract is performed in accordance with the provisions of the contract and with the plans and specifications forming a part thereof. If the commissioner of transportation shall determine that the work upon any contract for the construction, improvement, maintenance, repair or reconstruction, of a state highway, other highway under the supervision of the department of transportation, bridge, grade crossing elimination or stream channel improvement, is not being performed according to the contract or for the best interest of the state, the execution of the work by the contractor may be temporarily suspended by the commissioner of transportation, who may then proceed with the work

under his own direction in such manner as will accord with the contract specifications and be for the best interests of the state; or he may terminate the contractor's employment under the contract while it is in progress, and thereupon, proceed with the work, in affirmance of the contract, by contract negotiated or publicly let, by the use of his own forces, by calling upon the surety to complete the work in accordance with the plans and specifications or by a combination of any such methods; or he may cancel the contract and either readvertise and relet as provided in section thirty-eight of this chapter, or complete the work under his own direction in such manner as will accord with the contract specifications and be for the best interests of the state. Any excess in the cost of completing the contract beyond the price for which it was originally awarded shall be charged to and paid by the contractor failing to perform the work or his surety. Where the estimate for the completion of a cancelled contract or defaulted contract, or a contract being completed pursuant to the provisions of this section, is in excess of the balance of the amount originally set aside by the state to provide for the construction, reconstruction, improvement, maintenance or repair of such highway, or other construction project, together with any amount appropriated by the county, town or village for such improvement, the commissioner of transportation is authorized to set aside from any funds available for the construction or reconstruction of state highways, highway projects under the supervision of the department of transportation, bridges, grade crossing eliminations and stream channel improvements, an additional sum equal to such excess including the proportionate share of the county, town or village; and to pay such excess in the first instance, including the share of the county, town or village, pending recovery of excess cost from the defaulting contractor or his surety, as provided in this section. In the event that the state fails to recover from the defaulting contractor or surety the excess cost in completing the contract over the amount for which it was originally awarded, the county, town, or village shall pay to the state upon the demand of the commissioner of transportation the same proportion of such excess cost as was originally appropriated by the county, town or village, for the improvement, and the board of supervisors, town board or village trustees shall be subject to mandamus proceedings by the attorney general to enforce the payment of the share

of the county, town or village of such excess cost. Every contract for the construction, improvement, maintenance, repair or reconstruction of a state highway, highway project under the supervision of the department of transportation, bridge, grade crossing elimination or stream channel improvement, shall reserve to the commissioner of transportation the right to suspend or cancel the contract as above provided, and to complete the work thereunder by contract negotiated or publicly let or by the use of his own forces, or affirm the contract and thereupon to complete the work thereunder according to any of the methods above provided as the commissioner of transportation may determine.

§ 41. Maintenance of highways after preliminary work pending permanent paving. Upon the completion of a contract for the preliminary grading and structures of a state highway the commissioner of transportation shall maintain said preliminary grading and structures until the permanent pavement is laid thereon and charge the cost thereof together with the state's share of the cost of said permanent pavement against the money appropriated and available for the construction of state highways.

§ 42. Maintenance of detours during construction. The maintenance and repair of any highway or right of way designated by official order of the department of transportation for use as a detour, during the construction, reconstruction, or improvement of a state highway, shall be under the supervision of the department of transportation and shall be paid out of the construction fund. Such highway or right of way designated as a detour by the department of transportation shall be deemed as an improved highway during construction, reconstruction or repair, when the detour is necessary, and shall be maintained, repaired and under the supervision of the department of transportation for the period of necessity only.

§ 42-a. Establishment of temporary detours when state highways are being maintained or repaired. Notwithstanding the provisions of section

one hundred four of this chapter, whenever in the maintenance or repair of a state highway, it is determined by the commissioner that it is necessary to provide for a temporary detour over alternate roads, streets, highways or routes, the commissioner shall have the power and authority to establish such temporary detour over alternate roads, streets, highways or routes as he deems necessary and proper for the protection of the traveling public with the posting of conspicuous signs, or use of flagmen, or a combination thereof, indicating such temporary detour. Such temporary detour shall be adequate to prevent unreasonable delay in the movement of traffic on said state highway. As used herein "temporary detour" shall be a detour of an anticipated duration not to exceed two weeks.

§ 43. Intersections, grading and paving on county roads and town highways at intersection with and during construction or reconstruction of state highways. Whenever in the construction or reconstruction of a state highway it is determined by the commissioner of transportation to modify the grade or alignment of such state highway at its intersection with a county road or a town highway, the commissioner of transportation shall have power and authority to provide for and to grade and pave a safe intersection upon the intersecting county road or town highway as he deems necessary and proper for the protection of the traveling public and the expense thereof shall be borne as a part of the cost of the construction or reconstruction of such state highway and shall be payable from any moneys appropriated for the construction or improvement or reconstruction of state highways.

§ 44. Acceptance of state highways when completed. Upon the completion of a state highway, or section thereof, constructed or improved under a contract let as provided in this article, the commissioner of transportation shall cause the same to be inspected and if he approve, accept the work.

§ 45. Entry upon adjacent lands and streams. Lands adjacent to a state

highway or adjoining or in the bed or beds of any streams or creeks may be entered upon and occupied by the commissioner of transportation, his representatives and employees, or by a contractor or any of his agents or employees when directed by the commissioner of transportation or his representative:

1. to open, maintain or construct an existing ditch or drain or for making surveys and for digging a new ditch or drain, or a section thereof, for the free passage of water for the drainage of such highways.

2. to perform such work of construction, reconstruction, improvement or maintenance in order to keep the waters of such streams or creeks within their proper channels and to prevent their encroachment upon state highways or bridges thereon.

3. to remove or change the position of a fence or other obstruction which, in the judgment of the commissioner of transportation, prevents the free flow of water under or through a state highway, bridge or culvert.

4. to remove any fence or other obstruction which, in the judgment of the commissioner of transportation, causes snow to drift in and upon a state highway, and to erect snow fences or other devices upon such lands to prevent the drifting of snow in or upon any such highway.

5. to inspect trees for the purpose of determining whether any are in such a condition as to constitute a danger to users of the adjacent highway and to remove or prune those trees or parts thereof which in the judgment of the commissioner constitute such a danger.

Notwithstanding the provisions of any general, special or local law or of any inconsistent provision of this chapter, claims for any damage caused by such entry and work and not exceeding three hundred and fifty dollars may be adjusted by agreement by the commissioner of transportation without appropriating any property. Upon making any such agreement and adjustment, and upon the approval thereof by the

department of audit and control, the commissioner of transportation shall deliver to the comptroller such agreement and a certificate stating the amount due such owner for damage caused by such entry and work and the amount so fixed shall be paid out of the state treasury from moneys appropriated for the maintenance and repair of state highways.

§ 46. State highways in villages. A state highway may be constructed, reconstructed or improved through a village so as to form a continuous highway on the state highway system. Such highway within a village shall be of such width and type of construction as the commissioner of transportation deems to be adequate.

Notwithstanding any inconsistent provision of this chapter, the commissioner of transportation is also authorized to construct, reconstruct or improve as a state highway any street within any village which has been or which may hereafter be built by the state as part of the state highway system.

Notwithstanding the provisions of any general, special or local law or any inconsistent provision of this chapter, the plans, specifications and estimate of cost of such construction, reconstruction or improvement provided in this section, may, in the discretion of the commissioner of transportation, include the installation, construction, reconstruction and improvement of curbs, drainage facilities and retaining walls to protect pavements; the removing, relocating, constructing, reconstructing and improving any existing structures, facilities and appurtenances owned by any municipality and removing, relocating, constructing, reconstructing and improving sidewalks and intersecting highways, roads or streets to accommodate adjusted or changed grades of highways, roads, or streets in the interest of public safety; all in addition to the relevant provisions of this chapter that relate to the preparation of plans, specifications and estimates for the construction, reconstruction and improvement of state highways.

For all the purposes of this section, the jurisdiction of the

commissioner of transportation shall extend over the entire property affected by the provisions hereof during the period of construction, reconstruction or improvement, as such jurisdiction has been obtained or may hereafter be obtained pursuant to the provisions of this chapter. After the completion and acceptance of the work of constructing, reconstructing or improving of a state highway passing through a village, the state shall maintain and have jurisdiction over the pavement area of such highway and may assume maintenance responsibility and have jurisdiction over such other highway right of way areas as the commissioner of transportation shall determine, by official order, are necessary for the maintenance and protection of such highway facility. No additional points of access to, or exit from, such highway facility shall be made without prior written approval by the commissioner of transportation. Any sidewalks, sewers,, water mains, curbs, paved gutters, conduits, facilities and appurtenances that are provided pursuant to this section, shall be maintained or shall be continued to be maintained, as the case may be, by the village in which they are located, or by the agency or other unit owning or having control and jurisdiction thereof except the state shall maintain any drainage ditches and storm sewer facilities which are constructed primarily to service the state highway facility.

If a greater width or different type of construction is desired by the municipality, the board of trustees of such village shall by resolution petition the commissioner of transportation to provide the width and type of construction desired. The additional expense caused by the increased width or different type of construction or both shall be borne wholly by the village. The commissioner of transportation may provide for the width and type of construction described in such petition, if the commissioner deems the filing of such petition to be timely and the construction described therein to be practicable. Whenever the commissioner of transportation shall have approved such a village petition, the plans, specifications and estimates of cost, together with an estimate showing the additional cost to be borne by the village, to provide for the greater width or different type of construction or both, shall be submitted to the board of trustees which, if it approve such plans, specifications and estimate of additional cost, shall by

resolution appropriate the funds necessary to provide for the portion of the cost of construction to be borne by the village. Such funds shall, prior to the award of the contract, be deposited by the village with the state comptroller subject to the draft or requisition of the commissioner of transportation, and a certified copy of the resolution shall be filed with the commissioner of transportation and with the state comptroller. The moneys so required shall be raised by tax or pursuant to the local finance law. Upon the completion of a highway within a village where a portion of the cost is borne by the village, the commissioner of transportation shall transmit to the board of trustees a statement showing the actual costs of the additional width or changed construction including a proportionate charge for engineering, and shall notify the village clerk that he will accept the work within twenty days from the date of such notice, unless protest in writing against the acceptance shall be filed by such clerk with the commissioner of transportation. In the event a protest is filed, the commissioner of transportation shall hear the same and if it is sustained the commissioner of transportation shall delay the acceptance of the highway or section thereof until the same be properly completed. If no protest is filed, the highway or section thereof shall at the expiration of the said twenty days be deemed finally completed and accepted on behalf of the village and the state, and shall thereafter be maintained in the manner provided in this chapter for the maintenance and repair of state highways.

The provisions of the village law, special village charters and other general or special laws relative to the pavement or improvement of streets and the assessment and payment of the cost thereof shall apply, as far as may be, to such additional construction and the assessment and payment of the cost thereof, except that the provisions of any general or local act affecting the pavement or improvement of streets or avenues in any village and requiring the owners, or any of the owners, of the frontage on a street to consent to the improvement or pavement thereof, or requiring a hearing to be given to the persons who, or whose premises, are subject to assessment, upon the question of doing such paving or making such improvement shall not apply to the portion of the improvement or pavement of a state highway the expense for which is

required to be paid by the village to the state.

§ 47. Connecting highways in villages. The board of trustees of a village may, by resolution, petition the commissioner of transportation for the construction or improvement of a highway to connect streets or highways within the village which have been paved or improved with state highways which have been heretofore built under the provisions of chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, and the acts amendatory thereof. If in the judgment of the commissioner of transportation public convenience requires the construction or improvement of such connecting highway, the commissioner shall cause plans, specifications and estimates to be prepared, and shall cause the same to be transmitted to the board of supervisors of the county wherein such highway is situated. The board of supervisors may thereupon take action on such plans and specifications and adopt a resolution relating to such construction or improvement. Notwithstanding any other provision of this chapter, the cost of such construction or improvement shall be borne and payment thereof shall be made in the manner as provided for in section two hundred and sixty-four. A certified copy of such resolution shall be filed in the office of the department of transportation. The construction or improvement of such connecting highway shall then be taken up in the order and manner provided in section two hundred and sixty-one for the construction or improvement of state highways. If it is desired to construct or improve any portion of such a connecting highway at a width greater than that provided for in the plans and specifications therefor, or if a modification of such plans and specifications is desired by which the cost thereof will be increased, the board of trustees of the village shall proceed as in section forty-six to secure such a modification of the plans and specifications as will provide for such desired construction. The provisions of such section shall apply in like manner to the connecting highway to be constructed or improved as provided in this section.

The provisions of this act shall not prevent the improvement by state aid under the statute as it existed prior to the passage of this act, of

streets in cities of the second and third class, where, prior to the passage of this act, highway numbers had been assigned as provided by article twelve of this act; nor shall the provisions of this act prevent the improvement in such cities of streets heretofore petitioned for and approved in cases where the proposed improvement of each street does not exceed one and one-half miles in length; but the total mileage of all such streets not exceeding one and one-half miles in length shall not in the aggregate exceed four miles.

Wherever plans for such improvement in a city of the second class have been approved and a highway number assigned, and the work is ready for contract as hereinbefore described and the common council of such city has appropriated and made available the city's share of the cost of such improvement, the city treasurer of such city is hereby authorized, empowered and directed to deposit such moneys with the state comptroller in the same manner as is provided by this section with regard to the improvement of village streets.

§ 48. State highways of additional width and increased cost at expense of town. Whenever the department of transportation shall have determined upon the construction or improvement of a state highway or section thereof and it is desired by any town in which such proposed highway is situated to construct or improve the same at a greater width or in a manner involving greater cost, or both, than that provided in the plans and specifications as prepared by the department of transportation, the town board may petition the department of transportation for an estimate of the additional cost of constructing or improving the same to a width or in a manner, or both, as desired by such board. The department of transportation shall as soon as practicable make an estimate of such additional cost and transmit the same to the town board, and the town board may thereupon by resolution petition the department of transportation to provide the width and type of construction desired. The additional expense caused by the increased width or different type of construction, or both, shall be borne wholly by the town. The department of transportation shall, in its discretion, upon receipt of such resolution, if filed prior to the advertisement for bids, or during

the course of construction, provide for the width and type of construction described in such resolution. Whenever the department of transportation shall have approved such a resolution the plans, specifications and estimate of cost shall be submitted to the town board, who, if it approve such plans, specifications and estimate of cost shall, by resolution, duly adopted by a vote of a majority of all the members of such board, appropriate the funds necessary to provide for the portion of the cost of construction to be borne by the town. Such funds shall, prior to the award of the contract, be deposited by the town with the state comptroller, subject to the draft or requisition of the department of transportation, and a certified copy of the resolution shall be filed with the department of transportation. Upon the completion of the highway within a town where a portion of the cost is borne by the town the department of transportation shall transmit to the town board a statement showing the actual cost of the additional width or changed construction including a proportionate charge for engineering and shall notify the town clerk that it will accept the work within twenty days from the date of such notice unless protest in writing against the acceptance shall be filed by such clerk with the department of transportation. In case a protest is filed the department of transportation shall hear the same and if it is sustained the department of transportation shall delay the acceptance of the highway or section thereof until the same be properly completed. If no protest is filed the highway or section thereof shall at the expiration of the said twenty days be deemed finally completed and accepted on behalf of the town and the state and shall thereafter be maintained in the manner provided in this chapter for maintenance and repair of state highways.

§ 49. Improvement of state highways at expense of county or at the joint expense of such county and any city, village or town. The board of supervisors of any county may request of the department an estimate of the additional cost of improving a state highway to a width or in a manner, or both, as desired by such board. The department shall as soon as practicable make an estimate of such additional cost and transmit the same to the board of supervisors, and the board of supervisors may thereupon by resolution petition the commissioner of transportation to

provide the width and type of improvement desired. The expense caused by the increased width or the type of improvement, or both, shall be borne wholly by the county, or, in the discretion of the board of supervisors of any county, and with the consent of the appropriate board of any city, village or town in which the road is located, the expenses may be apportioned between such county and such other municipality or municipalities, in such proportion as may be agreed to. Whenever plans and specifications have been approved providing for such increased width or such type of improvement, or both, an estimate of the cost of such increased width or type of improvement, or both, shall be submitted to the board of supervisors, which, if it approve such plans, specifications and estimate of cost, shall, by resolution, duly adopted by a vote of a majority of all of the members of such board, appropriate the funds necessary to provide therefor; and such funds shall be made available for the commissioner of transportation in the manner provided in this article.

§ 50. Petition for improvement of highway where a street surface railroad is laid. Where a street surface railroad shall be laid in any street, highway or public place in any town, village, or in any city of the second or third classes, which it was heretofore or shall hereafter be determined to pave, improve, reconstruct or repair, as provided in this chapter, the municipality may petition for such improvement as provided in sections forty-six, forty-seven, forty-eight or forty-nine. If such petition is approved by the department of transportation the procedure to be followed shall be that prescribed in the sections mentioned above and the proposals and contract for such improvement, reconstruction or repair shall include the improvement, reconstruction or repair of the space between the tracks of such street surface railroad, the rails of such tracks and two feet in width outside of such tracks, and the work of improvement, reconstruction or repair in such space shall be done at the same time and under the same supervision as the work of improvement, reconstruction or repair of the remainder of such street, highway or public place. The department of transportation may prescribe the materials to be used in paving, improving, reconstructing or repairing such street, highway or public place within

the railroad space above described, and upon the proper completion of the work, the department of transportation shall certify to the board of trustees of such village, or the common council of cities of the second or third classes, as the case may be, the cost of the pavement, improvement, reconstruction or repair of such street, highway or public place within such railroad space, and the entire expense of the pavement, reconstruction or repair within such railroad space whether heretofore or hereafter made or ordered, shall be assessed and levied upon the property of the company owning or operating such railroad, and shall be collected in the same manner as other expenses for local improvements are assessed, levied and collected in such town, village or city; and an action may also be maintained by the municipality against the company in any court of record for the collecton of such expense and assessment.

§ 51. Repair of highways at railroad crossings. Whenever a highway crosses a railroad track at grade and such grade crossing is out of repair, if it is the judgment of the commissioner of transportation, the board of supervisors of a county, the board of aldermen of a city, the board of trustees of a village or the town superintendent of highways of a town that the same should be repaired, the commissioner of transportation, the board of supervisors of a county, the board of aldermen of a city, the board of trustees of a village or the town superintendent of a town may repair and maintain the same and charge the expense thereof to the railroad company over whose railroad such crossing is repaired and maintained, if after fifteen days' notice in writing such railroad company neglects or refuses to repair the same.

§ 52. Permits for work within the state highway right of way. Except in connection with the construction, reconstruction, maintenance or improvement of a state highway, no person, firm, corporation, municipality, or state department or agency shall construct or improve, within the state highway right of way an entrance or connection to such highway, or construct within the state highway right of way any works, structure or obstruction, or any overhead or underground crossing

thereof, or lay or maintain therein underground wires or conduits or drainage, sewer or water pipes, except in accordance with the terms and conditions of a work permit issued by the commissioner of transportation or his duly designated agent, notwithstanding any consent or franchise granted by any town or county superintendent, or by any other municipal authority. Any municipal corporation may enter upon any state highway for the purpose of widening the pavement or for any other purpose authorized by this section, but only after securing a permit as provided herein. Notwithstanding the limitations in any general or special law, every municipal corporation shall have and is hereby given authority to deposit with the department of transportation, such a sum of money or a security bond as may be required by the commissioner of transportation as a condition precedent to the granting of the permit provided in this section.

The commissioner of transportation shall establish regulations governing the issuance of highway work permits, including the fees to be charged therefor, a system of deposits of money or bonds guaranteeing the performance of the work and requirements of insurance to protect the interests of the state during performance of the work pursuant to a highway work permit. With respect to driveway entrance permits, the regulations shall take into consideration the prospective character of the development, the traffic which will be generated by the facility within the reasonably foreseeable future, the design and frequency of access to the facility, the effect of the facility upon drainage as related to existing drainage systems, the extent to which such facility may impair the safety and traffic carrying capacity of the existing state highway and any proposed improvement thereto within the reasonably foreseeable future, and any standards governing access, non-access or limited access which have been established by the department of transportation.

Upon completion of the work within the state highway right of way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and

conditions of the work permit.

An advertising sign, display or device, or any part thereof, erected or maintained in violation of this section shall be removed from the state highway right of way by the owner or the party responsible for its erection and maintenance. The commissioner of transportation shall make a demand by mail, to the last known address of the owner, apparent owner or party responsible for the erection and maintenance of such advertising sign, display or device, for its removal and, if it is not removed within thirty days from the date of the mailing of such demand, the commissioner of transportation may remove any such advertising sign, display or device, or any part thereof, from the state highway right of way. Any such legally permitted, erected and maintained sign, display or device may be maintained by its owner in accordance with the provisions of this section upon the approval of the permit issuing office on the same terms and conditions as may exist for the granting of such approvals generally. Where such approvals are for permits to control vegetation, the permit issuing office shall approve no more than two hundred fifty permits per annum. The commissioner of transportation may also order the approval of additional permits to control vegetation on an individual basis upon demonstration of acute need.

The term "state highway right of way" shall, for the purposes of this section, mean the entire width between the boundary line of all property which has been purchased or appropriated by the state for state highway purposes, all property over which the commissioner of transportation or his predecessors has assumed jurisdiction for state highway purposes, all property over which the commissioner of transportation has assumed jurisdiction during the period of construction, reconstruction or improvement and all property which has become part of the state highway system through dedication or use.

Any person, firm or corporation violating this section shall be liable to a fine of not less than twenty-five dollars nor more than one thousand dollars for each day of violation to be recovered by the commissioner of transportation. All fees, fines or penalties collected or recovered by the commissioner pursuant to this section shall be

deposited by the comptroller into the special obligation reserve and payment account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law, excepting monies deposited with the state on account of betterments performed pursuant to subdivision twenty-seven or subdivision thirty-five of section ten of this chapter.

§ 53. Highways and bridges on Indian reservations. The Department of transportation shall have supervision and control, in the construction, maintenance and improvement of all highways and bridges constructed or to be constructed by the state on any Indian reservations, and may make and enforce such reasonable orders, rules and regulations concerning their use as it shall deem necessary. The cost of such maintenance and construction and improvement, and removal of snow therefrom, shall be paid by the state out of any moneys appropriated for the maintenance, construction and improvement of highways.

§ 53-a. Highways on Indian reservations. Where a highway is located partly on an Indian reservation, the Indian nation and the town or county involved and the department of transportation may make an agreement to apportion certain sections of such highways for reconstruction, maintenance and all other responsibilities in connection with such highway.

§ 54. Sidewalks along improved state highways. Walks or paths for pedestrians may be constructed by a county along any improved state highway or along a part thereof in any town of the county, pursuant to the provisions of this section. The request for any such walk or path shall be made by the town board, by resolution to that effect, a copy of which shall be certified to the board of supervisors. Unless the board of supervisors shall determine by resolution that such walk or path shall not be constructed, it shall, by resolution, direct the county superintendent of highways to prepare and submit to the board an estimate of the probable cost of such work, together with a general

outline plan thereof setting forth the type, material and width of the proposed walk or path, and also its location, specifying the highway, the beginning and terminal points of the walk or path and its distance laterally from the improved roadway. Upon receipt of such plan, the board of supervisors, by resolution, may determine that such walk or path shall be constructed, in accordance with such plan, subject to the approval of the plan, and consent that the walk or path be constructed, by the commissioner of transportation. The county superintendent of highways shall submit such plan to the commissioner of transportation, together with a copy of such resolution, to be furnished by the clerk of the board. If the commissioner of transportation shall consent to the construction of a walk or path along the course indicated and shall approve such plan, he shall certify such action to the board of supervisors, and the board of supervisors shall then appropriate and make available for such work the necessary moneys therefor, from county funds. The commissioner of transportation, however, may modify such plan and certify in like manner the changes made by him therein. In that case, the board of supervisors shall not be required to direct the construction of such walk or path or provide moneys therefor until it shall have approved of such changes. If the foregoing provisions of this section shall have been complied with, the work of such construction shall proceed under the direction of the county superintendent of highways. He may perform such work by contract, or partly by contract and partly by the employment of labor, purchase of material and the use of any necessary machinery owned or rented by the county. Upon the completion of such work, the total cost thereof shall be reported by the superintendent of highways to the board of supervisors. Thirty-five per centum of the cost of such work shall be reimbursed to the county by the town requesting the improvement, and a tax therefor may be levied upon the taxable property of the town, or the amount to be raised by either the county or the town may be provided pursuant to the local finance law. Any moneys so raised by the town shall be paid into the county treasury.

No such walk or path shall be constructed within the right of way of a state highway, unless with the approval of the commissioner of transportation. Necessary rights of way for any such sidewalk or path

shall be acquired by the county in the same manner as the rights of way are acquired for state highways as provided in this chapter. The cost of any such right of way shall be paid in the first instance by the county from any county moneys available and thirty-five per centum of the cost shall be a charge upon the town to be raised by tax as a part of the improvement. Sidewalks or paths for pedestrians may also be constructed by a town along an improved state highway or part thereof in the manner provided by section one hundred fifty-one of this chapter, but only with the approval of the commissioner of transportation given in the manner provided by this section, the provisions of which in respect thereto shall be deemed to apply to such town sidewalks.

§ 54-a. Reestablishment of approaches to private lands. In the construction and reconstruction of any highway on the state's system where a substantial change in the existing grade of the highway is made, such change making necessary the reestablishment of an existing entrance or approach to private lands, the commissioner of transportation may, upon the request of the abutting property owner affected, cause the reestablishment of the entrance, approach or driveway to be adjusted to the new highway grade and the cost thereof shall be a state charge payable from any money available for the construction or reconstruction of state highways. In such adjustment the details of the work shall be as determined by the commissioner of transportation. The state shall not be liable for the maintenance of such adjusted and reestablished approaches or driveways beyond the outside edge of the road shoulder nor shall it be liable for damages in connection therewith after the completion of such adjustment work.

§ 55. Emergency aid for control of snow and ice in municipalities. Notwithstanding any inconsistent provision of law, general, special or local, the commissioner of transportation, when authorized by the governor, is empowered to aid any county, city, town or village of the state in the control of snow and ice during emergency situations, providing the governing board or body of any such municipality certifies to the governor (a) that such aid is required to promote the public

welfare, (b) that such municipality does not have available and is unable to secure and provide the necessary equipment, facilities and personnel to perform the immediate work of control of snow and ice, and (c) that adequate and appropriate provision has been made to reimburse the state for any actual costs of labor and of maintenance and operation and for the depreciation of the necessary equipment and facilities of the state. The governing board or body of any such municipality and the commissioner of transportation are hereby authorized to enter into a contract for the purposes of this section upon such terms and conditions as shall be reasonable for the protection of the public.

§ 56. State to maintain roads improved by state appropriations under special laws. When any highway has been constructed or improved under a special law, with moneys taken from the state treasury and under plans prepared by a state department, the commissioner of transportation may at any time inspect such highway and if he determine it to be of sufficient importance and properly constructed, he may make an order directing that such highway become a part of the system of state highways in such county, and thereafter such highway shall be maintained as a state highway. Such order shall be served upon the chairman of the board of supervisors, and a certified copy thereof shall be filed in the office of the county clerk and one in the office of the state comptroller.

§ 57. Maintenance by state of canal bridge approaches. Where a waterway which is a part of the canal system of the state intersects a state highway which is maintained adjacent to such intersection pursuant to this article, the pavement and shoulders of the approaches to the bridge structure carrying such highway across such waterway and the area formerly occupied by any such bridge which has been removed and replaced by a fill by the state commissioner of transportation, shall be considered eligible for maintenance under this chapter, providing such approach or fill has, in the opinion of the commissioner of transportation, been properly graded in connection with the construction of the canal system of the state. The commissioner of transportation may

at any time make an order directing that such section of highway become a part of the system of state highways in such county, and thereafter the pavement and shoulders of such approach shall be maintained as a state highway. Such order shall be served upon the chairman of the board of supervisors and a certified copy thereof shall be filed in the office of the county clerk and one in the office of the state comptroller. In maintaining such section of highway the commissioner of transportation may lay such type of pavement as in his opinion is advisable.

§ 58. Liability of state for damages. The state shall not be liable for damages suffered by any person from defects in state highways, except between the first day of May and the fifteenth day of November on such highways as are maintained by the state under such system as the commissioner of transportation may adopt pursuant to section twelve, but the liability for such damages shall otherwise remain as now provided by law, notwithstanding the construction or improvement and maintenance of such highways by the state under this chapter; but nothing herein contained shall be construed to impose on the state any liability for defects in bridges over which the state has no control. Within the limits of incorporated villages the state shall maintain a width of pavement equal to the width of pavement constructed or improved at the expense of the state, if a state highway, the location of the state's portion of such roadway within said incorporated limits to be determined by the center line of the roadway as shown on the plans on file with the department of transportation and the state shall be liable for damages to persons or property only when such damage shall occur as a result of the defective condition of the portion of improved highway as above described.

§ 59. Additional width, different type of construction or other additional work under repair or reconstruction contracts. Whenever in the maintenance, repair or reconstruction of state highways the commissioner of transportation shall have determined upon the necessity of resurfacing or reconstructing such highway, the county, town or village wherein the highway is located may petition the commissioner of

transportation to provide an additional width, a different type of pavement, or both, or any additional work or any or all of same, in the plans providing for such resurfacing or reconstruction.

The additional expense of such widening, different type of construction or additional work shall be borne wholly by such county, town or village and the provisions of sections forty-six, forty-eight and forty-nine shall apply to such additional width, different type of construction or any additional work under such repair or reconstruction contract in the same manner as under a construction contract as provided in those sections.

§ 60. Sprinkling; removal of filth and refuse. Upon petition signed by a majority of the taxpayers owning property abutting upon an improved state highway and filed with the town clerk, the town board may set aside any section of such highway outside of a village and contract for the sprinkling of the roadbed with water and also contract for the removal of filth and refuse therefrom. No such contract shall be entered into unless previously approved by the county superintendent. The amount of any such contract so entered into shall be assessed upon the property abutting upon such section in the proportion which the frontage of each parcel thereof bears to the length of the section exclusive of intersecting highways. Such assessment shall be made, levied and collected in the same general manner, and at the same time and by the same officers as the town taxes of said town are assessed, levied and collected.

§ 61. Payment by counties of a portion of the cost of construction under repair contracts. Whenever in the maintenance and repair of state highways the department of transportation shall have determined upon the necessity of resurfacing, reconstructing or repairing such highway, the county wherein the highway is located may by resolution provide that not to exceed fifty per centum of the cost of such resurfacing, reconstructing or repairing shall be borne by the county. The provisions of this chapter shall apply to such resurfacing, reconstructing and

repairing of state highways in the same manner as to the original construction thereof in so far as the same may be applicable thereto.

§ 62. Improvement of alignment and of dangerous conditions on repair work. Whenever in the maintenance, repair or reconstruction of state highways under the provisions of this chapter, the commissioner of transportation shall have determined upon the necessity of a change in location for the improvement of alignment or of dangerous conditions on a section of such highway, and provided all necessary right of way shall have been acquired in accordance with this chapter, the department of transportation may proceed with such improvement. The cost of such improvement shall be paid from the funds which are provided for the repair or reconstruction of state highways.

Except as hereinafter provided, upon the completion and acceptance of a section of highway constructed on a new location acquired to accomplish the improvement of alignment or of dangerous conditions as above prescribed, the commissioner of transportation shall make an official order discontinuing the maintenance by the state of such section of highway on old location, including such part of any other state highway which crosses the new location and terminates at the old location as lies between the new and the old location of the state highway so improved, and also including any and all bridges or culverts located thereon or immediately adjacent thereto, as it had been maintained by the state as a part of the state highway system before the improvement of alignment or of dangerous conditions. If such section of highway or part thereof is located in an incorporated village, such section, or part thereof on old location, including such part of any other state highway which crosses the new location and terminates at the old location as lies between the new and the old location of the state highway so improved, and also including bridges and culverts thereon, shall be maintained thereafter by the village where such section is located, excepting however that any bridge and culvert thereon, which were maintained by the town at the time of the improvement of the section by the state, shall be maintained by such town within which such village is located. Any bridge and culvert thereon which were maintained

by the county in which such village is located, before the improvement of the section by the state, shall be maintained by such county.

If such section of highway was at the time of its improvement by the state on a town highway, such section on the old location or so much thereof outside of the limits of an incorporated village, including such part of any other state highway which crosses the new location and terminates at the old location as lies between the new and the old location of the state highway so improved, and also together with any bridge and culvert thereon, shall be maintained thereafter by the town or towns where it is located.

If such section of highway was at the time of its improvement by the state on a county road, such section on the old location or as much thereof outside of the limits of an incorporated village, including such part of any other state highway which crosses the new location and terminates at the old location as lies between the new and the old location of the state highway so improved, and also together with any bridge and culvert thereon, shall be maintained thereafter by the county or counties where it is located.

If such section of highway is not located in an incorporated village and at the time of its improvement by the state was not on a town highway or on a county road, such section on the old location, including such part of any other state highway which crosses the new location and terminates at the old location as lies between the new and the old location of the state highway so improved, and also together with any bridge and culvert thereon, shall be maintained thereafter by the county or counties where it is located or the commissioner of transportation may, with the approval of the director of the budget, continue to maintain said section of highway as part of the state highway system.

When the section of highway upon which maintenance by the state is discontinued includes a gap left in the original improvement to provide for the elimination or alteration of a railroad crossing, such gap for the purposes of this chapter shall be deemed to be an improved highway the same as the balance of such section.

The transfer of maintenance of a section of highway and of any bridge and culvert thereon, to any county or counties, town or towns, or village or villages as herein provided, shall become effective upon the mailing of a certified copy of such official order to the clerk or clerks of the board or boards of supervisors of the county or counties, to the town clerk or clerks or to the clerk or clerks of the village or villages, as the case may be.

§ 63. Discontinuance of part of highway due to grade crossing elimination. Whenever the commissioner of transportation shall determine that a state highway is affected by a side line or a new location by reason of the elimination of a highway-railroad crossing at grade pursuant to an order of the department of transportation, or by reason of the improvement or reconstruction of an existing railroad grade crossing, and as a result thereof a section of the said highway no longer serves a useful purpose as a part of the state highway system, he shall upon the completion and acceptance of the elimination work, make an official order that the said section of the highway including any and all bridges and culverts located thereon or immediately adjacent thereto, shall no longer be maintained by the state. If such section of highway or part thereof is located in an incorporated village, such section or part thereof including any bridge and culvert thereon, shall be maintained thereafter by the village in which such section or part thereof is located, excepting however that any bridge and culvert thereon, which were maintained by the town in which such village is located, before the improvement of the section by the state, shall be maintained by such town. If such section of highway was at the time of its improvement by the state on a county road, such section or as much thereof outside of the limits of an incorporated village, together with any bridge and culvert thereon, shall be maintained thereafter by the county or counties where it is located. The transfer of maintenance of a section of highway and of any bridge and culvert thereon to any county, town or village as herein provided shall become effective upon the mailing of a certified copy of such official order to the clerk or clerks of the board or boards of supervisors of the county or counties,

to the town clerk or clerks or to the clerk or clerks of the village or villages, as the case may be.

§ 64. Maintenance by state of certain improved roads and highways. The commissioner of transportation may inspect all roads and highways which have been constructed or improved under any general or special law by the county, town or village which are indicated for improvement in section three hundred and forty-one of this act, and if any such road is properly constructed he shall make an order directing that such highway be taken over by the state for maintenance as a state highway. Such order shall be served upon the chairman of the board of supervisors and a certified copy thereof filed in the office of the county clerk and also in the office of the state comptroller.

§ 65. Lands may be sold or leased; disposition of proceeds. Any lands acquired by purchase or condemnation, for the purpose of obtaining gravel, stone or other materials for the construction, reconstruction, improvement or maintenance of highways as provided in this article, or required for spoil banks, may, with the consent of the state commissioner of transportation, be sold in accordance with the eminent domain procedure law or leased by the governing body of the county which acquired said lands, when no longer needed for any of such purposes. The proceeds thereof shall be paid into the county treasury and shall become a part of the county road fund. The governing body may, where it has acquired lands by purchase or condemnation as a right-of-way for a state highway, with the consent of the commissioner of transportation, sell, convey, grant or lease to the owner or owners of property adjoining the same, so much thereof as may be unnecessary for such highway purposes, provided the strip of land retained for such highway purposes is not less than sixty feet in width, and provided such sale, conveyance, grant or lease will give said adjoining owner or owners of land a frontage immediately in front of their respective premises upon the new highway and right-of-way when completed. The governing body may make such sale, conveyance, grant or lease to such owner or owners of real property for the purpose of compensating such owner or owners for damages sustained

by reason of the change of the location of such highway and in full settlement thereof.

In the county of Wayne, however, if any such owner or owners of property adjoining lands acquired by said county from the R. & S. Liquidating Corporation and being formerly lands of the Rochester & Syracuse Trolley Company, for purposes of a right-of-way for a state highway, do not purchase such lands or any part thereof as may be unnecessary for highway purposes as provided by this section, within sixty days from the receipt by such owner or owners of the offer of the governing body of such county to sell such lands or any part thereof, then such governing body may sell and convey such lands or any part thereof on the same terms and conditions as those of such offer or offers, to any other person or persons, and the proceeds thereof shall be used in the manner provided by this section.

§ 66. Replacement water sources. If the commissioner determines that a highway project or highway maintenance activity of the department has significantly changed or rendered unusable a private water supply system, the commissioner is authorized, upon the consent of the owner thereof, to provide, or participate in the provision of, a replacement source or supply of water or a modification of the system affected. The commissioner is authorized to use the forces of the department and contractors under contract with the department, and is authorized to enter into contracts or agreements for the purposes of this section. In any claims against the state, actions undertaken by the commissioner pursuant to this section shall be considered in reducing damages incurred by affected individuals. The commissioner, with the consent of the owner, is authorized to conduct testing and other investigation to ascertain whether a highway project or highway maintenance activity of the department may have adversely impacted a private water supply system. Nothing in this section shall be construed to require any action on behalf of the department and the authority conferred herein shall be exercised, and any related determinations of the commissioner shall be made, in the discretion of the commissioner or commissioner's designee. The department shall not enter private property pursuant to this section

without the consent of the owner of such property. Nothing contained in this section shall be construed to relieve the department from any requirements that would otherwise apply pursuant to article eight of the environmental conservation law.

ARTICLE IV

IMPROVEMENT WITH FEDERAL AID

Section 80. Powers of commissioner; use of federal aid.

80-a. State prefinancing of federal share of non-state highway projects.

80-b. Construction or improvement by the department of transportation partly at municipal expense.

81. Application of laws; exceptions.

82. Expense; how borne.

83. Construction or improvement, partly at county expense.

84. Construction or reconstruction of any road or highway in connection with projects on the principal secondary and feeder roads.

85. General authorization; good faith of state pledged.

86. Agreement to control erection and maintenance of advertising devices.

88. Control of outdoor advertising.

88-a. Tourism signage task force.

89. Control of junkyards and scrap metal processing facilities.

§ 80. Powers of commissioner; use of federal aid. 1. If moneys of the federal government are or may reasonably be expected to be available therefor, under federal-aid highway acts, the commissioner is authorized to use moneys, or so much thereof as he shall determine to accept, together with other available moneys, in (a) the construction and reconstruction of state highways, (b) the construction and reconstruction of village and city streets, town highways and county roads, whether or not situate on the route of an unimproved state highway, including the acquisition of property therefor, (c) the

implementation of traffic operation improvements on existing street and highway systems in urban areas, including the acquisition of property therefor, (d) the acquisition of property adjacent to or in the vicinity of the right of way of any federal-aid highway system and the construction of publicly-owned parking facilities and appurtenances thereon or within such right of way, including connections to such facilities, (e) the implementation of the urban highway public transportation program, (f) the implementation of the economic growth center development highways program, (g) emergency relief projects under section one hundred twenty-five of title twenty-three United States code, (h) the preparation of surveys, studies and plans for joint development and provision for multiple use of state transportation facility right of way outside the counties of Kings and Queens, (i) the construction, reconstruction, alteration or repair, pursuant to the provisions of section two hundred thirty of this chapter, of bridges and culverts on state highways, (j) implementation of any other federal-aid highway or highway-transportation program, including the acquisition of property therefor, (k) research and planning, (l) the construction, reconstruction, alteration or repair of bicycle and pedestrian paths and of appropriate facilities appurtenant thereto, and designation of bicycle routes on streets and roads, (m) any nonhighway public mass transit project involving the construction, reconstruction, or improvement of fixed rail facilities, (n) the purchase of buses or any other passenger equipment, including rolling stock for fixed rail or any other mode of mass transit, (o) the construction of exclusive or preferential bus, truck and emergency vehicle routes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and parking facilities to serve bus and other public mass transportation passengers, including the acquisition of property therefor, and (p) the preparation of preliminary surveys, plans, specifications and estimates of costs in connection with any of the foregoing. The commissioner may use any federal-aid highway moneys within his possession or control, in accordance with the provisions of subdivision three of this section, no matter how previously allocated, for any mass transit purpose as is allowed by federal law respecting such funds.

2. Notwithstanding any other provisions of this chapter, or of any law, general, special or local, he may perform such work with respect to any project which he may, in his discretion, select.

3. Nothing contained in this article shall be deemed to enable the commissioner to expend federal aid moneys now or hereinafter under his control for a part or whole of the cost of any mass transportation capital project, as that term is defined in section three hundred one of the transportation law, or for any project for which the commissioner exercises the power granted him by paragraphs m, n, o and p of subdivision one of this section, unless such expenditures are in accordance with a state appropriation as provided by section three hundred three of such law; provided, however, that no such appropriation shall be required for any mass transportation capital project for which state moneys will not be required to meet the non-federal share of any such project.

§ 80-a. State prefinancing of federal share of non-state highway projects. In connection with the undertaking by a municipality of a non-state highway project for which the commissioner is authorized to use moneys of the federal government pursuant to the provisions of section eighty of this chapter the commissioner is hereby authorized to advance from any state highway appropriation made in the first instance and subject to subsequent reimbursement in accordance with the provisions of Title 23, U.S. Code, "Highways" to such municipality the share of the federal government of such project.

The first instance advances herein authorized shall be available only after the Federal Highway Administration, Department of Transportation of the United States of America, shall notify the commissioner of transportation that each specific project for which such first instance advances are contemplated have been approved and that the required share of federal funds which have been apportioned to the State of New York for expenditure have been entered on the official records of such Federal Highway Administration, Department of Transportation, as a commitment of such funds.

The commissioner shall undertake such supervision and management of the municipal project so advanced in order to fulfill any and all agreements with the Federal Highway Administration in order to assure federal reimbursement of the first instance advances herein authorized.

The commissioner shall provide for the management of the first instance advances and federal reimbursements herein authorized in a manner consistent with the management of any other federally aided state highway construction project.

§ 80-b. Construction or improvement by the department of transportation partly at municipal expense. 1. In connection with the undertaking of any project for which the commissioner is authorized to use moneys of the federal government pursuant to the provisions of subdivision thirty-four-a of section ten and section eighty of this chapter to assure the effective discharge of state responsibilities with respect to regional transportation needs, on highways, roads, streets, bicycle paths or pedestrian paths that are not on the state highway system, the commissioner shall submit such project to the governing body or bodies of the affected municipality or municipalities together with estimates of costs thereof. If such project includes a municipal project, as that term is defined in accordance with article thirteen of the transportation law, the state share of such municipal project shall also be included. If such project includes a project affecting a highway, road, street, bicycle path or pedestrian path not on the state highway system, the state share shall be equal to eighty percent of the difference between the total project cost and the federal assistance, provided, however, the commissioner may increase the state share to an amount equal to one hundred percent of the difference between the total project cost and the federal assistance where he or she determines that the need for the project results substantially from actions undertaken pursuant to section ten of this chapter. No such project shall proceed without the approval of the governing body of a municipality. Such governing body may request the commissioner to undertake the provision of such project. If the commissioner agrees to such undertaking he or

she shall notify the local governing body which shall appropriate sufficient moneys to pay the estimated amount of the municipal share. Such moneys shall be deposited with the state comptroller who is authorized to receive and accept the same for the purposes of such project, subject to the draft or requisition of the commissioner. When the work of such project has been completed, the commissioner shall render to the governing body of such municipality an itemized statement showing in full (a) the amount of money that has been deposited by such municipality with the state comptroller as hereinbefore provided, and (b) all disbursements made pursuant to this section for such project. Any surplus moneys shall be paid to such municipality on the warrant of the comptroller on vouchers therefor approved by the commissioner. When the work of such project has been completed and it is determined by the commissioner that the amount of the cost to be borne by the municipality is in excess of the amount deposited by such municipality with the state comptroller, the commissioner shall then notify the municipality of the deficiency of funds. The municipality shall then within ninety days of the receipt of such notice, pay such amount to the state comptroller. For purposes of this section, the term "municipality" shall include a city, county, town, village or two or more of the foregoing acting jointly.

2. For each fiscal year set out in the schedule hereinbelow amounts shall be distributed pursuant to annual appropriation from the dedicated highway and bridge trust fund or by authorization by the legislature for the state share of municipal street and highway capital projects in an amount set out in such schedule for the corresponding state fiscal year:

State Fiscal Year	Appropriation
1993-94	$45,000,000
1994-95	$35,000,000
1995-96	$45,000,000
1996-97	$35,000,000

§ 81. Application of laws; exceptions. All provisions of this chapter and related laws, including those applicable to acquisition of land or rights and interests therein, as now existing or hereafter amended,

shall be applicable to the performance of the work authorized by this article in the same manner as and to the extent that they are applicable to the construction or improvement and subsequent maintenance and repair of state highways generally unless the context thereof shall necessarily indicate to the contrary, with the following exceptions:

(1) Projects upon county roads, town highways or village streets which are not situate on the route of an unimproved state highway shall become the responsibility of the town, county or village, as the case may be, and upon the completion and acceptance of any such project, all rights and duties of the state specially existing with respect thereto during the course of the project shall terminate.

(2) Projects upon county roads, town highways or village streets which are situate on the route of an unimproved state highway shall nevertheless, upon such completion and acceptance, become a town, county or village responsibility in the manner provided in paragraph (1), above, if the commissioner of transportation, in his discretion, shall so elect, such election to be manifested by his request for subsequent-maintenance assurances from the town, county or village, as the case may be.

(3) In cases falling under paragraphs (1) and (2), above, necessary acquisitions of lands or rights and interests therein, for right of way and other purposes when not acquired in connection with a federal aid program by the commissioner of transportation pursuant to subdivision thirty-four-a of section ten and sections thirty and eighty of this chapter and the eminent domain procedure law, shall be subject to the provisions of section one hundred eighteen of this chapter and the provisions of section thirty of this chapter shall, in such event, be inoperative except that the state, in connection with all such acquisitions of lands or rights and interests therein, shall pay to the person or other entity entitled thereto the amounts specified in subdivisions ten and twelve of section thirty of this chapter and section seven hundred two of the eminent domain procedure law and perform the functions incidental thereto in the same manner as if such acquisition had been made by the commissioner of transportation for state highway purposes pursuant to section thirty of this chapter. In connection with all such acquisitions of lands or rights and interests therein by a county, such county shall provide in its acquisition

program that (a) every reasonable effort shall be made by the acquiring agency to acquire the requisite lands or rights and interests therein by negotiation, (b) to the greatest extent practicable no person lawfully occupying the land shall be required to move from his home, farm or business location without at least ninety days written notice from the acquiring agency, and (c) it will be the policy of the acquiring agency, before initiating negotiations for the lands, rights and interests therein, to establish the amount which is believed to constitute just compensation under the laws of this state and to make a prompt offer to acquire the lands, rights and interests therein for the full amount so established.

§ 82. Expense; how borne. The proportion of the total cost of work performed on any project, in addition to such elements thereof as are not subject to federal aid, which shall be borne by the state of New York shall be the difference between the funds contributed for such work by the federal government and the actual cost thereof except as provided in section two hundred and thirty, and less any amount which may be provided by any municipality in accordance with the provisions of this chapter.

§ 83. Construction or improvement, partly at county expense. If the estimated cost of a project in any county shall exceed the amount available in such county for such work to be provided by the state and federal government, the board of supervisors of the county, by resolution, act or ordinance, may approve of such project within such estimate and may provide that the county shall pay the amount of such excess. If the commissioner of transportation thereafter shall determine to proceed with the project, the board of supervisors shall appropriate sufficient moneys to pay the amount of such excess. Moneys to meet such appropriation may be provided from moneys raised by tax, from available moneys in the county road fund, from other available moneys or pursuant to the local finance law. Moneys so appropriated shall be paid out by the county treasurer on the written order of the commissioner of transportation. The form of any resolution, act or ordinance making

such an appropriation, shall be approved by the commissioner of transportation, and immediately upon the adoption thereof the clerk of the board of supervisors shall transmit a certified copy to him. No resolution, act or ordinance thereafter adopted by such board shall amend or repeal any prior resolution, act or ordinance adopted pursuant to this section, either directly or indirectly, excepting under the advice and with the consent of the commissioner of transportation.

§ 84. Construction or reconstruction of any road or highway in connection with projects on the principal secondary and feeder roads. The commissioner of transporation may, upon the request of a county through its board of supervisors, include in any project on the federal principal secondary and feeder road system, any work of construction, reconstruction or improvement of any road or highway that is located within the boundaries of such county and that is or shall form a continuation or extension of any such principal secondary and feeder road or shall be in connection therewith. Whenever the commissioner of transportation shall approve such a request of a county, he shall cause surveys and plans to be made either by the county or by the department of transportation. Estimates of the construction and engineering costs shall be made and submitted to the commissioner of transportation for approval. If approved, such county shall thereupon deposit such estimated amounts of monies with the comptroller, who is authorized to receive and accept the same for the purpose of this section, subject to the draft or requisition of the commissioner of transportation. Upon the completion and acceptance of the construction work, the commissioner of transportation shall render to the board of supervisors of such county an itemized statement showing in full the amount of money deposited by such county with the comptroller as hereinbefore provided and all expenditures made for the construction and engineering work connected therewith made pursuant to this section. Any surplus money shall be paid to such county on the warrant of the comptroller on vouchers therefor approved by the commissioner of transportation.

§ 85. General authorization; good faith of state pledged. The

commissioner of transportation is hereby authorized, empowered and directed to perform and do such other and further acts not hereby specifically provided as may be necessary to perform the work authorized by this article and to comply with federal aid highway and transportation acts hereinbefore referred to and rules and regulations promulgated thereunder. The provisions of such acts are hereby assented to, the good faith of the state of New York being hereby pledged to make such provision from time to time as may be necessary to provide its share of the cost of such work.

§ 86. Agreement to control erection and maintenance of advertising devices. In order that the state of New York may be entitled to be paid by the United States an increased share of the costs of projects on the interstate highway system, the commissioner of transportation is hereby authorized to enter into an agreement with the secretary of transportation of the United States, as required by section one hundred thirty-one of title twenty-three of the United States code, as amended and to promulgate and enforce regulations in conformity with the national policy, for control of the erection and maintenance of advertising signs, displays, and other advertising devices within six hundred and sixty feet of the edge of the right of way of controlled portions of the interstate highways system which are constructed upon any part of right of way, the entire width of which is acquired subsequent to July first, nineteen hundred fifty-six, which do not traverse commercial or industrial zones within the boundaries of incorporated municipalities as of September twenty-first, nineteen hundred fifty-nine, where in the use of real property adjacent to the interstate highway system is subject to municipal regulation or control, and which do not traverse other areas where the land use, as of September twenty-first, nineteen hundred fifty-nine, was clearly established under state law as industrial or commercial. The agreement may also include provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, the erection of markers, signs or plaques, and the development of areas, in appreciation of sites of historical

significance, to the extent that such provisions are within the existing powers of the commissioner of transportation.

The commissioner of transportation shall take such action as is necessary to obtain the maximum amount of federal funds available under Federal Highway Aid Act of 1958.

§ 88. Control of outdoor advertising. 1. Definitions. As used in this section:

(a) "Interstate highway system" means that portion of the national system of interstate and defense highways located within this state, as officially designated, or as may hereafter be so designated, by the commissioner of transportation, and approved by the secretary of commerce or the secretary of transportation of the United States pursuant to the provisions of title twenty-three of the United States code, as amended.

(b) "Primary highway system" means that portion of connected main highways, as officially designated, or as may hereafter be so designated, by the commissioner of transportation, and approved by the secretary of commerce or the secretary of transportation of the United States pursuant to the provisions of title twenty-three of the United States code, as amended.

(c) "Safety rest area" means an area or site established and maintained within or adjacent to the highway right of way by or under public supervision or control, for the convenience of the travelling public.

(d) "Information center" means an area or site established and maintained at a roadside rest area for the purpose of informing the public of places of interest within the state and providing such other information as the commissioner of transportation may consider desirable.

2. The commissioner of transportation is hereby authorized and directed to immediately implement the following program for the effective control of the erection and maintenance of outdoor advertising signs, displays and devices within six hundred sixty feet of the nearest

edge of the right of way and visible from the main traveled way of the interstate and primary highway systems and, notwithstanding the provisions of subdivisions seven, eleven, and twelve of this section, for the effective control of the erection and maintenance along the interstate and primary highway systems of those additional outdoor advertising signs, displays and devices which are more than six hundred and sixty feet from the nearest edge of the right-of-way located outside of urban areas, as defined by federal statute, rule or regulation for the purposes of section one hundred thirty-one of title twenty-three of the United States code, visible from the main traveled way of the interstate and primary highway systems and erected with the purpose of their message being read from such main traveled way. Effective control means that such signs, displays and devices shall, pursuant to such program, be limited to (a) directional and other official signs and notices which are required or authorized by law and which shall conform to the national standards promulgated by the secretary of transportation of the United States pursuant to section one hundred thirty-one of title twenty-three of the United States code, as amended, (b) signs, displays and devices advertising the sale or lease of property upon which they are located, (c) signs, displays and devices advertising activities conducted on the property on which they are located, (d) signs, displays and devices located in areas within six hundred sixty feet of the nearest edge of the right of way which are zoned industrial or commercial under authority of state law and which are permitted or authorized pursuant to this section or the agreement ratified and approved by this section, (e) signs, displays and devices which are permitted or authorized pursuant to this section or the agreement ratified and approved by this section and are located in unzoned commercial or industrial areas within six hundred sixty feet of the nearest edge of the right of way which areas shall be determined from actual land uses in conformance with the agreement ratified and approved by this section, (f) signs lawfully in existence on October twenty-second, nineteen hundred sixty-five, determined by the commissioner with the approval of the secretary of transportation of the United States, to be landmark signs, including signs on farm structures or natural surfaces of historic or artistic significance, the preservation of which would be consistent with the purposes of this

section and with the purposes of the federal "Highway Beautification Act of 1965", and any acts amendatory thereto, and (g) any other signs, displays and devices permitted or authorized pursuant to this section. Provided that, nothing in this section shall be construed to prohibit the erection or maintenance of outdoor advertising signs, displays and devices which include the steady illumination of sign faces, panels or slats that rotate or change to different messages in a fixed position, commonly known and referred to as changeable or multiple message signs, provided the change of one sign face to another is not more frequent than once every six seconds and the actual change process is accomplished in three seconds or less, when such signs, displays and devices are permitted or authorized pursuant to this section and by the agreement ratified and approved by this section.

3. The agreement entered into between the commissioner of transportation and the secretary of transportation of the United States dated May thirteenth, nineteen hundred sixty-eight regarding the size, lighting and spacing of signs, displays and devices which may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the interstate and primary highway systems which are zoned industrial or commercial under authority of state law, or in such other unzoned industrial or commercial areas as may be permitted pursuant to the terms of such agreement is hereby ratified and approved. With respect to the certification permitted under subsection A of article four of the said agreement, the commissioner of transportation shall make such a certification within thirty days after it is shown to his reasonable satisfaction that there are regulations which are enforced with respect to the size, lighting and spacing of outdoor advertising signs, displays and devices within the meaning of the agreement. The action of the commissioner of transportation with respect to such a certification shall be reviewable under article seventy-eight of the civil practice law and rules by the supreme court which shall have jurisdiction of the proceedings and the power to grant such relief as it deems just and proper.

4. The commissioner of transportation may agree with the secretary of transportation of the United States to provide for the establishment of

information centers at safety rest areas. The commissioner of transportation is hereby directed to negotiate with such secretary of transportation in order to permit signs, within the areas controlled by the provisions of this section, which relate to public and private natural wonders, scenic and historical attractions and other information concerning outdoor recreation, places for camping, lodging, eating and vehicle service and repair deemed to be of specific interest to the travelling public. Any of the above types of signs referred to in this subdivision which do not violate the provisions of the federal "Highway Beautification Act of 1965", and any acts amendatory thereto, and which conform to the national standards promulgated by the secretary of transportation of the United States pursuant to section one hundred thirty-one of title twenty-three of the United States code, as amended, are hereby authorized to be erected and maintained in the state of New York subject to registration with the commissioner of transportation pursuant to subdivision five of this section.

5. The commissioner of transportation is hereby authorized to control the erection and maintenance of outdoor advertising signs, displays and devices along the interstate and primary highway systems in conformance with the terms of this section and in conformity with the agreement ratified and approved by this section and the national standards promulgated by the secretary of transportation of the United States pursuant to subdivision (c) of section one hundred thirty-one of title twenty-three of the United States code as amended. The commissioner of transportation may provide for a system of registration of outdoor advertising signs, displays and devices which comply with the terms of the agreement, ratified and approved by this section, with the secretary of transportation of the United States. No registration shall be required for signs, displays and devices advertising the sale or lease of property upon which they are located and signs, displays and devices advertising activities conducted on the property on which they are located.

6. Notwithstanding the provisions of subdivision two hereof, any outdoor advertising sign, display or device lawfully in existence along the interstate and primary highway systems on September first, nineteen

hundred sixty-five, which is not permitted or authorized pursuant to the provisions contained herein may continue to be maintained until July first, nineteen hundred seventy and shall not be replaced or relocated along the interstate and primary highway systems except in those areas authorized pursuant to this section or areas authorized under the terms of the agreement ratified and approved by this section. Notwithstanding the provisions of subdivision two hereof, any other outdoor advertising sign, display or device lawfully erected which is not permitted or authorized pursuant to this section of the agreement ratified and approved by this section may continue to be maintained until the end of the fifth year after it becomes nonconforming pursuant to this section or under the terms of the agreement ratified and approved by this section, unless an earlier removal is required in order for the state to comply with the federal "Highway Beautification Act of 1965", as amended and shall not be replaced or relocated along the interstate and primary highway systems except in those areas authorized pursuant to this section or areas which are permitted under the terms of the agreement ratified and approved by this section.

7. The commissioner of transportation is hereby authorized to acquire the necessary rights in and to property and is directed to pay compensation therefor, in the same manner as other property is acquired for state highway purposes pursuant to this chapter and is further directed to provide equivalent directional information, as provided in subdivision eleven of this section, with respect to outdoor advertising signs, displays and devices which are not permitted or authorized pursuant to this section or with the terms of the agreement ratified and approved by this section and which were lawfully erected under state law. Such compensation is authorized to be paid only for the following: (a) the taking from the owner of such sign, display or device of all right, title, leasehold and interest in such sign, display or device, and (b) the taking from the owner of the real property on which such sign, display or device is located, of the right to erect and maintain such signs, displays and devices thereon. The term "property" as used in this section is defined to include lands, waters, rights in land or waters, structures, franchises, and interest in land, including lands under water and riparian rights and any and all other things and rights

usually included within the said term and includes also any and all interests in such property less than full title, such as easements, permanent or temporary, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable. Notwithstanding the provisions of subdivision two hereof, no rights in and to property shall be acquired with respect to any outdoor advertising sign, display or device except to the extent that federal funds authorized to be appropriated pursuant to the federal "Highway Beautification Act of 1965", as amended, to reimburse the state for seventy-five per centum of the cost thereof, are in fact appropriated and allocated to the state for that purpose. Further, notwithstanding the provisions of this section or any other general, special or local law, no outdoor advertising sign for which compensation must be paid pursuant to this subdivision, nor any outdoor advertising sign in a commercial or industrial zone or area which is controlled pursuant to this section, shall be removed, or required to be removed, by the state or any agency thereof or any municipal corporation or subdivision, without the payment of such compensation in accordance with the provisions of article five of the eminent domain procedure law, provided, however, that this prohibition shall not apply to any city having a population of one million or more.

8. Any outdoor advertising sign, display or device erected or maintained in violation of this section, or of the terms of the agreement ratified and approved by this section, is hereby declared to be, and is a public nuisance. The commissioner of transportation shall give thirty days' notice, by registered or certified mail, to the owner of the property on which such advertising sign, display or device is located and to the owner of such advertising sign, display or device, to remove the same if it is a prohibited sign, display or device or to cause it to conform to the requirements of this section or the terms of the agreement ratified and approved by this section or the national standards if it is an authorized or permitted sign, display or device. If the owner of the property or the owner of the advertising sign, display or device fails to act within thirty days as required in the notice, the commissioner of transportation or his duly authorized agent shall cause the removal of such advertising sign, display or device at

the expense of the owner of the property or the owner of the advertising sign, display or device, except that the state shall pay the expense of removing any advertising sign, display or device which was lawfully erected on the date of enactment of this section which becomes non-conforming under the terms of this section or the agreement ratified and approved by this section.

9. Nothing in this section shall be construed to abrogate or affect the provisions of any other statute, lawful ordinance, regulation pursuant thereto or resolutions which are more restrictive than the provisions of this section or the agreement ratified and approved by this section.

10. In order to provide information in the specific interest of the travelling public, the commissioner of transportation is hereby authorized to maintain maps and to permit informational directories and commercial advertising pamphlets to be made available at safety rest areas, and to construct and maintain or permit the construction and/or maintenance of information centers at safety rest areas for the purpose of informing the public of places of interest within the state and providing such other information as he may consider desirable. In the event that such an information center is to be constructed and/or maintained by a person, firm, corporation, municipality or state department or agency, other than the department of transportation, the commissioner of transportation is authorized to enter into a lease for a term of years or memorandum of understanding, on terms which he deems appropriate, regarding the construction and/or maintenance of such information center. The commissioner of transportation shall use the federal cost-sharing provisions of section 131(i) of title 23, United States Code to the fullest extent practicable in implementing such travel information programs.

11. The commissioner is directed to conduct an economic study to identify those areas within the state which would suffer substantial economic hardship upon the removal of advertising signs, displays, or devices which provide directional information about goods and services in the interest of the travelling public, were legally erected under

state law, and are subject to control under subdivision seven of this section. Pending completion of such economic study, the commissioner is directed to provide for the immediate removal of signs which were unlawfully erected under state law, and is further directed to develop an aesthetically pleasing official business directional sign program providing directional information to the travelling public in a manner substantially equivalent to that now provided by advertising signs, displays, or devices, pursuant to subdivision twelve of this section. Upon completion of such economic study and consequent identification of those areas within the state which would suffer substantial economic hardship upon the removal of advertising signs, displays, or devices which provide directional information about goods and services in the interest of the travelling public, the commissioner shall request the secretary of transportation of the United States to permit the retention of such advertising signs, displays, or devices in those areas identified as suffering substantial economic hardship. Except as otherwise provided in this section, the commissioner is hereby directed to assure that any official business sign program be implemented with due consideration of the findings of the economic study identifying areas potentially subject to substantial economic hardship.

12. The commissioner of transportation shall develop and implement, after required federal approval, an official business directional sign program to provide directional information regarding businesses which provide goods and services to the traveling public. Fees charged to participating businesses will be such as to make the program self-sustaining within two years of implementation. The program shall utilize official signs erected in the right-of-way of the primary highway system. Such official signs shall meet the standards prescribed by the commissioner of transportation and the secretary of transportation of the United States and shall contain thereon, as a minimum, the business name or trademark, a general service logogram and directional information. The official business directional sign program shall be integrated with, but not limited by, information centers provided for in subdivision ten of this section to maximize the information made available in the specific interest of the traveling public. Guidelines for business eligibility and placement of official

signs shall be promulgated by the commissioner of transportation after public hearing and federal approval. Such guidelines shall include provision for substantially equivalent directional information upon the removal of advertising signs, displays or devices providing directional information. Such guidelines shall provide that priority for participation in the program be given to those businesses offering goods and services in the interest of the traveling public (a) which are primarily local or regional in nature and which would have the least ability to adopt alternative directional information media, or (b) which utilized directional advertising signs, displays and devices legally erected under state law. The traffic generated by a specific business shall be a secondary consideration in determining priority of participation in the program. The specific implementation of such guidelines shall be made with the advice of travel information council pursuant to subdivision thirteen of this section. The commissioner shall seek to speed federal approval of the official business directional sign program.

13. All fees collected by the commissioner pursuant to this section shall be deposited by the comptroller into the special obligation reserve and payment account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law.

§ 88-a. Tourism signage task force. 1. There is hereby established a tourism signage task force consisting of the following members:

(a) the commissioner or his or her designated representative from the departments of transportation, economic development, environmental conservation, agriculture and markets and of the office of parks, recreation and historic preservation;

(b) the chairperson, or his or her designated representative, of the New York state thruway authority, the adirondack park agency and the tourism advisory council;

(c) a representative of travel and vacation related business and a representative of an organization of automobile users and owners appointed by the governor.

2. The chairman of the task force shall be the commissioner. The members of the task force may elect a vice chairman, secretary or such other officers as it may deem necessary for such terms as its members shall determine.

3. Members of the board, except for those representing New York state departments, agencies, authorities or councils, shall serve for a term of two years and may be reappointed in the same manner as provided for their initial appointment.

4. A majority of the members of the task force shall constitute a quorum for the transaction of any business or the exercise of any power or function of the task force. An act, determination, or decision of the members present and entitled to vote during the presence of a quorum shall be held to be the act, determination or decision of the task force.

5. The task force shall meet at least quarterly at the call of the chairman. Additional meetings may be called by the chairman subject to the giving of one week's notice, and shall be called by him at the request of a majority of the members of the task force.

6. Members of the task force shall receive no compensation for their service as members. Members of the task force representing state agencies, departments, authorities or councils shall be compensated for their actual and necessary expenses by warrant of the comptroller and voucher of their department, agency, authority or council. Members of the task force not representing a state department, agency, authority or council shall, under the warrant of the comptroller and voucher of the commissioner, or his duly designated agent, be allowed their necessary and actual expenses incurred in the performance of duty.

7. The task force shall:

(a) identify and define responsibilities with respect to the placement of tourism related directional and informational signage and promote inter-agency cooperation in order to encourage a uniform signage policy.

(b) advise the commissioner on the development of a uniform and comprehensive state policy on tourism related signage and other traveller information services.

(c) assist in the development of a working plan for the funding, placement and maintenance of directional and informational signs in accordance with an established policy on tourism signage.

(d) assist and advise on the preparation, publication and distribution of a handbook on tourism signage that will identify rules and laws governing tourism related signage, listing contact points for the public to use in soliciting information and to apply for placement of tourism related signage and identifying costs associated with such directional signage.

(e) advise and assist in the development of an adequate budget for the commissioner to implement the plan for tourism signage and such other informational services as are necessary to guide the travelling public.

(f) advise the commissioner on the marking of motor touring trails designated by statute.

(g) advise the commissioner on scenic, environmental, traffic safety or other concerns which may supersede the implementation of the tourism signage plan and policy.

(h) review, evaluate and advise the commissioner on conflicts associated with overlapping jurisdiction governing signage, limitations on the placement of signs, and establishing priority for placement of signage when demand exceeds the available space for directional signage, and such other issues which may come to the attention of the task force.

(i) evaluate and recommend to the commissioner or the legislature initiatives to enhance or facilitate the development of a signage policy or plan.

(j) report on or before January first of each year to the governor, the temporary president of the senate, the speaker of the assembly, and the chairman of the appropriate legislative committees on the activities of the task force with respect to its functions, powers and duties.

8. The task force may request and shall receive from any subdivision, department, board, bureau, commission, office, agency, or other instrumentality of the state, or any political subdivision thereof, such facilities, assistance and data as it deems necessary and desirable for

the proper execution of its functions, powers and duties hereunder. Any expenses of the task force, including compensation to such personnel as may be employed by the task force, shall be payable out of moneys otherwise appropriated to the state department of transportation.

§ 89. Control of junkyards and scrap metal processing facilities. 1. Definitions. As used in this section:

(a) "Interstate highway system" means that portion of the national system of interstate and defense highways located within this state, as officially designated, or as may hereafter be so designated, by the commissioner of transportation, and approved by the secretary of commerce or the secretary of transportation of the United States pursuant to the provisions of title twenty-three of the United States code, as amended.

(b) "Primary highway system" means that portion of connected main highways, as officially designated, or as may hereafter be so designated, by the commissioner of transportation, and approved by the secretary of commerce or the secretary of transportation of the United States pursuant to the provisions of title twenty-three of the United States code, as amended.

(c) "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, scrapped, ruined, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

(d) "Junkyard" means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying or selling junk, and shall include garbage dumps and sanitary fills.

(e) "Scrap metal processing facility" means an establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal produce is scrap iron, steel or nonferrous scrap for sale for remelting purposes only.

2. The commissioner of transportation is hereby authorized and directed to implement a program prior to January first, nineteen hundred sixty-eight, for the effective control of the establishment and maintenance of junkyards and scrap metal processing facilities within

one thousand feet of the nearest edge of the right of way and visible from the main traveled way of the interstate and primary highway systems. Effective control means that by January first, nineteen hundred sixty-eight, such junkyards and scrap metal processing facilities shall conform with subdivision four of this section or be screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the main traveled way of such systems, or shall be removed from sight on or prior to July first, nineteen hundred seventy.

3. The commissioner of transportation is hereby authorized to promulgate and enforce regulations which are consistent with the purposes of this act and with section one hundred thirty-six of title twenty-three of the United States code, any amendments made thereto and the rules and regulations promulgated thereunder, in implementing such effective control program. Such regulations may provide standards for location, planting, construction and maintenance, including the materials used in any screening or fencing required by this section.

4. No person, firm or corporation shall establish, operate or maintain a junkyard or scrap metal processing facility, any portion of which is within one thousand feet of the nearest edge of the right-of-way of any interstate or primary highway, except the following:

(a) Those which are screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the main traveled way of the interstate or primary highway system, or otherwise removed from sight.

(b) Those located within areas which are zoned for industrial use under authority of state law.

(c) Those located within unzoned industrial areas, which areas shall be determined from actual land uses and defined by the regulations promulgated by the commissioner of transportation.

(d) Those which are not visible from the main traveled way of the interstate or primary highway system.

5. Any junkyard or scrap metal processing facility not conforming with subdivision four of this section and lawfully in existence on October twenty-second, nineteen hundred sixty-five; or lawfully along any

highway made a part of the interstate or primary highway systems on or after October twenty-second, nineteen hundred sixty-five, and prior to January first, nineteen hundred sixty-eight, which is within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway on the interstate or primary highway systems, shall be screened, if feasible, by the commissioner of transportation at locations within the highway right-of-way or in areas acquired for such purposes outside the right-of-way so as not to be visible from the main traveled way of such highways. The commissioner of transportation may acquire such property as may be necessary for the purposes of this subdivision in the same manner as other property is acquired for state highway purposes pursuant to this chapter, except that any property in the city of New York, which is deemed by the commissioner of transportation and the city of New York to be necessary for the purposes of this subdivision, shall be acquired by the city of New York in the same manner as provided in section three hundred forty-nine-c of this chapter relating to the acquisition of property for the state arterial system in the city of New York.

6. When the commissioner of transportation determines that the topography of the land adjoining the highway will not permit adequate screening of any junkyard or scrap metal processing facility specified in subdivision five of this section or the screening of such junkyard or scrap metal processing facility would not be economically feasible, the commissioner of transportation is authorized to acquire such property, in the same manner as other property is acquired for state highway purposes pursuant to this chapter, except that any property in the city of New York, which is deemed by the commissioner of transportation and the city of New York to be necessary for the purposes of this subdivision, shall be acquired by the city of New York in the same manner as provided in section three hundred forty-nine-c of this chapter relating to the acquisition of property for the state arterial system in the city of New York, as may be necessary to secure the relocation, removal or disposal of such junkyard or scrap metal processing facility, and to pay for the costs of relocation, removal or disposal thereof. Where additional property is acquired for the relocation of such junkyard, or scrap metal processing facility, the commissioner may enter

into a written agreement with the owner of such junkyard or scrap metal processing facility to convey such property as is deemed necessary for the purposes of this subdivision to such owner on terms beneficial to the state. In connection with the acquisition of property for the purposes of this section, the commissioner of transportation may acquire, in the same manner as property is acquired for state highway purposes pursuant to this chapter, and dispose of, in any reasonable manner, all or any part or portion of the junk on such property.

7. Any junkyard or scrap metal processing facility established or maintained in violation of this section or any rule or regulation promulgated pursuant thereto, is hereby declared to be, and is, a public nuisance and such junkyard or scrap metal processing facility may be abated and removed through an action at law or in equity, or a combination thereof, brought by the commissioner of transportation in the name of the people of the state of New York, or such junkyard or scrap metal processing facility may be abated and removed by the commissioner of transportation giving thirty days' notice, by registered mail, to the owner of the property on which such junkyard or scrap metal processing facility is located to remove same and if the owner of the property fails to act within thirty days as required in the notice, the commissioner of transportation or his duly authorized agent shall cause the removal of such junkyard or scrap metal processing facility at the expense of the owner of the property.

8. Nothing in this section shall be construed to abrogate or affect the provisions of any statute, lawful ordinance, regulation or resolution which are more restrictive than the provisions of this section.

9. The commissioner of transportation is hereby authorized to enter into an agreement or agreements with the secretary of transportation of the United States, as provided by title twenty-three of the United States code, as amended, relating to the control of junkyards and scrap metal processing facilities in areas adjacent to the interstate and primary highway systems, and to take action in the name of the people of the state of New York to comply with the terms of any such agreement.

ARTICLE V

COUNTY SUPERINTENDENTS

Section 100. Appointment and salary of county superintendent.
102. General powers and duties of county superintendents.
102-a. Deputy county superintendent.
103. Temporary obstruction of highways.
103-a. Obstructions and removals.
104. Closing highways.
104-a. Designating as restricted highways under construction or reconstruction.

§ 100. Appointment and salary of county superintendent. The board of supervisors of any county may appoint a county superintendent, determine the amount of the bond which he shall give, fix his salary, and provide for the payment of all the necessary expenses incurred while in the performance of his duties, which salary and expenses shall be a charge against the county road fund, and may remove such county superintendent for malfeasance or misfeasance in office, upon written charges, after an opportunity to be heard, not less than five days after the service upon such superintendent of a copy of such charges. The term of office of each superintendent or county engineer appointed by any other law to perform the duties of county superintendent shall be four years unless sooner removed by the board of supervisors as above provided.

§ 102. General powers and duties of county superintendents. The county superintendent appointed as provided in this article shall:

1. Have supervision of all roads and bridges comprising the county highway system, together with any other roads, bridges, including bridges over canals and railroad bridges and state and interstate highways for which responsibility is imposed upon the county under any lawful agreement made by the county or under any other provision of law.

2. Visit and inspect the county roads and county bridges of his county so often as shall be necessary. Visit and inspect any specified city, town or village highway or bridge of his county when requested in writing by the town superintendent, city or village mayor and advise and direct the town superintendent or the appropriate city or village official how best to repair, maintain and improve such highway or bridge.

3. Shall prepare and submit annually, in the manner prescribed by and on or before the date fixed by or pursuant to law, a statement of the amount necessary to be raised by the board of supervisors for the construction, improvement and maintenance of such county roads for the ensuing year, showing the amount by towns and as a total and the location where any permanent repairs are required to be made.

4. Examine the various formations and deposits of gravel and stone in his county, for the purpose of ascertaining the materials which are best available and suitable for the improvement of highways therein.

5. Establish, or cause to be established, such grades, and recommend such means of drainage, repairs and improvements, as seem to him necessary whenever requested by the town superintendent or town board.

6. Approve plans and specifications and estimates for the erection and repair of bridges and the construction and maintenance of town highways.

7. Report to the department of transportation annually, on or before October first in each year, in relation to the highways and bridges in his county, containing such matter and in such form as may be prescribed by the department of transportation, and file a duplicate thereof with the clerk of the board of supervisors. Additional reports shall be made from time to time when required by the department of transportation in respect to such matters as may be specified by it.

9. During the construction or improvement of any highway or road, if such highway or road be closed to the traveling public and another existing highway is caused to be used in lieu of the closed highway or

road as provided in section one hundred and four of this chapter, provide, erect and maintain a sufficient number of detour signs so that the temporary route or detour shall be clearly indicated throughout its entire length, and upon the discontinuance of said temporary route or detour, cause said signs to be removed, and the cost of all thereof shall be paid out of any moneys available for the construction or improvement or maintenance of such highways or roads, respectively.

10. Accurately ascertain and locate the corners of the established boundaries of counties, towns, cities and villages and, where townships were originally subdivided into lots to accurately ascertain and establish such lot corners if any such corners will be located within the bounds of the improved part of any state or county highway or county road.

If the county superintendent shall not be a civil engineer he may hire a competent civil engineer to locate such corners. In either case he may employ such other assistants as may be necessary, the cost and expense thereof to be a county charge.

Nothing in this subdivision contained, however, shall be construed to extend to the location of the corner or other boundaries of city, or village lots, or farm lands, except as they may be, incidentally, the corners of the boundaries of counties, towns, cities, villages or original subdivisions of towns, except, also, that where the corners or boundaries of city or village lots, or farm lands, have been located and a monument placed before the improvement of such highway, the owner of such city or village lots or farm lands may point out to such engineer the location of such monument, and upon such owner furnishing a suitable monument, it shall be the duty of such engineer to erect such monument in the manner heretofore provided.

11. Cause noxious weeds, briers and brush growing within the bounds of county roads and town highways improved by county aid to be cut and removed between July fifteenth and August fifteenth, and as many other times as he may deem necessary, in each year, and perform such other duties as may be prescribed by law, or the rules and regulations of the

department.

13. File with the clerk of the board of supervisors not later than the thirty-first day of December of each year an itemized inventory of all machinery and equipment under his jurisdiction, showing the condition and estimated present value of each article, except small tools of an original value not exceeding five dollars. He shall also include with said inventory a statement as to the condition of any tool house, shop or garage under his jurisdiction and an estimated amount for necessary repairs or improvements.

14. Have the full control of all shade trees within the county roads on the county road system, but not within the limits of an incorporated village, and shall prosecute complaints for malicious injury to, or unlawful acts concerning, such public shade trees.

15. Provide for the construction of sidewalks adjacent to county roads when he is of the opinion the same are necessary. He shall have full authority to determine the type, width, location with respect to the highway, and the general construction details of such sidewalks. No such sidewalk shall be constructed in that portion of a town outside a village unless the town board consents thereto. No such sidewalk shall be constructed within any city or village unless the governing body of such city or village consents thereto. The expense of such construction shall be a proper charge against funds available for the construction, reconstruction or maintenance of county roads.

16. Notwithstanding any inconsistent provision of law, general, special or local, the county superintendent of highways of any county may, with the approval of the board of supervisors, or county legislature, permit the use of county highway machinery, tools, equipment and implements, by the superintendent of public works of any city in such county, upon such terms and conditions as may be agreed upon by the county and city involved. All sums obtained pursuant to any terms agreed upon shall be deposited in the county road machinery fund.

17. Have authority to erect signs on county roads and town highways

warning the public of the penalty for placing injurious substances on such roads or highways under the provisions of the vehicle and traffic law.

18. Removal of vehicles. a. The county superintendent shall have the power to cause the removal of any vehicle left unattended for more than twenty-four hours within the right of way of any county road or on any other public property under his jurisdiction.

b. The county superintendent shall have the power to cause the immediate removal, from the right of way of any county road, of any vehicle which obstructs or interferes with the use of such road for public travel; or which obstructs or interferes with the construction, reconstruction or maintenance of such road; or which obstructs or interferes with the clearing or removal of snow or ice from such road; or which obstructs or interferes with any operation of the county department of highways during a public emergency.

c. The owner of a vehicle removed under any of the provisions of this subdivision may be charged the reasonable cost of removal thereof.

d. The term "vehicle" as used in this subdivision, shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a road, except devices moved by human power or used exclusively upon stationary rails or tracks.

§ 102-a. Deputy county superintendent. The county superintendent of any county or the county engineer thereof appointed by any other law to perform the duties of county superintendent, with the approval of the board of supervisors, may appoint a deputy county superintendent or engineer, as the case may be, for such period or periods as the board of supervisors may determine, but limited to the term of office for which such superintendent or engineer was appointed with power and authority in the county superintendent or engineer to terminate such appointment at his pleasure. Such deputy shall act for and have all the powers and duties of such superintendent or engineer during his inability to act as

such superintendent or engineer or during the regular or approved vacation period of such superintendent or engineer.

In the event that such county superintendent or county engineer shall not appoint a deputy as provided herein, prior to or within thirty days after such inability to act shall occur, the board of supervisors may make such appointment for the period of such disability during the term of office of such superintendent or engineer, and such appointee shall thereafter continue in office for such period as the board of supervisors may determine, but within the limitation of time as hereinbefore mentioned.

The board of supervisors shall, in any event, determine the amount of such deputy's bond and fix his salary and provide for the payment of all the necessary expenses incurred while in the performance of his duties, which salary and expenses shall be a charge against the county road fund, and may remove him from office for such causes and in the same manner as provided for the removal of a county superintendent or engineer.

The provisions of law not inconsistent with the provisions of this section, applicable to the powers, duties, conduct, appointment and removal of county superintendents or engineers shall be applicable hereto.

§ 103. Temporary obstruction of highways. The necessary obstruction of a highway by the removal of buildings or other temporary obstruction shall only be allowed if a highway other than a state highway under a permit granted by the county superintendent upon the written request of the town superintendent, and if a state highway under a permit granted by the commissioner of transportation.

§ 103-a. Obstructions and removals. Obstructions, within the meaning of this section, shall include trees which have been cut or have fallen either on adjacent lands or within the bounds of the highway, in such a

manner as to interfere with public travel therein; limbs of trees which have fallen within the highway, or branches of trees overhanging the highways so as to interfere with public travel therein; lumber, wood or logs piled within the bounds of the public highway; machines, vehicles and implements abandoned or habitually placed within the bounds of the highway; fences, buildings or other structures erected within the bounds of the highway; earth, stone or other material placed in any ditch or waterway along the highway; telegraph, telephone, electric and other poles, and the wires connected therewith, erected within the bounds of the highway in such a manner as to interfere with the use of the highway for public travel.

It shall be the duty of each owner or occupant of lands situate along the highway, to remove all obstructions except such structures as have been placed or erected by a public utility corporation or for an otherwise public purpose, within the bounds of the highway, which have been placed there by such owner or occupant or with his consent. It shall be the duty of all public utility corporations, to remove and reset poles and the wires connected therewith, when the same constitute obstructions to the use of the highway by the traveling public. If temporary obstructions such as trees, lumber, wood, logs, machinery, vehicles and similar obstructions are not removed within five days after the service of a notice by mail or forty-eight hours after the service of a notice personally, upon such owner or occupant, requesting the same to be done, the county superintendent of highways shall remove such obstruction. And if permanent obstructions, including, among others, telegraph, telephone, electric and other poles and wires connected therewith, are not moved and reset within thirty days after the service of a notice personally or by mail upon the owner of such poles or wires, the county superintendent of highways shall move and reset such poles and wires. The cost and expenses incurred by the county superintendent in removing such obstructions may be recovered by the county from any person or corporation responsible therefor in an action to be instituted by the county attorney. And all recoveries under this section shall be credited to the county road fund.

§ 104. Closing highways. If it shall appear necessary to close any state highway in an emergency or in order to permit a proper completion of any work of improvement thereon, the commissioner of transportation or the county superintendent upon the request of the commissioner of transportation, shall execute a certificate and file the same in the office of the town clerk of the town in which such highway is situated. If it shall appear necessary to a county superintendent to close a county road or a town superintendent to close a town highway, said superintendent shall execute a similar certificate and file the same in the office of the town clerk in which such highway is situated. In either case, such certificate shall state the necessity for the closing of such highway and describe the portion thereof to be closed. At the time of filing such certificate the commissioner of transportation or the county superintendent, as the case may be, shall notify the contractor who is constructing, improving or repairing said state highway that the same is closed to public travel until otherwise notified and shall cause to be posted conspicuous notices to the effect that the highway is closed.

It shall thereupon be the duty of said contractor to erect suitable obstruction for closing said state highway, including the necessary lights which shall be visible to any one approaching such obstruction from one hour after sunset to one hour before sunrise and said contractor shall notwithstanding any general or special law be liable for all damages to persons or property sustained by reason of not so erecting and so lighting such suitable obstruction. If the work of improvement, construction or repairs upon a state highway is being performed by state forces, or otherwise than by contract, the representative of the department of transportation in charge of such work, shall at the time of the filing of such certificate, post conspicuous notices to the effect that the highway is closed, and shall erect and maintain a lighted obstruction in the same manner as hereinbefore described. At the time of filing such a certificate relating to a county road by the county superintendent, he shall notify the town superintendent to close said county road. Upon such notification or upon filing such certificate for closing of a town highway, the town superintendent shall thereupon close the same to

public travel by posting conspicuous notices to the effect that the highway is closed and by erecting and maintaining a lighted obstruction in the manner hereinbefore described. In case of the closing of any highway under the provisions of this section, the town superintendent shall, if practicable, provide a new location for, and construct a temporary highway to be used by the traveling public in lieu of the closed highway and may erect temporary bridges when necessary or cause other existing highways to be used. For the purpose of locating, constructing and erecting such temporary highway or bridge the town superintendent may enter upon the lands adjoining or near to the closed highway and may, with the approval of the town board, agree with the owners of such land as to the damages if any caused thereby.

If the town superintendent is unable to agree with such owner upon the amount of damages thus sustained the amount thereof shall be ascertained, determined and paid as provided in section one hundred forty-eight. When such highway shall have been closed to the public as provided herein, any person who disregards the obstruction and notice, and drives, rides or walks over the portion of the highway so closed shall be guilty of a misdemeanor.

§ 104-a. Designating as restricted highways under construction or reconstruction. The commissioner of transportation shall have the power to designate any highway under construction or reconstruction under the supervision of the commissioner of transportation, the county superintendent of highways of a street, highway or road under construction or reconstruction under his supervision, and the town superintendent of highways of a street, highway or road under construction or reconstruction under the supervision of the town superintendent, as a restricted highway, maintaining traffic thereon, subject to the provisions of article thirty-seven of the vehicle and traffic law.

ARTICLE VI
COUNTY ROADS

Section 110. Definitions.
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§ 110. Definitions. As used in this article:

1. The term "state moneys" shall include moneys paid by the state to the county pursuant to section one hundred twelve and one hundred twelve-a of this chapter and any other moneys appropriated by law for the purposes specified in section one hundred fourteen of this chapter;

2. The term "county superintendent of highways" shall include county engineer or other officer performing similar duties to county superintendent in counties having no superintendent of highways.

§ 111. Payment and apportionment of cost among counties and towns. The board of supervisors of any county, in lieu of proceeding with the construction or improvement of a highway or highways under sections one hundred and ninety-four or one hundred and ninety-five, or under the general or special law governing the construction or improvement of highways, may appropriate and contribute to the county road fund an amount to be applied to the construction or improvement, reconstruction or maintenance of such highway or highways under the provisions of this article. Such moneys may be raised by the county by tax in the manner provided in such sections or other law with respect to moneys provided for the construction or improvement of a highway or highways thereunder or may be raised pursuant to the local finance law; and the provisions of such section or laws authorizing apportionment of the expense or part thereof to the towns and prescribing the manner of such apportionment and the method of providing the town's share thereof shall apply to such county contributions. Nothing herein contained, however, shall prevent a board of supervisors from providing such contribution to the county road fund by general county tax, without apportionment of the expense to the towns.

§ 113. Annual statement of cost. The clerk of the board of supervisors of each county shall, upon or before the first day of January in each year, after the year nineteen hundred thirty-nine, transmit to the state comptroller and the commissioner of transportation a statement, signed and verified by the chairman of the board, and certified by the clerk, which shall state the total amount of county moneys provided for the construction, reconstruction and maintenance of highways under this article. The comptroller shall determine the amount due to the several counties, under the provisions of section one hundred and twelve, and shall draw his warrant upon the state treasury in favor of the county treasurer of each county for the total amount to be paid to such county.

§ 114. Sources and use of county road fund moneys. 1. State moneys, together with the amount provided by the county under section one hundred eleven of this chapter, including any moneys, collected from the towns pursuant to an apportionment made as provided in sections one hundred ninety-four and one hundred ninety-five of this chapter or other law, shall be a common fund known as the "county road fund".

2. Such moneys shall be expended for construction, reconstruction and maintenance of a county road system; for the construction, reconstruction and maintenance of highways which are required or authorized by law to be constructed, reconstructed or maintained wholly or partly at the expense of the county, whether or not such highways are a part of the county road system; for the control and removal of snow and ice from state highways and county roads; and for the construction, reconstruction and repair of highway bridges over twenty-five feet in length located on town highways or such bridges located within a village where such construction, reconstruction or repair is authorized by the provisions of this chapter; and, for the payment of principal of and interest on obligations issued to finance the cost of any expenditure chargeable to and payable from the county road fund. If the expenses for the construction, reconstruction and maintenance of a particular highway or highways are to be charged to a town or towns, the expenses for each highway shall be accounted for separately and be within the appropriation made therefor by the board of supervisors.

3. The moneys in this fund shall be deposited in one or more banks or trust companies designated as depositaries of county moneys, as provided in section two hundred twelve of the county law and shall be accounted for separate and apart from all other funds of the county, in the same manner as provided in subdivision ten of section six-c of the general municipal law. The moneys in the county road fund may be drawn upon only for the purposes for which such moneys are authorized to be expended.

4. When authorized by resolution of the board of supervisors, moneys,

other than the proceeds of borrowings, in the fund which are not required for immediate expenditure may be invested by the county treasurer in the manner provided in section eleven of the general municipal law. Any interest earned or capital gains realized on the moneys deposited or invested shall become part of such fund.

5. Notwithstanding the provisions of this section or any other general, special or local law, the board of supervisors of a county may authorize the expenditure of moneys in the county road fund other than the proceeds of borrowing for any public highway, traffic or transportation purpose of the county. Expenditures from such fund for purposes other than those described in the foregoing subdivisions of this section shall be paid by the county treasurer upon vouchers approved by such county officer or officers as shall be designated by the board of supervisors.

5. Notwithstanding any other provision of law, where and to the extent that moneys are available in the county road fund to pay for the cost of any expenditure which may be charged to and paid from the county road fund, such expenditures shall be charged to the county road fund; provided, however, that nothing in this subdivision shall prevent the financing, in whole or in part, of any expenditure for which obligations may be issued pursuant to the provisions of the local finance law.

6. Notwithstanding any other provision of law, a county may contribute funds to a city, town or village towards its fifteen per centum share of the cost of reconstructing a railroad bridge as required by subdivision three of section ninety-four of the railroad law whether or not the road, of which the bridge is a part, is under the jurisdiction of a city, village, town or county and regardless of who performs the work.

§ 115. Preparation of map showing proposed county road system. The county superintendent of highways of each county shall prepare a map showing a proposed county road system for such county to be constructed with moneys from the county road fund, such system not to include a

state highway, except that a designated state highway not under state maintenance may be included in such system and be improved by a county. This map must be approved by the board of supervisors of such county before it becomes effective; and when so approved it shall be filed in the office of the county clerk and county superintendent. An existing map of a county road system, however, may be approved by the board of supervisors and, when approved by such superintendent, such action shall be deemed a compliance with this article, when the map is filed as above provided. Thereafter, except as otherwise provided by section one hundred fourteen of this chapter, no road shall be constructed, reconstructed or maintained with any such county road fund moneys except the road set forth on such map, excepting, however, and notwithstanding any of the provisions of this article, any highway enumerated in section three hundred forty-one of this chapter that has been constructed or improved under section one hundred and ninety-four or one hundred and ninety-five, or under the general or special law governing the construction or improvement of highways, that has been constructed or improved as a state highway, may be maintained from such county road fund moneys. Amendments to such map may from time to time be made by such county superintendent and if approved by such board of supervisors shall be filed in the office of the county clerk and county superintendent. Construction in accordance with such map shall, subject to the provisions of this chapter, proceed in such manner that any money in the county road fund used in any one year shall be used so far as is practicable to build or finish complete road units or projects as shown on such map within such year and not to construct parts of units or projects divided from each other.

§ 115-a. Abandonment of unused portions of town highways on county road system. Whenever a county road or part thereof constructed as part of the county road system deviates from the line of an existing town highway, or from the line of a former town highway within the limits of an incorporated village, as shown on the map of the county road system, the board of supervisors by resolution duly adopted upon the recommendation of the county superintendent of highways, and pursuant to a written agreement with the town board or village board of trustees, or

in the event such an agreement cannot be reached with the approval of the commissioner of transportation, may abandon to the town or the incorporated village as the case may be for future maintenance, that part of the town highway or former town highway within the limits of an incorporated village not improved and modify the map of the county road system accordingly. The portion of any town highway or former town highway within the limits of an incorporated village excluded from the county road system shall be maintained by the town or village in which it is located.

§ 115-b. Removal of road or part of road from county road system. Upon the recommendation of the county superintendent of highways and pursuant to a written agreement with the governing body of a town, village or city, or in the event such an agreement cannot be reached with the approval of the commissioner of transportation, the board of supervisors of any county may remove a road or part of a road from the county road system and upon adoption of the resolution therefor by the board the county map, referred to in section one hundred fifteen of this chapter, shall be amended as provided for in said section so as to eliminate said road or part of said road from said map and said road or part of said road shall thereupon revert to the town or towns or village or city or cities wherein said road or part of said road is situated and thereafter shall be maintained by said town or towns or village or city or cities in the same manner as other town highways and village streets and city streets are maintained.

§ 115-c. Notice to municipalities where county roads are abandoned or revert to such municipalities. Whenever a county road is abandoned or reverts to a city, town or village pursuant to the provisions of sections one hundred fifteen-a and one hundred fifteen-b of this chapter, thirty days before such abandonment or reverter is effective, the board of supervisors or county legislature must give notice that such abandonment or reverter is to take place to the clerk and the mayor, supervisors or other chief executive officer of each of such municipalities within which all or part of such road is situated.

§ 116. Statement and approval of proposed work. Before any county road fund moneys are spent or obligated in any one year under article six, except as otherwise provided in this section, the county superintendent of highways shall prepare a statement of the roads on such map proposed to be constructed or reconstructed during such year. This statement must be approved by the board of supervisors of such county and shall show the location of the proposed road, the total mileage thereof and the mileage of the portion to be constructed or reconstructed in such year, the estimated cost of such construction or reconstruction, width, thickness and type. Such statement shall be made in triplicate and after final approval as hereinbefore specified one copy thereof shall be filed in the office of the board of supervisors of the county, one in the office of the county superintendent of highways and one in the office of the county treasurer. Upon recommendation of the county superintendent, the board of supervisors may authorize by resolution that a specific amount of said county road fund moneys may be used by the county superintendent for preliminary engineering and surveys to acquire necessary data for the preparation of said statement of the roads on such map proposed to be constructed or reconstructed.

§ 117. Construction and reconstruction of county roads. Construction or reconstruction of such roads, including necessary grade and culvert work, and any plans and specifications therefor, shall conform to an outline or general plan of the work, and such construction or reconstruction must be done under the immediate direct supervision of the county superintendent or a competent foreman designated by him. All or any part of such construction or reconstruction may be done by contract or by direct employment of labor and purchase of material, or both. The machinery needed for work done under this article, unless furnished by the contractor, shall be provided as follows:

The county superintendent may rent road machinery from any person, company, corporation, or from any town or towns in the county, or from any other county, and such rental shall be payable from the county road

fund; or he may use road building machinery, equipment, tools and implements purchased with county moneys, and whenever used for the purpose of this article, a charge therefor, in the nature of rental, shall be payable from the county road fund on itemized vouchers certified by the county superintendent showing where the machinery was used, together with the amount chargeable to each appropriation or construction project. The provisions of subdivision three of section one hundred ninety-five, and of subdivisions four, five and six of section one hundred ninety-four shall apply to work carried on pursuant to the provisions of this article.

§ 117-a. Highways in villages in Niagara county. The board of supervisors of Niagara county may place upon the map of the county road system and may provide for the construction, reconstruction, improvement or maintenance of a county highway through a village so as to form a continuous highway on the county road system. Such highway within a village shall be of such width and type of construction as the county superintendent deems to be adequate.

Notwithstanding any inconsistent provision of this chapter, the board of supervisors of Niagara county is also authorized to place upon the map of the county road system and to provide for the construction, reconstruction, improvement or maintenance of any street or road within the boundaries of any village, which street or road may be a direct continuation of a county highway.

Notwithstanding the provisions of any general, special or local law or any inconsistent provision of this chapter, the plans, specifications and estimate of cost of such construction, reconstruction or improvement provided in this section, may, in the discretion of the county superintendent, include the installation, construction, reconstruction, improvement of curbs, drainage facilities and retaining walls to protect pavements; the removing, relocating, constructing, reconstructing and improving any existing structures, facilities and appurtenances owned by any municipality and removing, relocating, constructing, reconstructing and improving sidewalks, and intersecting highways, roads or streets to

accommodate adjusted or changed grades of highways, roads or streets in the interest of public safety; all in addition to the relevant provisions of this chapter that relate to the preparation of plans, specifications and estimates for the construction, reconstruction and improvement of county highways.

The county superintendent shall have jurisdiction over the entire property affected by the provisions hereof to the same extent as may now or hereafter be provided by law. Any sidewalks, sewers, water mains, conduits, facilities and appurtenances that are provided pursuant to this section, shall be maintained or shall continue to be maintained, as the case may be, by the village in which they are located, or by the agency or other unit owning or having control thereof.

Notwithstanding the provisions of any general, special or local law, and in the interest of public safety and to promote public convenience in the use of highways, roads or streets hereby affected, any local rule, regulation, ordinance, law or statute hereafter enacted, which relates to or affects parking, traffic operation of vehicles, pedestrian traffic or any other traffic conditions on such highways, roads or streets in villages, shall be ineffective until the governing body of any such village shall first submit such rule, regulation, ordinance, law or statute to and it be approved by the county superintendent.

If greater width or different type of construction is desired by the municipality, the board of trustees of such village shall by resolution petition the county superintendent to provide the width and type of construction desired. The additional expense caused by the increased width or different type of construction or both shall be borne wholly by the village. The county superintendent may provide for the width and type of construction described in such petition, if the superintendent deems the filing of such petition to be timely and the construction described therein to be practicable. Whenever the county superintendent shall have approved such a village petition, the plans, specifications and estimates of cost, together with an estimate showing the additional cost to be borne by the village, to provide for the greater width or different type of construction or both, shall be submitted to the board

of trustees which, if it approve such plans, specifications and estimate of cost, shall by resolution appropriate the funds necessary to provide for the portion of the cost of construction to be borne by the village. Such fund shall, prior to the award of the contract, be deposited by the village with the county treasurer subject to the draft or requisition of the county superintendent, and a certified copy of the resolution shall be filed with the county superintendent and with the county treasurer. The moneys so required shall be raised by tax or pursuant to the local finance law. Upon the completion of a highway, road or street within a village where a portion of the cost is borne by the village, the county superintendent shall transmit to the board of trustees a statement showing the actual costs of the additional width or changed construction including a proportionate charge for engineering, and shall notify the village clerk that he will accept the work within twenty days from the date of such notice, unless protest in writing against the acceptance shall be filed by such clerk with the county superintendent. In case a protest is filed, the county superintendent shall hear the same and if it is sustained the county superintendent shall delay the acceptance of the highway, road or street until the same be properly completed. If no protest is filed, the highway, road or street shall at the expiration of the said twenty days be deemed finally completed and accepted on behalf of the village and the county, and shall thereafter be maintained in the manner provided in this section.

The provisions of this section shall not be deemed to affect the lawful authority or power of the state commissioner of transportation to regulate or limit the construction, reconstruction, improvement or maintenance of county highways.

The provisions of this section shall apply only to the construction, reconstruction, improvement or maintenance of county roads or direct continuations of county roads lying within the boundaries of incorporated villages in the county of Niagara and money from the county road fund may be used for the purposes of this section.

§ 117-b. Controlled-access highways in counties. Notwithstanding the

provisions of any general, special or local law to the contrary, a county road entirely or partly constructed, reconstructed or improved at a location where no public highway theretofore existed, may be designated within a county by the board of supervisors of such county, on recommendation of the county executive, if any, or in any other case on recommendation of the county superintendent of highways, as a controlled-access highway, to and from which the owners or occupants of abutting property or any other person shall have no right of access either as pedestrians, as operators of vehicles or in any other capacity, excepting at junctions of such highways with other public highways, and also excepting as such access may be reserved by the deed or final order of condemnation describing the property which has been or which hereafter shall be acquired for the purpose of such controlled-access highway. Such county road designated as a controlled-access highway shall be subject in all other respects to the provisions of the vehicle and traffic law, and the highway law with relation to county roads.

§ 117-c. Hawking, peddling, vending, sale of goods, wares or merchandise; Erie county; certain areas. Notwithstanding any law to the contrary, except section thirty-five of the general business law, the county of Erie shall have the power to enact a local law prohibiting hawking, peddling, vending and sale of goods, wares or merchandise or solicitation of trade in the right-of-way of county roads adjacent to arenas, stadiums, auditoriums or like facilities, which contain fifty thousand or more seats, which are used for events likely to attract large numbers of spectators, including but not limited to home games of a National Football League franchise. Provided, however, that the power to enact such local law shall be subject to the requirement that provision be made, by lease agreement, regulation or otherwise, for the hawking, peddling, vending and sales of goods, wares or merchandise or solicitation of trade in designated vending areas on the ground of county-owned lands leased for use as an arena, stadium or auditorium or like facility which contain fifty thousand or more seats; and further provided that members of the armed forces of the United States who (a) were honorably discharged from such service, or (b) have a qualifying

condition, as defined in section one of the veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section one of the veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, and who are entitled to hawk, vend, sell or peddle merchandise in the public right-of-way pursuant to sections thirty-two and thirty-five of the general business law, shall be given first preference in any assignment or vending locations or in the allocation of such locations.

§ 117-d. Pedestrian overpass to be designated as the "Jennifer Bolender Memorial Overpass". The pedestrian overpass spanning the LaSalle Expressway in the city of Niagara Falls, in the county of Niagara, known as the sixty-sixth street overpass, shall be designated and known as the "Jennifer Bolender Memorial Overpass".

§ 117-e. Pedestrian overpass to be designated as the "Police Officer Robert McLellan Memorial Overpass". The pedestrian overpass spanning Route 33 in the city of Buffalo, in the county of Erie, known as the Hickory Street Junction, shall be designated and known as the "Police Officer Robert McLellan Memorial Overpass".

§ 118. Acquisition by counties of lands for right-of-way and other purposes. 1. If a county road, proposed to be constructed or improved as provided in this article, or which shall have been heretofore constructed, or which it is proposed to repair or reconstruct as provided in this article or in which it is proposed to change the course of a dangerous section thereof, shall deviate from the line of a highway already existing, the board of supervisors of the county where such highway is located shall provide the requisite right-of-way prior to the advertisement for proposals. The execution by the property owner of an option to purchase, or of a release or agreement giving the county the right to enter and occupy property for highway purposes shall be deemed to be a sufficient acquisition of right-of-way under this article, and

upon the certification of the board of supervisors that the county has secured such options, releases or agreements from the reputed owners of all parcels of right-of-way called for by the plans, the county superintendent may proceed to advertise for proposals for the improvement. The board of supervisors shall also secure all necessary rights-of-way for drains or ditches required to properly drain the highway either during construction or after completion thereof and may also acquire lands for the purpose of obtaining gravel, stone or other material, when required for the construction, reconstruction, improvement or maintenance of such highways, or for spoil banks, together with a right-of-way to such spoil banks and to any bed, pit, quarry or other place where such gravel, stone or other material may be located.

2. The board of supervisors may also acquire lands at any corner formed by the intersection of highways, for the purpose of removing obstructions therefrom which shut off the view to intersecting highways; thereby to afford visibility or sight distance of such highways near, at and across any corner of lands at highway intersections.

3. The board of supervisors may also acquire lands at any curve along county roads, for the purpose of removing obstructions therefrom which shut off the view of, to, over and along such highway; thereby to afford visibility or sight distance at, over, along and across any such curve.

4. When requested by the commissioner of transportation, the board of supervisors shall also provide lands or rights or interests therein, including designation of controlled-access highways pursuant to section one hundred seventeen-b of this chapter, for rights of way and other purposes mentioned in this section, which the commissioner of transportation shall require pursuant to the provisions of sections eighty-one and eighty-four of this chapter. The execution by the property owner of an option to purchase, or of a release or agreement giving the state or the county the right to enter and occupy property for highway purposes shall be deemed to be sufficient acquisition of rights of way under this section, and upon the certification of the board of supervisors to the commissioner of transportation that the

county has acquired options, releases or agreements from the reputed owners of all parcels of rights of way and all rights and interests deemed necessary, or has commenced condemnation proceedings with respect thereto, the commissioner of transportation may proceed to advertise for proposals for the improvement.

5. Notwithstanding the provisions of any general, special or local law, the county superintendent of highways, his agents, contractors or employees when engaged on work connected with the county road system in the county, may pursuant to the eminent domain procedure law enter upon any property for the purpose of making surveys, test pits, test borings, or other investigations. Claims for any damage caused by such work may be adjusted by agreement by the chairman of the governing body, a member or a committee appointed for the purpose, or determined by supreme court in accordance with the eminent domain procedure law.

6. In the construction, reconstruction or improvement of a county road where an existing entrance or approach to private lands is wholly or partially destroyed as a result of a substantial change in the existing grade, or for any other reason, the board of supervisors or a committee thereof authorized to acquire the necessary rights of way for said county road, may, upon the request of the abutting property owner affected, cause the reestablishment of the entrance, approach or driveway to be adjusted to the grade of the new road, and the cost thereof shall be a county charge payable out of the county road fund. In such adjustment the details of the work shall be as determined by the county superintendent of highways. The county shall not be liable for the maintenance of such adjusted and reestablished approaches or driveways upon the lands of such abutting property owners, nor shall it be liable for damages in connection therewith after the completion of such adjustment work.

7. Within appropriations made for the construction and maintenance of county roads, and upon recommendation of the county superintendent of highways or upon its own motion, when it finds such action necessary in the interest of the public safety and welfare, because of density of population, proximity of schools and the volume of vehicular and

pedestrian traffic the board of supervisors of a county may cause sidewalks for pedestrians to be constructed along any county road either in conjunction with or subsequent to the construction of such road and, if necessary, may acquire for such purpose property or easements thereto pursuant to the provisions of article six of this chapter.

§ 118-a. Abandoning of parts of county highways. Whenever, pursuant to this act or under the provisions of any statute, any county road shall have been widened, straightened, extended, drained, paved and/or otherwise improved and in the process thereof a county shall have acquired from an adjacent owner certain lands necessary for said right-of-way by purchase, condemnation or as a gift and where under such circumstances either the grantor of said new right-of-way shall own the property on both sides thereof for the full length of the new taking or the consent in writing of any and all other owners within such area be given, and there shall be sections of the old road as it existed before said improvement which are of no further use for highway purposes to said county, the board of supervisors of said county in which said land is situated, upon the recommendation of the county superintendent of highways, may abandon to the abutting owner or owners such sections or parts of the old road as it existed before said improvement which are of no further use for highway purposes, providing the road after such abandonment shall not be less than three rods in width, and the chairman of the board of supervisors of said county is hereby authorized to execute and acknowledge in the name of the county and affix the seal of the county to a quit-claim deed or deeds of the land so abandoned and to deliver the same to the abutting owner or owners for such consideration and upon such terms and conditions as the board of supervisors of the county shall deem proper.

Whenever, pursuant to this chapter or under the provisions of any statute, the maintenance of any section of a highway by the state is discontinued by official order or otherwise and the maintenance thereof transferred to a county, and such section of such road is of no further use for highway purposes to said county, the board of supervisors in which said land is situated, upon the recommendation of the county

superintendent of highways, may adopt a resolution to abandon to the abutting owner or owners of such section of such road which is of no further use for highway purposes, and the chairman of the board of supervisors of said county is hereby authorized to execute and acknowledge in the name of the county, and affix the seal of the county to a quit claim deed or deeds of the lands so abandoned, and to deliver the same to the abutting owner or owners for such consideration and upon such terms and conditions as the board of supervisors of said county shall deem proper.

The adoption of the hereinbefore mentioned resolution by the board of supervisors shall be an immediate abandonment and discontinuance of the use for highway and street purposes of said sections or parts of the old road described in said resolution without any further or other proceeding.

Notwithstanding any other provisions of law, the superintendent of highways, with the approval by resolution of the board of supervisors, may establish parking areas on land which would ordinarily be abandoned by the highway department, due to new right-of-ways, or widening, straightening, extending, draining, paving or otherwise improving highways. The superintendent may also place upon said parking areas suitable picnic tables and facilities for the traveling public. The area so developed by the superintendent of highways shall be used for parking and resting purposes primarily and shall not be developed for or as a public park.

§ 118-b. Entry upon lands by county superintendent. The county superintendent may, when authorized by the county board, enter

1. Upon any lands adjacent to any county road for the purpose of opening an existing ditch or drain, or for digging a new ditch or drain for the free passage of water for the drainage of such road.

2. Upon the lands of any person adjoining rivers, streams or creeks, to drive piles, throw up embankments and perform such other labor as may

be necessary to keep such rivers, streams or creeks within their proper channels, and to prevent their encroachment upon county roads or bridges and culverts thereon.

3. Upon the lands adjoining county roads which, during the spring freshets or at a time of high water are subject to overflow from such rivers, streams or creeks, to remove or change the position of a fence or other obstruction preventing the free flow of water under or through such road or bridges and culverts thereon, whenever the same may be necessary for the protection of such roads, bridges or culverts.

4. Upon any lands adjacent to county roads to remove any fence or other obstruction which causes snow to drift in and upon such roads, and erect snow fences or other devices upon such lands to prevent the drifting of snow in or upon such roads.

Where lands are entered upon under the provisions of this section, the county superintendent shall agree with the owner of such lands, subject to the approval of the county board, as to the amount of damages, if any, sustained by such owner in consequence of such entry in performance of the work authorized by this section, and the amount of such damage shall be a county charge. If the county superintendent is unable to agree with such owner upon the amount of damages thus sustained the amount thereof shall be ascertained, determined and paid in the manner that damages are so ascertained, determined and paid, where rights-of-way are necessary for the construction, reconstruction, improvement or repair of county roads generally and the board of supervisors is unable to acquire such rights-of-way by purchase.

§ 119. Purchase of lands. The board of supervisors may, by resolution, authorize its chairman, a member, or a committee to purchase the lands to be acquired for the purposes specified in the preceding section.

§ 120. Petition to acquire lands. If the board of supervisors is unable to acquire land by purchase as provided for in section one

hundred nineteen of this chapter, the board may present to the county court of the county or to the supreme court, at a special term thereof, to be held in the judicial department in which said county is located, a petition for the appointment of three commissioners of appraisal to ascertain and determine the compensation to be paid to the owners of the land to be acquired and to all persons interested therein. Such petition shall describe the land to be acquired with reference to the map upon which the same is shown which shall be annexed to such petition. A copy of such petition and map shall be filed in the office of the county clerk. Such petition shall be signed and verified in the name of the board of supervisors, by the chairman or a member thereof designated for that purpose by resolution. Notice of presentation of such petition to such court shall be given by the petitioner by publishing such notice in two newspapers published in such county, once in each week for two weeks successively preceding the day of such presentation, and also at least eight days preceding the day of such presentation by serving a copy of such notice, personally or by mail, on the occupant or owner of the land to be acquired, and by posting a copy of said notice in not less than three public places in each town in which property to be acquired is located.

§ 121. Commissioners of appraisal to be appointed. Upon such presentation, such court shall, after hearing any person owning or claiming an interest in the lands to be acquired who may appear, appoint three disinterested persons as commissioners of appraisal. And in case a commissioner of appraisal shall at any time decline to serve, or shall die, or for any cause become disqualified or disabled from serving as such, the said court, at a similar special term, may, upon similar notice, application and hearing, and upon such notice to the land owners as the court may prescribe, appoint another person similarly qualified, to fill the vacancy caused thereby.

§ 122. Duties of commissioners of appraisal. The commissioners of appraisal shall take the oath of office prescribed by the constitution, which oath shall be filed in the office of the county clerk of the

county. Upon the filing of such oath the title to the lands described in the petition and map filed in the office of the county clerk shall vest in the county for the purpose of a highway forever. The commissioners of appraisal shall, with all reasonable diligence, proceed to examine such highway and lands. The commissioners of appraisal shall cause a notice to be published in two such newspapers as aforesaid, once each week for two weeks successively next preceding the day of meeting mentioned in such notice, that at a stated time and place within such county they will meet for the purpose of hearing the parties claiming an interest in the compensation to be awarded for the lands taken for such highways. Said notice shall also state the fact that a map or maps showing the land acquired had been filed in the county clerk's office. At the time and place of said meeting and at any adjournment thereof which said commissioners of appraisal shall publicly make, they shall hear the proofs and allegations of all interested parties. They may adjourn the proceedings before them from time to time, issue subpoenas or administer oaths in such proceedings; and shall keep minutes of their proceedings and reduce to writing all oral evidence given before them. They shall thereafter make and sign a report in writing, to which they shall assess, allow and state the amount of compensation to be sustained by the owners of the several lots, pieces or parcels of land taken for the purposes aforesaid. Such report shall contain the names of the owners of any parcel of land acquired as aforesaid, except that in case the commissioners of appraisal are unable to ascertain the names of such owners, they may in place of the names of such undiscovered parties insert the words "unknown owners, " in their report. The commissioners of appraisal shall file their said report, together with the minutes of their proceedings, in the office of the county clerk of such county. After said report shall have been completed and filed as aforesaid, the commissioners of appraisal shall, after publishing a notice in like manner as that provided in section one hundred twenty, apply to the county court of the county or to the supreme court, at a special term thereof to be held in the judicial department in which said county is located, to have the said report confirmed. If no sufficient reason to the contrary shall appear, the court shall confirm said report. Otherwise it may refer the same back to the said commissioners of appraisal for revision or correction; and after such revision or

correction the same proceedings shall be taken as are hereinbefore provided for, and the commissioners of appraisal shall in the same manner make renewed application for the confirmation of such report, and the court shall thereupon confirm or refer back the said report and such proceedings shall be repeated until a report shall be presented which shall be confirmed by the said court.

§ 123. County treasurer to pay awards. Within six months after the report of the commissioner of appraisal shall be confirmed as aforesaid, the county treasurer of such county shall pay to the persons named therein the amounts awarded to them for damages with four per centum interest thereon from the date of the filing of the oath of the commissioners of appraisal in the office of the county clerk. Such amounts with interest and the amounts payable in pursuance of this article shall be deemed a part of the cost of construction or improvement of county roads under this article and shall be paid from the county road fund by the county treasurer, in case of purchase upon requisition of the chairman of the board of supervisors of said county, or by any member or committee thereof designated for that purpose by said board and in case of a petition for the acquisition of such lands, upon service of a certified copy of the order confirming such awards. In case there are unknown owners, to whom the award is made in said report, the said county treasurer shall deposit the amounts awarded to them with like interest in some trust company or bank in such manner as the said court shall in the order of confirmation direct, such amount to be paid out upon the application of said unknown owners when discovered.

§ 125. Land may be sold or leased; disposition of proceeds. Any lands acquired by purchase or condemnation, for the purpose of obtaining gravel, stone or other materials, for the construction or maintenance of highways improved or constructed as provided in this article, or required for spoil banks, may be sold in accordance with the eminent domain procedure law or leased by the governing body of any county, when no longer needed for any of such purposes. The proceeds thereof shall be paid into and become a part of the county road fund. The governing body

may, where it has acquired land by purchase or condemnation as a right-of-way for a county road, sell, convey, grant or lease to the owner or owners of property adjoining the same, so much thereof as may be unnecessary for such highway purposes, provided the strip of land retained for such highway purposes is not less than sixty feet in width, and provided such sale, conveyance, grant or lease will give said adjoining owner or owners of land a frontage immediately in front of their respective premises upon the new highway and right-of-way when completed. The governing body may make such sale, conveyance, grant or lease to such owner or owners of real property for the purpose of compensating such owner or owners for damages sustained by reason of the change of the location of such highway and in full settlement thereof.

In the county of Wayne, however, if any such owner or owners of property adjoining lands heretofore acquired by said county from the R. & S. Liquidating Corporation and being formerly lands of the Rochester & Syracuse Trolley Company, for purposes of a right-of-way for a state highway, do not purchase such lands or any part thereof as may be unnecessary for highway purposes as provided by this section, within sixty days from the receipt by such owner or owners of the offer of the governing body of such county to sell such lands or any part thereof, then such board may sell and convey such lands or any part thereof, on the same terms and conditions as those of such offer or offers, to any other person or persons, and the proceeds thereof shall be used in the manner provided by this section.

§ 126. Awarding of contracts. Contracts for construction, reconstruction or work to be performed under contract for purposes authorized in this article shall be awarded by the county superintendent of highways with the approval of the chairman of the board of supervisors, except where the board of supervisors, by resolution, determines that any or all such contracts shall be awarded by such board or by the county purchasing agent; and the provisions of article five-A of the general municipal law shall apply to such contracts. Notwithstanding any other general or special law any such contract may be let to a town board without submitting the contract to competitive

bidding.

§ 127. Payments from the county road fund. 1. Except as otherwise provided in this article, no claim against the county road fund shall be paid unless such claim has first been approved by the county superintendent of highways, and shall have been audited by the board of supervisors or a duly appointed auditing officer in the same manner as other charges against the county; provided, however, that debt service payments may be made without the approval of the county superintendent of highways and without prior audit; and compensation for the services of officers and employees engaged at agreed wages by the hour, day, week, month or year may be paid without prior audit.

2. Where work is performed pursuant to a written contract which provides for partial payments as the work progresses, the county superintendent of highways shall, from time to time, in accordance with rules established by the state commissioner of transportation, prepare a voucher showing the total value of the work completed, subtracting therefrom the completed work under such contract shown in the previous voucher, if any, and from the result there shall be deducted any percentages required to be retained as provided in the contract. The county superintendent of highways shall certify on the voucher or attach thereto a certificate stating that the work has been performed in accordance with the plans and specifications. The contractor may request the payment of any retained amounts upon the deposit of securities as provided in section one hundred six of the general municipal law.

§ 129. Maintenance and apportionment of cost. Notwithstanding any other provisions of law, the maintenance of roads improved under the provisions of this article shall be the responsibility of the county under the jurisdiction of the county superintendent of highways. Notwithstanding any other provisions of law, the cost of such maintenance may be paid by the county from any funds in such county that are available and that may be legally used for highway or road purposes or from county funds raised, provided and appropriated therefor, in the

same manner as it raises, provides and appropriates moneys for the construction of a road or highway under the provisions of sections one hundred and ninety-four and one hundred and ninety-five of this chapter; or, notwithstanding any other provision of law, the cost of such maintenance may be paid from the county road fund.

In either case the county may apportion such cost of maintenance between it and the local municipalities in which such road or highway is located, and the amounts to be so borne by the county and the local municipalities, respectively, may be raised and provided in the same manner as money is raised and provided under sections one hundred and ninety-four and one hundred and ninety-five of this chapter for the construction or improvement of a road or highway where the cost thereof is apportioned between the county and a town or towns; or, such cost of maintenance, as apportioned, may be paid by the county and local municipalities, respectively, from any funds in such county and local municipalities, respectively, that are available and that may be legally used for highway, road or street purposes.

The term "improved roads" as used in this section shall be deemed to refer to and mean highways or roads with a pavement of substantial character sufficient to afford a hard driving surface at all seasons of the year and which can be efficiently maintained at all times.

§ 130. Bridges on county road system. Notwithstanding the provisions of sections two hundred and thirty-one and two hundred and thirty-three of this chapter, or any other statute, any bridge hereafter proposed to be located on such county road system, when the same is to be constructed, reconstructed, maintained or repaired with county road fund moneys, or when the same is to be constructed, reconstructed, maintained or repaired with federal and any county moneys, shall be considered and deemed for such purposes a part of the road on which it is located; and all the provisions of this section relative to such road system shall apply with equal force and effect to such bridge thereon for such purposes.

Bridges under this section shall include bridges over and across navigable streams, waters, bays or arms of the sea, whether or not the title to the bed thereof is in the state.

§ 131. County roads of additional width and increased cost at expense of village. Notwithstanding any other provisions of law, the county road system provided for in this article may include highways within an incorporated village, but if a road be constructed therein of a greater width or more expensive type of improvement than that of the connecting highway outside the village, the additional expense shall be borne by the village and the amount thereof paid into the county road fund. The village shall provide the money to pay such additional expense to be raised by tax or pursuant to the local finance law.

§ 131-a. Application. The provisions of section one hundred thirty-one-a through one hundred thirty-one-j shall not apply to bridges on the Hudson river below Waterford, or on the East river, or over the waters forming a part of the boundaries of the state.

§ 131-b. County highways and bridges. 1. A board of supervisors may, when satisfied that it is for the interest of the county, lay out, construct, open, alter or discontinue a county highway therein, or cause the same to be done, and construct, repair or abandon a county bridge therein, or cause the same to be done when the board shall deem that the interest of the county will be promoted thereby. All expenses so incurred shall be a county charge, and may be financed pursuant to the local finance law.

2. Whenever the board of supervisors of a county shall determine to construct a bridge in accordance with the foregoing provisions of this section, such board, on behalf of the county, and the town board of a town or in case of a city the board of aldermen or any similar board exercising the functions of aldermen, on behalf of such town or city, may enter into an agreement with the county, to the effect that such

town or city will operate and maintain such bridge, in case the bridge is located wholly in a town or city. In case the bridge is constructed over a stream forming the boundary line between two towns or two cities or between a town and city, then they may agree with the county to operate and maintain such bridge jointly, in proportion to the assessed valuation of such town or city. The sum which the town or towns, city or cities are obliged to pay under such an agreement is a charge upon such towns or cities and shall be paid as other town or city charges are paid.

§ 131-c. Location and construction of bridges. The board may authorize the location, change of location and construction of any bridge, applied for by any town or towns, jointly, or by other than a municipal corporation, created under a general law, or by any corporation or individual for private purposes; and if a public bridge, erected other than by a municipal corporation, establish the rates of toll for crossing such bridge; but if such bridge is to cross a navigable stream, provision shall be made in the resolution or permission authorizing the same, for the erection and maintenance of a suitable draw, to prevent any obstruction of the navigation of such stream; and if a private bridge, provision shall be made that the draw shall be kept open as may be required to permit all vessels to pass without loss of headway. When such bridge shall be intersected by the line of counties, the action of the board of supervisors of each county shall be necessary to give the jurisdiction herein permitted. If such bridge is to cross a stream which is navigable in fact, it, including its abutments, and piers, if any, shall be located and constructed in accordance with maps, plans and specifications to be approved by the department of transportation; and not otherwise, and copies of such maps, plans and specifications showing the location, character, design and dimensions of such bridge, and the fact of such approval shall be filed in the office of the department of transportation.

§ 131-d. Construction by county of destroyed bridges. If any bridge within a county, or intersected by any boundary line of a county, shall

be destroyed by the elements, and the board of supervisors of the county shall deem that the expenses of the construction of a new bridge at or near the site of the bridge so destroyed would be too burdensome upon the town or towns within such county, which would otherwise be liable therefor, the board of supervisors of any such county may provide for the construction and completion of a bridge and all necessary approaches thereto, at or near the site of the bridge so destroyed. If the bridge so destroyed shall have been constructed by a corporation created under a general law, and the site thereof, and the approaches thereto, or either, shall be the property of such corporation, such board of supervisors may purchase the interest of such corporation, or any other person, in such site or approaches, if such purchase can be accomplished upon reasonable terms; but if such site or approaches can not be lawfully acquired by such purchase, or otherwise, upon reasonable terms, such board may acquire title to premises on either side of such site, and provide for the construction of a bridge and approaches thereto, at such place, at the expense of the county or of the two counties jointly, as the came may be, provided such bridge shall be so located as not to increase the distance to be traveled upon the highway to reach each end of such bridge more than five rods. Any board of supervisors providing for the construction of any such bridge may determine by resolution whether the expenses of the maintenance and repair thereof shall thereafter be a county charge, or a charge upon such town or towns.

§ 131-e. Bridges over county lines. The board shall provide for the care, maintenance, preservation and repair of any draw or other bridge intersecting the boundary line of counties or towns, which bridge is by law a joint charge on such counties or towns, or on the towns in which it is situated; and to severally apportion, as it may deem equitable, the expenses thereof on the towns respectively liable therefor, or on the respective counties when liable; but when such bridge shall span any portion of the navigable tide-waters of this state, forming, at the point of crossing, the boundary line between two counties, such expense shall be a joint and equal charge upon the two counties in which the bridge is situated, and the board of supervisors in each of such counties shall apportion such expense among the several towns and cities

in their respective counties, or upon any or either of such towns and cities, as in their judgment may seem proper; and if there be in either of said counties, a city, the boundaries of which are the same as the boundaries of the county, then it shall be the duty of the common council of such city, to perform the duty hereby imposed upon the boards of supervisors; but no town or city not immediately adjacent to such waters at the points spanned by said bridge shall be liable for a larger proportion of such expense than the taxable property of such town or city bears to the whole amount of taxable property of such county. The board of supervisors of such counties or, in any city embracing the entire county and having no board of supervisors, the common council, shall have full control of such bridges. No such bridge shall be constructed unless the board of supervisors in each of such counties, and the common council of the city whose boundaries are the same as the boundary of the other county adjacent to such waters, shall first by resolution determine that such bridge is necessary for public convenience. Whenever any bridge now spanning any such navigable tide-waters or hereafter erected across any such navigable tide-waters, shall be condemned by the United States authorities as an obstruction to navigation, and shall be ordered removed, the county and city authorities having charge of such bridge, if they shall determine that such bridge shall be rebuilt, shall, as soon as practicable after such determination, cause plans to be prepared for the erection of the new bridge and the removal of any bridge so condemned as aforesaid, and within a reasonable time after the approval of any such plans by the United States authorities, the proper officers shall proceed with the construction of said new bridge. In case of any unreasonable delay on the part of the officer or officers charged with the duty of construction of such new bridge, such duty may be enforced by mandamus upon the application of any citizen interested in its performance.

§ 131-f. Streets outside cities. When any territory in a county containing an incorporated city of one hundred thousand inhabitants or upward, lying outside the limits of such city, has been mapped into streets and avenues pursuant to law, the board of supervisors may authorize the establishment of a plan for the grade of such streets and

avenues; the alteration of such plan of grades, or of any plan thereof that shall have been established by law; the laying out, opening, grading, constructing, closing and change of line or width, of any one or more of them, and provide for the assessment on property intended to be benefited thereby, and fixing assessment districts therefor, and for the levy, collection and payment of the amount of damages sustained and the charges and expenses incurred, or which may be necessary to incur in carrying out such provisions; the laying out of new or additional streets and avenues upon the established map or plan thereof, the acceptance by town officers of conveyances of lands, for public highways, the naming and changing of names of streets and avenues laid down on said map or plan, and the numbering or renumbering of houses and building lots fronting on such streets and avenues. But such last named power in regard to the alteration of said map or plan, laying out, opening, grading, constructing, closing and change of line, of such streets or avenues, or the numbering or naming thereof, or defraying the expenses thereof, shall only be exercised on the petition of the property owners, who own more than one-half of the frontage on any such street or avenue, or on a certificate of the town board and commissioners of highways of the town, that the same is, in their judgment, proper and necessary for the public interest. If the streets and avenues in respect to which such action is proposed to be taken, shall lie in two or more towns, a like certificate shall be required of the town board and commissioners of highways, of each town. Before making such certificate, such town board, or boards and commissioners of highways, shall give ten days' notice by publication in one of the daily papers of the county, and by conspicuously posting in six public places in each of such towns, of the time and place at which they will meet to consider the same, at which meeting the public, and all persons interested, may appear and be heard in relation thereto. No such street or avenue shall be laid out, opened or constructed, upon or across any lands acquired by the right of eminent domain, and held in fee for depot purposes by any railroad corporation, or upon or across any lands now held by a corporation formed for the purpose of improving the breed of horses, without the consent of such corporations. No town officer shall charge anything for his services under this section, nor shall any charge be made against any such town or the property therein, for the

expense of the publication of the notice herein required.

§ 131-g. Regulation of toll rates. 1. Such boards shall have power by a vote of two-thirds of all the members elected to authorize an alteration, reduction or change of the rates of toll charged or received by any turnpike, plank or gravel road, or other toll road within such county, or by any bridge company or ferry within such county, or, if within more than one county, then by joint action with the supervisors of such counties, provided such alteration shall be asked for by the directors, trustees or owners of such road, bridge or ferry; but that no increase of toll shall be so authorized unless notice of such proposed increase shall have been published once each week for three successive weeks in a newspaper having general circulation in each town in which such road or bridge is located or in which such ferry is operated, commencing at least thirty days prior to the date of such authorization; and any alteration in rates of toll authorized by any board of supervisors may be changed or modified by any subsequent board, on their own motion, by a like vote of two-thirds of all the members elected to such board; but nothing in this section contained shall affect or abridge the powers of any city.

2. In the case of rates of toll for a ferry, such boards shall be authorized to adopt a local law to provide that a ferry shall carry without charge or fee of any kind for transportation between points wholly within the state of New York any member of the United States armed forces in uniform during their term of enlistment in the service of the United States. Provided, however, that the provisions of this subdivision shall not apply to a ferry owned or operated by a municipality that is subject to the provisions of section one hundred four of the transportation law.

§ 131-h. Separate highway districts in certain counties. The board may establish separate highway districts in counties containing more than three hundred thousand acres of unimproved unoccupied forest lands, for the purpose of constructing highways through such lands; such highway

districts to be established upon the application of the owners of more than one-half to the non-resident lands therein. Any such highway district shall consist of contiguous tracts or parcels of land, and may include parts of one or more towns; and they may be changed, altered or abolished at any time by the board. Such board may appoint one or more commissioners to lay out and construct such highways in any such district, and prescribe the powers and duties, and direct the manner in which highway taxes shall be assessed, levied and collected upon the lands within the district, and the manner of expenditure thereof.

If obligations should be issued on behalf of the district, the board may, for the purpose of repaying such loan, set aside and appropriate the highway taxes upon such lands, for a period not exceeding ten years from the time of making such loan.

The board may, upon the application of the owners representing a majority in value, as shall be ascertained from the last annual assessment-roll of the real estate lying along the line of any highway, laid out through unimproved lands, in cases not provided for in the last preceding section, authorize the appropriation of the non-resident highway tax on the lands lying along such line, for the improvement of such highways.

The board may direct the expenditure of any non-resident highway or bridge tax, set apart by an act of the legislature, in counties wherein such non-resident lands are situated, when the official life of commissioners appointed to receive and expend such taxes has expired.

§ 131-i. Boundary lines. Wherever the words "upon its borders" are used in this article in reference to the boundary line between two towns, the same are and were intended and shall be construed to mean "upon," "along," and "across its borders."

§ 131-j. Development of highways and other improvements in certain counties. 1. The board of supervisors of any county having a population

of more than twelve thousand and adjoining a county having a population of four hundred thousand or more may appoint seven citizens and resident taxpayers of said county, who when so appointed shall constitute a board of commissioners under the name and style of "..... county planning and development commission," the name of the county to be inserted in the blank space. Two of such commissioners first appointed shall hold office for a term to expire December thirty-first of the year in which they are appointed; three for a term to expire December thirty-first of the year next following the year of their appointment; two for a term to expire December thirty-first of the second year following the year of their appointment; and thereafter each commissioner shall hold office for a term of three years, such terms to expire December thirty-first of the third year. In case any of the persons so appointed shall not undertake the office of said commission, or in case of vacancy occasioned by the expiration of term of office or otherwise, such vacancy shall be filled by a majority vote of the said board of supervisors, and the persons so appointed shall hold office for the term of three years from the date of the expiration of the term of office of the commissioner in whose place he is appointed, except that when a person is appointed to a vacancy occurring before the term of office in which the vacancy occurs shall have been completed such person so appointed shall hold his office for the remainder of the said term not completed by his predecessor and until another shall be appointed in his place. No member of said commission shall receive any compensation for his services as commissioner, but each commissioner shall be entitled to receive his actual disbursements and expenses in performing the duties of his office.

Each commissioner shall before entering upon the duties of his office take and subscribe the oath prescribed by the constitution of the state, which oath shall be filed in the office of the county clerk. The clerk of the board of supervisors of the county shall call a meeting of said commissioners to be held at the court house within ten days after their appointment for the purpose of organization. Such commissioners shall thereupon proceed to organize and at such meeting, or at any subsequent meeting, select a president, vice-president, secretary and treasurer, who shall, except the secretary, be members of the commission. Such

commission may adopt a seal and a majority of such commissioners shall constitute a quorum for the transaction of business. The commisison may employ such counsel as may be necessary and may also employ experts and other assistants and incur such other expenses as may be found necessary within the amounts appropriated by the board of supervisors of said county, and the disbursements and expenses of the commission within the amounts thus appropriated are hereby declared to be a county charge. The commission shall keep a record of its proceedings which together with its approved maps, adopted plans, documents and acts shall be a public record and be open to public inspection at such times and under such reasonable regulations as the commission shall determine. The said commission shall maintain a suitable office where its maps, plans, papers and records shall be kept. And for the purposes of this act such commission is empowered to employ and at pleasure discharge such officers and employees as it may deem necessary and may determine their duties and fix their compensation, to be paid as other county salaries are paid, provided, however, that the total of such salaries shall be within the amount appropriated by the board of supervisors for that purpose.

3. The commission shall from time to time and at least semi-annually make a report to the board of supervisors of the work done by it.

4. The commission shall from time to time prepare and submit to the board of supervisors of the county proposed plans and suggestions for action by such board of supervisors for the construction of highways within the county and such plans may show the proposed changes in width or route of such highways and the location of desirable new trunk line highways. Such plans shall also show, so far as practicable, the subdivision of the county into drainage areas and adequate water supply system and other matters which would tend to improve the sanitary conditions of the county.

5. The commission shall have the right on behalf of the county to take in fee or otherwise by gift or devise lands or rights and interest therein, or to receive by gift, contribution or bequest money or property to be used for any of the improvements as may be approved by

the board of supervisors as herein provided, all of which gifts, devises or bequests shall be to and in the name of the county, which is hereby authorized by and through the commission to accept the same for one or more of the purposes as in this act provided, or to reject the same. All such moneys so given or bequeathed shall, unless otherwise provided by the terms of such gift or bequest, be deposited with the county treasurer and be subject to the order of the commission as may be provided by resolution of the board of supervisors.

6. The commission on behalf of the county may and it hereby is authorized to apply to the proper authorities of the state of New York for a grant or grants of land under water, adjacent to any uplands now or hereafter owned by the county and the land board, or other state officials authorized to make and execute grants of land under water for and on behalf of the state of New York shall and they hereby are authorized and directed to release to the county any and all rights of the state therein, such grants to be subject to such conditions and restrictions as to it or them shall seem proper, but for a nominal consideration.

7. The board of supervisors may by resolution passed at any regular, special or monthly meeting adopt, modify and ratify or reject any plans or suggestions that may be reported to it by said commission and if and when so adopted, modified and ratified said board of supervisors may at the same time estimate the cost of the improvements, or at any one or more subsequent time or times, and may make additional estimates of the cost of such improvements to be made as by such plans or suggestions set forth, and also the expenses of said commission as the board of supervisors may by resolution from time to time authorize.

8. It shall be the duty of the board of supervisors to cause to be raised annually in each fiscal year by tax upon the taxable property of said county in the same manner as other taxes are levied and collected, a sufficient sum to pay the principal of and interest on any bonds or notes issued to carry out the provisions of this section. It shall also be the duty of said board of supervisors in like manner to cause to be raised annually in each fiscal year a sum sufficient to pay all charges

and expenses legally chargeable against the county for the care, maintenance and operation of any public improvement created as specified in this section.

§ 131-k. County aid for construction and improvement of certain public highways and bridges in municipalities. 1. The legislative body of a county may, upon consent of the governing body of any municipality situated in such county, provide for the construction, reconstruction or improvement of any highway, bridge or culvert or section thereof connecting county or state highways or highways improved pursuant to sections one hundred ninety-five or one hundred ninety-six of the highway law or which is an arterial situated within such municipality and deemed by the county legislative body to serve a vital transportation need of the county pursuant to this section. The entire cost of any such construction, reconstruction or improvement shall be borne by the county excepting the costs and expenses of relocating or altering private utilities, public authority utilities or utilities owned by such municipality within the designated area, and the expenses of relocating or altering public authority utilities or utilities owned by such municipality shall be considered municipal charges. For purposes of this section, the term "municipality" shall include only a city, town or incorporated village. The expenditure of money by the county for any object or purpose authorized by or pursuant to this act is hereby determined to be for a county purpose and such county, by resolution of its county legislative body, may appropriate and expend any available county moneys to pay all or part of the cost of any such object or purpose, or such cost may be financed, in whole or in part, pursuant to the local finance law.

2. The county legislative body may, by resolution, direct the county superintendent of highways to examine such highways, bridges and culverts, or sections thereof and submit a report to the county legislative body. Upon receipt thereof the county legislative body may direct the county superintendent to prepare or cause to be prepared designs, plans, specifications and estimates of the costs of construction, reconstruction or improvement. The county legislative body

may thereupon adopt a resolution providing for the construction, reconstruction or improvement as submitted, or with any modifications it may approve.

3. The county legislative body may award a contract for the construction, reconstruction or improvement, as herein provided. However, no contract for such work shall be let by the county legislative body until the governing body of such municipality has appropriated funds sufficient to pay the estimated cost of relocating or altering public authority utilities or municipally owned utilties located within the designated project area as set forth in the county resolution, nor shall the county legislative body award a contract for such construction, reconstruction or improvement until all necessary rights-of-way, easements and land, title to which is not already vested in the municipality shall have been acquired by the municipality at the municipality's expense, and proposed grade crossing eliminations have been approved by the appropriate authority.

4. The construction, reconstruction or improvement authorized by the county legislative body pursuant to this section shall be performed under the direction and supervision of the county superintendent of highways.

5. Payments for construction, reconstruction or improvement authorized by the county legislative body pursuant to this section shall be made from time to time by the county treasurer upon the certificate of the county superintendent of highways.

6. Upon completion of a construction, reconstruction or improvement authorized by the county legislative body pursuant to this section, the highways, bridges or culverts, or sections thereof, shall be thereafter maintained and repaired by the municipality in which they are situated, unless the municipality and county shall, by written agreement, provide that such highways, bridges or culverts, or sections thereof, or approaches thereto shall be thereafter maintained and repaired by the county. There shall be no transfer of title to the county from the municipality therein of any highway, bridge or culvert, or section

thereof constructed, reconstructed or improved pursuant to this section.

7. The provisions of this section shall not apply to counties wholly contained within a city.

§ 133. Machinery, tools, equipment, implements, materials and supplies. 1. There is hereby continued in each county the separate fund, known as the county road machinery fund. Such fund shall consist of, and there shall be credited to such fund (a) such amounts as the board of supervisors by resolution may, from time to time, appropriate thereto from the general fund, (b) all rentals received from any source for the use of county owned machinery, equipment, tools and implements, including amounts payable pursuant to section one hundred seventeen of this chapter, (c) all amounts payable thereto under the provisions of subdivision three of this section, and (d) all other moneys received for such fund from any other source pursuant to law.

2. The board of supervisors may, at any regular or special meeting, appropriate available moneys in such fund for (a) the purchase and repair of machinery, tools, implements and equipment to be used for highway, snow removal or bridge purposes, (b) the operation of such machinery, tools, implements and equipment and supplies therefor, (c) the operation of necessary shops or garages under the jurisdiction of the county superintendent, (d) the acquisition, construction, reconstruction or repair of buildings, under the direction and supervision of the county superintendent, for the housing or repair of such machinery, tools, implements and equipment, and (e) the purchase of materials and supplies adequate to provide a central stock-pile, on an annual basis for highway, snow removal and bridge purposes. Should such fund at any time become larger than necessary for the annual requirements, any excess amount may, upon recommendation of the county superintendent, be transferred to the general fund by resolution of the board of supervisors.

3. Whenever materials and supplies from a central stock-pile, established pursuant to subdivision two of this section, are used for

any highway, snow removal or bridge purpose, the cost of such materials and supplies shall be considered as an expense of such purpose. On or before the tenth day of each month, the county superintendent shall prepare itemized vouchers, properly certified by him, covering the cost of such materials and supplies used during the preceding month and submit the same for audit. Payments therefor shall be made to the county road machinery fund from appropriations provided for the purposes for which the materials and supplies were used.

4. The county superintendent shall make all purchases chargeable to the county road machinery fund. The superintendent may, with the approval of the board of supervisors or of a duly authorized committee thereof, sell any machinery, equipment, tools and implements used for highway, snow removal or bridge purposes no longer needed by the county, or which shall have become worn out or obsolete, or may exchange the same or surrender it to the vendor as part payment for new machinery, equipment, tools and implements. If sold, the proceeds shall be credited to the receipts of such funds and become a part thereof. Any purchase of new machinery, of a value in excess of ten thousand dollars, in order to become effective, shall have the approval of the board of supervisors, or a committee of the board duly authorized and designated by the board for such purpose.

5. No claim chargeable to the county road machinery fund shall be paid by the county treasurer unless such claim has first been approved by the county superintendent of highways and shall have been audited by the board of supervisors or a duly appointed auditing officer in the same manner as other claims against the county; provided, however, that debt service payments may be made without the approval of the county superintendent of highways and without prior audit; and compensation for the services of officers and employees engaged at agreed wages by the hour, day, week, month or year may be paid without prior audit.

§ 133-a. Rental or hiring of county highway machinery, tools or equipment. The board of supervisors or county legislature of any county may, on the recommendation of the county superintendent of highways,

permit the use of any county-owned street or highway machinery, tools or equipment, by any municipal corporation, political subdivision, district, district corporation or school district located within the state, upon such terms and conditions as may be agreed upon by the parties involved. Moneys received by a county pursuant to the provisions of this section shall be paid into the county road machinery fund.

§ 134. Purchases by county purchasing agent. Notwithstanding any other provisions of this article any county may, by a resolution of its board of supervisors regularly adopted, provide that all, or any part or class of supplies, materials, tools, implements and equipment, including purchase or rental of road machinery, required for any purpose authorized in this article, shall be purchased or contracted for by the county purchasing agent in the manner provided by law.

§ 135. Snow removal, and cutting of weeds. The board of supervisors of any county may annually appropriate and expend such sum as it deems proper for the removal of snow from the county roads of the county, and for sanding, or otherwise treating them, for the purpose of removing the danger due to ice and snow thereon. The board shall designate the county roads from which the snow is to be removed and the work shall be conducted in a manner to be determined by the board under the direction of the county superintendent of highways.

The board may also annually appropriate and expend such sum as it deems proper for the planting of trees, the cutting and removal of noxious weeds, briers and brush within the bounds of county roads and town highways improved by county aid, and the purchase and erection of snow fences, or other structures to prevent the drifting of snow on the said roads and highways; and the county superintendent may when authorized by the board of supervisors enter lands adjacent to a county road to remove any fence or other structure which causes snow to drift in and upon such county road, and erect snow fences or other devices upon such lands to prevent the drifting of snow in or upon such county

roads.

Whenever any equipment acquired by a county as provided in this section is not needed by the county, the county superintendent may lease such equipment to (a) any town or towns in the county to be used on town highways under the direction of the town superintendent, (b) or to the state commissioner of transportation.

Where lands are entered upon under the provisions of this section, the county superintendent shall agree with the owner of such lands, subject to the approval of the board of supervisors, as to the amount of damages, if any, sustained by such owner in consequence of such entry in performance of the work authorized by this section, and the amount of such damages shall be a county charge. If the county superintendent is unable to agree with such owner upon the amount of damages thus sustained, the amount thereof shall be ascertained, determined and paid in the manner that damages are so ascertained, determined and paid, where new highways are laid out and opened and the town superintendent and the land owners are unable to agree upon the amount thereof.

§ 135-a. Control of snow and ice conditions on county roads. Notwithstanding any general, special or local law, any county or its superintendent of highways may contract with any city, town or village for the removal of snow from the county roads of a county or for sanding or otherwise treating them for the purpose of removing the danger of ice and snow, subject to such terms and conditions as may be agreed upon by the parties involved and to the approval by resolution of each of the legislative bodies of such county, city, town or village, as follows:

(a) By such city, town or village renting its highway tools or equipment to the county for such purposes at such terms as may be agreed upon;

(b) By removal of snow from county roads by a city, town or village;

(c) By sanding and otherwise treating of county roads for the purpose of removing the danger of ice and snow by a city, town or village;

(d) By removal of snow and sanding and control of ice and snow on county roads by a city, town or village;

(e) By any combination of a, b, c and d.

A county may in like manner contract with a city, town or village for the erection of county owned snow fence along a county road upon such terms and conditions as may be agreed upon. The erection of snow fence shall not be deemed to be a part of the contract entered into as described in b, c, d or e above, unless expressly so provided in writing.

Such contract or contracts shall be in writing for not longer than a period of ten years. Money received by a town pursuant to the provisions of this section shall be credited to the respective funds which were charged with the objects of expense. Money so received by a city or village shall be placed in the city or village general fund, respectively, and may be used for any lawful city or village highway purpose.

Any county shall annually appropriate and expend such sum as it deems proper for the purpose of carrying out the provisions of this section.

§ 136. Permits for work within the county road right of way. 1. Except in connection with the construction, reconstruction, maintenance or improvement of a county road or operations of a corporation pursuant to the provisions of section twenty-seven of the transportation corporations law or sections twenty-one, eighty-nine, ninety-one, ninety-three, ninety-three-a and ninety-three-b of the railroad law, no person, firm, corporation or municipality shall construct or improve, within the county road right of way an entrance or connection to such road, or construct within the county road right of way any works, structure or obstruction, or any overhead or underground crossing thereof, or lay or maintain therein underground wires or conduits or drainage, sewer or water pipes, except in accordance with the terms and conditions of a work permit issued by the county superintendent or his duly designated agent, notwithstanding any consent or franchise granted by any town superintendent, or by any other municipal authority. Any municipal corporation may enter upon any county road for the purpose of

widening the pavement or for any other purpose authorized by this section, but only after securing a permit as provided herein. Notwithstanding the limitations in any general or special law, every municipal corporation shall have and is hereby given authority to deposit with the county superintendent such a sum of money or a security bond as may be required as a condition precedent to the granting of the permit provided in this section.

2. The county superintendent shall establish regulations governing the issuance of highway work permits, including the fees to be charged therefor, a system of deposits of money or bonds guaranteeing the performance of the work and requirements of insurance to protect the interests of the county during performance of the work pursuant to a highway work permit. With respect to driveway entrance permits, the regulations shall take into consideration the prospective character of the development, the traffic which will be generated by the facility within the reasonably foreseeable future, the design and frequency of access to the facility, the effect of the facility upon drainage as related to existing drainage systems, the extent to which such facility may impair the safety and traffic carrying capacity of the existing county road and any proposed improvement thereto within the reasonably foreseeable future, and any standards governing access, nonaccess or limited access which have been established by the county superintendent.

3. Upon completion of the work within the county road right of way, authorized by the work permit, the person, firm, corporation, municipality, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.

4. An advertising sign, display or device, or any part thereof, erected in violation of this section shall be removed from the county road right of way by the owner or the party responsible for its erection. The county superintendent shall make a demand by mail, to the last known address of the owner, apparent owner or party responsible for the erection of such advertising sign, display or device, for its

removal and, if it is not removed within twenty (20) days from the date of the mailing of such demand, the county superintendent may remove any such advertising sign, display or device, or any part thereof, from the county road right of way.

5. The term "county road right of way" shall, for the purposes of this section, mean the entire width between the boundary line of all property which has been purchased or appropriated by the county for county road purposes, all property over which the county superintendent or his predecessors has assumed jurisdiction for county road purposes, all property over which the county superintendent has assumed jurisdiction during the period of construction, reconstruction or improvement and all property which has become part of the county road system through dedication or use.

6. Any person, firm or corporation violating this section shall be liable to a fine of not less than twenty-five dollars nor more than one thousand dollars for each day of violation, to be recovered by the county superintendent and paid in to the county treasury to the credit of the county road fund created under this article for the construction, reconstruction and maintenance of county roads on the county road system in accordance with the provisions of this article, and may also be removed therefrom as a trespasser by the county superintendent upon petition to the county court of the county or to the supreme court of the state.

§ 137. Maintenance of certain highways by a county. The commissioner of transportation may, and he is hereby authorized to abandon to each of the respective counties hereinafter named for the purpose of future maintenance by said respective counties any or all of certain highways within said respective counties hereinafter designated and set forth, which were constructed by the state or are now being maintained by the department of transportation as a part of the system of state highways. The respective counties hereinafter named may, and are hereby authorized to accept and take over any or all such respective highways for future maintenance, to become part of the county road system.

The highways mentioned above are designated and set forth as follows:

County	Highway number	Highway name	Miles
Albany	1562	Becker Corners-Callanan Corners	1.80
	1404	Dormansville-South Westerlo	0.86
	364	Preston Hollow-Potter Hollow	1.09
Allegany	5174	Cuba-Friendship	0.36
	1366	Van Scoters Corners-Canaseraga-Garwoods	1.42
	801	E. Rushford-Gordonville Bridge	1.00
Broome	266	Tunnel	0.91
	420	Vestal	0.88
	1451	Stella-New Ireland	4.70
	210	Harpursville	0.10
Cattaraugus	1275	Little Valley-Cattaraugus, part two	0.90
	695	Otto-Cattaraugus	1.20
	696	Otto-East Otto, part one	4.04
	697	Otto-East Otto, part two	2.27
Cayuga	752	Auburn-Wyckoff	0.14
Chautauqua	1011	Brocton-Stockton, part two	0.20
Chemung	888	Horsehead-Catlin	3.76
	946	Fitch Bridge-Elmira	0.20
Chenango	597	Norwich-Kings Settlement, part one	3.55
	598	Norwich-Preston	5.09
	666	Plymouth-Kirk	1.90
	1013	Plymouth-Hamlet	0.19
	668	Bainbridge-E. Guilford, part two	0.20
	225	Guilford	0.20
	665	Oxford-McDonough, part two	0.50
	1014	McDonough Hamlet	0.08
Clinton	1488	Altona-Obers Corners	5.96
Columbia	1152	Smith Corners-Stockport Dock	1.18
	1112	Stockport Station-Stockport	1.10
	1113	Germantown-Clermont	0.40
	540	Chatham-Spencertown	0.60
Cortland	111	Blodgetts Mills	0.75
	123	Preble-Homer	1.23

	377	Cincinnatus	0.27
	378	McGrawville	0.10
Delaware	951	Bovina Center-south	2.34
	1273	Downsville Hamlet: Main street; Maple avenue and Creamery street	0.56
	216	Roxbury	0.20
	983	Franklin-Treadwell, part one	0.80
Dutchess	1312	Barrytown-Red Hook-Rock City	0.90
Erie	1035-A	Holland-Glenwood, part one	0.40
	751	Aurora-Glenwood, part two	0.80
	1491-A	Marilla-Marilla Station	0.40
	1335	East Eden-Hamburg	4.52
	1565	Evans Center-Eden, part one	3.14
	1034	Chafee-Sardinia	4.20
Fulton	246	Gloversville-Meco-Phelps	1.13
	361	Johnstown-Tribes Hill, part one	0.51
	376	Gloversville-Bull Run	2.38
	543	Johnstown-Broadalbin, part two	0.91
	1376	Bull Run-Bleecker	2.80
	1377	Gloversville-West Perth	1.71
Greene	1348	New Baltimore Station-Coeymans	0.70
Hamilton	5268	Hope Center-Wells, part two	0.23
Herkimer	467	Newport-Norway-Cold Brook	3.94
	472	Columbia-Mohawk	2.17
Jefferson	8019	Ellisburg-Woodville	2.59
	427	Watertown-Carthage, part two	0.40
	186	Depot	1.00
	5304	Clayton-Alexandria Bay	0.40
	5403	Clayton Village	1.17
	1397	Gunn Corners-Fishers Landing, part two	0.70
Livingston	1321	Conesus-Wayland	0.48
	1350	Nunda-Dalton	0.23
	5272	Portage-Mount Morris, part one	0.97
Madison	1216	Chittenango-Lakeport, part one	1.85
	1326	Deruyter Village: Albany street	0.18
Monroe	173	Hudson avenue, part two	1.00
	400	Portland avenue, part two	0.93

	497	Pittsford-North Henrietta	0.97
	573	Sea Breeze-Nine Mile Point	0.96
	1391	Sweden-Walker	1.79
	1466	Churchville-Adams Basin	0.62
Montgomery	298	Amsterdam-Hagaman	1.23
	299	Saulwaters Corners-Youngs Corners	0.91
	397	Canajoharie-Flat Creek-Blaine	6.52
	346	Sprakers-Rural Grove, part two	2.51
Nassau	1396	Sheridan boulevard-Burnside avenue and Rockaway turnpike	2.99
	437	Jerusalem avenue-Front street	0.30
	546	New Bridge	0.50
	1203	Baldwin-Oceanside	1.56
	42.3	Wantagh Avenue	0.92
Oneida	139	Hamilton Bridge	1.26
	838	Sauquoit	0.56
	839	Augusta-Knoxboro	1.22
	1610	Hamilton College-Clinton	0.75
	5385	Oriskany Falls Village	0.26
	5633	Utica-Poland, Part 2	0.36
Onondaga	488	Belle Isle	2.02
	1073-A	Minoa-Manlius Center-Manlius	2.38
	1506	Jordan-Baldwinsville, part one	0.38
	1043 and 554	Fabius Village and Fabius	1.80
	655	Jordan-Cross Lake	1.41
Ontario	187	Bristol	0.93
	203	Gorham-Stanley, part one Gorham-Reeds Corners, part one	1.13
	333	Geneva-Canandaigua, part three	0.47
	662	Rushville-Gorham	0.52
	188	Bristol Valley	1.20
	5511	Ionia-Holcomb	1.30
Orange	500	New Hampton-Denton	0.65
	8076	Oxford-Chester	0.13
	46	Turners-Monroe	0.12
	447	Warwick-Greenwood Lake	0.08
Orleans	389	Maple Ridge, part one	3.07

	1293	Maple Ridge, part three	0.89
Oswego	746	Carleys Mills-Parish	1.11
	661	Oswego: West Fifth street and Fruit Valley	3.58
	826-1136	Pulaski-Orwell and Pulaski Village: Mill street	6.83
	1244	Phoenix-Mexico, part two	0.34
	370	Minetto	0.48
Otsego	220	Worcester	0.30
	676	Otsego-Wilsey Corners	2.03
	935	Schenevus-Westford, part one	3.85
	936	Schenevus-Westford, part two	4.15
	782	Otsego Village	0.30
	1147	Schenevus Village-Elk street	0.20
	1303	Unadilla Forks-Bridgewater	2.52
Rensselaer	200	Old Northern Turnpike	0.31
	477	Valley Falls-Tomhannock	
		Valley Falls-Johnsonville	2.30
		Valley Falls-Schaghticoke	
		Schaghticoke-Johnsonville, pt. one	
	201	Troy-Poestenkill	0.20
	439	East Nassau-Brainard	0.20
	5278-A	West Sand Lake-Averill Park	0.60
Rockland	90	Grassy Point	0.47
Schenectady	73	Quaker street, part one	0.12
	106	Quaker street, part three	0.14
	793 and 1453	Schenectady-Vischers Ferry-Niskayuna	4.28
Schoharie	1347	Gilboa-Conesville	4.41
	1234	Richmondville-Summit	0.30
Schuyler	5557	Townsend-Watkins	5.60
	1190	Watkins-Salt Point	1.15
Steuben	903	Thurston-Campbell, part two	1.80
	1101	Risingville-Campbell, part one	5.21
	5211	Painted Post-Campbell, west of inter-section with S. H. 5224	1.22
Suffolk	1525	Cold Spring-Huntington-Fort Salonga,	

		part one	1.70
	1218	Huntington Town Line-Farmingdale, part one	1.10
	1219	Huntington-Amityville, part two	0.10
Tompkins	455	Wyckoff	0.34
	606	Cayuga Heights-Ranshaw's Corners	2.12
	1003-1003-A	Mitchell street-East Town line	1.37
	1004-1431	Cooks Corners-Brookton	
		Slaterville Springs-Caroline	
		Brookton-Speedsville, part one	
		Slaterville Springs-Caroline, part two	5.00
	1432	West Danby-West Danby Station	0.42
Ulster	1418	Milton Landing-Milton	0.55
	354	Highland Landing-Highland	1.15
	1417	Wallkill-Newburgh, part one	0.20
	310	Old Post Road	0.40
	116-A	Kingston-Rifton	0.20
Washington	1109	Cambridge-Ash Grove	2.05
	1082	Cambridge Village	0.63
Westchester	1308	Hawthorne-Pleasantville	0.80
	1323	Ossining-Kitchawan-Pine Bridge	0.52
	899	Cross River-Crafts Corners	0.50
	20	White Plains-Armonk, part one	0.35
Wyoming	893	Bliss-Smith Corners	0.17
	1622	Wyoming Village: Main street	0.89

Whenever the commissioner of transportation shall determine to offer any highway above set forth to any county within which said highway is located for future maintenance, a resolution to carry out the foregoing provision of this act shall be prepared by the commissioner of transportation and submitted to the board of supervisors of such respective county. In case such board of supervisors approve of such resolution, its approval shall be certified to the commissioner of transportation, whereupon an official order shall be made and filed by the commissioner of transportation accordingly and certified copies thereof shall be filed with the chairman of the board of supervisors, the clerk of the board of supervisors, the county clerk and the county

superintendent of highways of such respective county and also with the state comptroller, and thereafter such respective highway shall be maintained by such respective county as part of the county road system.

§ 138. Bridge between Saratoga county and Warren county to be designated as the "Irving H. Densmore Memorial Bridge". The bridge across the Hudson river between the village of Corinth, town of Corinth in Saratoga county and the town of Lake Luzerne in Warren county which carries Saratoga county road 9 and Warren county road 16 shall be designated and known as the "Irving H. Densmore Memorial Bridge".

§ 139. County liable for injuries caused by defective highways and bridges. 1. When, by law, a county has charge of the repair or maintenance of a road, highway, bridge or culvert, the county shall be liable for injuries to person or property and for wrongful death sustained in consequence of such road, highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed existing because of the negligence of the county, its officers, agents or servants. A civil action may be maintained against the county to recover damages for any such injury or death; but the county shall not be liable in such action unless a notice of claim shall have been made and served in compliance with section fifty-e of the general municipal law, and unless the action is commenced in compliance with the conditions set forth in section fifty-i of the general municipal law.

2. Notwithstanding the provisions of subdivision one of this section, a county may, by local law duly enacted, provide that no civil action shall be maintained against such county for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition was actually given to the clerk of the governing body of such county or the county highway superintendent; and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained

of, or, in the absence of such notice, unless such defective, unsafe, dangerous or obstructed condition existed for so long a period that the same should have been discovered and remedied in the exercise of reasonable care and diligence; but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to the clerk of the governing body of a county or county highway superintendent and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

3. The county highway superintendent shall transmit in writing to the clerk of the governing body of the county within ten days after the receipt thereof all written notices received by him pursuant to a local law enacted pursuant to this section.

4. The clerk of the governing body of each county shall keep an indexed record, in a separate book, of all written notices, which he shall receive pursuant to such local law of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon any county highway, bridge or culvert, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five years after the date it is received.

§ 139-a. Presentation of claims for torts; actions against counties. 1. Any claim including a claim specified in section one hundred thirty-nine of this chapter which may be made against the county for damages for wrong or injury to person or property or for the death of a person shall be made and served in compliance with section fifty-e of

the general municipal law.

2. Every action upon such claim shall be commenced pursuant to the provisions of section fifty-i of the general municipal law.

3. This section shall not apply to actions upon claims for damages or compensation for property taken by condemnation for any public purpose.

ARTICLE VII

TOWN SUPERINTENDENTS

Section 140. General powers and duties of town superintendent.
141. Estimate of expenditures for highways and bridges.
142. Machinery, tools, equipment and implements.
142-b. Removal of snow and ice, making of repairs, and rental of town highway machinery; school and other districts.
142-c. Removal of snow and ice from streets and repair of sidewalks in villages.
142-d. Rental or hiring of town highway machinery, tools or equipment.
143. Town superintendents may hire machinery.
145. Purchase of gravel pits.
147. Entry upon lands by town superintendent.
148. Damages to owners of lands.
149. Drainage, sewer and water pipes, cattle passes or other crossings in highways.
150. Trees and sidewalks.
151. Expenditures for sidewalks.
153. Custody of shade trees.
154. Erection of guide boards.
155. Application for service of prisoners.
156. Penalty, and notice on bridge.
157. Assessment of cost against owners and occupants.
158. Neglect or refusal to prosecute.
159. Compensation for services of town superintendents.

§ 140. General powers and duties of town superintendent. The town superintendent shall, subject to the rules and regulations of the department of transportation, made and adopted as provided in this chapter:

1. Have the care and superintendence of the town highways and bridges and board walks or renewals thereof on highways less than two rods in width, in the town, except as otherwise specially provided in relation to incorporated villages, cities and other localities.

2. Cause such highways and bridges and the board walks or renewals thereof on highways less than two rods in width to be kept in repair, and free from obstructions caused by snow and give the necessary directions therefor, and inspect the highways and bridges within the town, during the months of April and October of each year, or at such other time as the county superintendent may prescribe; and may cause to be constructed and repaired any public roads, walks, places and avenues on any sand beach separated by more than two miles of water from the main body of his town, or on any island or part of an island in his town, although such roads, walks, places and avenues are narrower than the width of highways required by statute. Within the meaning of this section, or of any provision of this chapter referring to a renewal of a board walk on a highway less than two rods in width, the term "renewal" shall include a walk built of other material to replace such board walk.

3. Divide the town into as many sections as may be necessary for the proper maintenance and repair of the town highways therein, and the opening of town highways obstructed by snow.

4. Within the limits of appropriations employ such persons as may be necessary for the maintenance and repair of town highways and bridges, and the removal of obstructions caused by snow, subject to the approval of the town board, and provide for the supervision of such persons.

5. Construct and keep in repair sluices and culverts and cause the waterways, bridges and culverts to be kept open.

6. Cause loose stones lying in the beaten track of every town highway within his town to be removed at least three times each year between the first day of April and the first day of December. Stones so removed shall be conveyed to some place from which they shall not work back, or be brought back into the track by road machines or other implements used in repairing such highways.

7. Cause briers, brush and noxious weeds growing within the bounds of town highways to be cut and removed between July fifteenth and August fifteenth, and as many other times as he may deem necessary, in each year.

8. Cause such town highways as shall have been laid out, but not sufficiently described, and such as shall have been used for twenty years, but not recorded, to be ascertained, described and entered on record in the town clerk's office.

10. Attend public meetings called by the department of transportation, held within the county, after receiving notice thereof from the county superintendent, and his expenses necessarily incurred thereby shall be a town charge.

11. Cause the monuments erected, or to be erected, as the boundaries of town highways, to be kept up and renewed so that the extent of such highway boundaries may be publicly known, and erect and establish such new monuments as may be required by the county superintendent.

12. As often as the department of transportation shall direct, the town superintendent shall measure all town highways of his town. Such measurements shall be made either by use of a cyclometer or otherwise as the department of transportation shall direct. He shall ascertain, and indicate in his report, the town highways which have been surfaced with gravel, those which have been surfaced with crushed stone and those which have been shaped and crowned. He shall report in triplicate on forms to be prescribed and furnished by the department of transportation, the total mileage of all town highways within his town, specifying as above provided, and such report shall be filed with the

town clerk, the county superintendent, and the department of transportation, respectively.

13. Bring an action in the name of the town, against any person or corporation, to sustain the rights of the public, in and to any town highway in the town, and to enforce the performance of any duty enjoined upon any person or corporation in relation thereto, and to recover any damages sustained or suffered, or expenses incurred by such town, in consequence of any act or omission of any such person or corporation, in violation of any law or contract in relation to such highway.

14. During the construction or improvement of a town highway, if such highway be closed to the traveling public and another existing highway is caused to be used in lieu of the closed highway as provided in section one hundred and four of this chapter, provide, erect and maintain a sufficient number of detour signs so that the temporary route or detour shall be clearly indicated throughout its entire length, and upon the discontinuance of said temporary route or detour, shall remove said signs, and the cost of all thereof shall be a town charge to be included in the money levied and collected in the town for the repair and improvement of highways.

15. Collect all penalties prescribed by this chapter.

16. Report annually on such date as may be prescribed by the department of transportation, prior to January first, to the county superintendent, in relation to the town highways and bridges in his town, containing the matter and in the form to be prescribed by the department of transportation.

17. Perform such other duties and have such other powers as may be imposed or conferred by law, or the rules and regulations of the department of transportation, including the powers and duties heretofore exercised or performed by highway commissioners.

18. Maintain all sidewalks in the town constructed by the state adjacent to state highways and all sidewalks in the town constructed by

the county adjacent to county roads and, when authorized by the town board, cause the removal of snow therefrom, and the cost thereof shall be paid from the miscellaneous or other town funds.

19. Have the power to employ an engineer subject to approval of the town board.

§ 141. Estimate of expenditures for highways and bridges. The estimate of expenditures for highways and bridges, to be submitted by the town superintendent, as required by section one hundred four of the town law, shall specify:

1. The amount of money necessary to be levied and collected for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet, and board walks or renewals thereof on highways less than two rods in width, and also the amount necessary to construct or repair any public roads, walks, places or avenues on any sand beach separated by more than two miles from the main body of the town, or on any island or part of an island in the town. Such amount shall not be less than an amount which when added to the amount of money to be received from the state, under the provisions of section two hundred and seventy-nine, will equal thirty dollars for each mile of highways within the town, outside the limits of incorporated villages, except that no town having an assessed valuation of three thousand seven hundred and fifty dollars or less per mile outside of incorporated villages shall be required to levy and collect a tax under this subdivision in excess of four dollars on each thousand dollars of assessed valuation.

2. The amount of money necessary to be levied and collected for the repair and construction of bridges, having a span of five feet or more.

3. The amount of money necessary to be levied and collected for the purchase, repair and custody of stone crushers, power rollers, traction engines, road machines for grading and scraping, power trucks, power graders, turn tables, scarifiers, concrete mixers, power shovels and

distributors and tools and implements.

4. The amount of money necessary to be levied and collected for the removal of obstructions caused by snow and for other miscellaneous purposes, including the widening of a state highway under a permit as provided by section fifty-two. The amounts specified in such statement shall not exceed the limitations prescribed in section two hundred and seventy-one. If the town superintendent is of the opinion that an amount in excess of the limitations therein prescribed be raised by tax, he shall include in his statement his reasons therefor in detail.

§ 142. Machinery, tools, equipment and implements. 1. a. The town superintendent may, with the approval of the town board, purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction, snow ploughs or other devices for the removal of snow from the highways from moneys appropriated for that purpose. However, the town board may authorize the town superintendent to purchase such equipment, tools and implements without prior approval in an amount or amounts to be fixed, from time to time, by the board.

b. The approval of the town board shall not be necessary for the purchase by the town superintendent of highways equipment enumerated in subdivision one hereof, in towns of the first class in Erie county when such purchases are in amounts less than one thousand dollars, nor in towns of the second class in Erie county when such purchases are in amounts less than five hundred dollars.

2. All tools, implements and other highway equipment owned either by the town or the highway districts therein, shall be used by the town superintendent in such manner and in such places in such towns as he shall deem best. They shall be under the control of the superintendent and be cared for by him at the expense of the town.

3. The town superintendent shall annually make a written inventory of all such machinery, tools, implements and equipment, indicating each

article and stating the value thereof, and the estimated cost of all necessary repairs thereto, and deliver the same to the town board on or before September thirtieth in each year. He shall at the same time file with the town board his written recommendations as to what machinery, tools, implements and equipment should be purchased for the use of the town, and the probable cost thereof.

4. The town superintendent shall provide a suitable place for housing and storing machinery, tools, implements and equipment owned by the town and cause the same to be stored therein, when not in use. Pursuant to the provisions of article fourteen of the town law, the town board of any town may authorize the town superintendent to purchase real estate with a suitable building or buildings thereon, or to purchase real estate in the name of the town and erect thereon a building for the purpose of housing and storing such machinery, tools, implements and equipment, or to erect a building for such purposes on real estate owned by the town. Capital improvements may be made to any building erected or purchased pursuant to this subdivision.

4-a. Notwithstanding the provisions of article fourteen of the town law and of subdivision four of this section, the town board of any town in the county of Westchester which contains the whole or any part of a village that forms a separate highway district may authorize the town superintendent, for the purpose of providing for the housing and storing of machinery, tools, implements and equipment owned by the town, to purchase real estate in the name of the town with a suitable building or buildings thereon, or to purchase real estate in the name of the town and erect thereon a building or buildings, or to erect a building or buildings on real estate owned by the town, or to make capital improvements to any building or buildings owned by the town, provided that the cost of any such object or purpose shall be assessed, levied and collected from the several lots and parcels of land in the town outside of any such village in the same manner and at the same time as other town charges. The principal of and interest on any indebtedness contracted for any such object or purpose shall be assessed, levied and collected, in the first instance, in like manner, but if not paid from such source, all of the taxable real property within the town shall be

subject to the levy of ad valorem taxes to pay such principal and interest. Except where an expenditure authorized pursuant to this subdivision is to be financed, in whole or in part, pursuant to the local finance law, the authorization of any such expenditure by the town board shall be subject to a mandatory referendum in the manner prescribed in article six of the town law, provided that no person shall be entitled to vote upon the proposition for any such expenditure unless he or she is an elector and the owner of property in the town outside of any such village assessed upon the last preceding town assessment roll.

5. The town superintendent may also, with the approval of the town board, sell any such machinery, tools, implements and equipment, which are no longer needed by the town, or which are worn out or obsolete, or may exchange the same or surrender it to the vendor as part payment for new machinery, tools, implements and equipment. If sold, the proceeds shall, under the direction of the town board, be applicable to the purchase of the machinery, tools, implements and equipment mentioned in subdivision three of section two hundred seventy-one of this chapter. Where there is an incorporated village constituting a separate road district, wholly or partly in a town which has purchased machinery, tools or other highway or snow removal equipment the town board of such town may permit the use thereof by such village upon such terms as may be agreed upon.

§ 142-b. Removal of snow and ice, making of repairs, and rental of town highway machinery; school and other districts. The town board of any town may authorize the town superintendent to (1) remove snow and ice from any property within the town belonging to a school district, upon such terms as may be agreed upon by the town board and governing board of any such school district.

(2) Repair roads and sidewalks within the town belonging to a school district, upon such terms as may be agreed upon by the town board and the governing board of any such school district.

(3) Permit the use of town highway machinery, tools and equipment within the town by any fire district, special improvement district or school district, located in whole or in part in any such town, upon such

terms and conditions as may be agreed upon by the town board and the governing board or governing body of any such district.

(4) Except as otherwise provided in section one hundred forty-two-c of this chapter with respect to the use of town highway machinery, snow and ice removal equipment, tools and equipment by a village located wholly or partly within the town, permit the use of town highway machinery, snow and ice removal equipment, tools and equipment during an emergency by any city, village, town, county, fire district, special improvement district or school district, upon such terms and conditions as may be agreed upon by the town board and the governing board or governing body of any such district.

(5) Moneys received by a town pursuant to the provisions of this section shall be first applied to the credit of the fund authorized by subdivision four of section one hundred forty-one of this chapter to the extent that any expense incurred was originally charged thereto, and the balance of such moneys, if any, shall be credited to the fund authorized by subdivision three of section one hundred forty-one of this chapter.

§ 142-c. Removal of snow and ice from streets and repair of sidewalks in villages. The town board may authorize the town superintendent to (1) remove snow and ice from streets and sidewalks in any village or portion thereof within the town.

(2) Repair streets and sidewalks within any village or portion thereof within the town.

(3) Permit the use of town highway machinery, snow and ice removal equipment, tools and equipment in or by any village located wholly or partly within the town.

(4) The work authorized by this section shall be performed upon such terms and conditions as may be agreed upon by the town board of the town and board of trustees of the village.

(5) Moneys received by a town pursuant to the provisions of this section shall be first applied to the credit of the fund authorized by subdivision four of section one hundred forty-one of this chapter to the extent that any expense incurred was originally charged thereto, and the balance of such moneys, if any, shall be credited to the fund authorized by subdivision three of section one hundred forty-one of this chapter.

§ 142-d. Rental or hiring of town highway machinery, tools or equipment. Except as otherwise provided in section one hundred forty-two-c of this chapter with respect to the use of town highway machinery, snow and ice removal equipment, tools and equipment by a village located wholly or partly within the town, the town superintendent of highways, with the approval of the town board, may permit the use of any town-owned highway machinery, tools or equipment by a county or any municipality, district, district corporation, school district, community college, and any unit of the state university of New York, upon such terms and conditions as may be agreed upon by the parties involved. Moneys received by a town pursuant to the provisions of this section shall be applicable for the purposes for which amounts may be raised as provided in subdivision three of section two hundred seventy-one of this chapter.

§ 143. Town superintendents may hire machinery. The town superintendent may rent or hire machinery or equipment at a rate to be approved by the town board. The expense thereof shall be paid out of moneys provided for the repair and improvement of highways. Rentals paid by the town pursuant to this section shall not be applicable to the purchase of machinery or equipment so rented, except if pursuant to an installment purchase contract entered into pursuant to section one hundred nine-b of the general municipal law.

§ 145. Purchase of gravel pits. The town board of a town may contract for and purchase land in the name of the town containing a gravel bed or other material for use on the public highways and bridges of the town. No such land shall be purchased except at an agreed price with the owner. No such land shall be resold to any private corporation. The purchase price of such land shall be a town charge and be paid from moneys levied or collected therefor, as provided by law. All such property so acquired shall vest in and become the property of such town.

§ 147. Entry upon lands by town superintendent. The town superintendent may, when directed by the county superintendent, and when authorized by the town board, enter

1. Upon any lands adjacent to any of the highways in the town, for the purpose of opening an existing ditch or drain, or for digging a new ditch or drain for the free passage of water for the drainage of such highways.

2. Upon the lands of any person adjoining rivers, streams or creeks, to drive spiles, throw up embankments and perform such other labor as may be necessary to keep such rivers, streams or creeks within their proper channels, and to prevent their encroachment upon highways or abutments of bridges.

3. Upon the lands adjoining a highway which, during the spring freshets or at a time of high water are subject to overflow from such rivers, streams or creeks, to remove or change the position of a fence or other obstruction preventing the free flow of water under or through a highway, bridge or culvert, whenever the same may be necessary for the protection of such highway or bridge.

4. Upon any lands adjacent to highways to remove any fence or other obstruction which causes snow to drift in and upon such highways, and erect snow fences or other devices upon such lands to prevent the drifting of snow in or upon such highways.

§ 148. Damages to owners of lands. Where lands are entered upon under the provisions of the preceding section, the town superintendent shall agree with the owner of such lands, subject to the approval of the town board, as to the amount of damages, if any, sustained by such owner in consequence of such entry in performance of the work authorized by such section, and the amount of such damages shall be a town charge. If the town superintendent is unable to agree with such owner upon the amount of damages thus sustained the amount thereof shall be ascertained,

determined and paid in the manner that damages are so ascertained, determined and paid, where new highways are laid out and opened and the town superintendent and land owners are unable to agree upon the amount thereof.

§ 149. Drainage, sewer and water pipes, cattle passes or other crossings in highways. The town superintendent may, with the consent of the town board, upon the written application of any resident or taxpayer of his town or a corporation, grant permission for an overhead or underground crossing, or to lay and maintain drainage, sewer and water pipes under ground within the portion therein described of a town highway. Permission shall not be granted for the laying and maintaining of such pipes under the travelled part of the highway, except across the same, for the purposes of sewerage and draining swamps or other lands, and supplying premises with water. Such permission shall be granted upon the condition that such pipes and hydrants or crossings shall be so laid, set or constructed as not to interrupt or interfere with public travel upon the highway, and upon the further condition that the applicant will replace the earth removed and leave the highway in all respects in as good condition as before the laying of said pipes, or construction of such crossings, and that such applicant will keep such pipes and hydrants or crossing in repair and save the town harmless from all damages which may accrue by reason of their location in the highway, and that upon notice by the town superintendent the applicant will make the repairs required for the protection or preservation of the highway. The permit of the town superintendent, with the consent of the town board or county superintendent, and the acceptance of the applicant, shall be executed in duplicate, one of which shall be filed in the office of the town clerk and the other in the office of the county superintendent. In case the applicant shall fail to make any of the repairs required to be made under the permit, they may be made by the town superintendent at the expense of the applicant, and such expenses shall be a lien, prior to any other lien, upon the land benefited by the use of the highway for such pipes, hydrants or structures. The town superintendent may revoke such permit upon the applicant's failure to comply with any of the conditions contained therein.

§ 150. Trees and sidewalks. The town superintendent may, by an order in writing, approved by a majority of the members of the town board, authorize the owners of property adjoining the town highways, at their own expense, to locate and plant trees and locate and construct sidewalks along the town highways, in conformity with the topography thereof, which order with a map or diagram, showing the location of the sidewalk and tree planting, certified by the town superintendent, shall be filed in the office of the town clerk, within ten days after the making of the order.

§ 151. Expenditures for sidewalks. The town superintendent of any town may, with the consent of the town board, maintain and repair existing sidewalks in such town, and the expense thereof shall be a town charge. Where such sidewalks shall consist of a board walk not more than ten feet in width located on a highway less than two rods in width the town superintendent of such town may maintain and repair such board walk or renewal thereof and with the consent of the town board may replace such board walk with a walk of concrete or other suitable construction and the expense thereof shall be a town charge. The town board of any such town may by resolution, direct the town superintendent to construct a sidewalk along a described portion of any highway of the town, including county roads and state highways, in the manner and not exceeding an expense to be specified in the resolution, and the expense of constructing such sidewalk shall be a town charge, and shall be paid in the same manner as other town charges. No such sidewalks shall be built along any state highway until the state commissioner of transportation shall have made his consent thereto, pursuant to section fifty-four of this chapter, and no such sidewalk shall be built along any county road until the county superintendent of highways shall have made his consent thereto, pursuant to section one hundred thirty-six of this chapter. Nothing herein contained shall prevent the town board from requiring the maintenance and repair of such sidewalks and the removal of snow therefrom by the owners or occupants of property adjacent thereto as may be required by the provisions of any town ordinance adopted pursuant to

the provisions of article nine of the town law. The provisions of this section shall not apply to towns in a county containing more than three towns and adjoining a city of the first class having a population of one million or more, except that (a) in the town of New Castle, the town superintendent, upon resolution of the town board consenting thereto, may maintain and repair existing sidewalks in such town, and the expense thereof shall be a charge against the unincorporated area of said town, and (b) in the town of Greenburgh at any annual school district meeting the majority of the voters present and voting thereat may authorize the school board of such district to petition the town board to construct, maintain and repair sidewalks fronting on its school property or specified portions thereof and pursuant to such petition the town board may by resolution direct that the town superintendent provide for the construction, maintenance and repair of such sidewalks and the cost thereof shall be assessed against the school property benefited thereby and paid by such school district and (c) in the town of Mount Pleasant, the town superintendent, upon resolution of the town board consenting thereto and authorizing the same, may construct, maintain and repair or cause to be constructed, maintained and repaired sidewalks along a described portion of any highway in the town, including county roads and state highways, providing that in the case of sidewalks along county roads and state highways no sidewalks shall be built until the consents hereinabove provided are first obtained, and the expense thereof shall be a charge against the unincorporated area of the said town.

In any town in which no village is situated, the expense of constructing a sidewalk along a described portion of any highway in the town, including county roads and state highways, as herein provided, may be financed in whole or in part as provided by the local finance law, and the construction of such sidewalks may be made by contract in the manner provided by section one hundred ninety-three herein.

§ 153. Custody of shade trees. The town superintendent shall have control of all shade trees in the town highways of the town, but not within the limits of an incorporated village, and shall prosecute complaints for malicious injury to, or unlawful acts concerning public

shade trees. Upon recommendation of the town superintendent, the town board of any town may appropriate general town moneys for setting out and preserving shade trees along the highways of any class in such town; but no tree shall be so set out in a state highway without the consent in writing of the commissioner of transportation except in a village of the first or second class, nor shall any trees be so set out in a county road without the written consent of the county superintendent, except in villages of the first and second class. Trees set out in a state highway under the provisions of this section shall not be removed without the written consent of the commissioner of transportation. Trees set out in a county road under the provisions of this section shall not be removed without the written consent of the county superintendent. Trees set out in a state highway within villages of the first and second class which tend to make travel or traffic thereon unsafe or hazardous shall be removed or their location changed by the proper village autohrity when such removal or change of location is ordered by the commissioner of transportation.

§ 154. Erection of guide boards. The town superintendent may, with the consent of the town board, cause guide posts with proper inscriptions and devices to be erected at the intersections of such highways therein, as may be necessary, which shall be kept in repair by him at the expense of the town. Upon written application to him, of five resident taxpayers of any town or twenty resident taxpayers of the county in which such town is located, requesting the erection of one or more guide boards at the intersection of highways in such town, it shall be his duty to cause to be erected at the intersections mentioned in such application, such guide boards indicating the direction, distances and names of the towns, villages or cities to or through which such intersecting highways run. Such application shall designate the highway intersections at which such guide boards are requested to be erected, and may contain suggestions as to the inscriptions and devices to be placed upon such boards. The cost of the erection and maintenance of such boards shall be a town charge. If the town superintendent refuses or neglects for a period of sixty days after receiving such application to comply with the request contained therein, he shall, for such neglect or refusal, forfeit to the

town, the sum of twenty-five dollars, to be recovered by the supervisor in the name of the town and the amount so recovered shall be set apart for the erection of such guide boards.

§ 155. Application for service of prisoners. After satisfying himself that proper quarters can be secured, the town superintendent may, with the consent of the town board, request the supervisor of the town under the provisions of section ninety-three of the county law, to procure the services of prisoners serving sentence in the county jail, for general work upon the public highways of the town.

§ 156. Penalty, and notice on bridge. The town superintendent may fix and prescribe a penalty, not less than one or more than five dollars, for riding or driving faster than a walk on any bridge in his town whose chord is not less than twenty-five feet in length, and put up and maintain in a conspicuous place, at each end of the bridge, a notice in large characters, stating each penalty incurred. Whoever shall ride or drive faster than a walk over any bridge, upon which notice shall have been placed, and shall then be, shall forfeit for every offense, the amount fixed by such town superintendent, and specified in the notice.

§ 157. Assessment of cost against owners and occupants. The town superintendent shall assess the cost of,

1. Removing obstructions and moving and resetting poles and wires, pursuant to section three hundred and nineteen.

2. Such town superintendent shall serve personally or by mail upon such owner, occupant or company, a written notice, stating that at a time and place specified therein, he will assess such cost against the owner, occupant or company neglecting to perform such duty. Such notice shall be served at least eight days previous to the time specified therein. If directed against a company, it may be served upon it at its principal place of business, or upon an agent of the company within the

town. At the time and place so specified, he shall hear the parties interested, and shall thereupon complete the assessment, stating therein, the name of each owner, occupant or company, and the amount assessed against him or it, and shall return such assessment to the town clerk who shall present the same to the town board of his town. Such town board shall certify such assessment to the board of supervisors who shall cause the amount stated therein to be levied against such owner, occupant or company and any uncollected tax shall be a lien upon the land affected. The amount so levied shall be collected in the same manner as other taxes levied by such board, and shall be paid to the supervisor of the town, to be applied in reimbursing the fund from which such cost was defrayed.

§ 158. Neglect or refusal to prosecute. If the town superintendent shall neglect or refuse to prosecute for any penalty, knowing the same to have been incurred, he shall be liable to a penalty of ten dollars for every such neglect or refusal, which shall be recovered by action in the name of the town, by the supervisor, or by any taxpayer of the town who shall indemnify the town for the costs and expense of the action, in such manner as the supervisor may approve.

§ 159. Compensation for services of town superintendents. If a town superintendent shall be directed by the department of transportation to perform services in respect to the maintenance and repair of improved state highways within his town, compensation therefor shall be paid to the town out of the moneys set apart as provided in this article for such maintenance and repair. Such compensation shall be fixed by the department of transportation and shall be based on the salary fixed by the town board as compensation for his services performed for the town under this chapter. And said department of transportation shall make proper rules and regulations to carry into effect this provision.

ARTICLE VIII
TOWN HIGHWAYS

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§ 170. Survey for the laying out of a highway. Whenever the town superintendent shall lay out any highway, either upon application to him or otherwise, he shall notify the county superintendent, whose duty it shall be to either make a survey, or cause the same to be made, and the town superintendent shall incorporate the survey in an order to be signed by him, and to be filed and recorded in the office of the town clerk, who shall note the time of recording the same. Notwithstanding the provisions of any general or special law, the county superintendent, his agents, contractors or employees when engaged on work connected with laying out a town highway, may pursuant to the eminent domain procedure law enter upon any property for the purpose of making surveys, test pits, test borings, or other investigations. Claims for any damage caused by such work may be adjusted by the town board or determined pursuant to the eminent domain procedure law. The cost of such survey shall be a town charge payable in the same manner as other charges against the town.

§ 171. Highways by dedication. 1. Whenever land is dedicated to a town for highway purposes therein, the town superintendent may with the consent of the town board, either with or without a written application

therefor, and without expense to the town, make an order laying out such highway, upon filing and recording in the town clerk's office with such order a release of the land from the owner thereof. A highway so laid out must not be less than three rods in width, except that where such highway is located on a sand beach separated by more than two miles of water from the main body of the town of which it forms a part and is not an extension or continuation of a public highway already in use and has erected thereon a board walk not less than one-third the width of said highway, such highway so laid out may be less than three rods in width and must not be less than ten feet in width, provided, however, that upon certification in writing by the commissioner of transportation of the necessity therefor and the filing of such certification in the office of the town clerk of the town in which such highway is located, any such highway may be of such width, less than three rods, as the commissioner shall specify in such certificate. Section one hundred and eighty does not apply to a highway by dedication.

2. Such town superintendent may also, upon written application and with the written consent of the town board, make an order laying out or altering a highway, or discontinuing a highway, which has become useless since it was laid out, upon filing and recording in the town clerk's office, with such application, consent and order, a release from all damages from the owners of lands taken or affected thereby, when the consideration for such release is agreed upon between such town superintendent, with the approval of the town board, and the owner or owners. An order of the town superintendent, as herein provided, shall be final and the town clerk shall forthwith cause each release executed by each owner of land taken or affected by such order to be recorded in the office of the clerk of the county wherein such lands are located.

3. If a highway proposed to be constructed or improved shall deviate from the line of a highway already existing, the town board of the town where such highway is located may acquire land for the requisite right of way. The town board may, by resolution, authorize the supervisor to purchase the lands to be acquired for the purposes herein specified, at an amount not to exceed that approved by the town board.

4. The purchase price of such property shall be a town charge and may, by resolution of the town board, be paid from any funds in such town that may be legally used for such purposes.

§ 172. Application. Any person or corporation assessable for highway taxes may make written application to the town superintendent of the town in which he or it shall reside, or is assessable, to alter or discontinue a highway, or to lay out a new highway.

§ 173. Petition for acquisition. Whenever the town superintendent of highways of any township shall determine that public necessity requires the laying out of a new or additional highway, and the land therefor cannot be obtained by the dedication of the owners thereof, or if a highway proposed to be constructed or improved shall deviate from the line of the highway already existing and the town board be unable to acquire land by purchase for such requisite right of way as provided by section one hundred and seventy-one of this chapter, he may apply to the town board of his town for permission to institute a proceeding to acquire so much land as may be necessary to lay out such new or additional highway, and when such consent shall have been given by the town board of such town, the said town superintendent of highways may make application pursuant to the eminent domain procedure law to supreme court in the judicial district in which such proposed highway is situated, to obtain an order for permission to file an acquisition map of the property to be acquired.

§ 177. Damages in certain cases; how estimated. The owner of lands within the bounds of a highway discontinued may enclose the same and have the exclusive use thereof, and the benefits resulting therefrom may be deducted in the assessment of damages caused by the laying out of a highway through his other lands in place of the discontinued highway.

§ 180. Limitations upon laying out highways. No highways shall be laid

out less than three rods in width, nor through buildings or any fixtures or erections for the purpose of trade or manufactures, or any yard or enclosure necessary to the use and enjoyment thereof, without the consent of the owner or owners thereof, unless so ordered by the supreme court in the judicial district in which the proposed highway is situated; such order shall be made on the certificate of the town superintendent of the town or towns in which the proposed highway is situated, showing that the public interests will be greatly promoted by the laying out and opening of such highway; a copy of the certificate with eight days' notice of the time and place of the hearing before the supreme court shall be served on the owners of the land, or if they are not residents of the county upon the occupants; the supreme court upon such certificates, and the proofs and other proceedings therein, may order the highway to be laid out and opened, if it deems it necessary and proper. Upon confirmation by the supreme court, the town superintendent shall then lay out and open such highway as in other cases. The provisions of this section shall not apply to buildings, fixtures, erections, yards or enclosures, made or placed on such land after an application for the laying out and opening the highway shall have been made. In case the highway to be laid out shall constitute an extension or continuation of a public highway already in use, and shall not as to such new portion, exceed half a mile in length, the town superintendent may lay out such extension or continuation of a width of less than three rods, provided, however, that it be not less than the widest part of the highway of which it is an extension or continuation. In such case the town superintendent shall specify in his certificate the precise width of the new portion of such highway, and shall certify that such width is as great at least as the widest part of the highway of which it is a continuation or extension. No highway shall be laid out which shall be identical or substantially so with a highway previously discontinued or abandoned for public purposes within seven years of such discontinuance or abandonment, nor where other land or property has been conveyed to the town at the time of such discontinuance or abandonment in counties adjoining cities with upward of one million inhabitants.

§ 181. Laying out highways through burying-grounds. No private road or

highway shall be laid out or constructed upon or through any burying-ground, unless the remains therein contained are first carefully removed, and properly reinterred in some other burying-ground, at the expense of the persons desiring such road or highway, and pursuant to an order of the county court of the county in which the same is situated, obtained upon notice to such persons as the court may direct.

§ 182. Costs; by whom paid. In all cases of assessments of damages by supreme court, the costs thereof shall be paid by the town thereof, except that when reassessment of damages shall be had on the application of the party for whom the damages were assessed, and such damages shall not be increased on such reassessment, the costs shall be paid by the party applying for the reassessment; and when application shall be made by two or more persons for the reassessment of damages, all persons who may be liable for costs under this section shall be liable in proportion to the amount of damages respectively assessed to the first assessment, and may be recovered by action in favor of any person, entitled to the same.

§ 184. When officers of different towns disagree about highway. When the town superintendent of any town or officers of any village or city having the powers of town superintendents shall differ with the town superintendent or superintendents of any other town or with the officers of such a village or city having the powers of town superintendents in the same county, relating to the laying out of a new highway or altering an old highway, extending into both towns, or a town and a village or city, or upon the boundary line between such towns or such town and a village or city, or when a town superintendent of a town in one county shall differ with the town superintendent of a town or the officers of a village or city having the powers of town superintendents in another county, relating to the laying out of a new highway, or the altering of an old highway, which shall extend into both counties, or be upon the boundary line between such counties, the town superintendents of both towns or the officers of the village or city having such powers shall meet on five days' written notice, specifying the time and place, within

some one of such towns, villages or cities, given by either of such town superintendents, or officers having powers of town superintendents, to make their determination in writing, upon the subject of their differences. If they cannot agree, they or either of them may certify the fact of their disagreement to the supreme court in the judicial district where all or part of the proposed highway is located; and upon due notice to all persons interested view the proposed highway, or proposed alteration of a highway, and take such evidence as it deems proper, and shall decide all questions that shall arise on the hearing, as to the laying out or altering of such highway, its location, width, grade and character of roadbed, or any point that may arise relating thereto; if supreme court determines in favor of opening or altering any highway it shall order that all proceedings thereto are in conformance with the eminent domain procedure law.

§ 185. Difference about improvements. When the town superintendent or the officers of a village or city having the powers of town superintendents therein, shall desire to make a new or altered highway extending beyond the bounds of such town, village or city, a better highway than is usually made for a common highway, with a special grade or roadbed, drainage or improved plan, and are willing to bear the whole or a part of the expense thereof beyond such bounds, but cannot agree in regard to the same, upon written application of either of the superintendents or officers and notice to all parties interested, such court shall make an equitable adjustment of the matters, and may direct that in consideration of the payment of such portion of the additional expense by the town, village or city that desires the improved and better highway, as shall be equitable, its officers, contractors, servants and agents may go into such town, village or city, and make the grade and roadbed, and do whatever may be necessary and proper for the completion of such better highway, advancing the money to do it; the amount of damages to each owner or occupant shall be ascertained and determined by the supreme court in accordance with the eminent domain procedure law, such court shall, on notice to all parties interested, direct that the amount of damages assessed each owner or occupant, if any and all such expenses be paid by each, any or all of such towns,

villages or cities as shall be just and equitable, and the damages and expenses assessed and allowed, as in this and the last preceding sections, shall be paid and collected as if fixed by the town superintendents of the towns, or the officers of such villages or cities having the powers of such superintendents.

§ 186. Highway in two or more towns. When application is made to lay out, alter or discontinue a highway located in two or more towns, all notices or proceedings required to be served upon the town superintendents shall be served upon the town superintendent of each town; and the supreme court shall determine the amount of damages to be paid by each town.

§ 187. Laying out, dividing and maintaining highway upon town line, or wholly in one town but adjacent to another town. An application to lay out a highway upon the line between two or more towns, or wholly in one town but adjacent to another town, shall be made to the town superintendents of each town, who shall act together in the matter; and, upon laying out any such highway, the expense of opening, working and keeping the same in repair shall be borne equally by such towns. The town superintendents shall cause a map and survey of the highway to be recorded in the office of the town clerk in each of the respective towns. If such highway be upon a line between one or more towns and a city or incorporated village, or wholly in one town, village or city but adjacent to another town, village or city, such application shall also be made to the officers of such city or village having the powers of the town superintendents and such officers may agree with the town superintendents of such towns as to division of such expense. Whenever such officers shall disagree, the question shall be submitted to the county superintendent or superintendents representing the county or counties in which such highway is located and their decision shall be final when approved by the department of transportation. All highways heretofore laid out upon the line between any two towns or between a town and a city or an incorporated village, or wholly in one town, village or city but adjacent to another town, village or city, shall be

divided and allotted or redivided and reallotted, recorded and kept in repair in the manner above directed; and all bridges upon such highways shall be built and maintained jointly by the towns whether wholly located within one of them or otherwise. Such highway or part of such highway may be improved by paving, repaving, macadamizing or remacadamizing upon agreement between the town board of such towns, the village trustees of such village, or the common council, council or other governing body of such city, and the cost of such improvement be paid by each city, town or village involved, in the proportion recited in such agreement. The officers of such city, town or village may proceed with the ordering, construction and pavement of such improvement in the manner prescribed by law where a highway is situated wholly within such city, town or village except as is otherwise provided in this section. Where action by the officers of such city, town or village is required by law to be upon a petition of the owners of lands lying in and along the highway to be so improved, such petition will be sufficient if made only by the specified number of such land owners in and along the side of the highway within such city, town or village, without requiring the signatures of the owners of the land in and along the side of such highway not within such city, town or village. Plans and specifications for such improvement shall be approved by the officers of each such city, town or village involved and may provide for the maintenance of such improvement for a period not exceeding ten years after its completion. The contract for the construction of such improvement will be let subject to the approval of the officers of each such city, town or village to the lowest responsible bidder upon bids received after notice of advertisement as may be required by law in one or the other of such city, town or village, and bids may be received by the officer and at the place in one of such cities, towns or villages agreed upon by the officers of each such city, town or village involved. The construction of such improvement may be under the supervision of the officers of each of such cities, towns or villages, or under the supervision of such person or officer as may be agreed upon by the officers of such city, town or village. Where the cost of such improvement is required to be met by local assessment upon the lands benefited, each such city, town or village shall cause the portion of the cost of such improvement to be borne by each such city, town or

village, to be levied and assessed upon the lands within such city, town or village along the highway or part of the highway so improved in the same manner and with the like effect as is required by law for the assessment of the cost in part or whole of similar improvements upon a highway wholly within such city, town or village. After the completion of any such improvement such improvement shall be maintained equally by the city, town or village in which or along which such highway is laid out in the manner provided by the agreement referred to in this section to be entered into between the officers of such city, town or village. Each such city, town or village may construct and maintain, or provide for the construction and maintenance, in such highway of sidewalks, sewers, water lines, gas lines and other public service facilities to accommodate the lands adjacent to such highway and situated within such city, town or village in the manner provided for the construction and maintenance of sidewalks, sewers, water lines, gas lines and other public service facilities within a highway wholly within such city, town or village.

Where such highway is partly within a city, and where it has been designated by law as a state highway, the state, through the department having supervision over state highways, may enter into an agreement with such city allotting to the city the part of such highway to be paved, macadamized, or otherwise improved by the city, and the part of such highway to be paved, macadamized or otherwise improved by the state, in which case the city will improve the part of the highway so allotted to it in the manner in which it improves a highway situate wholly within the city, and the state will improve the portion of such highway allotted to it as a part of the state highway. Where the cost of such improvement is required by law within said city to be defrayed in part or in whole by local assessment, all of the lands within said city along the lines of the highway so divided, and extending one hundred feet at right angles therefrom, will be deemed to be benefited by the construction of such improvement by such city and will be subject to be assessed to defray the expense thereof the same as if such lands abutted upon the part of the highway so improved by such city. Where any such highway is partly within a city, and is on the county road system of town highways proposed to be constructed pursuant to the provisions of

article six of this chapter, the board of supervisors of the county, with the approval of the commissioner of transportation, may enter into an agreement with such city allotting to the city the part of such highway to be paved, macadamized, or otherwise improved by the city, and allotting to the county the part of such highway to be constructed, paved, macadamized, or otherwise improved by the county pursuant to such article, in which case the part allotted to the city shall be improved and maintained by the city in the same manner in which it improves and maintains a street situate wholly within the city, and the county shall improve and maintain the portion of such highway allotted to it as a part of the county road system of the county. The county superintendent of highways of the county, upon the execution of such agreement, shall prepare a map showing the part of such highway within the city and town allotted to the county as a part of the county road system. This map must be approved by the board of supervisors of the county and by the commissioner of transportation before it becomes effective, and when so approved shall be filed in the office of the department of transportation, county clerk and county superintendent. When the cost of such improvement within the city is required by law to be defrayed in part or in whole by local assessment, all of the lands within such city along the line of the highway so divided, and extending one hundred feet at right angles therefrom, will be deemed to be benefited by the construction of such improvement by the city and will be subject to be assessed to defray the expense thereof within the city the same as if such lands abutted upon the part of the highway so improved by the city.

§ 188. Final determination, how carried out. The final determination of the supreme court relating to laying out, altering or discontinuing a highway, and all orders and other papers filed or entered in the proceedings, or certified copies thereof from the court where such determination, order and papers are filed and entered, shall be forthwith filed and recorded in the town clerk's office of the town where the highway is located; and every such decision shall be carried out by the town superintendent of the town, the same as if they had made an order to that effect. The said town superintendent shall thereupon proceed to construct the highway so laid out, and construct any

alteration so provided for, and put the same in good condition for public travel. The expense of such construction of such new highway or alteration of an existing highway, shall be a charge upon and against the town in which such highway is constructed or any existing highway is altered, and when same is completed the town board of such town shall at the next annual meeting for auditing accounts, after such work is done, audit such claims against the town, including interest, if any, and include same in the annual tax budget to be collected from the taxpayers of said town to pay said indebtedness; such money to be paid over to the supervisor of the town and by him paid and applied to the purposes aforesaid. This amendment is made subject to the provisions of section one hundred and ninety-three, relating to contracts for construction.

§ 189. Highways by use. All lands which shall have been used by the public as a highway for the period of ten years or more, shall be a highway, with the same force and effect as if it had been duly laid out and recorded as a highway, and the town superintendent shall open all such highways to the width of at least three rods.

§ 190. Fences to be removed. Whenever a highway shall have been laid out through any inclosed, cultivated or improved lands, in conformity to the provisions of this chapter, the town superintendent shall give to the owner or occupant of the land through which such highway shall have been laid, sixty days' notice in writing to remove his fences; and if such owner shall not remove his fences within sixty days, the town superintendent shall cause them to be removed, and shall direct the highway to be opened and worked.

§ 191. Highways or roads along division lines. Whenever a highway or private road shall be laid along the division line between lands of two or more persons, and wholly upon one side of the line, and the land upon both sides is cultivated or improved, the persons owning or occupying the lands adjoining such highway or road shall be paid for building and maintaining such additional fence as they may be required to build or

maintain, by reason of the laying out and opening such highway or road; which damages shall be ascertained and determined in the same manner that other damages are ascertained and determined in the laying out of highways or private roads.

§ 192. Adjournments. If any accident shall prevent any of the proceedings required by this chapter relating to the laying out, altering or discontinuing of a highway, or the laying out of a private road, to be done on the day assigned, the proceedings may be adjourned to some other day, and the town superintendent shall publicly announce such adjournment.

§ 193. Contracts for the construction of town highways. The town board of any town may provide that the construction of new highways and bridges, or the permanent improvement or reconstruction of existing highways and bridges or repairing, rebuilding or replacing walks on highways less than two rods in width pursuant to the provisions of sections one hundred forty, one hundred fifty-one and two hundred seventy-four of this chapter, the cost of which will exceed, the amount specified for public work in subdivision one of section one hundred three of the general municipal law shall be done under contracts. All such contracts shall be awarded by the town superintendent, in accordance with estimates, plans and specifications approved or furnished by the department of transportation, as provided in this chapter, to the lowest responsible bidders, after advertisement pursuant to section one hundred three of the general municipal law. All bids for such work shall be opened in public and shall be filed in the office of the town clerk. The person to whom such contract is awarded shall execute a bond to the town, in a sum equal to at least one-half of the amount of the contracts, with two or more sureties to be approved by the town board, or in lieu thereof, a bond issued by a bonding or surety company approved by the town board, in a sum equal to at least one-half of the amount of the contracts and conditioned for the faithful compliance with the terms of the contract, and the plans and specifications and for payment of all damages which may accrue to the

town, because of a violation thereof. When such work is completed pursuant to the terms of such contract, and the plans and specifications therefor, and accepted by the town board, as being in accordance therewith, the cost of the work under the contract shall be paid out of moneys available therefor, in the same manner as other highway expenses. Payments made under such contract shall be upon certificates issued to the contractor by the town superintendent, to the effect that the work has been done under and in accordance with the terms of such contract, and the plans and specifications. All work done under any such contract shall be under the supervision of the town superintendent, or some person designated by him. The town superintendent shall file all contracts awarded under this section with the town clerk within ten days after their execution.

§ 194. Construction or improvement of town highways by county and town. 1. The board of supervisors of a county may provide for the construction or improvement under this section of a town highway or section thereof in one or more towns of the county or of a highway laid out along the boundary line between a city or village and a town or towns, at the joint expense of the county and town, as provided in this section. This section shall not apply to the construction, improvement or maintenance of any such highway or part thereof with state moneys as defined by article six, except provisions hereof which, by that article, are expressly made applicable thereto. No highway or part thereof within the county road system established as provided in article six, shall be constructed or improved under the provisions of this section except with the consent of the commissioner of transportation and in accordance with a written outline of the work, approved by him, showing the course, width, thickness and type of the proposed road.

2. The board may, by resolution direct the county superintendent to examine such highway or sections thereof, and report thereon, and if the board considers such highway or section thereof to be of sufficient importance to be constructed or improved as provided herein, it shall direct such county superintendent to prepare or cause to be prepared maps, plans, specifications and estimates therefor and such county

superintendent shall, subject to the direction and control of the board of supervisors, have the same powers and duties with respect to such highway or section thereof as are given the commissioner of transportation with respect to state highways in section eleven of this chapter. Such maps, plans and specifications may provide for the change in grade of a highway already existing if thereby a lessened gradient may be obtained without decreasing the usefulness of the highway. Upon the completion of such preliminary maps, plans, specifications and estimates, they shall be submitted to the board of supervisors for approval, and such board may thereupon adopt a resolution providing for the construction or improvement of such highway in accordance with such maps, plans, specifications and estimates or in accordance with such maps, plans, specifications and estimates as may be approved by it.

3. The board of supervisors shall award contracts for the construction or improvement of such highway and the provisions of section thirty-eight of this chapter shall apply so far as may be to such contracts and the award, execution and fulfillment thereof. Such contract may be awarded to the town board of any town in which such highway or section thereof is located. If such contract be awarded to a town board such board shall, by resolution, designate some suitable person or persons, to be approved by the county superintendents of highways to carry into effect, on behalf of such town, such contract, and transact all business in respect thereto as may be necessary. A member of the town board at the time such contract was awarded or such designation was made, or a person who is a partner of, or a stockholder in the same corporation as that of such member shall not be so designated. A member of the town board at the time such designation was made, or a firm, corporation or association of which he is a member or has an interest, shall not be directly or indirectly interested in any such contract nor shall such member, or such firm, corporation or association furnish materials or perform labor or services either directly or indirectly under or in connection with the performance of any of the work required in accordance with such contract, nor shall such member, firm or corporation or association be paid for materials furnished or services rendered in respect to such contract. The town clerk shall transmit to the board of supervisors a certified copy of the

resolution designating the person or persons to carry into effect such contract prior to the awarding of a contract to the town board. The person or persons so designated shall, before the contract is executed, give an undertaking to the county or town with sureties to be approved by the board of supervisors and the penalty of such surety shall be determined by the board of supervisors. Such undertaking shall be conditioned on the faithful performance of their duties in respect to such contract and for the proper accounting, safe keeping and lawful disbursement of all moneys that may come into their hands thereunder. Such undertaking shall be filed in the office of the town clerk and a certified copy thereof shall be transmitted to the county clerk and the board of supervisors. The person or persons so designated shall thereupon be competent to receive all moneys payable under such contract under the provisions of this section, and they shall account therefor to the board of supervisors. The town board, after such contract is awarded shall designate, by resolution, a banking corporation or a trust company wherein the moneys received under such contract shall be deposited. Such bank or trust company shall, upon the request of the town board, make a statement of the money so deposited. The board of supervisors shall prescribe the manner in which the moneys received under such contract shall be expended and the form of accounts to be kept by the person or persons designated as above provided. Reports may be required by the board of supervisors from time to time from such person or persons. If a town shall construct a highway or section thereof, by contract as above provided, for a lesser sum than the contract price, such surplus shall be credited to the general town fund.

4. The board of supervisors shall determine the portion of the cost of the construction or improvement of such highway to be borne by the county and the portion to be borne by the town or towns in which such highway is located. The cost of the portion constructed or improved within the boundaries of a city shall be borne by the county. The amount to be borne by the county shall be levied and collected as a county charge and paid into the county treasury. The amount to be borne by the town or towns in which the highway is located shall be levied and collected as a town charge and when collected shall be paid into the county treasury.

5. If such highway or section thereof deviate from the line of a highway already existing, the board of supervisors shall acquire land for the requisite right of way, and such board may also acquire lands for the purpose of obtaining gravel, stone or other material, when required for the construction or improvement of such highway or section thereof, or for spoil banks, together with a right of way to such spoil banks and to any bed, pit, quarry or other place where such gravel, stone or other material may be located, and the provisions of section thirty to thirty-seven, both inclusive, shall apply to the acquisition of such lands as far as may be, except that the cost of such lands and the expenses incident to acquiring the same shall be deemed a part of the cost of the construction or improvement of such highway under the provisions of this section.

6. If the construction or improvement of such highway involve the elimination of a grade crossing the portion of the cost of such elimination and the construction of a new crossing chargeable to the town in pursuance of law shall be deemed a part of the cost of the construction or improvement of such highway under the provisions of this section.

7. The amount so paid by the town shall not be considered in determining the minimum amount to be levied and collected in each year for the repair and improvement of highways as provided in section two hundred and seventy-one of this chapter nor shall such amount be considered in determining the amount to be paid by the state to the town for the repair and improvement of highways therein.

8. Nothing contained in this section shall be construed to prevent the county or town from raising funds pursuant to the local finance law to pay the portion of the cost of such construction or improvement to be borne respectively by the county or such town or towns. The construction or improvement authorized by such resolution shall be done under the supervision and direction of the county superintendent. Payments therefor shall be made from time to time by the county treasurer upon the certificate of the county superintendent indorsed by the chairman of

the board of supervisors.

9. Such highways, when completed and accepted by the board of supervisors, shall be thereafter repaired and maintained by the towns wherein such highways are located in the same manner as all other town highways; except there shall be raised annually by the county and by the town a tax of not less than one hundred dollars per mile for each mile of highways improved in a town under the provisions of this section. The amount thereof to be borne by the county or by the town shall be apportioned by the board of supervisors. The portion to be borne by the county shall be levied and collected in the same manner as other county taxes and shall be paid into the county treasury. The resolution providing for the collection of such taxes shall also indicate the amount which shall be expended in each town and may provide that such amount may be expended under the direction of either the town superintendent of the town or the county superintendent of the county, as the board of supervisors of the county shall deem best, and a certified copy of the resolution shall be filed with the county treasurer. The amount thereof to be borne by the town shall, by resolution of the town board, be paid from any funds of such town that may be legally used for highway purposes, and be paid into the county treasury if the board of supervisors has by resolution determined that the same shall be expended under the direction of the county superintendent.

§ 195. County aid for construction, improvement and maintenance of town highways. 1. The board of supervisors of a county may aid a town or towns in the construction or improvement of a town highway or town highways therein, and shall designate the highway or highways which the town or towns are to construct or improve by the aid of the county. Such county may prepare a map showing the highways to be improved under this section in that county. This section shall not apply to the construction, improvement or maintenance of any such highway with state moneys, as defined by article six, except provisions hereof which, by that article, are expressly made applicable thereto. No highway or part thereof within the county road system established as provided in article

six shall be constructed or improved under the provisions of this section, except with the consent of the commissioner of transportation and in accordance with a written outline of the work, approved by him, showing the course, width, thickness and type of the proposed road.

2. The board may by resolution direct the county superintendent to supervise the preparation of grade and culvert work of a road so designated by said map for improvement, by the town superintendent of the town in which such improvement shall be made, and upon the county superintendent's certification that the road is prepared and that the town is equipped with sufficient machinery to properly perform the work, such machinery to be furnished by the town and used during the road's construction, the construction of an improved road or town highway may proceed under the direction of the county superintendent of highways or of a committee known as the highway officials of the county as hereinafter provided. The construction work shall be under the charge and supervision of a competent person designated by the county superintendent by and with the advice and consent of the town board and the compensation of such person shall be a town charge. In the event the board of supervisors of any county in which roads are to be constructed under this section shall so determine, the same may be constructed by the county to be paid for by the town and county as herein provided and constructed under the direct personal supervision of the county superintendent of highways or some person designated by him; and for that purpose such county superintendent of highways, or his nominee, shall have power and authority to employ labor and teams, purchase necessary material and do all work necessary for the construction of such highway. The board of supervisors with the county superintendent of highways shall have power and authority to purchase at the expense of the county any machinery which they may deem necessary to be used in the construction of such highways.

3. The employment of convict labor on roads so constructed shall be authorized and permitted, in the discretion of the commissioner of correction, upon the requisition of the county superintendent of highways. The board of supervisors of Erie county shall have power, if they deem it proper, to employ convicts, sentenced to be confined in a

penitentiary situate within the territorial limits of such county and liable to be employed at hard labor, upon any highway or work connected therewith within such county, and such board of supervisors shall have power to make all necessary appointments, rules and regulations for such employment within such county, including the right to fix a per diem compensation for such employment at a rate not to exceed ten cents.

4. A board of supervisors of a county shall decide whether the direction of the work shall be by the county superintendent of highways or a committee known as the highway officials of the county. The highway officials of the county under this section shall consist of the county superintendent, three members of the board, appointed by the chairman. The supervisor of the town in which a road or town highway is being improved shall be a member of the said committee on all questions involving the work in the town of which he is the supervisor. Unless the advice and direction of the county superintendent of highways or of the highway officials shall be followed in the prosecution of the work, no liability therefor shall accrue to the county for its share of the cost of work.

5. Upon ordering the construction of an improved road or town highway under this section, the board of supervisors shall, by resolution, determine the proportions thereof to be borne by the county and town or towns respectively. The part, if any, to be borne by a town, as shown by such determination may be a town charge, and the residue shall be a county charge. The amounts to be borne by the county shall be provided for by a tax, to be levied upon the taxable property of the county and collected in the same manner as for other county charges and shall be paid into the county treasury. The amount thereof to be borne by the town may by resolution of the town board, be paid from any funds in such town that may be legally used for highway purposes.

6. The board of supervisors may, in its discretion, appropriate and make immediately available from county funds either the whole of the moneys to complete the construction of such road or town highway or the part thereof to be provided by the county. Nothing contained in this section shall be construed to prevent the county or town from financing

its share, in whole or in part, pursuant to the local finance law.

7. Where the improvement of a road to be constructed or improved at the joint expense of a county and a town or towns therein involves or necessitates the widening of a highway already existing or acquirement or extinguishment of any easements or rights in land within or without the boundaries of an existing highway, the board of supervisors of such county or the town board or town boards of the town or towns through which such road passes, separately or in combination, may acquire land for such widening and acquire or extinguish such easements and rights in land. The cost of acquiring such lands and of acquiring or extinguishing such easements and rights in land the expenses connected therewith shall be deemed a part of the cost of the construction or improvement of such highway.

8. The board of supervisors shall, from time to time, impose upon the taxable property of the county a tax sufficient to pay at maturity any county obligations issued to carry out the purposes of this section, and interest thereon, and upon the taxable property of any town a tax sufficient to pay at maturity any such obligations of the town, and interest. Payments from time to time by the county treasurer of moneys provided under this section shall be made for the prosecution of such work upon the certificate of the county superintendent countersigned by the chairman of the board of supervisors. Said orders shall be drawn to the order of the supervisors of the respective towns where roads or town highways are being constructed to be disbursed by them, upon vouchers approved by the town superintendent or person designated in his stead, in accordance with the agreement as provided by section two hundred and eighty-four of this chapter. The board of supervisors may determine that the amount, if any, to be borne by the town shall be paid by the town into the county treasury, and the whole of such money including the share of the county and of the town, if any, shall be paid out by the county treasurer on orders drawn by the county superintendent of highways and countersigned by the chairman of the board of supervisors to be accounted for on forms of report as may be prescribed by the state comptroller and printed in the next issue of the proceedings of the board of supervisors.

Such roads and highways, when completed and accepted by the board of supervisors shall be thereafter repaired and maintained by the towns wherein such highways are located in the same manner as all other town highways; except there shall be raised annually by the county and by the town a tax of not less than one hundred dollars per mile for each mile of highways improved in a town under the provisions of this section. The amount thereof to be borne by the county or by the town or towns shall be apportioned by the board of supervisors. The part, if any, to be borne by a town or towns, as shown by such apportionment, shall be a charge against the town or towns and the residue shall be a county charge. The amount to be borne by the county shall be provided for by a tax to be levied upon the taxable property of the county and collected in the same manner as for other county charges and shall be paid into the county treasury. The amount thereof to be borne by the town shall, by resolution of the town board, be paid from any funds in such town that may be legally used for highway purposes. The resolution providing for such apportionment shall also indicate the amount which shall be paid to each such town, and a certified copy thereof shall be filed with the county treasurer. On receipt of such money the supervisor shall credit the amount to the town highway fund. The board of supervisors may determine that such highways be thereafter repaired and maintained under the supervision and direction of the county superintendent of highways and thereafter the amount, if any, to be borne by the town shall be paid by the town into the county treasury and the whole of such money including the share of the county and of the town, if any, shall be paid out by the county treasurer for the repair and maintenance of such highways on orders signed by the county superintendent of highways, and countersigned by the chairman of the board of supervisors.

9. The board of supervisors may aid a town, or towns, in the repair and maintenance of a highway formerly constructed by the state and abandoned to a town by official order of the commissioner of transportation or a predecessor thereof in the same manner as is provided for the repair and maintenance of a highway built under the provisions of this section and outlined under subdivision eight above.

§ 196. County aid for connecting highway through villages. The board of supervisors of a county may, upon the petition of the board of trustees of an incorporated village, provide for the construction or improvement of a highway or section thereof, through such village, at the joint expense of the county and village. The board of supervisors shall determine the portion of the cost of the construction and improvement of such highway to be borne by the county and the portion to be borne by the village. The portion, if any, to be borne by the village shall be a village charge and the residue shall be a county charge. The amount to be borne by the county shall be provided by tax, to be levied upon the taxable property of the county and collected in the same manner as other county charges and shall be paid into the county treasury and such tax shall not be reported as a basis for state aid as provided by article six of this chapter or the county may finance all or part of its share pursuant to the local finance law. The board of supervisors may, in its discretion, appropriate and make immediately available from county funds, the portion of the moneys to be borne by the county.

The board of supervisors may designate the highway to be improved under the provisions of this section and in such case, the cost shall be borne by the county. No such highway shall be so constructed and improved through a village, except to connect a highway improved pursuant to the provisions of sections one hundred and ninety-four, one hundred and ninety-five, or article six of this chapter with a state highway, or a county road, or to connect with another town highway improved pursuant to the provisions of sections one hundred and ninety-four, one hundred and ninety-five, or article six of this chapter, or to connect a city street with a highway improved by the county or state. Such construction shall not be commenced until the portion, if any, to be borne by the village, as determined by the board of supervisors, has been deposited in the county treasurer's office of such county. The construction or improvement of a highway, as herein provided, shall be done under the supervision and direction of the county superintendent of highways or of a committee known as the highway officials of the county, to consist of the county superintendent, three members of the board to be appointed by the chairman, and the supervisor

of the town in which road is being improved. Payments therefor shall be made from time to time by the county treasurer upon the certificate of the county superintendent, approved by the chairman of the board of supervisors.

A highway within a village constructed or improved as herein provided, shall be of the same width and type of construction as such town highways so improved by the aid of the county outside the village, unless a greater width or different type of construction is desired by the village. The additional expense caused by the increased width or different type or both, shall be borne wholly by the village. Any such highway, when completed, shall thereafter be repaired and maintained by the village wherein such highway is located in the same manner as all other village highways. The board of supervisors may determine that such highways be thereafter repaired and maintained under the supervision and direction of the county superintendent of highways and thereafter the amount, if any, to be borne by the village shall be paid by the village into the county treasury and the whole of such money including the share of the county and of the village, if any, shall be paid out by the county treasurer for the repair and maintenance of such highways on orders signed by the county superintendent of highways and countersigned by the chairman of the board of supervisors.

§ 197. Damages for change of grade. In any town in which a town highway shall be repaired, graded and macadamized from curb to curb by the authorities of the town the owner or owners of the land adjacent to the said highway shall be entitled to recover from the town the damages resulting from any change of grade. A person claiming damages from such change of grade must present to the town board of such town a verified claim therefor within sixty days after such change of grade is effected. The board may agree with such owner upon the amount of damages to be allowed him. If no agreement be made within thirty days after the presentation of the claim, the person presenting it may apply to the supreme court to determine the compensation to which he is entitled. Notice of the application must be served upon the supervisor of the town at least ten days before the hearing thereof. All proceedings shall be

taken in accordance with the provisions of the eminent domain procedure law so far as applicable. Such town board, shall, in determining the compensation, consider the fair value of the work done, or necessary to be done, in order to place the claimant's lands, or buildings, or both, in the same relation to the changed grade as they stood to the former grade, and make awards accordingly, except that said board or said commissioners may make an allowance for benefits derived by the claimant from such improvement. The amount agreed upon for such damages, or the award therefor together with the costs, if any, allowed to the claimant, shall be a charge against such town and the supervisor shall pay the same out of funds made available therefor by the town.

§ 198. Interest on damages for change of grade. Whenever awards shall be lawfully made, pursuant to any statute of this state, for damages sustained by real estate or any improvements thereon by reason of any change of grade of any street, avenue or road in front thereof, the award for the principal amount of damages sustained shall bear interest at the rate of six per centum per annum from the time of the change of grade to the time of the payment of the award.

§ 199. Widening highways; petition. When any part of a highway in any town of this state, not in an incorporated village or city, running between two or more villages or cities, has, because of the wearing away by a river or stream or any other natural cause, become narrower than the width required by statute, and is dangerous to the users of such highway, twelve or more resident taxpayers of such town may present a petition to the supreme court in the judicial district within which such town is situated. The petition shall describe the part of the highway proposed to be widened and state that such highway has become lessened in width by the action of a river or stream or other cause, that it is dangerous to the traveling public, that the widening and improvement of such highway is necessary for the public convenience and welfare, that the highway is an important leading road between two or more cities or villages, that the cost of such widening and improvement would exceed the sum of two thousand five hundred dollars and would be too burdensome

on the town or towns otherwise liable therefor. Such petition shall be verified by at least three of the petitioners. On receipt of the petition by supreme court the court shall appoint a time and place for a meeting to hear all persons interested in the proposed widening of the highway. The court shall examine the part of the highway proposed to be widened, hear any reasons for or against such widening and ascertain the probable cost of the work. If the court shall determine that the proposed widening of the highway is necessary and that the cost thereof would be too burdensome for the town, exceeding in probable cost two thousand five hundred dollars, they shall notify the board of supervisors of the county of such decision. The board of supervisors shall thereupon cause one-half of the amount of the estimated cost to be raised by the county and paid to the supervisor of the town or towns in which that part of the highway proposed to be widened as aforesaid is located, and said supervisor shall apply the sum so received by him towards the payment of the cost of such widening. The balance of the expense shall be raised in the manner provided by law, by the town or towns in which that part of the highway proposed to be widened as aforesaid is located.

§ 203. Widening, how constructed. The town superintendent shall construct such widening of the highway according to plans and specifications adopted by the county superintendent and approved by the town board of his town. The bills and expenses incurred in such work shall be audited by the town board and paid in the same manner as other charges, out of moneys raised for such purposes as provided in the preceding section.

§ 204. Actions to compel widening; how affected by petition. In case an action might lie in any court of this state against the town superintendent of any town or towns to compel such superintendent to widen a part of a highway, the width of which has become less than that required by statute, or in case an action has been brought against such superintendent to compel him to widen a part of a highway, the width of which has become less than that required by statute, the presentation of

a verified petition to the county court as provided for in section one hundred and ninety-nine shall prevent the commencing of any such action as aforesaid and cause such an action already commenced, to cease, and shall be a bar to a recovery on the part of the plaintiff of a judgment against such superintendent in any such action instituted or prosecuted to judgment after the passage of this chapter.

§ 205. Highways abandoned. 1. Every highway that shall not have been opened and worked within six years from the time it shall have been dedicated to the use of the public, or laid out, shall cease to be a highway; but the period during which any action or proceeding shall have been, or shall be pending in regard to any such highway, shall form no part of such six years; and every highway that shall not have been traveled or used as a highway for six years, shall cease to be a highway, and every public right of way that shall not have been used for said period shall be deemed abandoned as a right-of-way. The town superintendent with the written consent of a majority of the town board shall file, and cause to be recorded in the town clerk's office of the town a written description, signed by him, and by said town board of each highway and public right-of-way so abandoned, and the same shall thereupon be discontinued.

2. There may also be a qualified abandonment of a highway under the following conditions and for the following purposes, to wit: Where it appears to the town superintendent and said town board, at any time, that a highway has not become wholly disused as aforesaid, but that it has not for two years next previous thereto, been usually traveled along the greater part thereof, by more than two vehicles daily, in addition to pedestrians and persons on horseback, and it shall also appear to the superintendent of highways of the county in which such town is situate that a qualified abandonment of such highway is proper and will not cause injustice or hardship to the owner or occupant of any lands adjoining such highway after such superintendent shall have held a public hearing thereon upon giving at least twenty days' written notice to such owners and occupants of such lands of the time and place of such hearing, they shall file and cause to be recorded in the town clerk's

office a certificate containing a description of that portion of the highway partly disused as aforesaid and declaring a qualified abandonment thereof. The effect of such qualified abandonment, with respect to the portion of said highway described in the certificate, shall be as follows: It shall no longer be worked at the public expense; it shall not cease to be a highway for purposes of the public easement, by reason of such suspension of work thereon; no persons shall impair its use as a highway nor obstruct it, except as hereinafter provided, but no persons shall be required to keep any part of it in repair; wherever an owner or lessee of adjoining lands has the right to possession of other lands wholly or partly on the directly opposite side of the highway therefrom, he may construct and maintain across said highway a fence at each end of the area of highway which adjoins both of said opposite pieces of land, provided that each said cross fence must have a gate in the middle thereof at least ten feet in length, which gate must at all times be kept unlocked and supplied with a sufficient hasp or latch for keeping the same closed; all persons owning or using opposite lands, connected by such gates and fences, may use the portion of highway thus enclosed for pasturage; any traveler or other person who intentionally, or by wilful neglect, leaves such gate unlatched, shall be guilty of a misdemeanor, and the fact of leaving it unlatched shall be prima facie evidence of such intent or wilful neglect. Excepting as herein abrogated, all other general laws relating to highways shall apply to such partially abandoned highway. This section shall not apply to highways less than two rods in width unless it shall appear to the town superintendent at any time that such a highway has not, during the months of June to September inclusive of the two years next previous thereto, been usually traveled along the greater part thereof by more than ten pedestrians daily.

Any action or proceeding involving the abandonment or qualified abandonment of a highway made pursuant to this section must, in the case of abandonment, be commenced within one year from the date of filing by the town superintendent as provided in subdivision one of this section.

§ 205-a. Seasonal limited use highway. 1. The town highway

superintendent is authorized to annually designate, on or before the first day of November in each year, a town highway as a seasonal limited use highway.

2. Seasonal limited use highways shall be those town highways without occupied residences or commercial buildings dependent upon such highways for access.

3. Seasonal limited use highways shall be appropriately posted.

4. The town is authorized to temporarily discontinue snow and ice removal and maintenance from the first day of December until the first day of April on any highway so designated.

§ 205-b. Qualified abandonment of certain town highways. 1. Abandonment of town highways which are access roads to state forest preserve lands or lands now owned or hereafter acquired by the state and held under the jurisdiction of the department of environmental conservation shall be qualifiedly abandoned in the following manner and shall have the following effect:

a. upon written notice to the department of environmental conservation, the town shall follow the procedure provided for in subdivision two of section two hundred five of this chapter;

b. the resolution of abandonment shall provide that even though the responsibility of maintenance of the road by the town shall cease, there shall remain a public easement over such road in perpetuity;

c. the department of environmental conservation shall have the right to maintain such road if it so desires;

d. no one, including the owner of adjoining land, may fence any portion of such road, with or without gates;

e. the town, at any time, shall have the right to resume jurisdiction

over such road for any purpose;

f. the title to such road shall remain with the town.

2. For the purposes of this section, access roads to state forest preserve lands or lands under the jurisdiction of the environmental conservation department shall mean roads which are the only practical means of ingress or egress to such state lands.

3. In no event shall the provisions of this section be construed so as to require the maintenance or abandonment of roads within the state forest preserve lands or lands now owned or hereafter acquired by the state.

*** § 205-c. Minimum maintenance roads.** 1. a. The town board of any designated town may, after a public hearing, adopt a local law designating any low-volume road or portion thereof providing agricultural or recreational land access, except for farm access roads or roads that provide access to an individual year-round residence at the time of designation, as a minimum maintenance road. No such law shall restrict farm operations in an agricultural district. Such local law shall not prevent the state from maintaining such road if the road passes over, or provides access to, state land. No such law designating a minimum maintenance road shall be effective until signs are posted advising the public that such road is a minimum maintenance road. No road, once designated a minimum maintenance road, shall be determined to have been abandoned pursuant to the provisions of subdivision one of section two hundred five of this article solely because it has been designated a minimum maintenance road.

b. At least forty-five days prior to the public hearing on such local law the town board having jurisdiction over such road shall issue findings that such road or portion thereof should be designated a minimum maintenance road. Such findings shall include, but not be limited to:

(i) the volume and type of motor vehicle traffic on such road;

(ii) a determination that the property owners of land abutting the road shall continue to have access to their property;

(iii) a determination that the users of the road traveling at a reasonable and prudent speed, under the circumstances, shall not be placed in a hazardous situation;

(iv) a determination that such road, or portion thereof, does not constitute a farm access road as defined in this section; and

(v) the effect of such designation on any farm operations dependent upon the road, and that such designation does not restrict farm operations in agricultural districts.

A copy of the town board's findings shall be made available for public inspection in the town clerk's office and posted to the town website if available.

A copy of the findings shall be sent to the school board of the school district in which each road is located and to the town planning board. Such school board and planning board may review the findings of the town board and within forty-five days file with the town clerk their recommendation and findings. In the event the school or planning board takes no action within the forty-five day review period the town board may proceed without said board's recommendation and findings. School or planning board review may be waived, shortened or extended upon mutual consent of said board and the town board. The town board of the town may, by resolution, accept, accept in part, or reject the recommendations of either the school or planning board prior to any vote upon the proposed local law.

A copy of the findings shall also be sent to the department of environmental conservation or any other relevant state agency that has jurisdiction over the land that the road proposed to be designated as minimum maintenance passes over or provides access to.

c. At least thirty days prior to the public hearing on such local law, written notice of such hearing, including a summary of the findings, shall be served by certified mail upon every owner of real property, as determined by the latest completed assessment roll, abutting such road

or portion thereof.

d. The town clerk shall give notice of such hearing by the publication of a notice in at least one newspaper of general circulation in the town, and post such notice on the town website if available, specifying the time when and the place where such hearing will be held, and in general terms describing the proposed resolution. Such notice shall be published once at least five days prior to the day specified for such hearing.

2. A road or road segment located within a designated town, which has been designated minimum maintenance, shall be maintained at the same level as other roads within the town but shall not require snow and ice removal and maintenance. Such level of maintenance shall not restrict access to farmland by a farm operation eligible for agricultural assessment pursuant to article twenty-five-AA of the agriculture and markets law. Minimum maintenance roads shall continue to be part of the town highway system.

3. a. Any person or persons owning or occupying real property abutting a road or portion thereof which has been designated a minimum maintenance road may petition the town having jurisdiction over such road or portion thereof to discontinue the designation of such road as a minimum maintenance road. Such petition shall be filed with the clerk of the town having jurisdiction over such road. Such petition shall identify the road or portion thereof to be discontinued as a minimum maintenance road and set forth the reasons for such discontinuance or modification. The town board having jurisdiction over such road shall hold a public hearing upon such petition within thirty days after its receipt. The town clerk shall give notice of such hearing by the publication of a notice in at least one newspaper of general circulation in the town, and post such notice on the town website if available, specifying the time when and the place where such hearing will be held, and in general terms describing the proposed resolution. Such notice shall be published once at least five days prior to the day specified for such hearing.

b. In the event the town board, after such public hearing, determines that such designation shall continue unchanged, no additional petition may be submitted by a person or persons pursuant to this section until the lapse of at least twenty-four months from the date of the filing of the previous petition filed by such person or persons.

c. The town board having jurisdiction over a minimum maintenance road may adopt a local law discontinuing such minimum maintenance road designation in the event it determines such discontinuance to be in the public interest.

4. When used in this section, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, the following terms shall have the following meanings:

a. "Low-volume road" shall mean a town highway or portion thereof located in a designated town, when such highway has an average daily traffic count of less than four hundred motor vehicles per day. Such term shall not apply to any highway or road or portion thereof which has previously been abandoned pursuant to subdivision one of section two hundred five of this article because it shall not have been used or traveled as a highway for six years.

b. "Agricultural land access road" shall mean a low-volume road that provides access to farm land. Traffic volumes are low and vary seasonally.

c. "Farm access road" shall mean a low-volume road that provides principal motor vehicle access for the transport of goods and services necessary for effective support of a farm's daily operations to and from the primary location or center of such operations. Traffic volume is generally low, significantly less than four hundred motor vehicles per day, and may include occasional heavy vehicles and farm equipment as well as other motor vehicles.

d. "Recreation land access road" shall mean a low-volume road that provides access to recreational land including seasonal dwellings, parks

and recreational lands. Volumes can vary with the type of recreation facility, activity and season of the year.

e. "Minimum maintenance road" shall mean a low-volume agricultural or recreational access road or portion thereof with an average daily traffic count of less than fifty motor vehicles per day designated by the designated town as minimum maintenance pursuant to this section, except for a farm access road or a road which provides access to an individual year-round residence at the time it is proposed to be designated minimum maintenance.

f. "Motor vehicle" shall mean a motor vehicle as defined by section one hundred twenty-five of the vehicle and traffic law.

g. "Designated town" shall mean the town of Lorraine, Jefferson county.

5. Nothing in this section shall be construed as limiting, diminishing or otherwise affecting the powers of any municipality other than the designated town.

* NB Repealed December 8, 2031

§ 206. Highways in lands acquired by the United States for fortification purposes deemed abandoned. When land sought to be acquired by the United States of America for the purpose of fortifications includes a highway or portion thereof, the condemnation proceedings may include such highways or portion thereof, and the people of the state of New York, any municipality, county or other party claiming an interest therein may be made a party defendant in such proceeding, and the interest of the state, county, municipality or other claimant be determined, and the award made therefor. Forthwith upon the acquisition by the United States of America of land which includes a highway or portion thereof, there shall be filed in the office of the town clerk of the town, and also in the office of the county clerk of the county, in which such land is located, certified copies of the record or transfer to the United States of such land, together with a map of such land, on

which map such highway or portion thereof shall be indicated by metes and bounds, and thereupon such highway or portion thereof shall be deemed discontinued and abandoned for highway purposes, and if proceedings have been taken, pursuant to this chapter for the improvement of such highway by state aid, all such proceedings, together with any appropriation made for the improvement of such highway or portion thereof, as indicated on such map, shall be deemed revoked, vacated and set aside.

§ 207. Discontinuance of highway. Whenever the town superintendent of any town shall determine that any portion of any highway or street, not within the limits of an incorporated village, which is the terminus of such street or highway, is unnecessary for highway purposes, and said town superintendent may, by an order to be duly entered in the town clerk's office, direct such highway to be discontinued and abandoned for public purposes. Provided, however, that no portion of such highway to be discontinued shall be greater than one thousand feet of the terminus thereof and that the owners of the land on both sides of such highway or street, for the distance it is proposed to discontinue the same, shall, by written petition to such town superintendent have requested the discontinuance thereof.

§ 208. Description to be recorded. Immediately upon making and entering the order mentioned in section two hundred and seven of this chapter, the said town superintendent shall cause a written description of that portion of the street or highway ordered to be discontinued to be filed and recorded in the office of the town clerk of the town in which the said street or highway is located, and when the same is duly recorded the said portion of the said street or highway shall thereupon be and become duly abandoned and discontinued for highway purposes.

§ 209. Damages caused by discontinuance. Any person or corporation interested as owner or otherwise, in any lands and claiming any loss or damages, legal or equitable, by reason of the discontinuance,

abandonment or closing of any street or highway, not within the limits of an incorporated village, under or pursuant to the provisions of the last two sections, may, upon ten days' written notice to the town superintendent of the town in which such lands are situated apply to the supreme court or to the county court of the county within which such lands are situated for the appointment of commissioners of appraisal to estimate and determine such loss and damage, whereupon the court shall appoint three disinterested commissioners of appraisal to estimate and determine such damage, and the amount of compensation to be paid by said town therefor, who shall make their report thereupon to such court, and which report when finally confirmed shall be final and conclusive in respect thereto, and the legality and equity of any and all such claims shall be determined by such commissioners of appraisal and by the court upon the hearing of their report. Any loss or damage so estimated and determined shall be paid by said town as in case of judgment.

§ 210. Papers, where filed. All applications, certificates, appointments and other papers relating to the laying out, altering or discontinuing of any highway shall be filed by the town superintendent as soon as a decision shall have been made thereon in the town clerk's office of the town.

§ 211. Costs of motion. Costs of a motion to confirm, vacate or modify the report of commissioners of appraisal appointed by the court to lay out, alter or discontinue a highway may be allowed in the discretion of the court not exceeding fifty dollars. On an uncontested motion to confirm the report of the commissioners of appraisal so appointed, if said report is favorable to the applicant and confirmed by the court, costs may be allowed not exceeding fifty dollars sufficient to compensate the applicant's attorney for his services in the proceedings. Costs of any other motion in a proceeding in a court of record, authorized by this chapter, may be allowed in the discretion of the court not exceeding ten dollars.

§ 211-a. Abandonment of certain town highways. Notwithstanding any other provision of this chapter, and upon the request of the county superintendent of highways, any town board may, by resolution duly adopted, declare any town highway or portion thereof in the town running through forest or forest lands not necessarily for ingress to or egress from any privately or publicly owned lands, and not necessary to connect existing town, county or state highways, to be abandoned and discontinued for public purposes. Such town shall at least thirty days prior to such abandonment cause to be filed and recorded in the office of the town clerk a written description of such highway or portion to be abandoned with a written statement attached thereto that such highway or portion thereof so described is proposed to be abandoned, and shall cause notices to be posted in at least three conspicuous places in such town of the time and place when such declaration of abandonment will be made, for the purpose of permitting any interested person to appear for or against the adoption of such resolution.

§ 211-b. Abandonment of certain town highways in school districts. Notwithstanding any other provision of this chapter, and upon the request of either the county superintendent of highways or the town superintendent of highways, any town board may, by resolution duly adopted, declare any town highway or portion thereof in the town running through school district lands not necessary for ingress to or egress from any privately or publicly owned lands, and not necessary to connect existing town, county or state highways, to be abandoned and discontinued for public purposes. Such town shall at least thirty days prior to such abandonment cause to be filed and recorded in the office of the town clerk a written description of such highway or portion to be abandoned with a written statement attached thereto that such highway or portion thereof so described is proposed to be abandoned, and shall cause notices to be posted in at least three conspicuous places in such town of the time and place when such declaration of abandonment will be made, for the purpose of permitting any interested person to appear for or against the adoption of such resolution.

§ 212. Changing location of highways over certain lands owned and occupied by the state. If a highway passes over or through lands wholly owned and occupied by the state, the location of such portion of such highway as passes through such lands may be altered and changed, or the same may be abandoned or the use thereof as a highway discontinued with the consent and approval of the state authority having jurisdiction or control over such lands by an order directing such change in location, abandonment or discontinuance. Such order shall contain a description of that portion of the highway the location of which has been changed, abandoned or discontinued, and a description of the new location thereof, if any, and shall be filed in the office of the state authority having control of such lands.

§ 212-a. Abandoning of parts of town highways. Whenever, pursuant to this chapter or under the provisions of any statute, any town road shall have been widened, straightened, extended, drained, paved or otherwise improved and in the process thereof a town shall have acquired from an adjacent owner certain lands necessary for said right-of-way by purchase, condemnation or as a gift and where under such circumstances either the grantor of said new right-of-way shall own the property on both sides thereof for the full length of the new taking or the consent in writing of any and all other owners within such area be given, and there shall be sections of the old road as it existed before said improvement which are of no further use for highway purposes to said town, the town board of said town in which said land is situated, upon the recommendation of the town superintendent of highways, may adopt a resolution, with the consent of the county superintendent of highways, to abandon to the abutting owner or owners such sections or parts of the old road as it existed before said improvement which are of no further use for highway purposes, providing the road after such abandonment shall be not less than three rods in width, and the supervisor of said town is hereby authorized to execute and acknowledge in the name of the town and affix the seal of the town to a quit-claim deed or deeds of the land so abandoned and to deliver the same to the abutting owner or owners for such consideration and upon such terms and conditions as the town board of the said town shall deem proper.

The adoption of the hereinbefore mentioned resolution by the town board shall be an immediate abandonment and discontinuance of the use for highway and street purposes of said sections or parts of the old road described in said resolution without any further or other proceedings.

§ 213. Construction and repair of approaches to private lands. The owners or occupants of lands shall construct and keep in repair all approaches or driveways from the town highway, under the direction of the town superintendent, and it shall be unlawful for such owner or occupant of lands to fill up any ditch or place any material of any kind or character in any ditch so as to in any manner obstruct or interfere with the purposes for which it was made. The town superintendent may, when directed by the town board, construct and keep in repair such approaches and the expense thereof shall be a town charge.

§ 214. Depositing ashes, snow, ice, stones, sticks, et cetera upon the highway. Any person who shall deposit or throw loose stones in the gutter or grass adjoining a town highway, or shall deposit or throw upon a highway, ashes, papers, snow, ice, stones, sticks, or other rubbish, shall be liable to a penalty not to exceed one hundred dollars to be sued for and recovered by the town superintendent. No stone or other rubbish shall be drawn to and deposited within the limits of any highway, except for the purpose of filling in a depression or otherwise improving the highway, and only with the written consent and under the direction of the town superintendent.

§ 216. When town not liable for damages. No town shall be liable for any damage resulting to persons or property by the reason of the breaking of any bridge, sluice or culvert, by transportation on the same of any traction engine, portable piece of machinery, or of any vehicle or load, together weighing eight tons or over, but any owner thereof or other persons engaged in transporting or directing the same shall be

liable for all damages resulting therefrom.

§ 218. Storm water sewers in town highways. 1. Storm water laterals, petition for improvement. The town board may, in any town where an outlet drain or sewer has been or is to be constructed in any public highway, construct one or more storm water drains or sewers in one or more streets within the town, from time to time, entirely at the expense of the owners of the land fronting on said street, streets or portions thereof, wherein said storm water drain or sewer or drains or sewers are constructed, provided a petition therefore be presented to the town board signed and acknowledged by at least a majority of the owners of real property fronting on said street, streets or portions thereof wherein it is proposed to lay out and construct said storm water drain, or sewer, or drains or sewers. The town board shall, upon receipt of a petition as aforesaid, give notice of and hold a public hearing thereon at which all persons interested shall be entitled to be heard. Such notice shall specify the time and place of hearing and be served upon the owners of the land fronting upon said street, streets or portions thereof set forth and described in said petition, by mailing a copy thereof to their last known addresses, or by publishing the said notice once each week for two weeks in a newspaper circulating in said town, or by either or any one of said methods, the mailing of said notice or first publication thereof to be not less than ten days prior to the date of such hearing.

2. Construction of storm water laterals. If the town board shall act favorably upon said petition, they shall, by resolution direct that suitable plans be prepared showing the locations of such lateral or laterals, the street or streets or portions thereof proposed to be sewered thereby, and showing where the same are to be connected with the existing or proposed storm water outlet drain or sewer, and may employ an engineer to prepare such plans. The town board, after the plans have been prepared and adopted, may obtain from the superintendent of highways of the town, an estimate of the cost of said construction, and after approving the estimate authorize and direct the superintendent of highways of the town, without a contract, to construct the said storm

water sewer or drain, or sewers or drains, or may contract for the construction of said sewers, after advertisement for bids. The contract shall be awarded to the lowest bidder, unless all bids are rejected, in which case the town board may readvertise for bids. If the estimated cost of construction is less than five hundred dollars, the town board may let such contract for such construction without advertisement and without competitive bidding. Where the construction is under the supervision of the town superintendent of highways, he shall have the authority, with the approval of the town board, to employ the necessary labor and may use such town machinery as is not in use on town highway construction. Nothing contained in this section shall be construed to limit the operation of any provision of law requiring the consent of the state commissioner of transportation, a county superintendent of highways or the governing board of any city or village to the laying of sewer pipes under any street or highway.

3. Payment of cost of construction. After the town board has ascertained the expense of the improvements provided for in this section, it may use moneys of the town which are not otherwise committed or appropriated to pay the cost of such construction or may finance the same, in whole or in part, pursuant to the local finance law. If any obligations are issued, such obligations, with interest, shall be paid, or the town reimbursed to the extent of the town surplus moneys so used, as the case may be, out of the moneys derived as herein provided. After the town board has ascertained the cost of such improvement, including necessary engineering, legal and inspection fees and disbursements, it shall apportion and assess the expense thereof upon the lands benefited and fronting upon the street, streets or portions thereof improved as aforesaid, in such amount against each lot or parcel as it deems just and reasonable. Notice of such assessment shall be given to the owners of said real property in the same manner as herein provided for notice of hearing on said petition, which notice shall state, among other things, that said assessments have been made, and that at a specified time and place the town board will meet for the purpose of hearing and considering any objections which may be made to said assessments. The town board shall meet at the time and place specified in said notice and shall determine all objections made to such assessment, including the

amount thereof, and shall change or amend the same as they deem it necessary or just so to do and affirm and adopt the same as so changed and amended or as originally proposed, as the case may be. The town board shall prepare a statement showing the amount of such assessment, which shall include a sum sufficient to meet interest on moneys borrowed to pay the cost of such construction, and the lots or parcels of land liable to pay the same and the amount chargeable to each. When such assessment shall have been confirmed, a period of thirty days shall be given in which such assessments may be paid in full and the obligation thereof cancelled. The town board shall by resolution determine the number of annual installments, not exceeding three, within which such assessments not so paid, in full, may be paid, and may further provide for the addition thereto of interest at the rate of six per centum per annum from the date of such assessment to the date upon which such annual installment shall become payable. A statement of the amount of such annual installments, together with the lots or parcels of land liable to pay the same and the amount chargeable to each, shall be delivered to the supervisor who shall transmit the same to the board of supervisors of the county. The board of supervisors shall levy such amounts against the property liable and shall state the amount of the tax in a separate column in the annual tax roll under the name "storm water sewer tax." Such tax when collected shall be paid to the supervisor, and be by him applied in payment of said certificates or to reimburse the town, if the cost of said improvement has been paid from moneys of the town. The amount apportioned by the town board on any lot or parcel and any tax levied for the collection thereof shall be a lien prior and superior to any lien or claim except the lien of an existing tax or local assessment.

4. Control over storm water sewers. All storm water sewers or drains constructed in highways, pursuant to the provisions of this section, shall be maintained under the supervision of the town superintendent of highways, and the expense thereof shall be a town charge. The town superintendent shall annually at the time of submission of his estimate of moneys necessary for highway purposes submit to the town board an estimate of the amount of money necessary for maintenance of such storm water sewers. The town board shall have the power to make such rules and

regulations as may be necessary for the proper management and control of such storm water sewers.

ARTICLE 8-A

TOWN HIGHWAY IMPROVEMENT PROGRAM

Section 219. Definitions.
220. Improvement of town highways; submission of plan.
221. Compilation of approved plans; estimated costs.
222. Specifications.
223. Surfacing of town highways.
224. Bridges.
225. Performance of work.
226. Co-ordination of projects.
227. State aid to towns.
228. Payment of state aid.
229. Financing of town's share of cost.
229-a. Federal aid.
229-b. Disbursement of moneys; accounts and reports.
229-c. Existing rights.
229-d. Duration of article.

§ 219. Definitions. As used in this article: 1. "Town highway" shall mean highways constructed, improved or maintained by the town with the aid of the state or county, under the provisions of the highway law, including all highways in towns, outside of incorporated villages constituting separate road districts, except state highways, county roads, parkways, state thruways and controlled access highways as defined by the highway law.

2. "Project" shall mean a town highway improvement, repair or reconstruction.

3. "Approved project" shall mean a project approved as provided by this article.

4. "Plan" shall mean a map and specifications showing (a) the location of a project, (b) the estimated cost of such project, (c) the proposed width, thickness and type of highway, (d) a statement of necessity for such project relied upon by the town, and (e) the projects to be completed in each year of the period of the duration of this article.

5. "Commissioner" shall mean the commissioner of transportation of the state of New York.

6. "County superintendent" shall mean the county superintendent of highways.

7. "Town superintendent" shall mean the town superintendent of highways.

8. "Highway" shall include necessary sluices, drains, ditches, waterways, embankments, retaining walls, bridges on such highway and under the jurisdiction and control of the town and culverts, and the approaches of any such bridge or culvert beginning at the back of the abutments. The term does not include sidewalks or boardwalks or renewals thereof.

9. "Board of supervisors" shall mean the elective governing body of a county, by whatever name designated.

10. "Roadbed" shall mean the portion of the highway, improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

11. "Bridge" shall mean any structure whether of single or multiple span construction with a clear span in excess of five feet with measurements to be made in the manner set forth in subdivision two of section two hundred thirty of this chapter.

12. "Culvert" shall mean any structure whether of single or multiple span construction with an interior width of five feet or less with measurements to be made in the manner set forth in subdivision two of

section two hundred thirty of this chapter.

§ 220. Improvement of town highways; submission of plan. 1. The town board of any town may, upon its own determination, or upon recommendation of the town superintendent, elect to improve, repair or reconstruct any portion or portions of its town highways which are part of the town highway system during the first five years of the period after the effective date of this article in accordance with the provisions hereof. However, no highway or bridge turned back to a town on and after January first, nineteen hundred seventy, shall qualify for aid pursuant to this article. In that event, the town board may cause a plan covering all projects contemplated by it during said five year period to be prepared and may, by resolution, adopt such plan. Such original plan shall be filed on or before June first, nineteen hundred seventy-two, as follows:

(a) With the board of supervisors, or other legislative body, of the county in which such town is located, together with the written recommendations of the county superintendent.

(b) With the commissioner, together with a copy of the resolution of approval of such county board of supervisors or legislative body.

2. The commissioner, after investigation, may approve such plan or the plan of any separate project thereof for execution as appropriations therefor may be available or may disapprove any such plan and shall immediately notify the town board of such approval or disapproval. If any such plan be disapproved, the commissioner shall immediately return such plan to the town board with his reasons for disapproval and suggestion for modification of the plan and shall notify the board of supervisors and county superintendent of such action. Modification of a disapproved plan shall be made and filed in like manner.

3. A copy of such plan, when prepared and approved as herein provided, together with copies of the approval of the commissioner and the board of supervisors, shall be filed in the office of the clerk of the town in which such highway is located, in the office of the county clerk and county superintendent of the county in which such town is located. The

copy transmitted to the commissioner shall be retained by him.

4. The statement of necessity required as a part of the plan for a project shall set forth the reasons why such improvement, repair or reconstruction is necessary adequately to serve permanent agricultural, residential, commercial or industrial development and to sustain the vehicular load imposed or likely to be imposed on such town highway.

5. Modification of any plan approved as herein provided may be made by the town board of the town affected thereby and must be filed and approved in the manner hereinbefore provided for the filing and approval of an original plan, except that the approval of the county board of supervisors, or other legislative body, of the county in which such town is located shall not be required. The commissioner may refuse to approve the modification of the plan of any project unless the modification is filed in his office prior to September first of the calendar year preceding that for which the project has been approved. Any modification must be recommended on or before April first, nineteen hundred eighty.

6. No meeting of the town board shall be held for the purpose of adopting or modifying a plan, unless the town and county superintendent of highways shall be notified thereof.

7. If a town has not adopted and filed a plan as above provided in the section, it may adopt and file a plan in the manner set forth in this section on or before July first in any year covering all projects contemplated during the remaining years of the period of the duration of this article. In such event the provisions of this article shall apply as if the plan originally had been filed in the manner provided in this section.

§ 221. Compilation of approved plans; estimated costs. Not later than the twenty-eighth day of February each year, the commissioner shall compile all approved plans and estimate the probable cost of each approved project, the probable amount of state aid to be allocated to each approved project under section two hundred twenty-seven of this

article, the aggregate cost of all approved projects and the aggregate amount of all state aid for approved projects in the state.

§ 222. Specifications. 1. It is the intent of this article that the improvement, repair or reconstruction of such town highways, including necessary grade and culvert work and any plans and specifications thereof, shall conform generally to the following minimum specifications, with such exception as hereinafter provided in this section. Such minimum specifications shall include,

(a) raising of roadbed above grade, (b) grading backslope and eliminating brush, (c) widening of roadbed to not less than eighteen feet, (d) surfacing with gravel or other suitable material to a depth of not less than twelve inches, which shall be stabilized with suitable binding materials at such time during the current construction season or the following construction season, and in such form and amount as the department of transportation shall determine, (e) widening shoulders to not less than five feet, (f) providing for adequate drainage facilities, (g) if necessary, providing for vegetative protection on the sides of state or municipally owned slopes bordering on highways to prevent erosion of soil and to conserve water, and (h) providing for the construction or reconstruction of necessary bridges, subject to the provisions of section two hundred twenty-four of this article. Within such general specifications, each project shall be completed in accordance with a design and specifications approved by the county superintendent and the commissioner; provided, however, the county superintendent and the commissioner may permit deviations below such minimum specifications in planning or during the course of completion of the work, if, in their opinion, the particular circumstances make the deviation advisable.

2. The improvement, repair or reconstruction of such town highways, including necessary grade and culvert work, in order to facilitate snow removal, improve drainage and build up roadbed, shall be guided by such intent and minimum specifications.

§ 223. Surfacing of town highways. 1. Plans for surfacing town highways may be adopted and filed and otherwise follow the procedure provided in section two hundred twenty of this article for plans for the improvement, repair or reconstruction of town highways.

2. The provisions of this section shall be applicable only to town highways improved, repaired or reconstructed pursuant to this article, or to article eight-A of this chapter in force and effect prior to the effective date of this article, or to chapter eight hundred twenty-four of the laws of nineteen hundred fifty.

3. The surfacing of such town roads shall conform generally to the following minimum standards, (a) widening of roadbed to not less than eighteen feet; (b) widening shoulders to not less than five feet; (c) providing for the construction or reconstruction of necessary bridges, subject to the provisions of section two hundred twenty-four of this article; (d) minimum surfacing application shall consist of not less than two courses of crushed stone and bituminous material except in cases where any such road was previously surfaced prior to the effective date of this article, the commissioner shall specify minimum surfacing application. Expenses incurred in widening, grading and filling any such town highway shall be an allowable charge in conforming to the minimum standards prescribed by this subdivision. Within such general specifications, each such project shall be completed in accordance with a design and specification approved by the county superintendent and the commissioner; provided, however, the county superintendent and the commissioner may permit deviations below such minimum standards in planning or during the course of completion of the work if, in their opinion, the particular circumstances make such deviation advisable.

§ 224. Bridges. Neither in the improvement, repair or reconstruction of town highways, nor in the surfacing thereof, pursuant to this article, shall the continuity of the roadbed be interrupted by bridge structures which are not at least four feet wider than such roadbed, but not less than twenty-four feet, provided, that the county superintendent and the commissioner may permit deviations below such minimum standards

in planning or during the course of completion of the work, if, in their opinion, the particular circumstances make such deviation advisable. Bridges built or retained on qualifying roads shall meet minimum standards established by the commissioner.

§ 225. Performance of work. 1. All work on an approved project shall be under the immediate control and direct supervision of the town superintendent, subject to inspection by the commissioner and the county superintendent. Such work or any part thereof may be consummated (a) by the town by direct employment of labor, purchase of material and rental of machinery and equipment, (b) by contract with the county, or (c) by contract with an independent contractor.

2. In cases where work is to be done under contract with the county, the contract shall be entered into by the county superintendent on behalf of the county and by the town superintendent on behalf of the town and shall be subject to the approval of the board of supervisors and the town board. Any such contract may be entered into by direct negotiations and shall not be subject to the provisions of section one hundred three of the general municipal law. The county superintendent shall not enter into the performance of such contract until the full amount of the town's share of the cost of the project shall have been paid to the county treasurer.

3. In cases where work is to be done under contract other than by contract with the county, such contract shall be awarded by the town board subject to the approval of the county superintendent and the commissioner. All such contracts in excess of the amount specified for public work in subdivision one of section one hundred three of the general municipal law shall be awarded to the lowest responsible bidder after advertisement for bids in the manner provided by section one hundred three of the general municipal law. If separate contracts shall be awarded for portions of the work, other than to the county, they shall be awarded in the manner above provided.

4. Machinery and equipment required for work to be done under this

article may be rented from other municipal corporations or from private persons, firms and corporations. The commissioner shall fix the hourly rental rates for such machinery and equipment. Such rates may include the services of skilled operators of such machinery or equipment. Rentals from private persons, firms and corporations shall be at rates not in excess of the rates fixed by the commissioner. Rentals from municipal corporations, notwithstanding the provisions of any other law, shall be at the rates fixed by the commissioner. The proceeds of such rentals received by municipal corporations, other than for the services of skilled operators, shall be credited as follows:

(a) In counties, to the road machinery fund;

(b) In cities and villages, to the general fund;

(c) In towns, to the highway machinery fund, to be applied for purposes for which amounts may be raised pursuant to subdivision three of section two hundred seventy-one of the highway law. The portion of any such rental charge which is in reimbursement for the services of a skilled operator shall be credited to the fund from which his compensation was paid. If a town shall use its own machinery and equipment in the performance of any work under this article, it shall charge therefor, as a project cost, the hourly rates fixed by the commissioner and the moneys received therefor shall be credited in the manner hereinabove provided.

§ 226. Co-ordination of projects. So far as practicable, the town boards and town superintendents of adjoining towns, within the county, contemplating projects with the county superintendent, may confer by committees or their representatives, and may cooperate with a view to co-ordinating projects to the end that improved town highways may provide connecting routes.

§ 227. State aid to towns. 1. a. To aid the towns in the improvement, repair or reconstruction of town highways pursuant to this article, the state, within the amount appropriated therefor, shall pay a fractional part of the actual cost of each approved project. The numerator of such fraction shall be eighteen thousand dollars less the yield of a tax of

eighty mills on each dollar of actual valuation of taxable real property outside villages divided by the number of miles of existing town highways outside villages, and the denominator shall be eighteen thousand dollars.

b. The maximum amount to be paid by the state in relation to any approved project shall not exceed seventy-five per centum of an amount equal to eighteen thousand dollars multiplied by the number of miles of the project, provided, however, that if the actual cost of the project is less than an amount equal to eighteen thousand dollars multiplied by the number of miles of the project, then such maximum amount shall not exceed seventy-five per centum of such actual cost.

c. The minimum amount to be paid by the state in relation to any approved project shall not be less than forty per centum of an amount equal to eighteen thousand dollars multiplied by the number of miles of the project, provided, however, that if the actual cost of the project is less than an amount equal to eighteen thousand dollars multiplied by the number of miles of the project, then such minimum amount shall not be less than forty per centum of such actual cost.

2. a. To aid the towns in the surfacing of town highways pursuant to this article, the state, within the amount appropriated therefor, shall pay a fractional part of the actual cost of each approved project. The numerator of such fraction shall be forty-five hundred dollars less the yield of a tax of twenty mills on each dollar of actual valuation of taxable real property outside villages divided by the number of miles of existing town highways outside villages, and the denominator shall be forty-five hundred dollars.

b. The maximum amount to be paid by the state in relation to any approved project shall not exceed seventy-five per centum of an amount equal to forty-five hundred dollars multiplied by the number of miles of the project, provided, however, that if the actual cost of the project is less than an amount equal to forty-five hundred dollars multiplied by the number of miles of the project, then such maximum amount shall not exceed seventy-five per centum of such actual cost.

c. The minimum amount to be paid by the state in relation to any approved project shall not be less than forty per centum of an amount equal to forty-five hundred dollars multiplied by the number of miles of the project, provided, however, that if the actual cost of the project is less than an amount equal to forty-five hundred dollars multiplied by the number of miles of the project, then such minimum amount shall not be less than forty per centum of such actual cost. No town shall receive state reimbursement more than once on account of any surfacing project approved pursuant to this article.

3. a. To aid the towns in the construction or reconstruction of eligible bridge structures pursuant to this article, the state within the amount appropriated therefor, shall pay not less than forty per centum nor more than seventy-five per centum of the actual cost of each approved project. The percentage of such aid shall be not less than the percentages available in subdivisions one and two of this section.

b. No town shall receive state aid more than once on account of any bridge project approved pursuant to this article.

4. In no event shall the state's share of all approved projects in any town be less than forty per centum or fourteen thousand four hundred dollars, whichever is less, or be in excess of seventy-five per centum of thirty-six thousand dollars in any year.

5. The term "actual valuation," as used in this section, means the valuation which is derived by applying to the assessed valuations of taxable real property in the town outside of villages, as shown on the assessment roll of the town as completed, verified and filed in the second calendar year preceding that for which the project was approved, the equalization rate determined by the commissioner of taxation and finance for such roll. The "number of miles of existing town highways outside villages" shall be the mileage as reported under the requirements of section ten of this chapter.

6. In computing the actual cost of a project the reasonable value of

material and supplies furnished by the town shall be charged as a project cost. In the case of such material and supplies, the unit cost shall be approved by the county superintendent and the commissioner and the moneys received therefor shall be credited to the general fund.

7. Such actual cost shall not include (a) the compensation or expenses, or any part thereof, paid by the town to any town officer or his deputy, (b) the cost of the preparation of plans and specifications, and (c) the cost of land or rights in land.

§ 228. Payment of state aid. 1. The county superintendent shall notify the commissioner when work has been commenced on an approved project. As work progresses on a project according to approved plans and specifications, a town may request the state aid in relation thereto to be paid in installments or it may request such aid to be paid after a project has been completed.

2. Claims for such aid shall be made on forms prepared and furnished by the commissioner. They shall be executed in the name of the town by the town superintendent or, where such work is done pursuant to a contract with the county or with an independent contractor, the town board may authorize the town supervisor to execute such claims instead of the town superintendent. Such claims, when approved by the county superintendent, shall be filed with the commissioner. The commissioner shall examine such claims and shall certify to the state comptroller within thirty days of the receipt of such claims the amounts which the state should pay thereon to the supervisor of the town. If any such claim or any portion thereof be disapproved, the commissioner shall immediately notify the town board, the board of supervisors and county superintendent of such action. Any such claim must be filed with the commissioner in the year for which the project was approved or not later than the thirty-first day of January in the calendar year succeeding that for which the project was approved except where work has been deferred with the approval of the commissioner for completion during the following construction season. The commissioner shall not otherwise certify payment of the final installment of state aid for any project

unless the work thereon has been completed according to approved plans but all other installments may be paid with the final installment allocated to stabilization and surfacing materials deferred until so completed.

3. In the final adjustment of any claim, if it is determined that a town has been paid an amount in excess of that permitted under this article, the state comptroller shall withhold an equivalent amount from any state aid payable to the town pursuant to sections two hundred seventy-nine and two hundred eighty of the highway law.

§ 229. Financing of town's share of cost. 1. Notwithstanding the provisions of any other law, a town may appropriate and spend money to pay its share of the cost of an approved project.

2. Moneys for the town's share of the cost shall be raised by tax on taxable real property in the town outside villages in the manner provided in section one hundred fifteen of the town law. In addition, unexpended balances of appropriations for the town's share of the cost of an approved project, moneys available for the purposes specified in subdivision one of section one hundred forty-one of the highway law, state aid received by a town for the town outside village areas pursuant to section fifty-four of the state finance law and money received by the town under the state and local fiscal assistance act of nineteen hundred seventy-two, and moneys received by the town from the county for projects pursuant to this article, also may be used to pay for the town's share, or portion thereof, provided, however, that under no circumstances shall state aid paid to the town in any year under sections two hundred seventy-nine, two hundred eighty and two hundred eighty-two of the highway law, or money raised, or made available by the town in any year to entitle it to receive such state aid, be used to pay for such share. If a town receives money from a county for a project for which the town's share has already been raised by tax on taxable real property in accordance with this section, such county moneys may be applied to such project and the moneys raised by the town through taxation shall be considered unexpended and may be applied to pay the

town's share of the cost of other projects undertaken pursuant to this article in a future year.

3. If balances of appropriations for a project pursuant to sections two hundred twenty-two and two hundred twenty-three hereof remain unexpended, such balances, may be used either for purposes specified in subdivision one of section one hundred forty-one of the highway law and pursuant to an agreement executed pursuant to section two hundred eighty-four of such law or to pay for the town's share of the cost of an approved project.

4. Nothing hereinabove contained shall prevent the application of the proceeds of non-property taxes allocated to the town, which are in excess of the amount required to be used to reduce county taxes and general town taxes, to the reduction of taxes to meet appropriations for the town's share of an approved project, as provided in subdivisions (c) and (d) of section twelve hundred sixty-two of the tax law relative to the reduction of taxes levied for part-town activities.

§ 229-a. Federal aid. 1. If the federal government, through any federal law, makes an allotment of moneys or otherwise provides financial aid and assistance for approved projects, the commissioner is hereby authorized to accept such federal moneys, aid and assistance, to sign all necessary agreements therefor, and to do and perform all necessary acts in connection therewith. The commissioner shall not enter into any agreement or agreements which will require a total state contribution in excess of the amounts available for the state's share of the cost of such projects.

2. The execution by the state of any such agreement or agreements shall not operate or be construed to relieve the state or any town from its or their obligations under the provisions of this article, except as hereinafter provided in this section.

3. The department of taxation and finance may accept and receive as custodian any and all grants and money awarded for assistance for

approved projects in this state under or pursuant to any such federal law. All moneys so received shall be deposited by the department of taxation and finance in a special fund or funds and shall be used exclusively for the purposes of any such federal law. Such moneys shall be paid from such fund or funds on audit of the state comptroller upon vouchers certified or approved by the commissioner for carrying out the purposes of such federal law.

4. Federal aid in relation to any approved project shall be allocated to reduce the amount of state aid for the project and the town's share of the cost of the project in the same proportion as each is required to contribute to or pay for the portion of the cost of the project in relation to which state aid may be paid under section two hundred twenty-seven of this article.

§ 229-b. Disbursement of moneys; accounts and reports. Moneys appropriated by a town and available for approved projects shall be disbursed by the town supervisor upon vouchers approved by the town superintendent, in the manner provided for the disbursement of town moneys under sections twenty-nine and one hundred eighteen of the town law. The state comptroller shall prescribe uniform accounts and reports to be kept by the town for projects undertaken pursuant to this article.

§ 229-c. Existing rights. The repeal of article eight-A of the highway law, as added by chapter three hundred fifteen of the laws of nineteen hundred sixty shall not affect or impair any act done or right accruing, accrued or acquired, or liability incurred prior to the time such repeal takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such repeal had not been effected.

§ 229-d. Duration of article. This article and the provisions thereof shall remain in full force and effect until April first, nineteen hundred eighty-two.

ARTICLE IX

Bridges

Section 230. Definitions.
231. Program of comprehensive bridge management and inspection.
232. Uniform code of bridge inspection.
233. State bridges and culverts.
234. Public authority, public benefit corporation, commission, county, town, city or village bridges.
236. Program of railroad bridge inspection.
237. When town or county expense.
238. Construction or improvement of bridge by county and town or towns.
239. Joint liabilities of towns and their joint contracts.
240. Refusal to repair.
241. Proceedings in court.
242. Supervisor to institute proceedings.
243. Duty of town superintendents.
244. Report of town superintendents, and levy of tax.
245 Appeals.
246. Power of court on appeal.
247. Refusal to repair bridges.
248. Resolution of board of supervisors for abolition of toll bridges.
249. Investigation by the department of transportation.
250. Acquisition by attorney general.
251. Payment of expense of acquisition.
252. Maintenance of bridge.
253. Use of toll bridge by public service corporations; conditions; powers of town board.
254. Acquisition of certain toll bridges at the expense of the state.
255. Unsafe toll bridge.

§ 230. Definitions. As used in this article the following terms shall

have the following meanings:

1. "Bridge" means a structure including supports erected over a depression or an obstruction such as water, highway, or railway, having a track or passageway for carrying traffic or other moving loads and having an opening measured along the center of the track or roadway of more than twenty feet between under croppings of abutments or spring lines or arches, or extreme ends of openings for multiple boxes and may include multiple pipes where the clear distance between openings is less than half of the smaller contiguous opening. The term bridge, as defined in this section, shall also include the approaches.

2. "Culvert" means a structure whether of single or multiple span construction within an interior width of twenty feet or less when measurement is made horizontally along the center line of roadway from face to face of abutments or sidewalls immediately below the copings or fillets; or, if there are no copings or fillets at points six inches below the bridge seats or immediately under the top slab in the case of frame structures. In the case of arches, the span shall be measured from spring line to spring line. All measurements shall include the widths of intervening piers or division walls as well as the width of copings or fillets. The term culvert, as defined in this section, shall also include the approaches.

3. "Publicly-owned, operated or maintained" means a bridge that is owned, operated or maintained by any department, board, bureau, commission or agency of the state or its political subdivisions, public benefit corporation or by any public authority including the port authority of New York and New Jersey.

4. "Public entity" means any department, board, bureau, commission or agency of the state or its political subdivisions, public benefit corporation or any public authority including the port authority of New York and New Jersey.

5. "Substantial structural alteration" means any work that modifies the load capacity, loan distribution or load paths or structural

behavior of the bridge.

6. "Railroad bridge" means a structure including supports erected over a depression or an obstruction such as water, highway, or railway, having a track or tracks for carrying freight or passengers or other moving loads and having an opening measured along the center of the track or roadway of more than twenty feet between under croppings of abutments or spring lines or arches, or extreme ends of openings for multiple boxes and may include multiple pipes where the clear distance between openings is less than half of the smaller contiguous opening whether privately or publicly owned. The term railroad bridge, as defined in this section, shall also include the approaches.

7. "Railroad" means a private or public railroad operating in the state of New York carrying either freight, passengers or freight and passengers including, but not limited to, those operated by the metropolitan transportation authority and its subsidiaries, the Long Island Rail Road, the metro-north railroad, the Staten Island rapid transit operating authority, the New York city transit authority or any other public authority or local government and shall include tourist excursion operations and railrides on standard gauge tracks.

§ 231. Program of comprehensive bridge management and inspection. 1. Program establishment. The commissioner is authorized and directed to establish, implement and exercise oversight of and over a program of comprehensive bridge management and inspection. Such program shall facilitate the systematic organization and coordination of bridge inspection, maintenance, and repair information and practices to ensure and provide for sound comprehensive bridge management, thorough bridge inspections and proper, cost effective preventive maintenance for all bridges, publicly-owned, operated or maintained and shall further establish an inventory of all privately owned bridges. The program shall also include the establishment and maintenance of a bridge information data base and bridge information center. For the purpose of this section, the term bridge, shall refer only to bridges publicly-owned, operated or maintained, as defined in section two hundred thirty of this

article. The commissioner is hereby authorized to designate within the department an office, the primary function of which shall be to administer the program.

2. Commissioner's authorization. In implementing the program, the commissioner is authorized:

(a) to close any bridge which, if not closed may constitute a threat to any person's health, safety or welfare and, to open such bridge at such time as the commissioner deems appropriate;

(b) to maintain a civil action against any public or private entity to compel compliance with the provisions of this article;

(c) to conduct any inquiry pertinent or material to the discharge of the functions, powers and duties imposed by law, and through designated members of the staff, to subpoena witnesses, administer oaths, take testimony and compel the production of such books, papers, records and documents as may be relevant to any such inquiry or investigation;

(d) to have access to any and all books, records and papers relating to bridge design, construction, inspection, repair or maintenance maintained by any person subject to the provisions of this article;

(e) to encourage the development of comprehensive bridge management plans by public entities and to provide technical assistance, subject to available funds, to any public entity in the development of such plans; and

(f) to enter in or upon railroad right-of-way to inspect highway bridges. Upon reasonable notice from the department, a railroad shall provide the use of personnel familiar with railroad operations in order to provide safe access and protection from freight and passenger locomotive or train traffic to individuals who are required to enter upon or cross railroad property for the purpose of inspecting highway bridges. Any railroad providing such personnel shall be reimbursed for the reasonable and necessary costs, as determined by the commissioner, of providing such personnel. If any railroad shall fail to provide personnel in accordance with the department's request, the commissioner may impose a civil penalty at a rate not to exceed the actual costs incurred for each day or portion of a day that the inspection is delayed.

(g) to do all things necessary or convenient to carry out the

provisions of this section and to exercise and perform such other functions, powers and duties as may from time to time be conferred or imposed by law.

3. Program responsibilities. In addition to the commissioner's authority set forth in subdivision one of this section, the commissioner shall:

(a) enforce the provisions of this article;

(b) obtain bridge inspection reports that are required by the uniform code of bridge inspection and structural integrity as set forth in section two hundred thirty-two of this article;

(c) review or require review of inspection reports, in accordance with guidelines established by the commissioner, for the purposes of compliance with the code and the provisions of this article and any rules and regulations adopted in accordance with this article;

(d) make available training materials to persons performing maintenance and inspection pursuant to this article; and

(e) prescribe qualifications of bridge design, construction, and inspection experience for licensed professional engineers who may perform or supervise bridge inspections or evaluations in accordance with the provisions of this article.

4. Bridge data information center. (a) The commissioner shall, within appropriations provided therefor, establish and maintain a bridge data information center which shall include: (1) a central information data base for all bridges subject to the provisions of this section and which shall collect, accept, catalogue, index, cross reference, automate and maintain information on such bridges which shall include but not be limited to information of the following subject areas: ownership, location, construction date, design engineer, design type, summary of major design features, maintenance history, inspection rating, dates of substantial rehabilitation, restrictions, record of any collapse or failure, location of all documents relating to such bridges and any other information deemed necessary and appropriate by the commissioner and such information data base shall provide for the expeditious and accurate retrievability of all the information housed therein; and (2) a bridge information center for all information established and maintained

in the data base subject to subparagraph one of this paragraph and for such other information as the commissioner may deem necessary and appropriate regarding bridges and bridge technology and such information shall include but not be limited to information on state-of-the-art research and technology relating to bridge design and integrity and information regarding bridge failure and bridge collapse.

(b) All information collected pursuant to this subdivision shall be made available for public inspection and copying pursuant to the provisions of the freedom of information law.

5. Bridge design and substantial structural alteration. On and after the effective date of this section, every public entity shall submit to the commissioner and the commissioner shall accept for filing purposes the designs of bridges to be constructed after such date and plans for any substantial structural alteration, repair or rehabilitation to be performed after such effective date. All such designs and plans must be certified by a licensed professional engineer and shall bear the signature and seal or stamp of such engineer. The commissioner shall establish by rule and regulation procedures necessary to implement the provisions of this subdivision.

6. Annual report. The commissioner shall by the first day of January, nineteen hundred ninety, and the first day of January each year thereafter, provide to the governor and the legislature an annual report regarding the status of the bridge management and inspection program as established by section two hundred thirty-one of this article. Such report shall include but not be limited to the program goals and the extent that such goals have been met in the previous year, an overview of the development and status of the bridge data base and information center and the status and condition of all bridges in this state.

7. Cooperation and assistance of any person or entity. To effectuate the purposes of this article, the commissioner may request and shall receive from any person or entity subject to the provisions of this article and the same are authorized and directed to provide such cooperation and assistance, services and data as is necessary for the commissioner to carry out the provisions of this article.

§ 232. Uniform code of bridge inspection. 1. Code development; rules and regulations. The commissioner shall, after public hearing, promulgate a uniform code of bridge inspection, hereinafter referred to as the "code", by rule and regulation which shall be known as the uniform code of bridge inspection which shall, in all cases meet or exceed applicable federal law. The commissioner shall periodically review the code to ensure that it effectuates the purposes of this section. For the purpose of this section the term "bridge" shall refer only to bridges publicly-owned, operated or maintained as defined in section two hundred thirty of this article.

2. Periodic inspections. Any bridge publicly-owned, operated or maintained shall be inspected at least once every two years in accordance with the provisions of the code and shall be further inspected and/or evaluated at such other times as may be required therein. The code shall also set forth requirements for the interim inspections or evaluations and the scope of such inspections or evaluations where the structural integrity of a bridge is or has been threatened by a storm, flood, natural phenomenon, accident or manmade occurrence; where a bridge has known deficiencies; and where a bridge is posted for weight limits less than that which is legal on the highway leading to or from the bridge.

3. Minimum code requirements. The uniform code of bridge inspection shall require, but not be limited to, the following:

(a) provisions that all bridge inspections shall include a review of the most recent inspection report and, to the extent available and retrievable in the normal course of business and consistent with public safety, the most recent structural integrity evaluation, an examination of the design, as-built plans, contract documents, history of construction including any history of strucutural alterations, repairs, rehabilitation or maintenance;

(b) provisions for the establishment of a rating system keyed to the structural integrity and safety of the bridge;

(c) provisions that any aspect of a bridge that is not inspected at

the time of the inspection or is determined by the supervising engineer to be uninspectable, shall be inspected as to its condition as soon thereafter as such aspect becomes inspectable provided, however, if judged to be permanently uninspectable such status and condition shall be noted;

(d) procedures for all underwater inspections;

(e) criteria and guidelines for approved scour indicator systems where a bridge has foundations subject to scour; and

(f) procedures for the temporary closing of a bridge and the notification of the commissioner.

4. Structural integrity evaluation. (a) The code shall establish requirements for performing bridge structural and foundation system evaluations in conjunction with an inspection. The criteria for the need and frequency for these evaluations, which shall be referred to as a structural integrity, shall be keyed to the structural integrity and safety rating system required by the code. The code shall also provide for the scope and contents of such evaluations. Where applicable to the determination of structural integrity, these evaluations shall include an analysis of:

(i) where available and retrievable in the normal course of business and consistent with public safety, the design, design as-built plans, contract documents, and history of construction, structural alterations, rehabilitation, and maintenance repairs;

(ii) code changes since the time of original design;

(iii) the live load capacity rating in accordance with current specifications and/or accepted engineering practice and accounting for changes in volume and character of traffic;

(iv) the effect of relevant stream changes regarding water crossings;

(v) deterioration and modification to the original structure; and

(vi) a life cycle projection of the scope and estimated cost of maintenance, repair, and/or rehabilitation in order to provide criteria for comprehensive bridge management and safety.

(b) Each structural integrity evaluation performed in accordance with by paragraph (a) of this subdivision shall also include a ten year life cycle projection, the purpose of which is to estimate the scope and cost of maintenance, repair and rehabilitation in order to provide criteria

for comprehensive bridge management and safety.

5. Inspections and inspection reports. (a) All bridges shall be inspected and evaluated by licensed professional engineers or by any other person who is under the direct supervision of such an engineer providing such engineer is present at the time of inspection and evaluation. Any such engineer who shall either perform or supervise an inspection or evaluation shall be referred to as the inspecting engineer and shall meet the qualifications for previous bridge design, construction or inspection experience as prescribed by the commissioner. All inspections and evaluations shall be reported on forms prescribed by the commissioner, subscribed by the inspecting engineer and filed with the commissioner within sixty days of the completion of the inspection or evaluation. The commissioner may accept for filing a copy of any incomplete inspection or evaluation report but shall also return any such report to the inspecting engineer for completion at a time established by the commissioner but in no case shall such time exceed sixty days.

(b) Within sixty days of the effective date of this section, every public entity shall file with the commissioner, for the purposes of establishing and maintaining the bridge data base as set forth in section two hundred thirty-one of this article, the most recent inspection report for bridges conducted prior to such effective date.

6. Maintenance guidelines. The commissioner shall establish by rule and regulation criteria for the furnishing of written maintenance guidelines to the owner of a bridge by the design engineer responsible for either the construction or substantial structural alteration, repairs, or rehabilitation of a bridge upon completion of such construction or rehabilitation. This provision shall apply to every bridge construction alteration, repair, or rehabilitation contracted for on or after the first day of January, nineteen hundred ninety.

§ 233. State bridges and culverts. 1. The commissioner shall cause an inspection to be made of any state bridge or culvert which is reported to be unsafe for its posted loading by the regional director or the

county superintendent or the town superintendent. If such bridge or culvert is found to be unsafe for such posted loading, the commissioner may cause the signs relating to the loading permitted on such bridge or culvert to be modified and it shall be the duty of the regional director in whose region such bridge or culvert is located to immediately make such changes in the signs posted on the bridge or culvert as the commissioner may order, and at the same time the regional director shall notify those responsible for the maintenance of the bridge or culvert of such action. After such inspection, the bridge or culvert shall have the same status with respect to maintenance and liability as it had prior to the inspection. Any inspection of a bridge performed pursuant to this section shall be performed in accordance with the provisions of sections two hundred thirty-one and two hundred thirty-two of this article.

2. The commissioner may, by an official order, close any state bridge or culvert and notify the regional director, the county superintendent, the town superintendent and the supervisor of the town of that fact, and if such bridge or culvert is located in more than one town or county, the county superintendent, town superintendent and supervisor of each town, respectively, shall have like notice. After the closing of any such bridge or culvert, the commissioner shall cause to be erected conspicuous signs to the effect that the bridge or culvert is closed to all traffic, and shall cause to be erected barricades of a type approved by the commissioner. Neither the state nor any other public entity shall be responsible for any damages which may result to any vehicle or to any person entering on or traveling over such bridge or culvert after the erection of such barricades and signs.

The commissioner may take over, by official order, any bridge or culvert located on the state highway system, for the purpose of repairing, altering or reconstructing the structure as provided in this section, and shall thereupon notify the regional director, the county superintendent of each county or counties and the town superintendent and supervisor of each town or towns in which such bridge or culvert is located by mailing to each of them a copy of said official order. Any bridge or culvert, except as hereinafter provided, either closed or taken over by official order as above authorized shall be maintained,

repaired, reconstructed, or a bridge or culvert constructed on new location at the sole expense of the state from the time of such condemnation or taking over, and the commissioner of transportation shall supervise such maintenance, repair, reconstruction, or construction of a new bridge or culvert on a new location, and may pay the cost of same from any funds available for the maintenance, repair, reconstruction and construction of state highways and bridges. The commissioner is hereby authorized to make surveys and designs for any bridge or culvert located on the state system of highways prior to its being taken over by official order as authorized in this section, and may pay the cost of same from any funds available for the maintenance, repair, reconstruction and construction of state highways and bridges.

After the closing or taking over by official order of any bridge or culvert located on the state system of highways, such bridge or culvert shall be deemed to be a part of the highway on which such bridge or culvert is located.

3. The commissioner may let contracts for the repairing, altering, reconstruction, or constructing on new location, of any bridge or culvert provided for by this section in accordance with the general provisions of section thirty-eight of this chapter, except as hereinafter provided. In the performance of work provided by this section, the commissioner may perform the work by the use of departmental forces and equipment, and purchase materials therefor.

4. Whenever a portion of a state bridge or culvert is located within the bounds of a city and the commissioner determines that such bridge or culvert should be repaired, altered or reconstructed for public use and travel, he shall prepare plans and specifications therefor which shall show subdivided estimate covering that portion of the bridge or culvert located within such city boundaries and he shall submit such plans and estimate to the city for its examination and the city shall report, within fifteen days, to the commissioner with such recommendations or modifications the city may desire. That portion of the bridge or culvert lying without the city boundaries shall be built and paid for in accordance with this section and that portion of the bridge or culvert

lying within the city boundaries shall be paid for wholly by the city. Before advertising a contract for the construction of such a bridge or culvert the commissioner shall submit to the city the amount of the estimated cost of that portion of such bridge or culvert which is to be paid for by the city and the city shall thereupon provide the money therefor and shall deposit such amount with the state department of audit and control to be paid out by it on the audit and warrant of the comptroller on vouchers therefor approved by the commissioner. Any such city is hereby authorized to provide the means for obtaining such money including the raising of all or part of such sums pursuant to the local finance law. The commissioner shall authorize and supervise the maintenance of that portion of a bridge or culvert located within the bounds of a city and shall pay for the cost of such maintenance in the first instance from the funds available for the maintenance, repair, reconstruction and construction of state highways and bridges, but the city shall, within three months after the receipt of a detailed statement from the commissioner showing the city's share of the cost of such maintenance work, deposit money equal to the cost of such work with the state. This subdivision shall not apply to bridges heretofore acquired or constructed which have previously been maintained by the state, nor to bridges built pursuant to special acts of the legislature. Any bridge located partly within a city constructed and paid for solely through the use of federal funds shall have the same status with respect to maintenance and reconstruction as if such bridge had been constructed under the provisions of this section without the use of such federal funds, and any bridge located wholly within a city so constructed through the use of such federal funds shall be maintained and reconstructed at the sole expense of the city.

5. The commissioner of transportation may provide, in carrying out the provisions of this section, for additional width of a bridge or culvert, extra sidewalk facilities or approaches, more expensive design, or other features not essential for highway traffic when so requested by the local municipality or municipalities provided such local municipality or municipalities defray the additional cost thereof in the same manner and under the same provisions of the highway law that they defray additional cost of widening or building more expensive types of pavements on

highways. In such cases, the local municipality or municipalities shall petition by resolution for such betterment, and shall deposit the necessary additional funds with the state comptroller in a manner similar to that provided in section forty-six of this chapter.

6. The commissioner of transportation, when requested by a municipality, public utility company, private corporation, or individual, may provide facilities in bridge or culvert construction for carrying conduits, cables, water pipes and the like. The expense of installing such facilities shall be borne by the municipality, company, corporation or person desiring the same, and the total estimated cost thereof shall be as estimated or determined by the commissioner of transportation prior to the award of a contract including the construction of such facilities in the same manner as provided in section forty-six of the highway law. The commissioner of transportation may, except as to a public utility company having a franchise for the use of such a public road or highway, require and is hereby authorized to fix an annual rental price to be paid to the state by such municipality, corporation, company or individual as compensation for the use of said facilities, provided, and according to terms and conditions as prescribed by him.

7. In reconstructing a bridge or culvert under this section, the commissioner of transportation shall remove and dispose of all old steel, masonry and lumber through his agent, employees, contractors, or otherwise, unless the municipality or municipalities owning the bridge or culvert notifies the commissioner of transportation in writing that it desires to salvage such structure and will remove and dispose of the same at a time and in a manner satisfactory to and as directed by the commissioner of transportation.

8. In the construction of bridges or culverts, within the meaning of this section, the right of way necessary for the construction of a temporary road and a temporary bridge or culvert, if necessary, during the construction of the new structure, shall be acquired in accordance with the provisions of section thirty of the highway law, as hereinafter provided.

9. In the construction of bridges or culverts within the meaning of this section, the commissioner of transportation may provide one or more sidewalks upon the same and upon the approaches thereto, when in his judgment the pedestrian traffic is sufficient to warrant such provision.

10. The provisions of this section shall be deemed to include all work upon the bridge, culvert, temporary bridge or temporary culvert, abutments, piers and guard rails as well as approaches thereto as defined and limited by the commissioner of transportation in each specific case. It shall also be deemed to include all excavation work in the stream channel, protection to the stream banks and other work necessitated by the new bridge or culvert construction, all as the commissioner of transportation shall determine.

11. The commissioner of transportation may provide in the construction or reconstruction of state highways for the separation of highway grade crossings thereon when in his judgment such separations are necessary for the safety and public welfare of the users thereof. He may also provide for the separation of highway grade crossings involving any state highway with any state or county parkway or drive or with any other public street, avenue or road in conjunction with such other state, county or municipal authority having jurisdiction thereof under such terms and conditions as the commissioner of transportation may impose. Prior to the performance of any work involving an agency other than those under his jurisdiction, the commissioner of transportation shall enter into an agreement with the authority having jurisdiction thereof and such agreement shall indicate the division of costs for the construction and maintenance of the structure and appurtenances. In providing for such separation of grades, the commissioner of transportation may provide for the construction of bridges and lateral drives deemed necessary and may combine such work with additional work to be paid in whole or in part by other state departments, counties or municipalities. The commissioner of transportation is hereby authorized to defray the state's share of the cost of such grade separations from any funds available for the maintenance, repair, reconstruction or construction of state highways and for the construction of state

parkways. If such construction requires payment of state funds under the jurisdiction of another state department, such department shall, prior to the award of a contract providing for such construction, certify to the state department of audit and control that it has obligated an amount estimated as necessary therefor by the commissioner of transportation. If such construction requires payment of funds from any county treasury, the board of supervisors of such county shall, by resolution, make available to the requisition of the commissioner of transportation an amount estimated as necessary therefor by the commissioner of transportation prior to the award of a contract providing for such construction. If such construction requires payment of funds from any other agency for any purpose connected with such construction, such funds, based upon estimates prepared by the commissioner of transportation shall be deposited prior to the award of a contract providing for such construction with the state department of audit and control to be paid out by the comptroller on vouchers therefor approved by the commissioner of transportation. If upon the completion of the work, a balance of funds so deposited with the department of audit and control shall remain unexpended such balance shall be returned to the agency making such deposit. In contract work, monthly estimates shall be made as the work progresses which shall show the subdivision of costs to the participating agencies on such form as the state comptroller may determine, copies of which may be furnished such agencies participating in the cost of the work. Cost of engineering shall be deemed a participating part of the expense in the proportions fixed by the commissioner of transportation .

12. Whenever in the construction, reconstruction or improvement of a state highway it is found advisable to change the course of a stream channel so that it will not cross and recross the highway but will cross any public road, highway or street, the commissioner of transportation may include in the highway construction or reconstruction or improvement contract plans for the construction of a bridge or culvert and necessary approaches thereto over said changed course of the stream channel to carry any such public road, highway or street over such changed course of the stream channel. The cost of the construction of such bridge or culvert and the approaches thereto shall be paid by the state out of any

funds available for the maintenance, repair, reconstruction or construction of state highways and bridges. After the completion and acceptance of such bridge or culvert, the cost of the maintenance thereof shall be under the authority of the agency having jurisdiction over the public road, highway or street upon which such bridge or culvert is located.

13. Any person or persons driving on a bridge or culvert located on the state system of highways with loads in excess of the maximum loading permitted on such bridge or culvert as shown by the signs posted thereon, or who in any way causes damage to a bridge or culvert in violation of the provisions of the highway law or the vehicle and traffic law shall be liable for any damage resulting to the bridge or culvert. The superintendent of public works may take over, by official order, any bridge or culvert so damaged and it shall be his duty to make the necessary repairs or reconstruct such bridge or culvert and he may pay for the cost of same out of funds available for the maintenance, repair, reconstruction and construction of state highways and bridges. The superintendent of public works is hereby authorized to bring an action in the name of the state against any person or corporation to recover damages sustained or suffered or expenses incurred by the state in consequence of any act or omission of any such person or corporation in violation of any of the provisions of the highway law or the vehicle and traffic law.

§ 234. Public authority, public benefit corporation, commission, county, town, city or village bridges. 1. a. All public authorities, public benefit corporations, commissions, county superintendents of highways, town superintendents of highways, and legislative bodies of cities and villages shall cause an inspection to be made of each bridge under their respective jurisdictions. Such inspection shall be made on a frequency and shall be conducted under standards prescribed by the commissioner pursuant to rules and regulations adopted in accordance with this article. Upon the request of the appropriate public authority, public benefit corporation, commission, county highway superintendent, town highway superintendent or appropriate city or village official, the

department may make such inspection. If the appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent or appropriate city or village official does not request such an inspection and the commissioner determines after suitable investigation that the appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent, or city or village official has not complied with the rules and regulations of the department adopted in accordance with this article for the inspection of bridges, and after due notice, the commissioner shall cause such inspection to be made. After such inspection the bridge shall have the same status with respect to maintenance and liability as it had prior to inspection.

b. The cost of the inspection of any bridge owned by a public authority or a public benefit corporation shall be the responsibility of such public authority or public benefit corporation. If such public authority or public benefit corporation fails to reimburse the department for such reasonable and necessary costs after due notice as provided by rules and regulations, the commissioner is hereby authorized and empowered to commence an action in a court of competent jurisdiction to collect any money owed by such public authority or public benefit corporation for such inspections.

c. Once the department has conducted an inspection of any bridge it shall continue to make subsequent inspections of such bridge as may be required; however, if the appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent or appropriate city or village official notifies the commissioner that such public authority, public benefit corporation, commission, or local jurisdiction desires henceforth to make such inspection and demonstrates to the commissioner that it has the means to do so in accordance with the provisions of this article and the rules and regulations adopted pursuant thereto, the appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent, or city or village official shall reassume responsibility for such inspection.

2. a. If the result of an inspection indicates that a bridge is unsafe for public use and travel with legal weights, or if posted, with such posted weights, the appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent or city or village official shall close it to all traffic and shall notify the department of that fact. The appropriate public authority, public benefit corporation, commission, county superintendent, town superintendent or city or village official shall thereupon cause to be posted conspicuous notices on such bridge and also on the approaches thereto to the effect that the bridge is closed to all traffic and shall at the same time cause to be erected suitable barricades for closing such bridge, including the necessary lights which shall be visible to any one approaching such barricades from one hour after sunset to one hour before sunrise. Neither the county nor the town nor any other public entity shall be responsible for any damages which may result to any person entering on or traveling over such bridge after the posting of such notices and the erection of such barricades.

b. If the appropriate public authority, public benefit corporation, commission, county, town, city or village fails to close such a bridge, the department is hereby authorized and directed to close and barricade such bridge in accordance with the provisions of this article and rules and regulations adopted pursuant thereto, and any reasonable and necessary costs incurred by the department shall be the responsibility of and paid for by the appropriate public authority, public benefit corporation, commission, or municipality. If such public authority, public benefit corporation, commission or municipality fails to reimburse the department or division for such costs after due notice as provided by rule and regulation, the commissioner is authorized to pursue all available remedies including but not limited to commencing an action in a court of competent jurisdiction to collect any such money owed by a public authority, public benefit corporation, commission or municipality.

3. a. If a bridge is found to require a load capacity evaluation, it shall be the responsibility of the appropriate public authority, public benefit corporation, commission, county highway superintendent, town

highway superintendent or city or village official to determine the total safe load which may be permitted to pass over such bridge and such public entity or the appropriate public official shall notify the department of such determination. Such load capacity evaluation must be performed by a licensed professional engineer. No person shall drive animals or operate a vehicle or combination of vehicles on or across any such bridge the total weight of which, on said bridge at any one time, shall exceed the total safe load as sign posted. It shall thereupon be the duty of the appropriate public authority, public benefit corporation, commission, county highway superintendent, town highway superintendent or city or village official, with respect to structures under their respective jurisdictions, to post signs to inform persons of the safe load permitted on such bridge. The type and manner of placement of such signs shall conform to the manual and specifications of the department. Neither the state nor any other public entity shall be responsible for any damages which may result to vehicles or animals of a greater weight upon such bridge than that indicated on the signs.

b. If the appropriate public authority, public benefit corporation, commission, county, town, city or village fails to determine the safe load capacity and, if appropriate, post the total safe load which may be permitted to pass over a bridge within sixty days of being notified that a load capacity evaluation is required, the commissioner may, close the bridge in accordance with the provisions of this article and the rules and regulations adopted pursuant thereto and any reasonable and necessary costs incurred by the department shall be the responsibility of and paid for by the appropriate public authority, public benefit corporation, commission or municipality. If such public authority, public benefit corporation, commission or municipality fails to reimburse the department or division for such costs after due notice as provided by rule and regulation, the commissioner is authorized to pursue all available remedies including but not limited to commencing an action in a court of competent jurisdiction to collect any such money owed by a public authority, public benefit corporation, commission or municipality.

4. If a bridge having a span less than twenty-five feet is condemned,

the county superintendent shall without delay cause to be prepared plans, specifications and estimates for the repair, alteration or reconstruction of such bridge and approaches thereto or for the construction of a bridge and approaches thereto on new location.

The cost of preparing such plans, specifications and estimates, if any, may be paid by the treasurer of the county on the order of the county superintendent, together with an itemized statement of such costs, from any money of the county appropriated for the construction of bridges. On or before the thirty-first day of October in each year the county treasurer shall report the amount of such expenditures to the town superintendent of highways of the town in which such bridges are located and the amount thereof shall be included in the estimate of expenditures for highways and bridges required to be prepared by the town superintendent of highways and shall thereafter be paid by the supervisor upon a voucher approved by the town superintendent of highways after audit in the same manner as other charges against the town to the county treasurer from taxes levied and collected for that purpose.

5. If a bridge having a span less than twenty-five feet has been inspected by the county superintendent and posted by the town superintendent as safe for restricted use, it shall be the responsibility of the town to maintain the structure in a proper condition of repair for safe usage by the public in accordance with the posted limits of loads and speed.

6. Any bridge having a span of twenty-five feet or more, which has been inspected by the county superintendent of highways, may be taken over by the county under official order of the county superintendent of highways. Otherwise its status shall remain the same as bridges having less than twenty-five feet span. If a bridge having a span of twenty-five feet or more has been taken over by the county under official order, it shall be repaired, altered, reconstructed or constructed on new location under the direction of the county superintendent of highways. Upon the issuing of such official order the county superintendent shall without delay cause to be prepared plans,

specifications and estimates for the repair, alteration or reconstruction of such bridge or for the construction of a bridge on new location and it shall be the duty of the board of supervisors forthwith to undertake such repair, alteration, reconstruction or construction work. The county in which such bridge having been taken over by the county superintendent of highways is located shall pay the cost of such repair, alteration, construction or reconstruction and the board of supervisors of such county is hereby authorized to provide funds for such purposes in accordance with the provisions of the highway law relating to the raising of moneys for the construction, reconstruction or repair of county roads and town highways.

Payment of such construction, reconstruction or maintenance shall be made as follows:

Where the construction, reconstruction or maintenance is done by contract, from time to time as the work proceeds, and in accordance with rules to be established by the commissioner of transportation, the county superintendent of highways shall prepare a voucher showing the value of the work completed and a verified certificate showing that such work was done in accordance with the plans and specifications. Such voucher and certificate shall be filed with the county treasurer. In the event that the work was done by county forces, a similar voucher for the work done, including material furnished, and a similar certificate shall be filed with the county treasurer. The county treasurer, on such voucher shall, in cases where the work has been done by contract, pay out of the money provided an amount not exceeding ninety per centum, or in a case where the bond is dispensed with, eighty per centum, of the contract price of such completed work; and where the work has been done by county forces shall pay the full amount of such voucher. The balance of the contract price shall be paid after the completion of the work when the same has been accepted by the county superintendent by a certificate and voucher filed in the office of the county treasurer.

The county superintendent may, pending the preparation of said plans, specifications and estimates and pending the performance of the duty of the board of supervisors as above prescribed, and subject to the

monetary limitations as hereinafter set forth, make such emergency repairs to such bridges or build temporary structures thereat, as he deems necessary without the approval and the adoption of a resolution by the board of supervisors previous to the performance of such work; and the board of supervisors may cause such a sum of money to be raised as it deems necessary for the purpose of the construction, reconstruction or repairs, and for such other purposes for bridges as are required by law, under the direction and supervision of the county superintendent. It shall be the duty of the county treasurer to pay for any such emergency work from said money upon the submission to him of an itemized statement of all such expenditures connected therewith upon the order of the county superintendent.

In case of an emergency if the appropriation for bridge purposes is exhausted or insufficient the county treasurer may pay from any unobligated balance in the county road fund and the board of supervisors shall, at its first subsequent meeting, appropriate a sufficient amount to reimburse the county road fund for money so expended. The county treasurer shall report the receipts and expenditures pursuant to this section at the same time and in the same manner that he is required to do by the provisions of article six of the highway law. Such account shall be subject to audit by the board of supervisors and may be examined by the state comptroller at any time.

7. If a bridge having a span of twenty-five feet or more has been taken over by the county on the official order of the county superintendent of highways and posted by the town superintendent as safe for restricted use, it shall be the responsibility of the county to maintain the structure in a proper condition of repair for safe usage by the public in accordance with the posted limits of loads and speeds.

8. Any bridge having a span of less than twenty-five feet as provided in this section shall be maintained at the expense of the town in which such bridge is located. Any bridge having a span of twenty-five feet or more built in accordance with the provisions of this section and located upon a county road shall be maintained by the county in which such bridge is located. All other bridges built by the county under this

section shall be maintained by the county excepting that the floor or wearing surface of such bridges shall be maintained by the towns in which they are located.

9. If a bridge having a span less than twenty-five feet is located in more than one town, the procedure in this section shall apply equally to such towns and town superintendents affected.

If a bridge having a span of twenty-five feet or more is located in more than one county, the procedure in this section shall apply equally to such counties and county superintendents.

Such portions of the highway law relating to bridges located in more than one town or more than one county shall apply in so far as the same is not inconsistent with other provisions of this section.

For the purposes of this section, a bridge having a span of twenty-five feet or more shall be considered a structure wherein the horizontal distance from face to face of abutments at the bridge seat elevation is not less than twenty-five feet.

10. Upon the recommendation of the county superintendent, the board of supervisors may, at any time, by resolution, take over any bridge having a span of twenty-five feet or over which is on a town highway or any town bridge over twenty-five feet long located within an incorporated village, although such bridge may not have been condemned, for the purpose of maintaining and preserving the same under the supervision of the county superintendent. Upon the adoption of such a resolution the clerk of the board of supervisors shall mail a certified copy of the resolution to the county superintendent, the county treasurer and the supervisor of the town within which such bridge is located, which copy shall be filed by each of said officers in his office. Such resolution shall also appropriate and make immediately available to the order of the county superintendent from county funds, such sum as may be deemed necessary for the preservation or maintenance of such bridges, and it shall be the duty of the board of supervisors to appropriate and make available to the order of the county superintendent from time to time

from county funds such sums as may become necessary for the preservation and maintenance of such bridges. Any bridge taken over by the county pursuant to this section shall be under the direct supervision of the county superintendent of highways and if a bridge is a draw-bridge or of a nature that requires the services of an operator or attendant, such operator or attendant shall be employed by the county superintendent of highways and paid out of county funds appropriated for the maintenance of bridges.

11. (a) Upon the recommendation of the county superintendent that any bridge having a span of twenty-five feet or over, which is on a county road or a town highway, has become useless and not necessary for the public convenience and welfare, the board of supervisors, to promote the interests of the county, upon a resolution adopted by a majority of the members of such board, may authorize, empower and direct the county superintendent acting for and in behalf of such board, to make an order abandoning any such bridge, provided, however, that such order shall become effective if and when he shall have obtained a written release from all damages from the owners of the land adjacent to the section of the highway upon which such bridge is located between lateral intersecting highways affected thereby. Such release shall contain a provision that it shall forever be binding upon and in full force and effect against the owner, his lessees, grantees, assigns, successors, heirs and devisees and such release shall, when recorded and indexed as hereinafter prescribed, be so binding. Said release shall be duly acknowledged in the manner to entitle a conveyance transferring any estate in real property to be recorded and it shall be recorded and indexed in the county clerk's office in which the lands described in a release are located as a conveyance under the real property law.

(b) The county superintendent, with the approval of the chairman of the board of supervisors and the county judge, may agree with such owner or owners upon the amount of consideration for such releases in a gross sum not to exceed five thousand dollars. An order of the county superintendent as herein provided shall be final. The amount agreed upon to be paid to such owners for such releases and the cost of the removal of such useless bridge and/or the cost for the erection of obstructions or barricades shall be a county charge and may by resolution of the

board of supervisors be paid from any funds of the county that may be legally used for such purpose or may be raised, in whole or in part, pursuant to the local finance law. Whenever the money to be paid for such releases is available the county treasurer shall pay to the said owners executing said releases the amounts agreed upon to be paid to them for said releases upon the requisition of the county superintendent.

(c) It shall be the duty of the county superintendent upon the making of an order of abandonment to file the same in the office of the clerk of the board of supervisors and to file copies thereof certified by the clerk of the board of supervisors in the town clerk's office of the town or towns in which such useless bridge or part thereof is situated, and he shall send two such certified copies of said order to the department of transportation. Upon the filing of said order it shall be the duty of the county superintendent to erect at and across each end of such useless bridge a suitable substantial barricade or obstruction to close such bridge and for the prevention of further use thereof and passage thereon or thereto and there shall be installed suitable signs, the type and manner of placement of which shall conform to the New York State manual of uniform traffic control devices. If such bridge is taken down, the county superintendent shall place like obstructions or barricades at the ends of the portions of the highway at the places where the highway joined such bridge. The county superintendent shall also erect suitable signs at lateral intersecting highways which in his judgment afford most convenient detours to another bridge or bridges to be used by the traveling public instead of such abandoned bridge. The cost of such signs, their erection and maintenance shall be paid for in the manner provided for the payment of the barricades and obstructions as aforesaid.

12. Upon the written recommendation of the county superintendent that any bridge having a span of twenty-five feet or over, which is on a county road or town highway, has become useless and not necessary for the public convenience and welfare, the board of supervisors, upon a finding by resolution of the town board as to any such bridge on a town highway, or upon a finding by resolution of such board of supervisors as to any such bridge on a county road, to promote the interests of the

county, may, upon a resolution adopted by a majority of the members of such board, order and direct the county superintendent to abandon such bridge on a county road or town highway and to erect suitable barricades for closing such bridge and also signs in relation to such abandonment as are prescribed for the abandonment of a useless bridge in the last above preceding subdivision of this section.

The clerk of the board of supervisors shall forthwith serve a certified copy of such resolution on the county superintendent and thereupon the county superintendent shall make, in duplicate, a written order of abandonment of such bridge and file one of them in his office and one of them in the office of the clerk of the board of supervisors, who shall forthwith make and certify copies of such resolution and of such order and file the same in the town clerk's office of the town or towns in which said useless bridge is situated and shall mail two certified copies of such resolution and of such order to the state department of transportation. Upon the county superintendent making and filing such order of abandonment, he shall forthwith permanently and substantially barricade such bridge to public highway uses and purposes, or remove the bridge and build sufficient permanent and substantial barricades across the road or highway at the points where entrance was made upon the bridge, and the cost and expense thereof shall be a county charge, to be paid by the county treasurer upon the order of the county superintendent.

If the board of supervisors or the county superintendent, for and in behalf of the board, is unable to obtain releases from all damages, not exceeding the amounts prescribed in the last preceding subdivision of this section, from owners of the land adjacent to the section of the road or highway upon which such abandoned bridge is located, lying between such bridge and intersecting roads or highways, such owners of lands shall be entitled to recover from the county the damages resulting from the abandonment of such bridge. Any such owner claiming damages from such abandonment of such bridge may, within ninety days after such bridge has been barricaded against or removed from the public use, apply to the supreme court at a special term thereof to be held in the judicial district in which the county is located for the appointment of

three commissioners of appraisal to determine and assess the damages to which he is entitled to be paid by the county. Notice of application must be served upon the chairman of the board of supervisors at least ten days before the hearing thereof. The commissioners of appraisal shall be taxpayers of such county but shall not reside in the town in which such abandoned bridge is or was situated. All proceedings subsequent to the appointment of commissioners of appraisal shall be taken in accordance with the provisions of the condemnation law so far as applicable. The commissioners of appraisal, appointed as herein provided, for each day necessarily employed as such shall each be entitled to fifteen dollars and his necessary expenses, which shall be a county charge to be audited by the board of supervisors or a committee thereof and paid by the county treasurer upon the order of the board by its chairman.

If such bridge is over the county boundary line between two counties, the aforesaid abandonment proceedings, steps and measures may be taken in, for and by the respective counties for the abandonment of such useless bridge, and the cost and expense thereof shall be at the joint cost and expense of such counties, excepting, however, that each county shall severally pay the cost of obtaining releases for damages or the damages determined and assessed by the commissioners of appraisal in connection with the lands in each county affected as herein specified.

12-a. Upon the recommendation of the county superintendent that any bridge having a span of twenty-five feet or over which is on a town highway outside of a city, and which is not on the improved state system of highways, or any such bridge which is under the supervision of the town superintendent of highways, located within an incorporated village, and which has been condemned by the county superintendent of highways under the provisions of subdivisions one and two of this section, and which has not been taken over by the county under the official order of the county superintendent of highways pursuant to subdivision six of this section, has become useless and not necessary for the public convenience and welfare, the board of supervisors, to promote the interest of the county may, upon a resolution adopted by a majority of the members of such board, order and direct the county superintendent to

abandon such bridge on a town highway or any such bridge which is under the supervision of the town superintendent of highways located within an incorporated village, and to erect suitable barricades for closing such bridge, and also signs in relation to such abandonment, as are prescribed for the abandonment of a useless bridge in subdivision eleven above.

The clerk of the board of supervisors shall forthwith serve a certified copy of such resolution on the county superintendent and thereupon the county superintendent shall make, in duplicate, a written order of abandonment of such bridge pursuant to the provisions of this subdivision and file one of them in his office and one of them in the office of the clerk of the board of supervisors, who shall forthwith make and certify copies of such resolution and of such order and file the same in the town clerk's office of the town or towns in which said useless bridge is situated and shall mail two certified copies of such resolution and of such order to the state department of transportation. Upon the county superintendent making and filing such order of abandonment, he shall forthwith permanently and substantially barricade such bridge to public highway uses and purposes, or remove the bridge and build sufficient permanent or substantial barricades across the road or highway at the points where entrance was made upon the bridge, and the cost and expense thereof shall be a county charge, to be paid by the county treasurer, upon the order of the county superintendent.

If the board of supervisors or the county superintendent, for and in behalf of the board is unable to obtain releases from all damages not exceeding the amounts prescribed in subdivision eleven of this section, from owners of the land adjacent to the section of the road or highway upon which such abandoned bridge is located, lying between such bridge and intersecting roads or highways, such owners of lands shall be entitled to recover from the county the damages resulting from the abandonment of such bridge. Any such owner claiming damages from such abandonment of such bridge may, within ninety days after the filing of the order of abandonment authorized by this subdivision in such town clerk's office, apply to the supreme court at a special term thereof, to be held in the judicial district in which the county is located, for the

appointment of three commissioners of appraisal to determine and assess the damages to which he is entitled to be paid by the county. Notice of application must be served upon the chairman of the board of supervisors at least ten days before the hearing thereof.

If, within said period of ninety days such owner does not so apply to the supreme court for the appointment of commissioners of appraisal to assess said damages, then the board of supervisors may so apply to the supreme court at a special term thereof, to be held in the judicial district in which the county is located, for the appointment of three commissioners of appraisal to determine and assess the damages to which said owner or owners are entitled to be paid by the county. Notice of such appointment must be served upon said owner or owners at least ten days before the hearing thereof.

The commissioners of appraisal shall be taxpayers of such county, but shall not reside in the town in which such abandoned bridge is or was situated. All proceedings subsequent to the appointment of commissioners of appraisal shall be taken in accordance with the provisions of the condemnation law, so far as applicable. The commissioners of appraisal, appointed as herein provided, for each day necessarily employed as such, shall be entitled to fifteen dollars and his necessary expenses, which shall be a county charge, to be audited by the board of supervisors and paid by the county treasurer after audit thereof.

13. Notwithstanding the provisions in this section or elsewhere in this chapter, the board of supervisors of Genesee county, Wyoming county and/or Sullivan county, at any time, upon recommendation of the county superintendent, may take over any bridge having a span of five feet or over which is on a town highway or any town bridge over five feet long located within a village, although such bridge may not have been condemned, for the purpose of maintaining and preserving the same under the supervision of the county superintendent. Upon the adoption of such resolution, the procedure thereafter shall conform to the provisions of this section relating to bridges on town highways and town bridges in villages having a span of twenty-five feet or over and the bridges taken over as herein provided thereafter shall be under the direct supervision

of the county superintendent of highways and the cost of maintenance thereof shall be paid from county funds appropriated for the maintenance of bridges.

14. Notwithstanding any other provision of law, a county may contribute funds to a city, town or village towards its fifteen per centum share of the cost of reconstructing a railroad bridge as required by subdivision three of section ninety-four of the railroad law whether or not the road, of which the bridge is a part, is under the jurisdiction of a city, village, town or county and regardless of who performs the work.

15. In the county of Washington, the provisions of this section otherwise applicable to bridges having a span of twenty-five feet or more shall apply to bridges having a span of twenty feet or more.

16. In the county of Delaware, the provisions of this section otherwise applicable to bridges having a span of twenty-five feet or more shall apply to bridges having a span of twenty feet or more and the deck or wearing surface of such bridges shall be the responsibility of such county.

17. Notwithstanding any other provision of law, the board of supervisors of Saratoga county, upon the recommendation of the county superintendent, may, at any time, by resolution, take over any bridge having a span of twenty-five feet or over which is on a village highway or any village bridge, over twenty-five feet long located within an incorporated village, although such bridge may not have been condemned, for the purpose of maintaining and preserving the same under the supervision of the county superintendent. Upon the adoption of such a resolution the clerk of the board of supervisors shall mail a certified copy of the resolution to the county superintendent, the county treasurer and the mayor of the village within which such bridge is located, which copy shall be filed by each of said officers in his office.

Such resolution shall also appropriate and make immediately available

to the order of the county superintendent from county funds, such sum as may be deemed necessary for the preservation or maintenance of such bridges, and it shall be the duty of the board of supervisors to appropriate and make available to the order of the county superintendent from time to time from county funds such sums as may become necessary for the preservation and maintenance of such bridges. Any bridge taken over by the county pursuant to this section shall be under the direct supervision of the county superintendent of highways and if a bridge is a draw-bridge or of a nature that requires the services of an operator or attendant, such operator or attendant shall be employed by the county superintendent of highways and paid out of county funds appropriated for the maintenance of bridges.

§ 236. Program of railroad bridge inspection. 1. Program establishment. Notwithstanding any other provision of law to the contrary, the commissioner is authorized and directed to establish, implement and exercise oversight over a program of railroad bridge inspection in conformity with the rail safety improvement act of 2008, subchapter I of chapter 201 of part A of subtitle V of title 49 of the United States code as such law may, from time to time, be amended and part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended, by all railroads as defined herein which shall apply to all railroad bridges whether publicly or privately owned.

2. Bridge inventory. Each railroad shall provide to the commissioner an inventory of every railroad bridge either owned or used by such railroad whether exclusively or with another railroad or railroads as required to be maintained by part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended.

3. Bridge inspection. (a) Each railroad shall develop a bridge safety management program and submit to the department written bridge management and inspection procedures as required to be maintained and developed by part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended.

(b) Railroad bridge inspections shall be performed by railroad bridge inspectors in conformity with part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended. The term "railroad bridge inspectors" shall have the same meaning as such term is defined by section 237.53 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended.

(c) Each railroad shall conduct an inspection of every railroad bridge located in the state for which it has inspection responsibility consistent with part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended.

(d) A copy of the inspection report for each railroad bridge shall, consistent with part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended, be maintained by the appropriate railroad for a period of not less than two years, provided that each copy of an underwater inspection report shall be retained until the completion and review of the next underwater inspection of the bridge. If requested by the department, the railroad shall submit the inspection report within thirty business days to the department.

(e) Not later than March fifteenth of each year, a licensed professional engineer or other responsible officer of each railroad shall file a certification that each bridge has been inspected in accordance with part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended, and additionally, shall advise the commissioner of any change affecting bridge safety which has occurred since the last certification.

(f) If, as a result of an inspection, a bridge is determined to be unsafe, the railroad shall immediately notify the commissioner and shall take appropriate remedial action to ensure that such structure is safe. Upon completion of such remedial action, the railroad shall provide the commissioner with a certification by a licensed professional engineer or other responsible officer that the bridge is now safe for the loadings imposed. If a railroad shall fail to take remedial action, the commissioner may direct the railroad to take appropriate action, including requiring the closing of the bridge. Any order of the commissioner shall be reviewable in accordance with article

seventy-eight of the civil practice law and rules.

(g) For purposes of this section, a "licensed professional engineer" shall mean a professional engineer who is authorized to practice engineering under title eight of the education law.

4. Powers of the commissioner. The commissioner shall have the power to adopt, promulgate, amend and rescind such rules and regulations, consistent with part 237 of title 49 of the code of federal regulations as such regulations may, from time to time, be amended, as the commissioner deems appropriate to carry out the provisions and purposes of this article or to enforce any standards established hereunder. Additionally the commissioner shall be authorized to review the inspection reports, inventories and other supporting documents, to compel the production of any books, papers, records and documents relevant to the railroad bridge inspection program, and to subpoena witnesses, administer oaths and take testimony, and to maintain a civil suit against any public or private entity to compel compliance with the provisions of this chapter.

§ 237. When town or county expense. The towns of this state, except as otherwise herein provided, shall be liable to pay the expenses for the construction and repair of its public or free bridges constructed over streams or other waters within their bounds, and their just and equitable share of such expenses when so constructed over streams or other waters upon their boundaries, except between the counties of Westchester and New York; and when such bridges are constructed over streams or other waters forming the boundary line of towns, either in the same or adjoining counties, such towns shall be jointly liable to pay such expenses. When such bridges are constructed over streams or other waters forming the boundary line between a city of the third class and a town, such city and town shall be liable each to pay its just and equitable share of the expenses for the construction, maintenance and repair of such bridges. Except as otherwise provided by law, a city of the third class shall be deemed a town for the purposes of this article. Each of the counties of this state shall also be liable to pay for the construction, care, maintenance, preservation and repair of public

bridges lawfully constructed over streams or other waters forming its boundary line, not less than one-sixth part of the expense of construction, care, maintenance, preservation and repair, and, except in a county containing a portion of the Adirondack park, the whole of such expenses of public bridges lawfully constructed or to be constructed over streams, or waterways, intersecting county roads.

§ 238. Construction or improvement of bridge by county and town or towns. The board of supervisors of a county may provide for the construction or improvement of a bridge in one or more towns of a county and at the joint expense of the county and town or towns as provided in this section. The board may by resolution direct the county superintendent to examine such bridge and report thereon, and if the board considers such bridge to be of sufficient importance to be constructed or improved as provided herein, it shall direct such county superintendent to prepare or cause to be prepared maps, plans, specifications and estimate thereon, and such county superintendent shall, subject to the direction and control of the board of supervisors, have the same powers and duties in respect to such bridge as are given to him in section one hundred and two of this chapter. Upon the completion of such maps, plans, specifications and estimate, they are to be submitted to the board of supervisors for approval, and such board shall thereupon adopt a resolution providing for the construction or improvement of such bridge in accordance with such plans, maps, specifications and estimate, or in accordance with such maps, plans, specifications and estimate as may be approved by it. The board of supervisors shall direct the county superintendent of highways to construct such bridge or may award contract for the construction or improvement of such bridge and the provisions of section thirty-eight of this chapter shall apply so far as may be to such contracts and the award, execution and fulfillment thereof. The board of supervisors shall determine the apportionment of the cost of the construction or improvement of such bridge to be borne by the county and the portion to be borne by the town or towns in which such bridge is located, or by the town or towns in which such bridge is not located but which are particularly benefited thereby. The amount to be borne by the county

shall be levied and collected as a county charge and paid into the county treasury. The amount to be borne by a town shall be levied and collected as a town charge, and when collected shall be paid into the county treasury. If such bridge shall be located in a different position from an existing bridge, the board of supervisors shall acquire land for the requisite construction, and such board may also acquire land for the purpose of obtaining gravel, stone or other material when required for the construction or improvement of such bridge, together with a right of way to the bed, pit or quarry, or other place where such gravel, stone or other material may be located; and the provisions of section one hundred eighteen shall apply to the acquisition of such land as far as may be, except that the cost of such land and the expense incident to acquiring the same shall be deemed a part of the cost of the construction and improvement of such bridge under the provisions of this section. The portion of the cost of the construction or improvement to be borne respectively by the county or such town or towns may be financed, in whole or in part, pursuant to the local finance law. The construction or improvement authorized by such resolution shall be done under the supervision and direction of the county superintendent. Payments therefor shall be made from time to time by the county treasurer upon the certificate of the county superintendent indorsed by the chairman of the board of supervisors. Such bridge when completed and accepted by the board of supervisors shall be thereafter repaired and maintained at the sole expense of the town or towns in which it is located unless the board of supervisors shall apportion a share of the expense of the repair and maintenance thereof upon the county, or upon the town or towns particularly benefited. The provisions of this section shall also apply to the construction of a new bridge on a new town highway.

§ 239. Joint liabilities of towns and their joint contracts. Whenever any two or more towns shall be liable to make or maintain any bridge or bridges, the same shall be built and maintained at the joint expense of such towns, without reference to town lines, except where the board of supervisors has otherwise apportioned such expense as provided in section two hundred and seventy-four. The town superintendents of all

the towns, or of one or more of such towns, the others refusing to act, may, when directed by their respective town boards, enter into a joint contract for making and repairing such bridges.

§ 240. Refusal to repair. If the town board of either of such towns, after notice in writing from the town board of any other of such towns, given by the town clerk thereof, shall not within twenty days give their consent in writing to build or repair any such bridge, and shall not within a reasonable time thereafter direct, by resolution, the same to be done, the town board giving such notice may direct the town superintendent to make or repair such bridge, and then maintain an action in the name of the town, against the town which neglects or refuses to join in such making or repairing, and in such action, the plaintiffs shall be entitled to recover so much from the defendant, as the town would be liable to contribute to the same, together with costs and interest.

§ 241. Proceedings in court. Whenever two or more adjoining towns which, under the provisions of this chapter shall be liable to make or maintain any bridge whether in the same or different counties, three freeholders in either of such towns may, by petition signed by them, apply to the town board in each of such towns, to build, rebuild or repair such bridge, and if such town boards refuse to build, rebuild or repair such bridge within a reasonable time, either for want of funds or any other cause, such freeholders, upon affidavit and notice of motion, a copy of which shall be served on the supervisor or town clerk of each of said towns at least eight days before the hearing, may apply to the supreme court at a special term thereof, to be held in the judicial district in which such bridge or any part thereof shall be located, for an order requiring such town boards to direct the town superintendents to build, rebuild or repair such bridge, and the court upon such motion may, in doubtful cases, refer the case to some disinterested person to ascertain the requisite facts in relation thereto, and to report the evidence thereof to the court. Upon the coming in of the report, in case of such reference, or upon or after the hearing of the motion, in case

no reference shall be ordered, the court shall make an order thereon as the justice of the case shall require. If the motion be granted in whole or in part, whereby funds shall be needed to carry the order into effect, such court shall specify the amount of money required for that purpose, and how much thereof shall be raised in each town.

§ 242. Supervisor to institute proceedings. The supervisor of any such town shall, when directed by the town board, institute and prosecute proceedings under this chapter, in the name of the town, to compel the town board of such adjoining town or towns to cause the town superintendents thereof to join in the building, rebuilding or repair of any such bridge, in like manner as freeholders are thereby authorized.

§ 243. Duty of town superintendents. The order for building, rebuilding or repairing a bridge being made, and a copy thereof being served on the town superintendent of such adjoining towns respectively the town superintendents of such towns shall forthwith meet and cause such bridge to be built, rebuilt or repaired in accordance with plans and specifications prepared or approved by the county superintendent and approved by the commissioner of transportation if such bridge is located on a state highway, out of any funds in the hands of the supervisors of such towns applicable thereto or out of funds raised pursuant to the local finance law; and such town boards shall direct the superintendents to enter into a contract, to be approved by such town boards, for building, rebuilding or repairing such bridge.

§ 244. Report of town superintendents, and levy of tax. The town superintendent of each town shall make a full and verified report of their proceedings in the premises including an accurate account of what has been done in respect to such bridge, and shall attach thereto a copy of the order granted by the supreme court. Such report, account and order shall be certified by the town board and delivered to the supervisor and be presented by him to the board of supervisors of his county. The board of supervisors at their annual meeting shall levy a

tax upon each of such towns, when in the same county, and upon the appropriate towns when in different counties, for its share of the costs of building, rebuilding and repairing such bridge, after deducting all payments actually made by the supervisor upon the written order of the town superintendent. Such tax, including all payments, shall in no case exceed the amount specified in the order of the supreme court.

§ 245. Appeals. Either party aggrieved by the granting or refusing to grant such order by the court at special term, may appeal from such decision to the appellate division of the supreme court for the review of the decision. The appellate division may alter, modify or reverse the order, with or without costs.

§ 246. Power of court on appeal. The special term may grant or refuse costs as upon a motion, including also witnesses' fees, referees' fees and disbursements. The appeal provided for in the last preceding section shall conform to the practice of the supreme court, in case of appeal from an order of a special term to the appellate division.

§ 247. Refusal to repair bridges. Whenever any such bridge shall have been or shall be so out of repair as to render it unsafe for travelers to pass over the same, or whenever any such bridge shall have fallen down, or been swept away by a freshet or otherwise, if the town superintendent of the adjoining town or towns, after reasonable notice of such condition of the bridge, have neglected or refused, or shall neglect or refuse to repair or rebuild it, then whatever funds have been or shall be necessarily or reasonably laid out or expended in repairing such bridge or in rebuilding the same, by any person or corporation, shall be a charge on such adjoining town or towns, each being liable for its just proportion; and the person or corporation who has made such expenditure, or shall make such expenditures, may apply to the supreme court, at a special term, for an order requiring such towns severally to reimburse such expenditures, which application shall be made upon papers to be served upon the town superintendents of such towns at least eight

days prior thereto; and the court may grant an order requiring each adjoining town or towns to pay its just proportion of the expenditure, specifying the same; and the town superintendent of each of such towns shall forthwith serve a copy of such order upon the supervisor of each of their towns, who shall present the same to the board of supervisors, at their next annual meeting. The board of supervisors shall raise the amount charged upon each town by the order, and cause the same to be collected and paid to such persons or corporation as incurred the expenditure. The order shall be appealable.

§ 248. Resolution of board of supervisors for abolition of toll bridges. The board of supervisors of any county may, and upon the presentation of a petition signed by fifty per centum of the owners of real property and representing a majority of the assessed valuation of the town or city in which a toll bridge is wholly or partly situated must, except where such bridge extends between the state of New York and a foreign country, pass a resolution that public interest demands the abolition of such toll bridge situate wholly or partly within said county. In case of a toll bridge situated in two counties such resolution shall be a concurrent resolution passed by the boards of supervisors of the counties wherein said bridge is situated. Within ten days after the passage of such resolution the clerk or clerks of the board or boards of supervisors shall transmit certified copies thereof to the department of transportation. Before transmitting such certified copy or copies to the department of transportation, the board or boards of supervisors shall investigate as to the value of such toll bridge and shall prepare an estimate of the probable cost of acquiring the same, and the clerk or clerks shall transmit such estimate, together with any data in relation to the value of such toll bridge which the board or boards of supervisors may secure, to the department of transportation with the certified copy or copies of such resolution.

§ 249. Investigation by the department of transportation. The department of transportation shall upon the receipt of such resolution or concurrent resolution, investigate and determine whether the bridge

so sought to be abolished is of sufficient public importance to come within the provisions of this article, taking into account the use, location and value of such toll bridge for the purpose of common traffic and travel and shall also investigate as to the value of such toll bridge and from the estimate and data transmitted by the board or boards of supervisors, or from such other information as the department of transportation may secure, prepare an estimate of the probable cost of acquiring such toll bridge. After such investigation such department of transportation shall certify its approval or disapproval of such resolution. If it shall disapprove such resolution, it shall certify its reasons therefor to such board or boards of supervisors. If it shall approve such resolution it shall certify its approval thereof to the attorney general, and shall transmit to him the estimate made by the department of transportation of the probable cost of acquiring such toll bridge, together with any data the department of transportation may have in its possession in relation to the value thereof.

§ 250. Acquisition by attorney general. Upon the receipt of such certification of approval the attorney general shall, in the name of the people of the state, acquire title to said toll bridge and its franchise rights in accordance with the provisions of the eminent domain procedure law for the acquisition of property for public purposes. When said court shall have determined the value of such toll bridge, the attorney general shall certify such determination to the comptroller and to the board or boards of supervisors of the county or counties wherein such toll bridge is situated. After the receipt thereof, upon a majority vote of the board or boards of supervisors, they shall adopt a resolution approving the purchase of said toll bridge under the provisions of this article and providing for the payment of the county's share thereof and thereupon shall transmit a certified copy of such resolution to the state comptroller. The acquisition and purchase of toll bridges under the provisions of this article shall be taken up and carried forward in the order in which they are finally designated as determined by the date of the receipt in each case of the certified copy of the approval by the commissioner of transportation.

§ 251. Payment of expense of acquisition. One-half of the expense incurred in the condemnation and acquirement of said toll bridge shall be paid by the department of taxation and finance upon the warrant of the comptroller out of any specific appropriations made to carry on the provisions of this article, but no such payment shall be made until the county or counties in which said toll bridge is situate shall have complied with all the provisions hereof. One-half of the expenses thereof shall be a charge, in the first instance, upon the county or counties in which said toll bridge is situate, and the same shall be paid by the county treasurer upon the requisition of the comptroller, but the amount so paid shall be apportioned by the board of supervisors so that thirty-five per centum of such cost shall be a general county charge and fifteen per centum shall be a charge upon the town or towns or city or cities in which said toll bridge is wholly or partly located. In case a toll bridge is located in two counties the fifty per centum of the expense to be borne by the counties shall be apportioned between them on the basis of their assessed valuation and the fifteen per centum shall be apportioned by the board of supervisors upon the town or towns or city or cities in the same manner. The board of supervisors of a county, the town board of a town or the common council of a city may determine that the portion of the expense chargeable to such county, town, or city, as the case may be, shall be raised by taxation and levied and collected as other municipal taxes, or the money therefor may be raised, in whole or in part, pursuant to the local finance law.

§ 252. Maintenance of bridge. When a toll bridge shall have been acquired by the state under the provisions of this article it shall be maintained as a free bridge and the expense thereof shall be a charge upon the town or towns or city or cities within which it is situated. Upon the acquisition of any toll bridge as provided in this article, the board or boards of supervisors of the county or counties in which said toll bridge is located shall upon notice of such acquisition from the comptroller, accept and maintain the same as a part of the highway system of said county or counties and such acceptance shall be deemed to have been formerly taken at the expiration of twenty days from the

notice of said acquisition by the state comptroller.

§ 253. Use of toll bridge by public service corporations; conditions; powers of town board. After a bridge shall be acquired by the state under the provisions of this article, the same shall not be used by any railroad, telephone, gas, electric light, heat or power company or any other public service corporation, for any purpose except upon such terms and the payment of such rental as shall be determined by the town board of the town or towns and the common council of the city or cities within which it is situated. The money received therefor shall be divided equally between the localities. The provisions of this section, however, shall not affect any existing contract for the use of such bridge by any such corporation, except that the compensation provided for such use in such existing contract shall be paid to the localities as herein provided.

§ 254. Acquisition of certain toll bridges at the expense of the state. 1. If a toll bridge for the traffic of vehicles and foot passengers is located on a state highway or constitutes a connecting link between two state routes as described in section three hundred forty-one of this chapter, or constitutes a part of a state route and is included in the description thereof, or constitutes a connecting link between improved state highways or constitutes a connecting link between a state highway heretofore improved and a state highway which is indicated for improvement by section three hundred forty-one, the board of supervisors of the county in which such bridge is situated, or if situated in two counties the boards of supervisors of such counties concurrently, may, by resolution, petition the department of transportation for the acquisition of such bridge by the state pursuant to this section. Within ten days after the passage of such resolution the clerk or clerks of the board or boards of supervisors shall transmit certified copies thereof to the department of transportation together with an estimate of the probable cost of acquiring the same and any data in relation to the value thereof which the board or boards of supervisors may secure.

2. The commissioner of transportation shall upon receipt of such resolution or concurrent resolution, and within three months thereafter, investigate and determine whether the public interest demand the acquisition of such bridge by the state and shall also within said three months approve or disapprove of such resolution and if such resolution be approved shall prepare an estimate of the probable cost of acquiring such bridge. If such resolution be disapproved the department of transportation shall certify its reason therefor to such board or boards of supervisors.

3. If it be approved the department of transportation is hereby authorized and empowered to agree with the corporation owning the said bridge upon the compensation which shall be made to it for the said bridge and its appurtenances, its franchises, its rights for the maintenance and use of said bridge, and any and all damage which shall result to said corporation so owning the said bridge by reason of the taking of such structure, and such agreement shall be reduced to writing and executed by the department of transportation in the name of the people of the state of New York and by the corporation owning the said bridge, and filed in the office of the comptroller of the state of New York.

4. In the event that no agreement is reached between the said department of transportation and the corporation owning the said bridge for such purchase as aforesaid, the department of transportation shall certify its approval to the attorney general and transmit to him the estimate made by the department of transportation of the probable cost of acquiring such toll bridge, franchises and rights, and the amount of any and all damage incurred by such acquisition, together with all data the department of transportation may have in its possession in relation thereto.

5. Upon the receipt of such certificate of approval, if and when sufficient money shall have been appropriated by the state therefor, the attorney general shall acquire in the name of the people of the state in accordance with the provisions of the eminent domain procedure law,

title to such bridge and the franchise therof; and, in such event, such corporation shall have pursuant to the eminent domain procedure law the right to prosecute in the court of claims which shall have jurisdiction in the premises, any claim which it may have for damages for the takings of its said property.

6. The amount agreed upon between the said department of transportation and the said corporation, pursuant to such agreement so filed as aforesaid, or if no agreement be reached, the amount so determined by the court, shall be paid by the department of taxation and finance upon the warrant of the comptroller out of the moneys appropriated for such purpose. Until payment to such corporation be made after such agreement of the amount therein agreed to be paid or upon acquisition, unless the commissioner of transportation shall enter upon and take possession of such property as provided by this section, until the amount so determined by the court of claims in such acquisition proceedings, the corporation owning the said bridge shall be entitled to continue in possession and use thereof and of all the rights, privileges and franchises enjoyed by it in connection therewith, but upon such payment being made such bridge and all rights and franchises in connection therewith shall become the property of the state of New York and shall be maintained by the state as a free bridge and as a part of the state system of highways.

7. If such bridge be acquired by the state pursuant to this section the same shall not be used except as hereinafter provided by any railroad, telephone, gas, electric light, heat or power company or any other public service corporation for any purpose except upon such reasonable terms and the payment of such reasonable rental to the state as shall be determined by the department of transportation. The money received therefor shall be paid into the state treasury and so much thereof as may be needed appropriated for the maintenance of such bridge. The provisions of this section, however, shall not affect any existing contract for the use of such bridge by any corporation except that the compensation provided for such use in such existing contract shall be paid to the state.

8. Notwithstanding the provisions of this section, if any such bridge be owned by a domestic corporation carrying on the business of operating a railroad and which operates cars thereover, the department of transportation in entering into such agreement or the commissioners in condemnation in making such appraisal and fixing such damages as aforesaid may take into consideration any bonds outstanding of such corporation which may have been authorized by the department of transportation or the predecessor thereof, to be issued by such corporation for the purchase of said bridge and its franchises or the stock of any corporation formerly owning the said bridge, and shall fix and determine in making such appraisal the amount of any and all damage which will result to such corporation so owning such bridge by reason of the taking of the said bridge and its rights and franchises in connection therewith and such corporation when said bridge shall have been acquired and such compensation paid, and its successors, shall be permitted to continue to use said structure upon payment of such reasonable rental to the state for such use as shall be determined by the department of transportation, and further provided that if such corporation, or any successor thereof, should desire to use other parts or decks of such bridge or to make such use thereof as would require the strengthening, reconstruction or change of the said bridge or its approaches, or the building of new approaches to the said bridge, such corporation or its successors may make such use thereof and strengthen, reconstruct or make such changes in the said bridge or its approaches or build new approaches to the said bridge and use the same in such manner upon filing with the department of transportation detailed plans for the proposed new use thereof, or for the strengthening, reconstruction of or changes in the said bridge or its approaches or for the building of new approaches to the said bridge, and upon obtaining the approval of such use and plans by the department of transportation and upon payment of such further reasonable rental to the state for any such additional use of said structure or such approaches as shall be determined by the department of transportation; provided further that the entire cost of any such strengthening, reconstruction, additions or changes of the said bridge or its approaches shall be paid exclusively by the corporation making such use of said bridge and shall be deemed to be an expenditure for capital purposes of such corporation paying the same for all

purposes whatsoever. Any such corporation using such bridge at the time of the acquisition thereof by the state shall not be debarred from continuing such use by reason of such acquisition; but the failure or refusal to comply with such terms or to pay such rental shall forfeit the right of such corporation to use such bridge, and the department of transportation is hereby authorized and empowered to close such bridge to the use of such offending corporation.

9. Any act or failure to act on the part of the department of transportation as in this section provided shall be reviewable by the supreme court of this state in the manner provided by article seventy-eight of the civil practice law and rules.

§ 255. Unsafe toll bridge. Whenever complaint in writing on oath, shall be made to the town superintendent, of any town in which shall be in whole or in part any toll bridge belonging to any person or corporation, representing that such toll bridge has from any cause become and is unsafe for the public use, such town superintendent shall forthwith make a careful and thorough examination of such toll bridge, and if upon the examination thereof he shall be of the opinion that the same has from any cause become dangerous or unsafe for public use, he shall thereupon give immediate notice to the owners of such toll bridge, or to any agent of such owners, acting as such agent in respect to such bridge, that he has, on complaint made, carefully and thoroughly examined the bridge, and found it to be unsafe for public use. Such owners shall thereupon immediately commence repairing the same, and cause such repairs to be made within one week from the day of such notice given, or such reasonable time thereafter as may be necessary to thoroughly repair the bridge, so as to make it in all respects safe and convenient for public use. For neglect to take prompt and effective measures so to repair the bridge, its owners shall forfeit twenty-five dollars, and shall not demand or receive any toll for using the bridge until the same shall be fully repaired. The town superintendent shall cause such repairs to be made and the owners of the bridge shall be liable for the expense thereof, and for the services of the superintendent, and upon the neglect or refusal to pay the same upon

presentation of an account therefor, the town superintendent may recover the same by action, in the name of the town.

ARTICLE X

FINANCES

Section 260. Payment of cost of state highway.
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262. Appropriations by state for the maintenance, repair, and reconstruction of state highways and state owned bridges thereon.
263. Payment for construction in connection with railroad grade crossing eliminations.
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292. Additional expenditure for improvement, repair and maintenance of town highways.

§ 260. Payment of cost of state highway. The entire expense of the construction or improvement of a state highway shall be paid by the department of taxation and finance upon the warrant of the comptroller issued upon the requisition of the department of transportation out of any specific appropriation made available for the construction or improvement of state highways.

§ 261. Apportionment and source of funds. Construction of highways under this chapter shall proceed equitably among counties as far as practicable, using as a basis the ratio that the unbuilt mileage in each county bears to the total unbuilt mileage in the state, as herein provided. The funds necessary to provide for the construction or improvement of the highways designated in sections three hundred and forty and three hundred and forty-one of this chapter shall be derived from the proceeds of the sale of any bonds duly authorized for the construction or improvement of highways, from funds contributed by act of congress to the state of New York, for the construction of rural post roads, from funds furnished by the counties, towns or other municipalities as provided by this chapter, or from funds derived from direct appropriations by the legislature.

The obligation of the state for any improvement provided in this chapter, based on the engineer's estimate of the cost may be reduced upon the award of a contract therefor at an amount under which the cost to the state will be less than the original obligation.

§ 262. Appropriations by state for the maintenance, repair, and reconstruction of state highways and state owned bridges thereon. There shall be annually appropriated for the maintenance, repair, and reconstruction of improved state highways and state owned bridges thereon, an amount sufficient to provide therefor, based upon estimates by counties, prepared and submitted by the commissioner of transportation. In addition thereto there shall be appropriated each year for the same purposes an amount equal to not less than ten per centum of the amount appropriated for counties to be known as a

maintenance contingent fund to be used by the commissioner of transportation in his discretion to supplement the amounts appropriated to each county for the maintenance, repair and reconstruction of state highways and state owned bridges thereon. Such appropriations shall be paid out of monies in the hands of the state department of taxation and finance not otherwise appropriated on vouchers approved by the commissioner of transportation after audit by and on the warrant of the state comptroller.

§ 263. Payment for construction in connection with railroad grade crossing eliminations. In carrying out railroad grade crossing elimination work under the provisions of the railroad law and the grade crossing elimination act, if it becomes necessary, in the judgment of the commissioner of transportation, to provide for highway facilities in those instances where the department of transportation does not include the same as a part of the order covering the construction for the payment of which all parties to the elimination are required to participate, the commissioner of transportation is authorized to provide for the entire cost of such facilities out of any funds available for construction, improvement or reconstruction of highways and to have the same included in the department of transportation's order and to have the work performed as directed by it. Any additional right of way required for the facility provided for under this section shall be acquired by the county in the same way as the county acquires necessary lands for state highway repair, construction or reconstruction or change of course as provided in section ten, subdivision twenty-one, of the highway law.

§ 264. Provision of funds by county or town. Whenever the board of supervisors shall have, by resolution, appropriated and made immediately available to the requisition of the department of transportation an amount sufficient to pay its share of the cost of the construction or improvement which is to be borne by the county within which a state highway or section thereof is located, such amount so appropriated shall be a county charge and shall be paid by the county treasurer of the

county in which such highway or section thereof is located, upon the requisition of the department of transportation. Such amount may be provided pursuant to the local finance law, and the board of supervisors shall provide for the assessment, levy and collection by tax of all or any part of the share of the cost of such improvement apportioned to the county which has not been provided for by the issuance of county obligations. Any town may provide pursuant to the local finance law a sufficient sum to pay the share of the cost of the construction or improvement of a state highway, which is to be borne by the town as apportioned by the department of transportation. The board of supervisors shall, from time to time, impose upon the taxable property of the town a tax sufficient to pay the principal and interest of such town obligations, as the same shall become due. The board of supervisors shall provide for the assessment, levy and collection by tax of all or any part of the share or shares of the town or towns which has not been provided for by the issuance of town obligations.

§ 265. Levy of tax upon county. Each supervisor shall present to the clerk of the board of supervisors, on or before November tenth, a statement specifying the amount paid during the preceding year ended on October thirty-first, for the construction, care, maintenance, preservation and repair of public bridges over streams or other waters forming the boundary of such county. The board of supervisors shall levy upon the taxable property of the county a sum sufficient to pay its proportion of such expense, and the same when collected shall be paid to the supervisor of such town to be applied to the fund from which such expenses were paid.

§ 266. Payment for machinery, tools, equipment and implements. After the authorization of the purchase of machinery or equipment as prescribed in section one hundred forty-two, the town board may direct and authorize the supervisor to complete the purchase of such machinery or equipment. If bonds or notes are issued for the purchase of such machinery, willful failure of the town superintendent to include the amount of such a maturing bond or note and interest thereon in his

highway estimate shall be reason for removal from office. The amount of such bond or note and the interest thereon shall be included in the estimate of the town superintendent required by section one hundred forty-one of this chapter to be prepared and filed by him in the year immediately preceding the due date of such obligation. The estimate or estimates of the town superintendent, including the amount or amounts required to pay such bonds or notes, shall not exceed the limitation prescribed in section two hundred seventy-one of this chapter.

Provided, however, that the town board at the meeting thereof at which the annual estimate is adopted, may appropriate from the unexpended balance of money raised or received for the repair or improvement of town highways, or from any other funds based on the estimate of the town superintendent, a sum sufficient to pay a part or all of any bonds or notes and interest thereon, not exceeding the amount earned by such machine, machines or equipment, for the total number of hours actually used upon the highways at the hourly rate fixed by the state commissioner of transportation, provided, that no more than half the amount of such bonds or notes may be paid from the moneys raised or received for the repair or improvement of highways, and the amount appropriated by the town board shall be deducted from the amount included in the estimate of the town superintendent.

§ 269. Extraordinary repairs of highways and bridges. If any highway or bridge or the board walk on any highway less than two rods in width, or a walk built to replace the same under section one hundred and fifty-one, shall at any time be damaged or destroyed by the elements or otherwise, or become unsafe for public use and travel, or if any bridge or the board walk on any highway less than two rods in width, or any such walk built to replace the same, be condemned by the department of transportation, as provided in this chapter, the town superintendent shall cause the same to be immediately repaired or rebuilt, with the approval of the town board. Such highway or bridge or walk shall be so repaired or rebuilt in accordance with the directions or the plans and specifications prepared or approved by the county superintendent; except if the bridge or walk to be repaired or rebuilt is one which has been

condemned by the department of transportation, as provided in this chapter, the same shall be repaired or rebuilt in accordance with plans and specifications to be prepared or approved by the department of transportation. The town clerk shall prepare a statement showing the probable cost of improving, repairing or rebuilding such highway or bridge or walk, which statement shall be signed in duplicate by a majority of the members of the town board, one of which duplicates shall be filed with the town clerk and one be delivered to the supervisor. The town clerk shall make a copy of such statement and transmit the same to the department of transportation. The supervisor shall present such statement to the board of supervisors, who shall cause the amount contained in such statement to be assessed, levied and collected in the same manner as amounts levied and collected for other highway and bridge purposes, as provided by law. The amount so raised shall be paid to the supervisor to be expended for the purposes specified in such statement. Nothing herein contained shall be construed to prevent the financing of such repairing or rebuilding, in whole or in part, pursuant to the local finance law.

§ 270. Audit of damages without action. The town board of any town may audit as a town charge, in the same manner as other town charges are audited, any one claim not exceeding five hundred dollars, for damages to person or property, heretofore or hereafter sustained by reason of defective highways or bridges in the town, if in their judgment it be for the interest of the town so to do; but no claim shall be so audited unless it shall have been presented to the supervisor and town clerk of the town within ninety days after it accrued, nor if any action thereon shall be barred by the statute of limitations. The town board may also audit any unpaid judgment heretofore or hereafter recovered against a town superintendent for any such damages, if such town board shall be satisfied that he acted in good faith, and the defect causing such damage did not exist because of the negligence or misconduct of the superintendent against whom such judgment shall have been recovered.

§ 271. Limitations of amounts to be raised. The amounts to be raised

by tax upon the vote of a town board, as provided in this article, shall be subject to the following limitations: 1. The amount to be levied and collected in each year for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet and board walks or renewals thereof, on highways less than two rods in width, shall not be less than the amount prescribed under subdivision one of section one hundred and forty-one.

3. a. Unless duly authorized by vote at a special or biennial town election, there shall not be levied and collected in any one year in any town, for the purchase of stone crushers, power rollers, motor trucks, scarifiers, concrete mixers, traction engines or road machines for grading and scraping, equipment, tools and other implements, an amount greater than as hereinafter specified, to wit:

(1) Two hundred thousand dollars in the towns of Colonie, Bethlehem and Guilderland in Albany county, in the town of Carmel in Putnam county, in the town of Greenburgh in Westchester county, in the towns of Haverstraw, Clarkstown, and Stony Point in Rockland county, in the towns of Riverhead, Southold and Southampton in Suffolk county, in the towns of Camillus, Cicero, DeWitt, Manlius, Onondaga and Salina in Onondaga county, in the town of Poughkeepsie, Dutchess county, or in any town of the first class in Erie county.

(1-a) Four hundred thousand dollars in the towns of Babylon and Islip in Suffolk county.

(1-b) One hundred fifty thousand dollars in the town of Cortlandville, Cortland county.

(1-c) Notwithstanding the provisions of subparagraph one of this paragraph, four hundred thousand dollars in the town of Amherst in Erie county.

* (1-d) One million dollars in the town of Brookhaven in Suffolk county for replacement of equipment or replacement for comparable use.

* NB There are 2 subpar (1-d)'s

* (1-d) Eight hundred thousand dollars in any town in Nassau county.

* NB There are 2 subpar (1-d)'s

(1-e) One million two hundred thousand dollars in the town of Smithtown in Suffolk county.

(1-f) Four hundred thousand dollars in the town of Ramapo in Rockland

county to be used only for replacement of equipment or replacement for comparable use.

(1-g) Six hundred fifty thousand dollars in the town of Orangetown in Rockland county to be used only for replacement or repair of equipment or replacement for comparable use.

(1-h) One million dollars in the town of Huntington in Suffolk county.

(2) One hundred thousand dollars in the towns of Geddes and Clay in Onondaga county, in the towns of East Hampton and Shelter Island in Suffolk county or in any town in Westchester county, except the town of Greenburgh.

(2-a) Two hundred thousand dollars in any town of the first class in Monroe county.

(2-b) One hundred thousand dollars for the town of Shawangunk in Ulster County.

(2-c) One hundred twenty-five thousand dollars in the town of Maine in the county of Broome.

(2-d) One hundred twenty-five thousand dollars in the town of Colesville in the county of Broome.

(3) Seventy-five thousand dollars in any town in Orange county or in Sullivan county.

(4) Sixty thousand dollars in any other town.

b. If duly authorized at a special or biennial town election the increase of the amount of any limitation provided in paragraph a of this subdivision shall continue in effect for succeeding fiscal years until changed by a vote of a special or biennial town election.

c. The limitations contained in this subdivision shall not be construed as limitations upon the amount of money which may be spent in any fiscal year for any object or purpose described in this subdivision.

4. Not more than three thousand dollars shall be levied and collected in any one year in any town for the repair or construction of any highway or bridge which has been damaged or destroyed as provided in section two hundred and sixty-nine or which has been condemned by the department of transportation as provided in this chapter, unless by unanimous consent of the town board, but in no case shall more than six

thousand dollars be levied and collected unless duly authorized by the vote of a town meeting, except that in any town in the county of Westchester by the unanimous consent of the town board, the sum of not more than twelve thousand dollars may be levied and collected unless duly authorized by the vote of a town meeting.

5. Notwithstanding the foregoing provisions of this section, if any such town is located wholly or partly within the Adirondack park and has within its boundaries state lands subject to taxation assessed at more than thirty per centum of the total taxable assessed valuation of the town as determined from the assessment rolls of the town, as completed from time to time, it shall be necessary to obtain the consent of the state comptroller, on behalf of the state, in addition to the unanimous consent of the town board in order to exceed the limitations of subdivisions two and four of this section, and in addition to the vote of a special or biennial town election in order to exceed the limitations of subdivision three of this section as fixed by such subdivision three or as fixed prior to May first, nineteen hundred forty-eight, by a special or biennial town election.

§ 272. Submission of propositions at town meetings. A proposition to authorize the levy and collection of an amount greater than that specified in the preceding section for any of the purposes therein mentioned may be submitted upon the written application of twenty-five taxpayers upon the last town assessment-roll or by a majority of the members of the town board, at a biennial town meeting or a special town meeting duly called as provided by law. The provisions of the town law relating to the submission of town propositions at a biennial or special town meeting shall apply to the submission of such propositions. If such proposition be adopted the town board shall include in the estimates contained in the next statement submitted by it to the board of supervisors, as provided in section two hundred and sixty-seven, the amounts authorized to be raised by such proposition for the purposes therein stated, and thereupon such amounts shall be levied and collected, and paid to the supervisor, to be expended by him as directed by such proposition.

§ 274. Provision of funds for bridge and highway purposes. Nothing contained in this chapter shall be construed to prevent the provision by a town, pursuant to the local finance law, in whole or in part, of funds to be expended for the following purposes:

1. Constructing, building, repairing or discontinuing any highway or bridge therein, or upon its borders.

2. Repairing or rebuilding any highway or bridge or board walk, or renewal thereof, on any highway less than two rods in width, which shall at any time be damaged or destroyed by the elements or otherwise, or become unsafe for public use and travel.

3. Repairing or rebuilding any bridge which has been condemned by the commissioner of transportation, as provided in this chapter.

4. The purchase of snow fences or other structures to prevent drifting of snow on the highways.

If the highway or bridge, proposed to be constructed, built, repaired or discontinued, is situated in two or more towns in the same county, the board of supervisors shall, if application be made by any one of such towns, apportion the expense thereof among such towns, in such proportion as shall be just.

§ 274-a. Power of county, city or town to provide funds for snow removal. The board of supervisors of any county, the governing board or body of any city, the town board of any town, or the board of trustees of any village may provide funds for snow removal purposes and for the purchase of snow fences or other structures to prevent the drifting of snow on its streets or highways.

§ 277. Assessment of village property. In any town in which there may

be an incorporated village, which forms a separate road district, and wherein the roads and streets are maintained at the expense of such village, all property within such village shall be exempt from the levy and collection of taxes levied in the town, as provided by section two hundred sixty-seven of this chapter, for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet. In addition a town board in such town may exempt all property within such village from the levy and collection of taxes levied in the town for such items provided for by subdivisions three and four of section one hundred forty-one of this chapter. The assessors of such town shall indicate in a separate column the value of the real property included in such incorporated village.

§ 278. Statement by clerk of board of supervisors. The clerk of the board of supervisors of each county shall, on or before the first day of January of each year, transmit to the state comptroller and the commissioner of transportation a statement, signed and verified by the chairman of the board, and certified by the clerk, which shall state the name of each town, the assessed valuation of real property, and the assessed valuation of personal property, each separately, in the towns outside incorporated villages, and the amount of tax levied therein, together with the tax rate for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet. The towns' valuation of real property to be used in such statement shall be the valuation thereof, as it appears upon the assessment-roll for the year of the levy.

§ 280. Additional amount of state aid. (a) In any year for which any town has failed to raise any tax for the repair and improvement of highways outside of cities and villages and by reason of such failure is not entitled to any amount of state aid in such year as provided in section two hundred seventy-nine of this chapter, an election may be made by such town at any time prior to July first of such year to provide an amount which, if it had been raised by tax at the time and as provided in section two hundred seventy-nine of this chapter, would have

entitled the town to state aid under such section.

(b) In any year for which any town has failed to raise a tax for the repair and improvement of highways outside of cities and villages sufficient to obtain the maximum amount of state aid in such year as provided in subdivision one or subdivision two of section two hundred seventy-nine of this chapter, an election may be made by such town at any time prior to July first, of such year to provide an amount which, if it had been raised by tax at the time and as provided in section two hundred seventy-nine of this chapter, would have entitled the town to the maximum amount of state aid provided in either subdivision one or subdivision two of such section.

(c) Any such amount as a town may elect to provide under paragraphs (a) or (b) of this section may be made available from surplus town moneys not otherwise committed or appropriated, or from unexpended balances of appropriations made for the support of the government of the town, or from both of such sources, or by the issuance of budget notes pursuant to the provisions of the local finance law. Any such budget notes must be issued prior to July first, of such year. In the next estimate required pursuant to subdivision one of section one hundred forty-one of this chapter there shall be included an amount, in addition to the amount which would otherwise be required under such subdivision, sufficient to reimburse the town for any moneys made available as aforesaid from surplus funds or unexpended balances, or both, or for the payment of the principal of and interest on any such budget notes, and a tax shall be assessed, levied and collected to raise such amount upon the same property as other amounts are required to be assessed, levied and collected for the purpose of raising moneys required to be raised for the purposes of subdivision one of section one hundred forty-one of this chapter. Additional amounts so raised by any town shall not be included as any part of the basis of apportionment of state aid in the following year pursuant to section two hundred seventy-nine of this chapter.

(d) When any town has provided an amount authorized by this section, the supervisor of such town shall certify to the state comptroller (1) the subdivision of said section two hundred seventy-nine under which the town elects to receive state aid, (2) the actual amount of taxes, if any, raised for the repair and improvement of highways outside of cities

and villages for such year, (3) the rate of such tax, if any, and (4) the amount of additional moneys provided pursuant to this section in order to qualify for state aid as in this section provided.

(e) In each year there shall be paid by the state to such towns the sums which would have been payable if the amounts herein authorized to be made available had in fact been raised by taxes levied for such year. Such moneys shall be paid from funds appropriated by the state for the purposes of section two hundred seventy-nine of this chapter and shall be distributed in the same manner as provided in such section.

§ 281. Mileage and actual valuation. 1. The mileage of highways in towns to be used in determining the amounts to be paid to such towns under the provisions of this article shall be the tables of mileage heretofore prepared by the state engineer, until the corrected tables of mileage prepared as provided in section ten of this chapter are filed. Such tables and all corrections thereof shall be filed in the department of transportation and with the comptroller. The actual valuation of real property to be used in determining such amounts shall be the full valuation thereof, according to the latest table of percentages of assessments as fixed and determined by the commissioner of taxation and finance.

2. The actual valuation shall be determined by applying the percentages contained in the latest table of percentages of assessments as fixed and determined by the state tax commission, to the assessed valuations of the several towns as they appear on the statement of the clerk of the board of supervisors for the year prior to the levy of taxes upon which is based the amounts to be paid as provided in section two hundred and seventy-nine.

§ 282. Apportionment and payment of state money; liability. The comptroller shall annually apportion to the towns, upon the basis of mileage certified to him by the commissioner of transportation, the amounts so required to be paid by the state, and shall forthwith pay such sums to the town supervisors of the several towns of the state. In

his certificate, the comptroller shall set forth the name of each town, the number of miles of highway for which maintenance is required to be provided by the town, the rate per mile of such apportionment and the total amount allotted on account of such highways within the town.

§ 283. Custody of highway moneys. All moneys levied and collected as provided in this article, all moneys collected as penalties under this chapter, or received from any other source and available for highway, bridge and miscellaneous purposes and all moneys paid to the town by the state, as provided in sections two hundred seventy-nine, two hundred and eighty and two hundred eighty-two and as provided in chapter eight hundred twenty-four of the laws of nineteen hundred fifty, as amended from time to time, shall be paid to the supervisor, who as such shall be the custodian thereof, and accountable therefor.

§ 284. Expenditures for repair and improvement of highways. The moneys levied and collected for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof, the moneys received from the state, as provided by sections two hundred seventy-nine and two hundred eighty-two, and such other moneys as the town board, by resolution, shall have transferred pursuant to section one hundred thirteen of the town law or pursuant to section two hundred eighty-five-a of this chapter shall be expended for the repair and improvement of such highways, sluices, culverts, and bridges and walks, at such places and in such manner as may be agreed upon by the town board and the town superintendent of highways. Such agreement shall be written and signed in duplicate by a majority of the members of the town board, and by the town superintendent, before the same shall take effect. One of such duplicates shall be filed in the office of the town clerk and one in the office of the county superintendent. Such moneys shall be paid out by the supervisor on vouchers approved by the town superintendent in accordance with such written agreement.

The town board and town superintendent may also appropriate from such

moneys such a sum of money as they deem proper for the construction or repair of any public road, walk, place or avenue upon any sand beach separated by more than two miles of water from the main body of the town or on any island or part of an island in the town, although such road, walk, place or avenue is narrower than the width of highways required by statute, but the construction or repair of any such road, walk, place or avenue with such moneys on any such beach or on any such island or part of an island shall not be construed as imposing any liability upon the town or upon the superintendent of highways for any injury to person or property happening thereon.

§ 285. Expenditures for bridges and other highway purposes. The moneys levied and collected, or raised by the issue and sale of bonds or notes and such other moneys as the town board, by resolution, shall have transferred pursuant to section one hundred thirteen of the town law or pursuant to section two hundred eighty-five-a of this chapter, for highway purposes, other than the repair or improvement of highways as specified in the preceding section, shall be paid out in accordance with the annual budget as modified by the town board, or by a vote of a town meeting, as provided in this article.

§ 285-a. Transfers between highway fund accounts. (1) Notwithstanding any other provisions of law and except as limited by this section, the town board of any town may, by resolution, authorize the transfer of moneys between any of the funds or accounts authorized by section one hundred forty-one of this chapter.

(2) In the case of any town which contains within its boundaries territory which forms all or part of one or more villages, the town board shall not authorize the transfer of moneys from any of the funds or accounts authorized by section one hundred forty-one of this chapter to any other fund or account authorized by such section unless the fund or account from which and to which such moneys are proposed to be transferred are comprised of moneys which, if raised by taxes, would be raised by taxes levied on property in the identical areas of the town.

§ 291. Compensation of supervisor and town clerk. Notwithstanding the provisions of section twenty-seven of the town law, members of boards of supervisors shall be allowed and paid the compensation provided by law, for services of members of boards of supervisors while serving as members of a committee known as the highway officials of the county, pursuant to section one hundred and ninety-five of this chapter, or as members of a road or highway committee while visiting and inspecting a road being constructed and improved under the provisions of section one hundred and ninety-four of this chapter and advising with the county superintendent of highways about the manner in which the work of such construction and improvement is being done or ought to be done, and its acceptance by the board, or as members of a highway committee in acquiring land for rights of way, or spoil banks, or for the purposes of obtaining gravel, stone or other material when required pursuant to the provisions of sections thirty, thirty-one and thirty-two of this chapter.

§ 292. Additional expenditure for improvement, repair and maintenance of town highways. Upon the written application of twenty-five taxpayers of a town, filed with the town clerk, the electors thereof may, at a regular or special town meeting, vote by ballot upon a proposition for the expenditure of a sum, not exceeding one-third of one per centum of the total taxable property of the town, including incorporated villages, in addition to the sum authorized by this chapter for the improvement, repair and maintenance of town highways in such town. Such proposition shall be submitted in the manner provided by law for the submission of questions or propositions at a town meeting. If such proposition be adopted, the amount specified therein shall be a town charge and shall be levied and collected in the same manner as other town moneys, and when collected shall be paid to the supervisor and expended for the purposes specified in such proposition as provided in this chapter.

ARTICLE XI
Miscellaneous Provisions

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§ 300. Private road. An application for a private road shall be made in writing to the town superintendent of the town in which it is to be located, specifying its width and location, courses and distances, and the names of the owners and occupants of the land through which it is proposed to be laid out.

§ 301. Jury to determine necessity and assess damages. The town superintendent to whom the application shall be made shall appoint as early a day as the convenience of the parties interested will allow, when, at a place designated in the town, a jury will be selected for the purpose of determining upon the necessity of such road, and to assess the damages by reason of the opening thereof.

§ 302. Copy application and notice delivered to applicant. Such town superintendent shall deliver to the applicant a copy of the application, to which shall be added a notice of the time and place appointed for the selection of the jury, addressed to the owners and occupants of the land.

§ 303. Copy and notice to be served. The applicant on receiving the copy and notice shall, on the same day, or the next day thereafter, excluding Sundays and holidays, cause such copy and notice to be served upon the persons to whom it is addressed, by delivering to each of them who reside in the same town a copy thereof, or in case of his absence, by leaving the same at his residence and upon such as reside elsewhere, by depositing in the postoffice a copy thereof to each, properly enclosed in an envelope, addressed to them respectively at their postoffice address, and paying the postage thereon, or, in case of infant owners, by like service upon their parent or guardian.

§ 304. List of jurors, and drawing jurors. At such time and place, on

due proof of the service of the notice, the town superintendent shall, in the presence of a justice of the peace of such town, to be designated by him and who shall be present at such time, openly draw thirty-six ballots from a box or other receptacle containing the names of the persons who are returned as jurors of the town to the courts of record of the county, upon the last list thereof, as certified by the county clerk, as jurors to attend and determine upon the necessity of such road and to assess the damages by reason of the opening thereof, on a day to which the proceeding shall then be adjourned by him, not more than fourteen days from the day on which such jurors are drawn, unless the parties consent to a longer adjournment. The ballots shall be of the same description as those prescribed to be used by justices of the peace, for the purpose of procuring a jury to try an action in justices' courts. Such ballots may be, or may previously have been prepared by such justice of the peace. If a person whose name is thus drawn is not a resident freeholder of the town, the town superintendent shall set aside such juror, and he may excuse any juror who comes within the provisions of section five hundred and forty-four of the judiciary law, and in either case, draw another ballot and continue to do so until thirty-six are drawn.

§ 305. Delivery, execution and return of venire. The justice of the peace attending upon such drawing of jurors shall thereupon issue a venire, and the same shall be delivered and executed in the same manner as a venire for jurors drawn in a justice's court, as provided in, and under the same penalty as provided in, the provisions of law governing the delivery, execution and return of a venire issued by a justice of the peace for jurors drawn for service in the justices' courts.

§ 306. Jury to determine and assess damages; fees of justice of peace and constable. At the time and place to which the proceeding has been adjourned, as provided in section three hundred and four hereof, the town superintendent, and the justice of the peace so designated by him, shall attend, and a jury of twelve shall then be openly drawn and chosen by the justice of the peace, in the same manner as juries are drawn in

justices' courts, except that each party may peremptorily challenge not more than six of the persons drawn as such jurors. The parties may elect to try the issue by a less number than twelve jurors, at any time before a witness is sworn. The persons so selected, as herein provided, shall constitute the jury and shall be sworn by the justice of the peace well and truly to determine as to the necessity of the road, and to assess the damages by reason of the opening thereof. The duties of the justice of the peace in connection with such proceeding shall end after the jury is sworn. The justice of the peace so designated by the town superintendent and the constable executing such venire, shall each be entitled to the same fees as may at any time be provided by law for the performance of similar duties in justices' courts, to be paid by the applicant.

§ 307. Their verdict. The jury shall view the premises, hear the allegations of the parties, and such witnesses as they may produce, and if they shall determine that the proposed road is necessary, they shall assess the damages to the person or persons through whose land it is to pass, and deliver their verdict in writing to the town superintendent.

§ 308. Value of highway discontinued. If the necessity of such private road has been occasioned by the alteration or discontinuance of a public highway running through the lands belonging to a person through whose lands the private road is proposed to be opened, the jury shall take into consideration the value of the highway so discontinued, and the benefit resulting to the person by reason of such discontinuance, and shall deduct the same from the damages assessed for the opening and laying out of such private road.

§ 309. Papers to be recorded in the town clerk's office. The town superintendent shall annex to such verdict the application, and their certificate that the road is laid out, and the same shall be filed and recorded in the town clerk's office.

§ 310. Damages to be paid before opening the road. The damages assessed by the jury shall be paid by the party for whose benefit the road is laid out, before the road is opened or used; but if the jury shall certify that the necessity of such private road was occasioned by the alteration or discontinuance of a public highway, such damages shall be paid by the town and refunded to the applicant.

§ 311. Fees of officers. Every juror serving on the jury, in proceedings for a private road, shall be entitled to receive for his services one dollar and fifty cents to be paid by the applicant.

§ 312. Motion to confirm, vacate or modify. Within thirty days after the decision of the jury shall have been filed in the town clerk's office, the owner, occupant or applicant may apply to the county court wherein such private road is situated, for an order confirming, vacating or modifying their decision; and such court may confirm, vacate or modify such decision as it shall deem just and legal. If the decision is vacated, the court may order another hearing of the matter before another jury, and remit the proceedings to the town superintendent of the same town for that purpose. If no such motion is made, the decision of the jury shall be deemed final. The motion shall be brought on, upon the service of papers on the adverse party in the proceeding, according to the usual practice of the court in actions and special proceedings pending therein, and the decision of the county court shall be final, except that a new hearing may be had, as herein provided. If the final decision shall be adverse to the applicant, no other application for the same road shall be made within one year.

§ 313. Costs of new hearing. If upon a new hearing, the damages assessed are increased, the applicant shall pay the costs and expenses thereof, otherwise the owner shall pay the same.

§ 314. For what purpose private road may be used. Every such private road, when so laid out, shall be for the use of such applicant, his heirs and assigns; but not to be converted to any other use or purpose than that of a road; nor shall the occupant or owner of the land through which said road shall be laid out be permitted to use the same as a road, unless he shall have signified such intention to the jury who assessed the damages for laying out such road, and before such damages were assessed.

§ 315. Credit on private road. Any person living upon a private road may be credited on account of his highway taxes in any year an amount equal to the value of the work which the town superintendent may deem necessary to be done in such year upon such road. The town superintendent shall issue to him a statement containing the name of the person, the location of the road, the amount of work so deemed necessary to be done, and the value thereof. Such statement shall be presented to the town board at its annual meeting for the audit of town accounts, and if approved by such board, and such work shall have been done, an order shall be issued directing the supervisor to pay the sum specified in such statement to the person therein named, or his assignee, out of moneys in the hands of the supervisor available for highway purposes. The amount so paid in any year shall not exceed the amount payable by the person named in such statement on account of moneys levied in such town for the repair and improvement of highways as provided in this chapter. This section shall not apply to private roads or rights of way over lands of the owner thereof used by him for his own convenience.

§ 315-a. Improvement corporations; right of acquisition. Any corporation formed for the purpose of developing or improving real property, which lays out for public use roads, streets, avenues or highways, upon or through its lands, if unable to agree with the owners of any real property required for the purpose of extending, continuing or connecting such roads, streets, avenues or highways, for the purchase thereof, may acquire title thereto by acquisition in the manner prescribed by the eminent domain procedure law; provided such

corporation has the consents of the owners of not less than one-half of all of the land which adjoins or abuts upon, or which will adjoin or abut upon, such roads, streets, avenues or highways, or their extensions, continuations or connections, when completed; and such corporation may lay out and establish such roads, streets, avenues or highways, and the extensions, continuations or connections thereof, and may construct drains or sewers, and such bridges or culverts as may be necessary to maintain the grades of, or for the extension, continuation or connection of, the roads, streets, avenues or highways, so laid out; and may connect such roads, streets, avenues or highways, with or across roads, streets, avenues or highways, belonging to any other corporation or person, but may not disturb the established grades thereof. All lands so taken by acquisition shall be deemed to be acquired for a public use.

§ 316. Entitled to free use of highways. The authorities having charge or control of any highway, public street, park, parkway, driveway, or place, shall have no power or authority to pass, enforce or maintain any ordinance, rule or regulation by which any person using a bicycle or tricycle shall be excluded or prohibited from the free use of any highway, public street, avenue, roadway, driveway, parkway, park, or place, at any time when the same is open to the free use of persons having and using other pleasure carriages, except upon such driveway, speedway or road as has been or may be expressly set apart by law for the exclusive use of horses and light carriages. But nothing herein shall prevent the passage, enforcement or maintenance of any regulation, ordinance or rule, regulating the use of bicycles or tricycles in highways, public streets, driveways, parks, parkways, and places, or the regulation of the speed of carriages, vehicles or engines, in public parks and upon parkways and driveways in the city of New York, under the exclusive jurisdiction and control of the department of parks and recreation of said city, nor prevent any such authorities in any other city from regulating the speed of any vehicles herein described in such manner as to limit and determine the proper rate of speed with which such vehicle may be propelled nor in such manner as to require, direct or prohibit the use of bells, lamps and other appurtenances nor to prohibit the use of any vehicle upon that part of the highway, street,

park, or parkway, commonly known as the footpath or sidewalk.

§ 317. Drug free school zone signs. Any political subdivision of the state having jurisdiction over any highway within school grounds, as defined in subdivision fourteen of section 220.00 of the penal law, may, upon the request of the appropriate school authority, place, cause to be placed, or permit to be placed within the right of way of such highway signs indicating a drug free school zone.

§ 319. Obstructions and their removal. 1. Obstructions, within the meaning of this section, shall include trees which have been cut or have fallen either on adjacent lands or within the bounds of the highway, in such a manner as to interfere with public travel therein; limbs of trees which have fallen within the highway, or branches of trees overhanging the highways so as to interfere with public travel therein; lumber, wood or logs piled within the bounds of the public highway; machines, vehicles and implements abandoned or habitually placed within the bounds of the highway; fences, buildings or other structures erected within the bounds of the highway; earth, stone or other material placed in any ditch or waterway along the highway; telegraph, telephone, trolley and other poles, and the wires connected therewith, erected within the bounds of the highway in such a manner as to interfere with the use of the highway for public travel.

2. It shall be the duty of each owner or occupant of lands situate along the highway, to remove all obstructions within the bounds of the highway, which have been placed there, either by themselves or by their consent. It shall be the duty of all telephone, telegraph, electric railway and other electrical companies, to remove and reset telephone, telegraph, trolley and other poles and the wires connected therewith, when the same constitute obstructions to the use of the highway by the traveling public. If temporary obstructions such as trees, lumber, wood, logs, machinery, vehicles and similar obstructions are not removed within forty-eight hours after the service of a notice, personally or by mail, upon such owner or occupant, requesting the same to be done, the

town superintendent shall remove such obstruction. And if permanent obstructions, including, among others, telegraph, telephone, trolley and other poles and wires connected therewith, are not moved and reset within thirty days, the town superintendent shall move and reset such poles and wires. The expense thereby incurred shall be paid in the first instance out of moneys levied and collected and available therefor, and the amount thereof shall be charged against such owner, occupant or company, and levied and collected, as provided in section one hundred and fifty-seven.

§ 320. Injuries to highways. Whoever shall injure any highway or bridge maintained at the public expense, by obstructing or diverting any creek, water-course or sluice, or by dragging logs or timber on its surface or by drawing or propelling over the same a load of such weight as to injure or destroy the culverts or bridges along the same, or of such weight that will destroy, break or injure the surface of any improved state highway, county road or town highway, or by any other act, or shall injure, deface or destroy any mile-stone or guide-post erected on any highway, shall for every such offense forfeit treble damages.

§ 322. Trees, removal from highway bounds. Any tree standing or lying on land within the bounds of any highway shall be for the proper use of the owner or occupant of such land. Except in villages of the first and second class, no growing tree shall be cut down, removed or destroyed without the written consent of (a) the commissioner of transportation, if it is within the bounds of a state highway, or (b) the county superintendent, if it is within the bounds of a county road, or (c) the town superintendent, if it is within the bounds of a town highway. Where a right of way has been or shall be acquired, under the provisions of this chapter, for a highway of any class, the owner of the tree shall have and may harvest for his own use the fruit upon all fruit-bearing trees left standing from time to time within the right of way so acquired.

§ 323. Injuring fruit or shade trees. It shall be unlawful for any person or persons whatsoever in this state to hitch any horse or other animal to or leave the same standing near enough to injure any fruit or forest tree growing within the bounds of the public highway, or used as a shade or ornamental tree around any school house, church or public building, or to cut down or mutilate in any way any such ornamental or shade tree; but the right of property owners along the highway to cultivate, train and use such shade trees shall not be impaired or abridged hereby. Any person or persons guilty of violating the provisions of this section shall be deemed guilty of misdemeanor, and shall be punishable by a fine of not less than five dollars, nor more than twenty-five dollars for each such offense, and in case of failure to pay any fine imposed, may be committed to jail, not exceeding one day for each dollar of such fine. Courts of special sessions having jurisdiction to try misdemeanors, as provided by section fifty-six of the code of criminal procedure, shall have exclusive jurisdiction to try offenders in all cases occurring in the same manner as in other cases, where they now have jurisdiction, and subject to the same power of removal, and to render and enforce judgments, to the extent herein provided. All fines collected under the provisions of this act shall be paid when the offense is committed in a town outside of incorporated villages, to the supervisor of the town, to be used as the town board and town superintendent may direct. When the offense is committed in any village of the county, which by law is constituted a separate road district, the fine shall be paid to the treasurer of said village, to be used as the board of trustees may direct.

§ 324. Penalty for falling trees. If any person shall cut down any tree on land not occupied by him, so that it shall fall into any highway, river or stream, unless by the order and consent of the occupant, the person so offending shall forfeit to such occupant the sum of one dollar for every tree so fallen and the like sum for every day the same shall remain in the highway, river or stream.

§ 325. Fallen trees to be removed. If any tree shall fall, or be fallen by any person from any inclosed land into any highway, any person may give notice to the occupant of the land from which the tree shall have fallen, to remove the same within two days; if such tree shall not be removed within that time, but shall continue in the highway, the occupant of the land shall forfeit the sum of fifty cents for every day thereafter, until the tree shall be removed.

§ 326. Penalties, how recovered. All penalties or forfeitures given in this chapter, and not otherwise specially provided for, shall be recovered by the town superintendent, in the name of the town in which the offense shall be committed; and when recovered, shall be applied by them in improving the highways and bridges in such town, except that if the offense occurs on any highway included in the systems defined by section three hundred forty-one of this chapter, such penalties or forfeitures may be recovered by the commissioner of transportation and where so recovered shall be deposited by the comptroller into the special obligation reserve and payment account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law.

§ 327. Lighting roads, highways and bridges. The town board of any town may from time to time provide for lighting dangerous portions of any road or highway defined by section three of this chapter or constructed or improved under the provisions of section one hundred and ninety-four of this chapter, and of bridges located thereon. The initial action of the board shall be in the form of a proposal. The roads and portions thereof to be lighted, and the manner of lighting, shall be set forth in such proposal. Such proposal shall be embodied in a resolution. The lighting of one or more such roads, highways or bridges, or either, may be proposed in a single resolution. The board may provide for such lighting, if its proposal is so approved. The expense of installing, maintaining and caring for such lights shall be a town charge, and the moneys therefor shall be provided and appropriated in the same manner as for other town expenses. The furnishing of light under this section may

be provided for by contract or otherwise; but nothing herein contained shall be deemed to authorize the town board to acquire, construct or establish a gas or electric lighting plant for the above purposes. The installation of lights, fixtures and connections shall be done under the supervision of the county superintendent of highways. The town board may provide for the care of such lights in such manner as it may deem proper. The board may, in its discretion, at any time discontinue the lighting of any road, highway or bridge, or portion thereof, provided for under this section. Any installation of lighting pursuant to this section on a state highway shall be subject to the approval of the commissioner.

§ 328. Lighting of public highways or bridges. The board of supervisors of any county may from time to time provide for lighting public highways, or portions thereof, or bridges, located in such county outside of cities and villages. The initial action of the board shall be in the form of a proposal. The highways, or portions thereof, or bridges to be lighted, and the manner of lighting, shall be set forth in such proposal. Such proposal shall be embodied in a resolution. The lighting of one or more of such highways, or portions thereof, or bridges may be proposed in a single resolution. The board may provide for such lighting if its proposal be so approved. The expense of installing, maintaining and caring for such lights shall be a county charge, and the moneys therefor shall be provided and appropriated in the same manner as for other county expenses. The furnishing of light under this section may be provided for by contract or otherwise, but nothing herein shall be deemed to authorize the board to acquire, construct or establish a lighting plant for such purposes. The installation of lights, fixtures and connections shall be done under the supervision of the county superintendent of highways. The board may provide for the care of such lights in such manner as it may deem proper. The board may, in its discretion, at any time discontinue the lighting of any highway, or portion thereof, or bridge provided for under this section. Notwithstanding the provisions of this section, the county of Monroe may from time to time provide for lighting public highways, streets, or portions thereof, or bridges located in the city of Rochester, subject

to the approval of the city council of the city of Rochester. Any installation of lighting pursuant to this section on a state highway shall be subject to the approval of the commissioner.

§ 329. Land monuments and markers; duty of highway superintendents and commissioner of transportation in regard thereto. If, upon the construction, reconstruction or improvement of a state highway, county road or town highway, including widening and straightening, any land boundary markers or monuments are removed, destroyed or concealed, new markers, or monuments, which may be of a different type and material, shall be placed in their place and stead by the officer in charge of such highway project, whether it be the commissioner of transportation, the county superintendent of highways or the town superintendent of highways. Such new markers or monuments shall be so marked as to identify therefrom the markers or monuments whose place and stead they take. Moneys appropriated for the maintenance of state highways, county roads and town highways shall be available for any of the work and expenses authorized by this section.

§ 330. Ramps in street curbing. No public street, sidewalk adjacent to a curb, sidewalk adjacent to a parking lot, sidewalk adjacent to a private road open to public motor vehicle traffic or highway shall be constructed or reconstructed unless the curbing thereof is designed and constructed so as to allow reasonable access to pedestrian crosswalks for persons with disabilities, in accordance with accessibility guidelines mandated pursuant to the federal Americans with Disabilities Act of 1990, as amended.

§ 331. Consideration of complete street design. (a) For all state, county and local transportation projects that are undertaken by the department or receive both federal and state funding and are subject to department of transportation oversight, the department or agency with jurisdiction over such projects shall consider the convenient access and mobility on the road network by all users of all ages, including

motorists, pedestrians, bicyclists, and public transportation users through the use of complete street design features in the planning, design, construction, reconstruction and rehabilitation, but not including resurfacing, maintenance, or pavement recycling of such projects.

(b) Complete street design features are roadway design features that accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists and individuals of all ages and abilities. These features may include, but need not be limited to: sidewalks, paved shoulders suitable for use by bicyclists, lane striping, bicycle lanes, share the road signage, crosswalks, road diets, pedestrian control signalization, bus pull outs, curb cuts, raised crosswalks and ramps and traffic calming measures; and recognize that the needs of users of the road network vary according to a rural, urban and suburban context.

(c) This section shall not apply if it has been determined and set forth in publicly available documents that one of the following exists:

(i) use by bicyclists and pedestrians is prohibited by law, such as within interstate highway corridors; or

(ii) the cost would be disproportionate to the need as determined by factors including, but not limited to, the following: land use context; current and projected traffic volumes; and population density; or

(iii) demonstrated lack of need as determined by factors, including, but not limited to, land use, current and projected traffic volumes, including population density, or demonstrates lack of community support; or

(iv) use of the design features would have an adverse impact on, or be contrary to, public safety.

(d) Nothing in this section shall be construed to require the department or agency with jurisdiction over a project to expend monies in accordance with subdivision (a) of this section that exceed the amount of state and federal funding for complete street design features.

§ 332. Portion of the Mohawk-Hudson Bike-Hike Trail to be designated as the "Ronald H. Miller Memorial Bike Trail". All that portion of the Mohawk-Hudson Bike-Hike Trail in the village of Menands, commencing at

the city of Watervliet border, continuing in a generally southerly direction and terminating at the city of Albany border, shall be designated and known as the "Ronald H. Miller Memorial Bike Trail".

ARTICLE XII

STATE ROUTES

Section 340-a. Designation of state interstate routes.

340-b. Construction, improvement and maintenance of state interstate highways.

340-c. Designation of state expressways.

340-d. Construction, improvement and maintenance of state expressways.

341. Designation of state highways.

341-a. Repayment to state of moneys advanced to counties for the construction of county highways.

342. Acceptance of a bridge in the village of Green Island, Albany county, and the city of Troy, Rensselaer county, as part of the state highway system.

342-a. Portion of state highway system to be designated as "The Cole and Caldwell Memorial Bridge".

342-aa. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway".

342-aa*2. Portion of state highway system to be designated as the "Westchester County Veterans Memorial Highway".

342-aaa. Portion of the state highway system to be dedicated to Westchester Purple Heart Recipients.

342-aaa*2. Portion of the state highway system to be dedicated to Boston NY Fallen Firefighters.

342-b. Portion of state highway system to be designated and known as the "Adirondack Trail".

342-bb. Portion of the state highway system to be designated as the "27th Div. Memorial Highway".

342-bb*2. Portion of state highway system to be designated as the "C. V. Whitney Memorial Highway".

342-bb*3. Portion of state highway system to be designated as

"The John G. A. O'Neil Memorial Bridges".

342-bb*4. Portion of state highway system to be designated as "Aluminum Workers' Memorial Highway".

342-bb*5. Portion of state highway system to be designated as "The Fort Drum Military Highway".

342-c. Portion of state highway system to be designated as the "Seneca Trail".

342-cc. Portion of the state highway system to be designated as the "Mayor Harvey W. Mansfield Highway".

342-ccc. Portion of the state highway system to be designated as the "Paul Cerjan Memorial Highway".

342-d. Portion of state highway system to be designated as the "Col. George F. Chandler Drive."

342-dd. Portion of the state highway system to be designated as the "Turning Point Trail".

342-ddd. Portion of the state highway system to be designated as the "Hancock Veterans Memorial Bridge".

342-ddd*2. Portion of the state highway system to be designated as the "David H. Newman Sr. Memorial Bridge".

342-ddd*3. Portion of the state highway system to be designated as the "Hugh A. Kearney Memorial Bridge".

342-ddd*4. Portion of the state highway system to be designated as the "SSG Justin R. Whiting Memorial Bridge".

342-ddd*5. Portion of the state highway system to be designated as the "Lt. Cameron N. Hall Memorial Bridge".

342-e. Portion of state highway system to be designated as "The Roosevelt-Marcy Memorial Highway."

342-ee. Portion of state highway system to be designated and known as the "Assemblyman Philip B. Healey Memorial Parkway."

342-eee. Portion of the state highway system to be designated as the "Sidney Veterans' Memorial Highway".

342-f. Portion of state highway system to be designated as the "Seaway Trail".

342-ff. Portion of the state highway system to be designated as the "88th Infantry Division, the Blue Devils Memorial Highway".

342-g. Portion of the state highway system to be designated and known as the "Genesee River Parkway".

342-gg. Portion of state highway system to be designated as the "Borden Bridge".

342-h. Portion of state highway system to be designated as the "Past V.F.W. Commander Alfred Bleich Highway".

342-hh. Portion of the state highway system to be designated as the "POW/MIA Remembrance Bridge".

342-i. Portion of state highway system to be designated and known as the "Olympic Trail".

342-ii. Portion of the state highway system in the county of Oneida to be designated as the "Military Highway".

342-ii*2. Portion of state highway system to be designated as the "Pearl Harbor Memorial Bridge".

342-ii*3. Portion of state highway system to be designated as the "Albany County Veterans' Memorial Highway".

342-iii. Portion of the state highway system to be designated as the "Saratoga County Veterans' Memorial Highway".

342-j. Portion of state highway system to be designated and known as the "Revolutionary Trail".

342-jj. Portion of state highway system to be designated and known as the "John J. Okulsky Memorial Highway".

342-k. Portion of state and county highway system to be designated and known as the "Black River Trail".

342-kk. Portion of state highway system to be designated as the "Grace Peshkur Memorial Bridge".

342-kk*2. Portion of state highway system to be designated as the "Corporal Jason Dunham Memorial Bridge".

342-l. Portion of state highway system to be designated and known as the "Military Trail".

342-ll. Portion of state highway system to be designated as the "Roger Tory Peterson Memorial Bridge".

342-m. Portion of the state highway system to be designated and known as the "Central Adirondack Trail".

342-mm. Portion of state highway system to be designated as the "Corporal Jason Dunham Memorial Highway".

342-n. Portion of state and county highway system to be designated and known as the "Dude Ranch Trail".

342-nn. Portion of the state highway system to be designated as the "Clayton "Peg Leg" Bates Memorial Highway".

342-o. Portion of state highway system to be designated as "Chautauqua County Veterans Memorial Bridge".

342-oo. Portion of the state highway system to be designated as "The Bronx Veterans' Memorial Highway".

342-p. Portion of state highway system to be designated as "Cattaraugus County Veterans Memorial Bridge".

342-pp. Portion of state highway system to be designated as the "Mayor Frank Ratigan Memorial Bridge".

342-q. Portion of the state highway system to be designated as the "Dr. Martin Luther King, Jr. Expressway".

342-qq. Portion of state highway system to be designated and known as the "Father Joseph Champlin Memorial Highway".

342-r. Portion of state highway system to be designated as "James Aloysius Farley Memorial Bridge".

342-rr. Portion of state highway system to be designated and known as the "Trooper David C. Brinkerhoff Memorial Highway".

342-s. Portion of state highway system to be designated as "J. Donald Synnett Memorial Bridge".

342-ss. Portion of state highway system to be designated and known as the "New York State Vietnam Veterans' Memorial Highway of Valor".

342-ss*2. Portion of state highway system to be designated as the "Army Captain George A. Wood Memorial Bridge".

342-t. Portion of state highway system to be designated as "POW/MIA Bridge".

342-tt. Portion of state and county highway system to be designated and known as the "Lakes to Locks Passage".

342-u. Portion of the state highway system to be designated as "Senator Warren M. Anderson Expressway".

342-uu. Portion of state highway system to be designated and

known as the "Harriet Tubman Memorial Highway".

342-uu*2. Portion of state highway system to be designated and known as the "Trooper David J. Lane Memorial Highway".

342-v. Portion of state highway system designated as the Marine Corps League Memorial Highway.

342-v*2. Portion of the state highway system to be designated as "St. Regis Mohawk Indian Veterans Memorial Bridge".

342-v*3. Portion of state highway system designated as the Veterans Memorial Highway.

342-vv. Portion of state highway system to be designated and known as the "Rensselaer County Korean War Veterans Memorial Highway".

342-vvv. Portion of the state highway system to be designated as "The Woodstock Way".

342-w. Portion of the state highway system to be designated as "Phelps Way".

342-ww. Portion of the New York state thruway to be designated as the "Jewish War Veterans Memorial Highway".

342-www. Portion of the state highway system to be designated as the "Adirondack Veterans' Memorial Highway".

342-x. Portion of the state highway system to be designated as the "Purple Heart Highway".

342-x*2. Portion of state highway system to be designated as "The American Legion Memorial Highway".

342-xx. Portion of state highway system to be designated as the "Lima Veterans Memorial Highway".

342-xxx. Portion of the state highway system to be designated as the "Wyoming County Veterans Memorial Highway".

342-xxxx. Portion of state highway system to be designated as the "Livingston County Veterans Memorial Highway".

342-y. Portion of state highway system to be designated as "Assemblyman Roger J. Robach Memorial Lakeway."

342-y*2. Portion of state highway system to be designated as "The Putnam County Veterans Memorial Bridge".

342-yy. Portion of the state highway system to be designated as the "87th Infantry Division Memorial Highway".

342-yyy. Portion of the state highway system to be designated as the "Lt. Joseph J. Theinert Memorial Way".

342-z. Portion of state highway system to be designated as "The Veterans of Foreign Wars Memorial Highway".

342-z*2. Portion of state highway system to be designated as the "Lucille Ball-Desi Arnaz Memorial Bridge".

342-zz. Portion of the state highway system to be designated as the "Schenectady County Veterans Memorial Highway".

342-zzz. Portion of the state highway system to be designated as the "William Cullen Bryant Viaduct".

343. Portion of state highway system to be designated as "The Korean War Veterans Memorial Highway".

343-a. Portion of state highway system in the county of Richmond to be designated as "The Korean War Veterans Memorial Parkway".

343-a*2. Portion of the state highway system to be designated as the "Senator Ralph Quattrociocchi Memorial Highway".

343-a*3. Portion of state highway system to be designated as "The Disabled American Veterans - New York Medal of Honor Highway".

343-a*4. Portion of the state highway system to be designated as the "General Philip Schuyler Commemorative Highway".

343-aa. Portion of the state highway system in the county of Erie to be designated as the "Staff Sergeant William R. Wilson III Memorial Highway".

343-aa*2. Portion of state highway system to be designated as the "Officer Thomas M. Lindsey Memorial Highway".

343-aa*3. Portion of the state highway system to be designated as the "New York City Police Department Detective Peter Figoski Memorial Bridge".

343-aa*4. Portion of state highway system to be designated as the "Assemblyman James D. Conte Memorial Highway".

343-aa*5. Portion of the state highway system to be designated as the "Genesee and Orleans Veterans' Memorial Highway".

343-aaa. Portion of the state highway system to be designated as the "Lieutenant Colonel Todd J. Clark Memorial Highway".

343-b. Portion of the state highway system to be designated as "The 94th Infantry Division Memorial Highway".

343-bb. Portion of the state highway system to be designated as the "Walden Veterans' Memorial Bridge".

343-bbb. Portion of the state highway system to be designated as the "86th Blackhawk Infantry Division Memorial Highway".

343-bbb*2. Portion of the state highway system to be designated as the "299th Engineer Combat Battalion Memorial Highway".

343-c. Portion of state highway system in the county of Rockland to be designated as "The Korean War Veterans Memorial Highway".

343-c*2. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway".

343-c*3. Portion of the state highway system to be designated as the "William Gregory Bypass".

343-c*4. Portion of the state highway system to be designated as the "Thomas C. Rotondo, Jr. Memorial Bridge".

343-cc. Portion of the state highway system to be designated as the "Sgt. Michael J. Esposito Jr. Memorial Bridge".

343-cc*2. Portion of the state highway system to be designated as the "Corey J. Swinson Memorial Bridge".

343-ccc. Portion of the state highway system to be designated as the "Corporal Tony Casamento Memorial Bridge".

343-d. Portion of state highway system to be designated as the "Jackie Robinson Parkway".

343-dd. Portion of state highway system to be designated as the "Justine L. Hommel Memorial Highway".

343-e. Portion of state highway system in the county of

Rockland to be designated as the "Vietnam Veterans Memorial Highway".

343-ee. Portion of the state highway system to be dedicated to Clara H. Barton.

343-f. Portion of the state highway system to be designated as "The Norman J. Levy Memorial Highway".

343-f*2. Portion of state highway system in the county of Monroe to be designated as a "POW-MIA Memorial Highway".

343-g. Portion of the state highway system to be designated as the "Don Reile Boulevard".

343-g*2. Portion of the state highway system to be designated as the "Pearl Harbor Memorial Expressway".

343-gg. Portion of the state highway system to be designated as the "Southern Adirondack Trail".

343-h. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway".

343-i. Portion of the state highway system to be designated as the "Joe DiMaggio Highway".

343-j. Portion of the state highway system to be designated as "The Putnam County Veterans Memorial Highway".

343-k. Portion of the state highway system to be designated as the "St. Lawrence County Veterans Memorial Highway".

343-k*2. Portion of state highway system to be designated as the "POW-MIA Bridge".

343-k*3. Portion of the state highway system to be designated as the "Allegany County Veterans Memorial Highway".

343-k*4. Portion of the state highway system to be designated as the "United States Army 77th Infantry Division Memorial Highway".

343-k*5. Portions of the state highway system to be designated as the "Lake Erie Wine Country Trail", the "Canandaigua Wine Trail", the "Cayuga Wine Trail East", the "Cayuga Wine Trail West", the "Seneca Lake Wine Trail East", the "Seneca Lake Wine Trail West", the "Keuka Lake Wine Trail", the "Shawangunk

Wine Trail", the "Dutchess Wine Trail", the "North Fork Wine Trail", the "Hamptons Wine Trail", the "Long Island Wine Region", the "Niagara Wine Trail Ridge", the "Niagara Wine Trail Lake", the "Lake Ontario Wine Trail", the "Adirondack Coast Wine Trail", the "St. Lawrence Wine Trail" and the "Upper Hudson Wine Trail".

343-k*6. Portion of the state highway system to be designated as the "Joseph A. Scapelliti Memorial Bridge".

343-k*7. Portion of the state highway system to be designated as the "Orange County Purple Heart Highway".

343-l. Portion of the state highway system to be designated as the "Don and Tony DeMatteo Parkway".

343-m. Portion of the state highway system to be known as the "POW-MIA Memorial Highway".

343-m*2. Portion of the state highway system to be designated as "Christopher's Crossing".

343-m*3. Portion of the state highway system in Monroe county to be designated as "Korean War Memorial Highway".

343-m*4. Portion of the state highway system to be designated as the "Lost At Sea Memorial Pike".

343-n. Portion of the state highway system to be designated as the "Ralph J. Marino Expressway".

343-n*2. Portion of the state highway system to be known as the "Mount Morris Veterans Memorial Highway".

343-n*3. Portion of the state highway system to be designated as the "Cattaraugus County Veterans Memorial Highway".

343-o. Portion of the state highway system to be designated as "Reverend Dr. Bennett W. Smith, Sr. Way".

343-o*2. Portion of the state highway system to be designated as the "U.S. Army 77th Infantry Division Expressway".

343-o*3. Route 301 to be designated as the "Sgt. Albert Ireland Memorial Highway".

343-o*4. Portion of state highway system to be designated as "Monroe County American Legion Memorial Highway".

343-o*5. Portion of the state highway system to be designated as the "Reverend Dr. Martin Luther King, Jr. Expressway".

343-o*6. Portion of the state highway system to be known as the "Dutchess County Veterans' Memorial Highway".

343-o*7. Portion of state highway system to be designated as the "Seneca Nation of Indians, City of Salamanca Veterans Memorial Bridge".

343-o*8. Portion of the state highway system to be known as the " 369th Harlem Hellfighter's Drive".

343-p. Portion of the state highway system to be designated as the "Assemblyman Glenn H. Harris Memorial Highway".

343-p*2. Portion of state highway system in the county of Niagara to be designated as the "North Tonawanda POW-MIA Memorial Highway".

343-p*3. Croton Reservoir Bridge to be designated as the "AMVETS Memorial Bridge".

343-p*4. Portion of state highway system to be designated as the "Apalachin/Campville Memorial Bridge".

343-p*5. Portion of the state highway system to be designated as the "Jack Austen Highway".

343-p*6. Portion of state highway system to be designated as "Steuben County Veterans of Foreign Wars Memorial Highway".

343-p*7. Portion of the state highway system to be designated as the "Colonel William O'Brien and Sergeant Thomas Baker Memorial Highway".

343-p*8. Portion of the state highway system to be designated as the "Veterans Memorial Bridge".

343-q. Portion of the state highway system to be designated as the "New York State Troopers T. Michael Kelly and Kenneth A. Poormon Memorial Highway".

343-q*2. Portion of the state highway system to be designated as the "Wayne County Veteran's Memorial Highway".

343-q*3. Portion of the state highway system to be designated as the "Peter C. Furnari Memorial Bridge".

343-q*4. Portion of state highway system to be designated as the "Cooper's Cave Bridge".

343-q*5. Portion of the state highway system to be designated as the "Assemblyman Richard H. Miller Memorial Highway".

343-q*6. Portion of state highway system to be designated as the "Chautauqua County Veterans Memorial Highway".

343-q*7. Portion of the state highway system to be designated as the "Orleans County American Legion Memorial Highway".

343-q*8. Portion of the state highway system to be designated as the "100th Infantry Division Memorial Parkway".

343-q*9. Portion of state highway system to be designated as the "Mount Pleasant Veterans Memorial Highway".

343-q*10. Portion of the state highway system to be designated as the "Lester R. Stone, Jr. Memorial Highway".

343-q*11. Portion of the state highway system to be designated as the "Trooper Brian N. Rovnak Memorial Bridge".

343-r. Portion of the state highway system to be designated as the "Trooper Robert G. Dunning Memorial Bridge".

343-s. Portion of the state highway system to be designated as the "Doctor Bernard J. Burke Memorial Bridge".

343-s*2. Portion of the state highway system to be designated as the "Erie County Veterans' Memorial Highway".

343-s*3. Portion of the state highway system in the county of Jefferson to be designated as the "Thousand Islands - Seaway Wine Trail".

343-s*4. Portion of the state highway system to be designated as the "Rensselaer County Veterans' Memorial Highway".

343-s*5. Portion of the state highway system to be designated as the "William C. Hennessy Memorial Highway".

343-s*6. Portion of the state highway system to be designated as the "Erie Canal Expressway".

343-s*7. Route 9D to be designated as the "Hudson Valley POW/MIA Memorial Highway".

343-s*8. Portion of the state highway system to be designated

as the "Arthur Benson Memorial Highway".

343-s*9. Portion of the state highway system to be designated as the "Dr. Martin Luther King, Jr. Memorial Bridge".

343-s*10. Portion of the state highway system to be designated as the "Private First Class Gregory Huxley, Jr. Memorial Bridge".

343-s*11. Portion of the state highway system to be designated as the "Justin Wrisley Garvey Memorial Bridge".

343-s*12. Portion of the state highway system to be designated the "Senator Jess J. Present Memorial Highway".

343-t. Portion of the state highway system to be designated as the "96th Infantry Division WW II Memorial highway".

343-t*2. Portion of the state highway system to be designated as the "Senator Patricia K. McGee Memorial Highway".

343-t*3. Portion of the state highway system to be designated as the "Greene County Veterans Memorial Highway".

343-t*4. Portion of the state highway system to be designated the "Pearl Harbor Veterans Memorial Highway".

343-t*5. Portion of the state highway system to be designated as the "M. Paul Keesler Memorial Highway".

343-t*6. Portions of the state highway system to be designated as the "Supervisor Jack C. Hart Memorial Bridges".

343-t*7. Portion of the state highway system to be designated as the "Captain Timothy J. Moshier Memorial Highway".

343-u. Portion of the state highway system to be designated as the "Griffiss Veterans' Memorial Parkway".

343-u*2. Portion of the state highway system to be designated as the "Waterloo: Birthplace of Memorial Day Highway".

343-u*3. Portion of the state highway system to be designated as the "Frederick Douglass - Susan B. Anthony Memorial Bridge".

343-u*4. Portion of state highway system to be designated as

"James E. Widener Memorial Bridge".

343-u*5. Portion of state highway system to be designated and known as the "Officer Joseph D. Corr Memorial Highway".

343-u*6. Portion of the state highway system to be designated as the "Columbia County Veterans' Memorial Highway".

343-u*7. Portion of state highway system to be designated as "Leslie "Paul" Bernstein Memorial Bridge".

343-u*8. Portion of the state highway system to be designated as the "General Henry Halleck Memorial Bridge".

343-v. Portion of the state highway system to be designated as the "Lance Cpl. Jordan Haerter Veterans' Memorial Bridge".

343-v*2. Portion of the state highway system to be designated as the "Gowanda Veterans Memorial Bridge".

343-v*3. Portion of the state highway system to be designated as the "156th Field Artillery Memorial Highway".

343-v*4. Portion of the state highway system to be designated as the "Detective Kathleen M. Reilly Memorial Bridge".

343-v*5. Portion of state highway system to be designated as the "Governor Frank Wayland Higgins Memorial Bridge".

343-w. Portion of the state highway system to be designated as the "Marine Lance Cpl. Blaise Oleski Memorial Highway".

343-x. Portion of the state highway system to be designated as the "National Veterans Highway".

343-x*2. Portion of the state highway system to be designated as the "Sampson Veterans Memorial Highway".

343-x*3. Portion of state highway system to be designated as "Cpl. Paulo Marko Pacificador Memorial Bridge".

343-x*4. Portion of state highway system to be designated as the "Officer Aldo Rossi Junior Memorial Highway".

343-x*5. Portion of the state highway system to be designated as the "Trooper Shawn W. Snow Street".

343-y. Portion of the state highway system to be designated as the "Detective Michael Perry Memorial Highway".

343-y*2. Portion of the state highway system to be designated as the "Police Officer Michael J. Califano Memorial Bridge".

343-y*3. Portion of the state highway system to be designated as the "Almond E. Fisher Memorial Highway".

343-y*4. Portion of the state highway system to be designated as the "Charles Varese Memorial Highway".

343-y*5. Portion of the state highway system to be designated as the "Purple Heart Way".

343-yy. Portion of the state highway system to be designated as the "Police Officer Joseph P. Olivieri Jr. Memorial Bridge".

343-yy*2. Portion of the state highway system to be designated as the "New York State Trooper Kevin P. Dobson, Sr. Memorial Bridge".

343-z. Portion of the state highway system to be designated as the "Jamestown Veterans Memorial Bridge".

343-z*2. Portion of the state highway to be designated as the "Alfred F. Jones Memorial Bridge".

343-z*3. Portion of the state highway system to be designated as the "Specialist Anthony N. Kalladeen Memorial Highway".

343-z*4. Portion of the state highway to be designated as the "Sergeant Mark Bradley Memorial Bridge".

343-z*5. Portion of the state highway system to be designated as the "Staff Sergeant Derek Farley Memorial Bridge".

343-z*6. Portion of the state highway system to be designated as the "Sergeant Devin Snyder Memorial Highway".

343-z*7. Portion of state highway system to be designated as the "Robert H. Jackson Memorial Bridge".

343-z*8. Portion of state highway system to be designated as the "Deputy Kurt Wyman Memorial Highway".

343-z*9. Portion of state highway system to be designated as the "FDNY Lt. Richard Nappi Memorial Bridge".

343-z*10. Portion of the state highway system to be designated as the "Westchester County Korean War Veterans Memorial Highway".

343-zz. Portion of the state highway system to be designated as the "Staff Sergeant Kyu Hyuk Chay Memorial Bridge".

344. Portion of state highway system to be designated as the "United States Submarine Veterans Memorial Highway".

344*2. Construction of sections.

344-a. Portion of the state highway system to be designated as the "Brigadier General James Kenney Memorial Highway".

344-a*2. Portion of the state highway system to be designated as the "Saratoga County Veterans Memorial Bridge".

344-b. Portion of the state highway system to be designated as the "Levon Helm Memorial Boulevard".

344-b*2. Portion of the state highway system to be designated as the "LCpl. Jeremy Lasher Memorial Highway".

344-b*3. Portion of the state highway system to be designated as the "Christopher J. Scott Memorial Highway".

344-b*4. Portion of the state highway system to be designated as the "John Stow Vietnam Veterans and MIA Memorial Bridge".

344-b*5. Portion of the state highway system to be designated as the "Correction Officer Gary L. Mitchetti, Jr. Memorial Bridge".

344-b*6. Portion of the state highway system to be designated as the "Davenport Veterans of Foreign Wars Memorial Highway".

344-b*7. Portion of the state highway system to be designated as the "Hancock Veterans Memorial Highway".

344-b*8. Portion of the state highway system to be designated as the "Edward S. Tucker Memorial Boulevard".

344-bb. Portion of the state highway system to be designated as the "Honorable Donald Olson Memorial Highway".

344-c. Portion of the state highway system to be designated

as the "Disabled American Veterans Memorial Bridge".

344-c*2. Portion of the state highway system to be designated as the "Sergeant Omar G. Blowers Memorial Highway".

344-c*3. Portion of state highway system to be designated as the "Twin Cities Vietnam Veterans Memorial Highway".

344-c*4. Portion of the state highway system to be designated as the "Sergeant Major Daniel Joseph Daly Memorial Highway".

344-c*5. Portion of the state highway system to be designated as the "Youngstown Veterans of Foreign Wars Memorial Highway".

344-c*6. Portion of the state highway system to be designated as the "Sergeant Shawn Michael Farrell II Memorial Highway".

344-c*7. Portion of the state highway system to be designated as the "Detective John M. Falcone Memorial Highway".

344-d. Portion of the state highway system to be designated as the "Specialist David R. Fahey Jr. Memorial Bridge".

344-d*2. Portion of the state highway system to be designated as the "Captain John J. Levulis Memorial Highway".

344-d*3. Portion of state highway system to be designated as the "Sergeant Elisha R. Parker Veterans Memorial Highway".

344-d*4. Portion of the state highway system to be designated as the "Marine Captain Eric A. Jones Memorial Highway".

344-d*5. Portion of the state highway system to be designated as the "Trooper Christopher G. Skinner Memorial Bridge".

344-d*6. Portion of the state highway system to be designated and known as the "Police Officer Arthur Lopez Memorial Bridge".

344-d*7. Portion of the state highway system to be designated

as the "Deputy Sheriff Glenn Searles Memorial Bridge".

344-d*8. Portion of state highway system to be designated as the "Oneida County Vietnam Veterans Memorial Highway".

344-d*9. Portion of the state highway system to be designated as the "Susan Foster Myers Memorial Bridge".

344-d*10. Portion of the state highway system to be designated as the "Springwater Veterans Memorial Highway".

344-d*11. Portion of the state highway system to be designated as the "Livonia Veterans Memorial Highway".

344-d*12. Portion of the state highway system to be designated as the "Canadice Veterans Memorial Highway".

344-d*13. Portion of the state highway system to be designated as the "Rush Veterans Memorial Highway".

344-d*14. Portion of the state highway system to be designated as the "Mendon Veterans Memorial Highway".

344-d*15. Portion of the state highway system to be designated as the "Henrietta Veterans Memorial Highway".

344-d*16. Portion of the state highway system to be designated as the "Brighton Veterans Memorial Highway".

344-e. Portion of the state highway system to be designated as the "West Seneca Veterans Memorial Highway".

344-e*2. Portion of the state highway system to be designated as the "Private First Class Douglas Cordo Memorial Highway".

344-e*3. Portion of the state highway system to be designated as the "Col. David Ireland Memorial Highway".

344-e*4. Portion of the state highway system to be designated as the "U.S. Navy Seabee Parkway".

344-e*5. Portion of the state highway system to be designated as the "6994th Security Squadron Memorial Highway".

344-e*6. Portion of the state highway system to be designated as "John Spear Way".

344-e*7. Portion of the state highway system to be designated as the "Sergeant Kevin W. White Memorial Bridge".

344-e*8. Portion of the state highway system to be designated

as the "Marine Corporal James J. Jackowski Memorial Highway".

344-e*9. Portion of the state highway system to be designated as the "United States Submarine Veterans' Memorial Highway-Saratoga County".

344-e*10. Portion of the state highway system to be designated as the "Corporal Nicholas K. Uzenski Memorial Highway".

344-e*11. Portion of state highway system to be designated as the "Corey Lee Carr Memorial Bridge".

344-e*12. Portion of the state highway system to be designated as the "Wayne C. Speenburgh Memorial Highway".

344-e*13. Portion of the state highway system to be designated as the "Major Clayton Carpenter Memorial Highway".

344-f. Portion of state highway system to be designated as the "Specialist Matthew E. Baylis Memorial Bridge".

344-f*2. Portion of the state highway system to be designated as the "Major General Harold J. Greene Memorial Highway".

344-f*3. Portion of the state highway system to be designated as the "Gordie Little Memorial Bridge".

344-f*4. Portion of state highway system to be designated as the "New York State Trooper Timothy Pratt Memorial Bridge".

344-f*5. Portion of the state highway system to be designated as "Sergeant James J. Regan Memorial Boulevard".

344-f*6. Portion of the state highway system to be designated as the "Gerard 'Jess' Fitzpatrick Memorial Bridge".

344-f*7. Portion of the state highway system to be designated as the "Private First Class Duane C. Scott Memorial Highway".

344-g. Portion of state highway system to be designated as the "Senator William J. Larkin, Jr. Highway".

344-g*2. Portion of the state highway system to be designated as the "Detective Steven McDonald Memorial Highway".

344-h. Portion of the state highway system to be designated

as the "T Sgt Henry "Hank" Dylong Memorial Bridge".

344-h*2. Portion of the state highway system to be designated as the "General William 'Wild Bill' Donovan Memorial Highway".

344-h*3. Portion of the state highway system to be designated as the "Jolly 51 Memorial Bridge".

344-h*4. Portion of the state highway system to be designated as the "New York State Trooper Joel R. Davis Memorial Bridge".

344-h*5. Portion of the state highway system to be designated as the "Lt. Christopher J. Raguso FDNY-CFD Memorial Highway".

344-h*6. Portion of the state highway system to be designated as the "Sergeant James C. Matteson Memorial Highway".

344-h*7. Portion of the state highway system to be designated as the "S Sgt Michael F. Kaczmarek Memorial Bridge".

344-h*8. Portion of the state highway system to be designated as the "Roger J. Mazal Memorial Bridge".

344-h*9. Portion of the state highway system to be designated as the "Sergeant Jonathan Gollnitz - New York Medal of Honor Highway".

344-h*10. Portion of the state highway system to be designated as the "PFC David P. Coveny Memorial Highway".

344-h*11. Portion of the state highway system to be designated as the "SGT Brian K. Baker Memorial Bridge".

344-h*12. Portion of the state highway system to be designated as the "Conesus Veterans Memorial Highway".

344-h*13. Portion of the state highway system to be designated as the "Kathy Cairo Davis Memorial Bridge".

344-h*14. Portion of the state highway system to be designated as the "Gold Star Families Memorial Highway".

344-i. Portion of the state highway system to be designated as the "Trooper Nicholas F. Clark Memorial Bridge".

344-i*2. Portion of the state highway system to be designated as the "Specialist Allan Milk Memorial Bridge".

344-i*3. Portion of the state highway system to be designated as the "Justice Thurgood Marshall memorial highway".

344-i*4. Portion of the state highway system to be designated as the "Sergeant Jeremy J. VanNostrand Memorial Highway".

344-i*5. Portion of the state highway system to be designated as the "Sergeant John Kempe Winslow Memorial Highway".

344-i*6. Portion of the state highway system to be designated as the "Dennis 'Matt' Howe Memorial Highway".

344-i*7. Portion of the state highway system to be designated as the "SSgt Louis Bonacasa Memorial Bridge".

344-i*8. Portion of the state highway system to be designated as the "Lance Corporal Aaron M. Swanson Memorial Highway".

344-i*9. Portion of the state highway system to be designated as the "Steve Godlewski Memorial Bridge".

344-i*10. Portion of state highway system to be designated as "NYPD Det. TSgt. Joseph G. Lemm Memorial Bridge".

344-i. Portion of the state highway system to be designated as the "Private Charles S. Cooper, Jr. Memorial Highway".

344-j. Portion of the state highway system to be designated as the "Chief George Bell Memorial Highway".

344-k. Portion of the state highway system to be designated as the "Officer Kevin F. Crossley Memorial Highway".

344-k*2. Portion of the state highway system to be designated as "Melvin Harris, Jr. Way".

344-k*3. Portion of the state highway system to be designated as the "Charles 'Chuck' Kelly Memorial Highway".

344-l. Portion of the state highway system to be designated as the "Savannah Marie Williams Memorial Highway".

344-l*2. Portion of the state highway system to be designated as the "Firefighter/EMT Michael J. Field Memorial Bridge".

344-l*3. Portion of the state highway system to be designated as the "Sandra L. Wilson Memorial Highway".

344-l*4. Portion of the state highway system to be designated as the "Firefighter Tim Gunther Memorial Highway".

344-l*5. Portion of the state highway system to be designated as the "North Dansville Veterans Memorial Highway".

344-l*6. Portion of the state highway system to be designated as the "Colchester Veterans Memorial Bridge".

344-l*7. Portion of the state highway system to be designated as the "Wappinger Veterans Memorial Highway".

344-l*8. Portion of the state highway system to be designated as the "Charles W. Howard Memorial Highway".

344-m. Portion of the state highway system to be designated as the "Sergeant David Lockwood Memorial Bridge".

344-m*2. Portion of the state highway system to be designated as the "CPL William James Hillard II Memorial Bridge".

344-m*3. Portion of the state highway system to be designated as the "Tec. 5 Edward Enser Memorial Highway".

344-m*4. Portion of the state highway system to be designated as the "Dr. Martin Luther King Jr. - Michael Henry Schwerner Memorial Bridge".

344-m*5. Portion of the state highway system to be designated as the "Trooper Joseph Gallagher Memorial Bridge".

344-m*6. Portion of the state highway system to be designated as the "Peter V. Sobol Memorial Bridge".

344-m*7. Portion of the state highway system to be designated as the "Assemblyman William 'Bill' Magee Memorial Highway".

344-m*8. Portion of the state highway system to be designated as the "Chief Warrant Officer 4 Christian J. Koch Memorial Highway".

344-m*10. Portion of the state highway system to be designated as the "Lance Corporal Matthew A. Falcone Memorial Bridge".

344-m*10. Portion of the state highway system to be designated and known as the "State Trooper Donald A. Strand

Memorial Bridge".

344-m*11. Portion of the state highway system to be designated as the "Detective Betsy Horner-Miller Cutrone Memorial Bridge".

344-m*12. Portion of the state highway system to be designated as the "Rockland County Clerk Paul Piperato Memorial Highway".

344-m*13. Portion of the state highway system to be designated and known as the "State Trooper Jose A. Rosado Memorial Bridge".

344-m*14. Portion of state highway system to be designated as the "Atomic Veterans Memorial Bridge".

344-m*15. Portion of the state highway system to be designated as the "Ulster County Korean War Veterans' Memorial Highway".

344-m*16. Portion of the state highway system to be designated as the "SP4 C. Jay Hall Memorial Highway".

344-m*17. Portion of the state highway system to be designated as the "CPL Gerald B. Ramsey Memorial Highway".

344-m*18. Portion of the state highway system to be designated and known as the "Sgt. Daniel J. Murtha Memorial Bridge".

344-m*19. Portion of the state highway system to be designated and known as the "Staff Sergeant Peter J. Blidy Memorial Bridge".

344-m*20. Portion of the state highway system to be designated as the "SP4 Richard F. Walton, Jr. Memorial Highway".

344-m*21. Portion of the state highway system to be designated as the "Trooper Thomas J. Consorte Memorial Bridge".

344-m*22. Portion of the state highway system to be designated as the "Medal of Honor Recipient Francis S. Currey Memorial Highway".

344-m*23. Portion of the state highway system to be designated as the "Rensselaer County Purple Heart Highway".

344-n. Portion of the state highway system to be designated

as the "Marylou Whitney Way".

344-n*2. Portion of state highway system to be designated as the "Trooper Martin J. Kerins Memorial Bridge".

344-n*3. Portion of the state highway system to be designated as the "Firefighter Jared Lloyd Memorial Highway".

344-n*4. Portion of the state highway system to be designated and known as the "Police Officer Daniel J. Greer Memorial Bridge".

344-n*5. Portion of the state highway system to be designated as the "Patrolman David 'DW' Smith Memorial Highway".

344-n*6. Portion of the state highway system to be designated as the "Chief Samuel A. Johnson, Sr. Memorial Bridge".

344-n*7. Portion of the state highway system to be designated as the "Detective Anastasios Tsakos Memorial Bridge".

344-n*8. Portion of state highway system to be designated as "New York Medal of Honor Highway".

344-n*9. Portion of the state highway system to be designated as the "Trooper Brian S. Falb Memorial Bridge".

344-n*10. Portion of the state highway system to be designated as the "Putnam Valley First Responders Bridge".

344-n*11. Portion of the state highway system to be designated as the "Firefighter Robert Fowler Memorial Highway".

344-n*12. Portion of the state highway system to be designated as the "Chief John 'Jody' Rossitz Memorial Bridge".

344-n*13. Portion of the state highway system in Oneida county to be designated as the "Oneida County Korean War Veterans Memorial Highway".

344-n*14. Portion of the state highway system to be designated as the "Petty Officer Robert Segool Memorial Highway".

344-n*15. Portion of the state highway system to be designated as the "Staff Sergeant Shawn M. Clemens Memorial Highway".

344-n*16. Portion of the state highway system to be designated as the "Port Authority Police Officer James W. Kennelly Memorial Highway".

344-n*17. Portion of the state highway system to be designated as the "Kalinowski Brothers Memorial Bridge".

344-n*18. Portion of the state highway system to be designated and known as the "MSgt Thomas P. Madison Memorial Highway".

344-n*19. Portion of the state highway system to be designated as the "Staff Sergeant David Textor Memorial Highway".

344-n*20. Portion of the state highway system to be designated as the "1LT Stephen H. Doane Memorial Bridge".

344-n*21. Portion of the state highway system to be designated as the "Ralph Calabrese Memorial Highway".

344-n*22. Portion of the state highway system to be designated as the "WWII Rapone Brothers Memorial Highway".

344-n*23. Portion of the state highway system to be designated as the "Specialist Jason Hasenauer Memorial Highway".

344-n*24. Portion of the state highway system to be designated as the "Trooper John J. Lane Memorial Bridge".

344-n*25. Portion of the state highway system to be designated as the "Colonel Michael Plummer Memorial Highway".

344-n*26. Portion of the state highway system to be designated as the "Sergeant Gary Beikirch Memorial Highway".

344-o. Portion of the state highway system to be designated as the "Zone Sergeant James G. Sweeney Memorial Bridge".

344-o*2. Portion of the state highway system to be designated as the "Port Authority Police Officer Pavlos D. Pallas Memorial Bridge".

344-o*3. Portion of the state highway system to be designated as the "Port Authority Police Officer Steven J. Tursellino Memorial Highway".

344-o*4. Portion of the state highway system to be designated as the "Trooper Lawrence P. Gleason Memorial

Bridge".

344-o*5. Portion of the state highway system to be designated as the "Deputy Chief Brian Buell Memorial Bridge".

344-o*6. Portion of the state highway system to be designated as the "Captain Kenneth Sgroi Memorial Highway".

344-o*7. Portion of the state highway system to be designated as the "Trooper James R. Gohery Memorial Bridge".

344-o*8. Portion of the state highway system to be designated as the "Trooper William P. Keane Memorial Bridge".

344-o*9. Portion of the state highway system to be designated as the "Trooper Theodore A. Dobbs Memorial Bridge".

344-o*10. Portion of the state highway system to be designated as the "Firefighter Peyton L. S. Morse Memorial Highway".

344-o*11. Portion of the state highway system to be designated as the "Trooper Fabio Buttitta Memorial Bridge".

344-o*12. Portion of the state highway system to be designated as the "Lance Cpl. Scott Lee Schultz Memorial Bridge".

344-o*13. Portion of the state highway system to be designated as the "Major General Norbert J. Rappl Memorial Highway".

344-o*14. Portion of the state highway system to be designated as the "Catholic War Veterans Memorial Highway".

344-o*15. Portion of state highway system to be designated as the "John Jay High School Veterans Memorial Highway".

344-o*16. Portion of the state highway system to be designated and known as the "Specialist Gerald B. Penn Memorial Bridge".

344-o*17. Portion of the state highway system to be designated and known as the "Specialist Peter J. Loretto, Jr. Memorial Bridge".

344-o*18. Portion of the state highway system to be designated as the "SP4 George Harold Fry Memorial Highway".

344-p. Portion of the state highway system to be designated as the "Sgt Terry James Garigen Memorial Highway".

344-p*2. Portion of the state highway system to be designated as the "Peter Wheeler Memorial Bridge".

344-p*3. Portion of the state highway system to be designated as the "NYPD Detective Brian P. Simonsen Memorial Bridge".

344-p*4. Portion of the state highway system to be designated as the "Medford FD Commissioner Niel Marturiello Memorial Bridge".

344-p*5. Portion of the state highway system to be designated as the "Michael J. Finerson Memorial Bridge".

344-p*6. Portion of the state highway system to be designated as the "Senior Investigator Thomas M. O'Neill Memorial Bridge".

344-p*7. Portion of the state highway system to be designated as the "Captain Christopher J. Garrow Memorial Bridge".

344-p*8. Portion of the state highway system to be designated as the "Steve Nicoli Memorial Highway".

344-p*9. Portion of the state highway system to be designated as the "SP4 Herman Emil Anders, Jr. Memorial Bridge".

344-p*10. Portion of the state highway system to be designated as the "Lieutenant Commander Phillip Wayne Johnson Memorial Bridge".

344-p*11. Portion of the state highway system to be designated as the "Private First Class Richard Cleveland Dunn Memorial Highway".

344-p*12. Portion of the state highway system to be designated as the "T Sgt Walter Shearing Memorial Highway".

344-p*13. Portion of the state highway system to be designated as the "CW2 Casey N. Frankoski Memorial Bridge".

344-p*14. Portion of the state highway system to be designated as the "Fort Hamilton Veterans Memorial Highway".

344-q. Portion of the state highway system to be designated as the "Detective Sergeant Frank Gualdino Memorial Bridge".

344-r. Portion of the state highway system to be dedicated

to Sergeant James S. Hayes.

344-r*2. Portion of state highway system to be dedicated to Charlie Bunger Sr.

344-r*3. Portion of the state highway system to be dedicated to Jake Arcara.

344-r*4. Portion of the state highway system to be dedicated to Trooper Jill E. Mattice.

344-r*5. Portion of the state highway system to be dedicated to 9-11 Fallen Firefighters.

344-r*6. Portion of the state highway system to be dedicated to Specialist Jason Johnston.

344-r*7. Portion of the state highway system to be dedicated to Maintenance Supervisor Stephen C. Ebling.

344-r*8. Portion of the state highway system to be dedicated to Lieutenant Donald R. Hill.

344-r*9. Portion of the state highway system to be dedicated to John F. McArdle.

344-r*10. Portion of the state highway system to be dedicated to Detective Thomas M. Inman.

344-r*11. Portion of the state highway system in Oneida county to be dedicated to Officer Michael E. Jensen.

344-r*12. Portion of the state highway system to be dedicated to Trooper James M. MacLarnon.

344-s. Portion of the state highway system to be dedicated to Lt. Gary A. Scott.

344-s*2. Portion of the state highway system to be dedicated to Port Authority Police Officer Arthur M. Ansert Jr.

344-s*3. Portion of the state highway system to be dedicated to Assembly Member Bobby D'Andrea.

344-s*4. Portion of the state highway system to be dedicated to Nathaniel Reynolds.

344-s*5. Portion of the state highway system to be dedicated to War Dogs.

344-s*6. Portion of the state highway system to be dedicated to Police Officer Frederick G. Maley.

344-s*7. Portion of the state highway system to be dedicated

to PFC Travis C. Krege.

344-s*8. Portion of the state highway system to be dedicated to Patrick LaFortune Jr.

344-s*9. Portion of the state highway system to be dedicated to Trooper Gerard B. Kane.

345-a. Abandonment and transfer of state highways.

345-b. Portion of the state highway system to be designated as the "Doc Schelin Memorial Highway".

345-b*2. Portion of the state highway system to be designated as the "Sergeant Elijah A. Briggs Memorial Highway".

345-b*3. Portion of the state highway system to be designated as the "Corporal Derick Franklin Brinckerhoff Memorial Highway".

345-b*4. Portion of the state highway system to be designated as the "Chief Daniel Nimham Memorial Highway".

345-c. Portion of the state highway system to be designated as the "Assemblyman Pat M. Casale Memorial Highway".

345-d. Portion of the state highway system to be dedicated to Hector L. Soto.

345-d*2. Portion of the state highway system to be dedicated to TSgt Kory Wade.

345-d*3. Portion of the state highway system to be dedicated to Major Andrew D. Byers.

345-d*4. Portion of the state highway system to be dedicated to Jack Barletta.

345-e. Portion of the state highway system to be dedicated to East Fishkill veterans.

345-e*2. Portion of the state highway system to be dedicated to Jomani Wright.

345-e*3. Portion of the state highway system to be dedicated to Robert Bornt.

345-e*4. Portion of the state highway system to be dedicated to Officer Stephen L. Raymond.

345-e*5. Portion of the state highway system to be dedicated to Sergeant Gregory L. Wahl.

345-e*6. Portion of the state highway system to be dedicated as the Donald Roy McAnn Memorial Highway.

345-e*7. Portion of the state highway system to be dedicated to Detective Stephen J. Mullen.

§ 340-a. Designation of state interstate routes. State interstate routes are hereby set forth and generally described as follows:

Interstate Route 501. Beginning at the New York City-Westchester county line north of Pelham Bay park, thence generally northeasterly through or in the vicinity of Mt. Vernon, New Rochelle and Rye, to the New York-Connecticut border in the vicinity of Port Chester, the foregoing route being a portion of the New York state thruway.

Interstate Route 502. Beginning on the New York City-Westchester county line at the Major Deegan expressway, thence in a general northerly direction through Yonkers to interstate route connection 520 in the vicinity of Elmsford, the foregoing route being a portion of the New York state thruway, thence from interstate route connection 520 in the vicinity of White Plains in a general northerly direction to interstate route 503 in the vicinity of Brewster, excluding a short section through the western tip of Fairfield county, Connecticut, thence from interstate route 503 in the vicinity of Newburgh, continuing generally northerly passing through or in the vicinity of Kingston and Albany, intersecting interstate route 504 in the vicinity of Albany, the foregoing route between Newburgh and Albany being a portion of the New York state thruway, thence continuing in a general northerly direction crossing the Mohawk river on a new bridge to be constructed as part of this route, such bridge shall be designated and shall be known as the "Thaddeus Kosciuszko bridge", and passing through or in the vicinity of Saratoga Springs, Glens Falls and Plattsburgh to the United States-Canada border in the vicinity of Champlain. In order to provide a continuous and uninterrupted interstate route section from the vicinity of White Plains to the vicinity of Brewster as aforesaid, the commissioner of transportation is authorized and empowered to enter into an agreement or agreements with the duly authorized representatives of

the state of Connecticut in order to provide for the construction and maintenance of necessary connections between said interstate route 502 and an interstate route to be constructed through the said excluded section of interstate route 502 running through the western tip of Fairfield county, Connecticut.

Interstate Route 503. Beginning at the Pennsylvania-New York border in the vicinity of Port Jervis, thence generally easterly, crossing the Hudson River in the vicinity of Newburgh and Beacon, to the New York-Connecticut border in the vicinity of Brewster.

Interstate Route 504. Beginning on the Pennsylvania-New York border in the vicinity of Lake Erie, thence in a general northeasterly direction passing in the vicinity of Dunkirk, to the vicinity of Big Tree and generally northerly to the town of Cheektowaga, and continuing northerly to the vicinity of Williamsville and generally easterly through or in the vicinity of Batavia and Syracuse, intersecting interstate route 505 in the vicinity of Syracuse, continuing generally easterly passing through or in the vicinity of Oneida, Utica, Little Falls, Amsterdam and Schenectady to an intersection with interstate route 502 in the vicinity of Albany the foregoing route being a portion of the New York state thruway; thence in a general easterly direction through the city of Albany to an intersection with interstate route connection 540 in the vicinity of Lower Patroon Island, thence in a general southeasterly direction to a point on the Berkshire section of the New York state thruway in the vicinity of state highway five thousand eighty-four, as determined by the commissioner of transportation and the chairman of the New York state thruway authority, thence continuing along the New York state thruway to the New York-Massachusetts border, such interstate route to be designated, in addition to any other name or designation, as the "AMVETS Memorial Highway".

Interstate Route 505. Beginning at the Pennsylvania-New York border in the vicinity of Corbettsville, thence generally northerly through or in the vicinity of Binghamton, Cortland and Syracuse, intersecting interstate route 504 in the vicinity of Syracuse, continuing generally northerly through or in the vicinity of Watertown to the United

States-Canada border in the vicinity of Grass Point Park, also continuing from a point on interstate route 505 north of Watertown and in a northeasterly direction to or in the vicinity of Massena, thence easterly and southeasterly passing in the vicinity of Malone, to a connection with interstate route 502 in the vicinity of Plattsburgh.

Interstate Route 506. Beginning at interstate route 504 in the town of Cheektowaga, thence generally westerly and northwesterly through Buffalo, across Grand Island, the foregoing route being a portion of the New York state thruway, and thence generally westerly to the United States-Canada border in the vicinity of Lewiston; also including a connection beginning at the Peace bridge toll plaza, as determined by the commissioner of transportation, thence generally southwesterly and southerly to a point on the southbound lane of the Niagara section of the New York state thruway in the vicinity of Porter avenue, as determined by the commissioner of transportation and the chairman of the New York state thruway authority.

Interstate Route 507. Beginning at the New Jersey-New York border in the vicinity of Suffern, Rockland county, thence in a general northwesterly direction to Delaware county, thence in a general westerly direction to the Pennsylvania line in the county of Chautauqua, along the southern section of New York State, following substantially what is now touring route 17.

Interstate Route 508. Beginning at interstate route 505 in or near the city of Binghamton thence generally northeasterly within the Susquehanna river valley and through or near the city of Oneonta, thence continuing northeasterly through or in the vicinity of the city of Schenectady, to a connection with interstate route 502 in the vicinity of Latham.

Interstate Route 509. Beginning at a point on the Southern Tier expressway in the vicinity of Avoca, thence generally northwesterly to the vicinity of Dansville and continuing generally northerly to interstate route connection 580 in the city of Rochester.

New York City Routes and Connections.

Interstate Route Connection 511. Cross Bronx expressway from George Washington bridge approach to Bruckner expressway. Bruckner expressway from Cross Bronx expressway to New England thruway, New England thruway from Bruckner expressway to Westchester county line.

Interstate Route Connection 512. Staten Island expressway from Goethals bridge approach to Verrazzano-Narrows bridge approach, Brooklyn-Queens expressway from Verrazzano-Narrows bridge approach to Grand Central parkway, Grand Central parkway from Brooklyn-Queens expressway to Robert F. Kennedy bridge approach, Major Deegan expressway from Robert F. Kennedy bridge approach to the Westchester county line connecting with interstate route 502.

Interstate Route Connection 513. Nassau expressway from Van Wyck boulevard to 150th street, Clearview expressway from Hillside avenue to Throgs Neck bridge approach, Throgs Neck expressway from Throgs Neck bridge approach to Bruckner expressway including Cross Bronx expressway from Throgs Neck expressway to Bruckner expressway.

Interstate Route Connection 514. Queens-Midtown expressway from Brooklyn-Queens expressway to Queens boulevard, Horace Harding expressway from Queens boulevard to Clearview expressway.

Interstate Route Connection 515. From Brooklyn-Queens expressway easterly to Northern boulevard in the vicinity of Grand Central parkway; Northern boulevard and Whitestone parkway from Grand Central parkway to Bronx-Whitestone bridge approach, including Van Wyck expressway from Horace Harding expressway northerly to Whitestone parkway, Hutchinson River expressway from Bronx-Whitestone bridge approach to Bruckner expressway.

Interstate Route Connection 516. Bruckner expressway from Robert F. Kennedy bridge approach to Cross-Bronx expressway.

Interstate Route Connection 517. Arthur V. Sheridan expressway from Bruckner expressway to Cross-Bronx expressway.

Interstate Route Connection 518. West Side highway from Brooklyn-Queens expressway via Hugh L. Carey tunnel to the Lincoln tunnel, including a connection from the Lincoln tunnel to West Seventy-second street. In no event shall traffic by any type of motor vehicle used for commercial purposes, such as the transportation of goods, wares and merchandise including trailers and semi-trailers, and tractors when used in combination with trailers and semi-trailers, and motor coaches carrying passengers except taxicabs be permitted on this route north of Fifty-ninth street, and such commercial traffic shall exit from or enter on this route no further north than the connections or ramps to this route at Fifty-seventh street.

Up State Connections.

Interstate Route Connection 520. From interstate route 502 in the vicinity of Elmsford, generally easterly passing through or northerly of White Plains to a connection with interstate route 501 in the vicinity of Rye, including an interchange with interstate route 501, which interchange is to be maintained and constructed jointly by the department of transportation and the New York State thruway authority in a manner determined by the commissioner of transportation and the New York State thruway authority. The county of Westchester is hereby authorized to convey to the state of New York all the right, title, interest and option rights of the people of Westchester county in and to such parts of the lands, buildings and other real property and rights thereto acquired and held by it, as deemed necessary by the commissioner of transportation of the state of New York for purposes connected with an expressway known as interstate route connection 520 (Central Westchester highway-Cross Westchester expressway) from interstate route 502 in the vicinity of Elmsford in the town of Greenburgh to a connection with interstate route 501 in the vicinity of Rye, through and over the Tarrytown-White Plains parkway reservation, Central Westchester parkway reservation, Bronx river parkway reservation, Silver Lake park reservation, Mamaroneck river parkway reservation and Hutchinson river parkway reservation.

Such conveyance is to be made upon the express condition and in express consideration of the agreement of the state of New York to construct and maintain at its own cost and expense, or with federal aid, interstate route connection 520 along such right of way as hereinabove described and to acquire at its own cost and expense, or with federal aid or by gift such additional property as may be required for such construction.

The fee title to all property so conveyed shall vest in the people of the state of New York, subject to all restrictions, convenants, leases and easements of record, and subject to any state of facts an accurate survey may show as of the date of such conveyance. The people of the state of New York shall thereupon take possession of such property and hold and maintain the same in perpetuity at their own expense, or with federal aid, for highway purposes, and the people of the state of New York shall be the successor of such county as to the real estate acquired under the provisions of this section and shall have the same powers and duties with respect to its improvement, operation and maintenance as if the same had been originally acquired by the state for highway purposes.

Nothing in this section shall be construed to limit the obligation of Westchester county to pay the principal and interest on any bonds heretofore issued by the county of Westchester for the acquisition of the land to be conveyed to the state pursuant to this section, nor to place any liability on the state of New York for any damages or injuries to person or property arising out of or incidental to the acquisition or ownership by Westchester county of such property, which shall have occurred prior to the date of such conveyance from the county of Westchester to the state of New York.

Interstate Route Connection 525. Beginning at the New Jersey-New York border in the vicinity of Suffern, thence in a general easterly direction across the Hudson river in the vicinity of Nyack to interstate route 502, in the vicinity of Elmsford, said portion of the route between Suffern and Elmsford being a portion of the New York state thruway.

Interstate Route Connection 530. From interstate route 502 in the vicinity of Kingston, generally southeasterly to the vicinity of the intersection of Albany avenue and Broadway in the city of Kingston.

Interstate Route Connection 540. From interstate route 502, in the vicinity of Albany, the Village of Menands, and the city of Watervliet into the city of Troy in the vicinity of Hoosick Street and Seventh avenue. The bridge on such route spanning the Hudson river shall be designated and known as the "Collar City Bridge".

Interstate Route Connection 542. From interstate route 504 in the vicinity of the Albany north city line generally northerly and northwesterly to a connection with interstate route 502 in the vicinity of the Albany-Shaker road.

Interstate Route Connection 550. From interstate route 504 south of Schenectady, northerly and westerly, passing through the city of Schenectady to interstate route 504 west of Schenectady.

Interstate Route Connection 560. From interstate route 504 generally southwesterly to the vicinity of the intersection of the North-South Arterial and Oriskany Street in the city of Utica.

Interstate Route Connection 570. From interstate route 504, southeasterly south of Onondaga Lake to the city of Syracuse, continuing southeasterly and easterly to an intersection with interstate route 571, continuing northerly to an intersection with interstate route 504, continuing northerly and westerly to interstate route 505 north of Syracuse.

Interstate Route Connection 571. From Interstate Route 505 in the vicinity of the Syracuse south city line easterly and northerly to an intersection with Interstate Route Connection 570.

Interstate Route Connection 575. From interstate route 505 in the vicinity of its intersection with touring route 68, generally westerly

to a connection with arterial highway route 37 in the vicinity of the Ogdensburg-Prescott international bridge.

Interstate Route Connection 580. From interstate route 504 west of Rochester, generally northeasterly to the city of Rochester, continuing northeasterly, easterly and southeasterly through the city of Rochester and continuing southeasterly to interstate route 504 east of Rochester.

Interstate route connection 581. Beginning at interstate route connection 580 west of city of Rochester thence generally southerly, easterly and northerly to an interchange with interstate route connection 580 near the easterly line of the city of Rochester.

Interstate route connection 590. From interstate route 506 south of Grand Island, generally easterly, southeasterly, and southerly to interstate route 504 in the vicinity of Williamsville to be designated and known as "The Elmer G. H. Youngmann Memorial Highway."

Interstate Route Connection 591. From interstate route 590 in the vicinity of Millersport highway northeasterly to the vicinity of North French road northeast of Buffalo.

§ 340-b. Construction, improvement and maintenance of state interstate highways. 1. The highway routes and connections set forth and described in section three hundred forty-a of the highway law shall be designated "interstate highways" and shall be constructed or improved according to such designs and types as determined by the commissioner of transportation, subject to the provisions of federal aid therefor. Each interstate highway shall ultimately provide for not less than two lanes of traffic in each direction. Opposing traffic on every completed interstate highway shall ultimately be separated by a mall generally or the commissioner of transportation may separate such opposing traffic by such other alignment of respective lanes of traffic which, in his judgment, is practicable, because of topographic conditions and is beneficial to the public interest. Access from one traffic direction to the other shall be provided only at such points and in such manner as

the commissioner of transportation shall determine. Any state highway, frontage, marginal and service road or portion thereof may be utilized and become a part of any interstate highway when authorized by the commissioner of transportation, provided such highway or portion thereof either meets the prescribed requirements of an interstate highway or is appropriately altered so as to come within such requirements before its incorporation into the interstate highway. Access or branch connections from any such interstate highway or section thereof to any highway that is authorized by this chapter shall, in the discretion of the commissioner of transportation, be included in the plans, specifications and estimates and shall be constructed according to such design and type as the commissioner of transportation shall deem to be suitable for the purposes thereof. For any portion or section of an interstate highway authorized within the corporate limits of a city, provision shall be made for access thereto from existing streets at points designated by the commissioner of transportation. After the establishment of any interstate highway no additional points of access to, or exit from, the project shall be made without prior approval by the commissioner of transportation and the federal bureau of public roads. The commissioner of transportation may set monuments on the boundaries of such interstate highways, and he may cause fences to be erected along or adjacent to such boundaries, and he is authorized to install suitable lighting, directional and protective facilities, devices and appurtenances, if he deems it necessary in the interests of public safety. The maintenance and repair of interstate highways shall include the control of snow and ice and shall be done by forces of the department of transportation or by such other method or methods as determined by the commissioner, under his direct supervision and control and any inconsistent provisions of this chapter are superseded insofar as they conflict with this provision. The cost of such maintenance and repair shall be borne wholly by the state and be paid for from moneys appropriated therefor by the legislature. The maintenance of any highway, road or street which is affected by this section and which in the judgment of the commissioner of transportation is not deemed to be a part of the state highway system shall be maintained by the municipality or the municipalities in which all or part thereof is located.

2. The commissioner of transportation is authorized to classify any part of an interstate highway as a controlled access highway pursuant to this chapter. Highway and railroad grade crossings shall be separated generally by structures to be determined by the commissioner of transportation, who is hereby given authority to combine, connect, alter, reconstruct, terminate or relocate intersecting highways, streets, or roads to adjust traffic to such grade separation structures or any portion of an interstate route or connection. In the discretion of the commissioner of transportation, a structure may be constructed to eliminate an existing crossing at grade of a railroad and a highway which intersects or closely parallels an interstate highway. The entire cost of structures constructed pursuant to this paragraph as so determined by the commissioner of transportation shall be included in the cost of the interstate highway. Structures constructed pursuant to this paragraph shall be maintained and repaired by the state. Highways combined, connected, altered, reconstructed, relocated or carried over or under an interstate highway section or connection, under the provisions of this paragraph, shall, upon completion of the work, revert to and become the responsibility with regard to maintenance and repair, of the state, municipality, authority, commission or other public agency, as the case may be, formerly having jurisdiction thereover.

3. Notwithstanding any inconsistent provisions of this chapter or any other law, general or special, any and all property which the commissioner of transportation deems necessary for the construction, reconstruction and maintenance of interstate highways and bridges thereon shall be acquired pursuant to the provisions of any section or sections of this chapter applicable to the acquisition of land or rights and interests therein, and for the settlement of claims for damage resulting from the work of constructing, reconstructing and maintaining such interstate highways. The commissioner of transportation, for the people of the state of New York, shall acquire pursuant to the aforesaid procedures any property or interest therein, necessary for any and all purposes connected with the construction, reconstruction and maintenance of the interstate highway system of the state of New York, including the appropriation of property for drains, ditches, spoil banks, gravel pits, stone quarries, storehouses and repair shops; also for the removal of

obstructions, improvement of sight distance; also for appropriation of property for the reconstruction of existing highway-railroad separation structures upon incorporation into an interstate highway of an existing highway or portion thereof of which they form a part, and for the separation of interstate highway-railroad grades on newly laid-out interstate highways; and for other purposes to improve safety conditions on the interstate highway routes. The term "property" as used in this section is defined to include lands, waters, rights in lands or waters, structures, franchises and interests in land, including lands under water and riparian rights, and any and all other things and rights usually included within the said term and includes also any and all interests in such property less than full title, such as easements permanent or temporary, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right legal or equitable.

4. If moneys of the federal government are or may reasonably be expected to be available therefor, under federal aid highway acts, the commissioner of transportation is authorized to use such moneys or so much thereof as he may determine to accept, together with other available moneys, for (a) the construction and reconstruction of interstate highways designated and described in section three hundred forty-a of this chapter, (b) the construction, reconstruction, alteration or repair, pursuant to the provisions of section two hundred thirty of this chapter, of bridges and culverts on the interstate highway system, and (c) the preparation of preliminary surveys, plans, specifications and estimates of costs in connection with any of the foregoing, and (d) the acquisition of rights of way necessary for such interstate highways. The commissioner of transportation may perform such work with respect to any interstate project which he may, in his discretion, select. The proportion of the total cost of work performed on any interstate project, in addition to such elements thereof as are not subject to federal aid, which shall be borne by the state of New York shall be the difference between the funds contributed for such work by the federal government and the actual cost thereof. No city shall be required to participate in the costs of an interstate highway project, whether or not the alignment coincides with the alignment of a

previously approved arterial route, except for those costs which are incurred under any special cooperative agreement between a city and the state.

5. a. Any property in the city of New York which is deemed by the commissioner of transportation to be necessary for the construction, reconstruction and maintenance of interstate highways shall be acquired and may be disposed of by him pursuant to applicable provisions of section thirty of this chapter.

b. In any case in which property is to be acquired or disposed of pursuant to the provisions of this subdivision and in any case where property is created by landfill adjoining such property, the commissioner of transportation shall, prior to any proposed acquisition, disposition or new or different utilization, development or improvement thereof, notify the city planning commission and the community board in each community district in which the property is located of such proposal. Such notice shall be given so as to afford the city planning commission and the community board reasonable opportunity to: (1) notify the public of the proposal; (2) conduct a public hearing thereon; and (3) prepare and submit any written recommendations thereon to the commissioner of transportation not later than sixty days after notice of the contents of the proposal.

Within a reasonable time after receipt of any recommendations of the city planning commission or community board or the expiration of the time within which any such recommendation could have been made, the commissioner shall notify the commission and respective board of the contents of his resulting proposal. If any of the items contained in the resulting proposal were not available for consideration by the commission or board within the time provided for the making of recommendations thereon the resulting proposal shall constitute a different proposal and as such shall be subject to the foregoing provisions.

The provisions of this paragraph b shall only be applicable to a proposal by the commissioner of transportation which if proposed by a

city agency or instrumentality would be subject to the provisions of section one hundred ninety-seven-c of the New York city charter. Provided, however, that the provisions of this paragraph b shall not be applicable to any portion of such property acquired, disposed of, or created by landfill which is to be utilized exclusively as an interstate highway so long as such utilization will not detrimentally affect the utilization, development or improvement of remaining portions of such property.

c. Upon the completion of construction by the state of a section or sections of interstate highways in the city of New York, the commissioner of transportation may by official order transfer jurisdiction for maintenance of interstate highways or completed portions thereof to the appropriate agency of the city of New York.

5-a. The commissioner of transportation and the city of New York, acting through the mayor or other administrative head thereof, pursuant to a resolution of the governing body of such city, are authorized to enter into a written agreement for the maintenance and repair, under the supervision and subject to the approval of the commissioner of transportation, of any state interstate highway or portion thereof, exclusive of service roads and pavement on intersecting street bridges, which is within the boundaries of such city and which is now or which shall hereafter be designated in section three hundred forty-a of this chapter and which has been constructed or which shall have been constructed as authorized by section three hundred forty-a of this chapter. Such agreement may provide that the state shall pay annually to such city a sum to be computed at the rate of (a) not more than eighty-five cents per square yard of the pavement area that is included in the state highway system according to the provisions of this section, and (b) an additional ten cents per square yard of such pavement area where such pavement area is located on any elevated bridge.

The maintenance and repair, as provided in this section, shall be done either by the forces of such city and with its equipment, or by its contractor, or by a combination of these two methods.

Such agreement for maintenance and repair as authorized by this section, shall include the procedure and method for regulation of street openings, and appropriate provisions for the care, protection and patching of the pavement or pavements, and curbs, the care and protection of drainage facilities and structures, the maintenance of adjacent roadside and landscaped areas to include the care of trees, shrubs and groundcovers and the cutting of grass at specified locations and to the extent as shall be deemed by such commissioner of transportation to be for the best interest of the public, control of snow and ice on any such state interstate highway or portion thereof included in such agreement, the performance of repairs and alterations, and the operation and care of traffic lights, directional guides and controls, and parking controls. Such maintenance and repair, whether done by the city pursuant to an agreement therefor as authorized by this section, or by the state because of the absence of such agreement, as the case may be, shall not include (a) services of lighting, cleaning, sweeping and sprinkling of any such state interstate highway or portion thereof, all of which services are deemed to be the normal maintenance of streets by the city, or (b) any work on or in connection with subsurface installations and structures that are owned and operated by the city, including sanitary sewers, gas mains, water lines and conduits and appurtenances thereto.

6. All the provisions of this chapter relating to state highways and state arterial highways and not inconsistent with the provisions of this section or with the provisions of the federal-aid highway act of nineteen hundred fifty-six, shall apply to the construction or improvement and the control of maintenance of interstate highways in the same manner as though they were designated as state highways or arterial highways.

§ 340-c. Designation of state expressways. State expressway routes are hereby set forth and generally described as follows:

Southern tier expressway. Beginning at a point on the Broome-Tioga county line in the vicinity of state highway four hundred twenty, as

determined by the commissioner of transportation, thence in a general westerly direction on new location through or in the vicinity of Waverly, thence continuing generally northwesterly through or in the vicinity of Hornell, thence generally southwesterly through or in the vicinity of Olean, thence generally westerly through or in the vicinity of Jamestown, thence generally westerly to a point on the New York-Pennsylvania state line as determined by the commissioner of transportation.

Babylon-Northport expressway. Beginning at a point, to be determined by the commissioner of transportation, on Sunrise highway in the vicinity of Higbie Lane, thence generally northerly on new location to a point on State highway eight thousand one hundred fifty-eight as determined by the commissioner of transportation.

South Mall expressway. Beginning at the interchange of interstate route connection 540 and the Mall Arterial in the city of Albany, thence generally easterly crossing the Hudson river on new location and through the city of Rensselaer to a point on the easterly city line of Rensselaer, to be determined by the commissioner of transportation.

LaSalle expressway. Beginning on the easterly Niagara Falls city line connecting with the LaSalle arterial route, thence in a generally easterly direction on new location to a point at or near the northerly North Tonawanda city line, thence continuing generally southerly through or in the vicinity of the cities of North Tonawanda and Tonawanda to a point on interstate route connection five hundred ninety, as determined by the commissioner of transportation.

Genesee expressway. Beginning at a point, to be determined by the commissioner of transportation on state highway six hundred forty-eight in the vicinity of state highway one thousand three hundred ninety-three-A, thence in a generally southerly direction on new location through or in the vicinity of Geneseo, thence continuing generally southeasterly through or in the vicinity of Dansville, thence to a point on the Southern Tier expressway in the vicinity of Bath, as determined by the commissioner of transportation.

Lockport expressway. Beginning at a point, to be determined by the commissioner of transportation, on interstate route connection five hundred ninety in the vicinity of Millersport highway, thence in a generally northeasterly direction, passing in the vicinity of the barge canal, and through or in the vicinity of the city of Lockport to a point on state highway eight thousand four hundred fifty-one as determined by the commissioner of transportation, including a connection to the State University of New York at Buffalo, Amherst campus internal loop road system, as determined by the commissioner.

Belt expressway. Beginning at a point, to be determined by the commissioner of transportation on the Mile Strip road extension in the vicinity of state highway nine thousand two hundred sixty-nine, thence in a generally easterly and northeasterly direction to a point in the vicinity of Transit road, as determined by the commissioner of transportation, thence continuing generally northerly and northwesterly to a connection with the LaSalle expressway at or near the northerly North Tonawanda city line, as determined by the commissioner of transportation.

Susquehanna expressway. Beginning from a point on a state highway in or near the city of Binghamton, as determined by the commissioner, thence generally northeasterly within the Susquehanna river valley and through or near the city of Oneonta, thence continuing northeasterly generally in the vicinity of New York touring route seven to an interchange with interstate route connection 550 in the vicinity of the Albany-Schenectady county line.

Delaware-Saint Lawrence expressway. Beginning from a point on New York touring route seventeen, as determined by the commissioner, thence generally northerly through the Rome-Utica area and continuing northerly to a connection or connections with existing state highways at or near the Saint Lawrence river in Saint Lawrence county, as determined by the commissioner.

University expressway. Beginning at a point, to be determined by the

commissioner, on interstate route connection five hundred ninety, thence in a generally southwesterly direction, continuing generally southerly along or in the vicinity of the Erie Lackawanna railway right of way to the extent feasible, as determined by the commissioner to a connection with the Kensington arterial highway, as determined by the commissioner.

Baldwinsville expressway. Beginning at interstate route connection five hundred four in the vicinity of Lakeside, thence generally northwesterly and northerly along New York touring route six hundred ninety to a connection with New York touring route forty-eight northwest of Baldwinsville.

Camillus expressway. Beginning at the intersection of New York touring routes five and one hundred seventy-four, west of the village of Camillus, thence generally northerly and easterly along New York touring route five in the vicinity of Fairmount, thence continuing southeasterly and southerly along New York touring route five to the intersection of West Genesee street in Westvale.

Fulton expressway. Beginning at interstate route connection five hundred five in the vicinity of North Syracuse, thence generally northwesterly along New York touring route four hundred eighty-one to the intersection of New York touring route fifty-seven and the Fulton city line.

Geddes expressway. Beginning at a point on state highway five thousand sixteen north of Fairmount, thence generally northerly to a point on interstate route connection five hundred seventy in the vicinity of the State Fairgrounds.

Ithaca expressway. Beginning at the intersection of New York touring route thirteen and Dey street in the city of Ithaca, thence generally northerly and easterly along New York touring route thirteen to the intersection of Warren road in the village of Lansing.

§ 340-d. Construction, improvement and maintenance of state

expressways. 1. The expressways set forth and described in section three hundred forty-c of the highway law shall be constructed or improved according to such designs and types as determined by the commissioner of transportation, subject to the provisions of federal aid therefor. Each state expressway shall ultimately provide for not less than two lanes of traffic in each direction. Opposing traffic on every completed state expressway shall ultimately be separated by a mall generally or the commissioner of transportation may separate such opposing traffic by such other alignment of respective lanes of traffic which, in his judgment, is practicable, because of topographic conditions and is beneficial to the public interest. Access from one traffic direction to the other shall be provided only at such points and in such manner as the commissioner of transportation shall determine. Any state highway, or portion thereof may be utilized and become a part of any state expressway when authorized by the commissioner of transportation. Access or branch connections from any such state expressway or section thereof to any highway, road or street shall, in the discretion of the commissioner of transportation, be included in the plans, specifications and estimates and shall be constructed according to such design and type as the commissioner of transportation shall deem to be suitable for the purpose thereof. For any portion or section of a state expressway authorized within the corporate limits of a city, provision shall be made for access thereto from existing streets at points designated by the commissioner of transportation. The commissioner of transportation may set monuments on the boundaries of such state expressway, and he may cause fences to be erected along or adjacent to such boundaries, and he is authorized to install suitable lighting, directional and protective facilities, devices and appurtenances, if he deems it necessary in the interest of public safety. The maintenance and repair of state expressways shall include the control of snow and ice and shall be done by forces of the department of transportation or by such other method or methods as determined by the commissioner, under his direct supervision and control and any inconsistent provisions of this chapter are superseded insofar as they conflict with this provision. The cost of such maintenance and repair shall be borne wholly by the state and be paid for from moneys appropriated therefor by the legislature.

2. The commissioner of transportation is authorized to classify any part of a state expressway as a controlled access highway pursuant to this chapter. Highway crossings at grade and railroad grade crossings shall be eliminated generally by structures to be determined by the commissioner of transportation, who is hereby given authority to combine, connect, alter, reconstruct, terminate or relocate intersecting highways, streets, or roads to adjust traffic to such grade separation structures, or any portion of a state expressway or connection. In the discretion of the commissioner of transportation, a structure may be constructed to eliminate an existing crossing at grade of a railroad and a highway which intersects or closely parallels a state expressway. The entire cost of structures constructed pursuant to this paragraph as so determined by the commissioner of transportation shall be included in the cost of the state expressway. Structures constructed pursuant to this paragraph shall be maintained and repaired by the state. Highways combined, connected, altered, reconstructed, relocated or carried over or under a state expressway section or connection, under the provisions of this paragraph, shall, upon completion of the work, revert to and become the responsibility with regard to maintenance and repair, of the state, municipality, authority, commission or other public agency, as the case may be, having jurisdiction thereover immediately prior to the commencement of such work.

3. Notwithstanding any inconsistent provisions of this chapter or any other law, general or special, any and all property which the commissioner of transportation deems necessary for the construction, reconstruction and maintenance of state expressways and bridges thereon shall be acquired and disposed of pursuant to the provisions of any section or sections of this chapter applicable to the acquisition of land or rights and interests therein, and for the settlement of claims for damage resulting from the work of constructing, reconstructing and maintaining such state expressways. The commissioner of transportation, for the people of the state of New York, shall acquire pursuant to the aforesaid procedures any property or interest therein, necessary for any and all purposes connected with the construction, reconstruction and maintenance of the state expressways, including the appropriation of property for drains, ditches, spoil banks, gravel pits, stone quarries,

storehouses and repair shops; also for the removal of obstructions, improvement of sight distance; also for appropriation of property for the reconstruction of existing highway-railroad separation structures upon incorporation into a state expressway of an existing highway or portion thereof of which they form a part, and for the separation of state expressway-railroad grades on newly laid-out state expressways; and for other purposes to improve safety conditions on the state expressways. The term "property" as used in this section is defined to include lands, waters, rights in lands or waters, structures, franchises and interests in land, including lands under water and riparian rights, and any and all other things and rights usually included within the said term and includes also any and all interests in such property less than full title, such as easements permanent or temporary, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right legal or equitable.

4. If moneys of the federal government are or may reasonably be expected to be available therefor, under federal aid highway acts, the commissioner of transportation is authorized to use such moneys or so much thereof as he may determine to accept, together with other available moneys, for (a) the construction and reconstruction of state expressways designated and described in section three hundred forty-c of this chapter, and (b) the construction, reconstruction, alteration or repair, pursuant to the provisions of section two hundred thirty of this chapter, of bridges and culverts on the state expressways. No city shall be required to participate in the costs of a state expressway project, except for those costs which are incurred under any special cooperative agreement between a city and the state.

5. All the provisions of this chapter relating to state highways and state arterial highways shall apply to the construction or improvement and the control or maintenance of state expressways in the same manner as though they were designated as state highways or arterial highways.

6. Notwithstanding any inconsistent provisions of this chapter or any other law, general or special, the commissioner of transportation and the appropriate authorities of any county, town or village shall, prior

to the construction of any section of an expressway constructed or improved pursuant to this section, enter into an agreement respecting the abandonment to such county, town or village of any portion of an existing state highway located therein and no longer needed by or useful to the state upon the completion and acceptance of any section of such expressway.

§ 341. Designation of state highways. The state highway system shall consist of the highways designated and set forth in this section together with the highways, streets or roads, or portions thereof, designated or authorized to be a part of the state highway system pursuant to other sections of this chapter or by special legislative acts heretofore or hereafter enacted. The state highway system may be modified by abandonments, realignments and additions as provided by law. Only highways on the designated state highway system shall be constructed or improved as state highways. Such highways shall be so constructed or improved at the sole expense of the state, subject to the provisions relating to federal aid and to additional improvements requested by local authorities. All of the highways referred to in this section by number are the highways so numbered on the records of the department of Transportation. The following are hereby designated and set forth as state highways:

1. Albany county. 1. Beginning at the Greene-Albany county line, thence running generally northerly through or near the village of Ravena and the hamlets of Coeymans, Selkirk and Becker's Corners to the southern city line of Albany; beginning at the western city line of Albany, thence running generally northwesterly through or near the hamlets of Westmere, Guilderland, Hartman Corners and McCormack Corners to the Albany-Schenectady county line; beginning at the Schoharie-Albany county line, thence running generally easterly through or near the hamlets of West Berne, Berne and East Berne, through Thacher park, through or near the hamlets of New Salem, New Scotland and Slingerlands to the southern city line of Albany; beginning at the northern Albany city line, thence running generally northerly through or near the hamlets of Loudonville, Newtonville and Latham to the Albany-Saratoga

county line; beginning at the Schenectady-Albany county line, thence running generally easterly through or near the hamlets of Verdoy and Latham to the western city line of Watervliet; the portion of the bridge between the cities of Watervliet and Troy which lies within the county of Albany; beginning at the Schoharie-Albany county line, thence running generally easterly through or near the hamlet of West Township to state highway one thousand two hundred seventy-nine in or near the village of Altamont; beginning at the intersection of state highways five thousand six hundred thirty-six and eight thousand eighty-four, west of the hamlet of Guilderland, thence running generally northwesterly to the intersection of state highways one thousand two hundred seventy-nine and eight thousand eighty-four, in or near the hamlet of Dunnsville; beginning at a point on state highway eight hundred forty-nine, in or near the village of Altamont, thence running generally southeasterly to or near the village of Voorheesville, thence running generally northerly to a point on state highway five thousand one hundred fifty-five near the city of Albany; beginning near the intersection of state highways one hundred nineteen and five thousand five hundred fifty-five, thence running generally northeasterly to a point on state highway seven hundred ninety in or near the city of Cohoes; beginning at a point on state highway twenty-two in or near the hamlet of Loudonville, thence running generally easterly through or near the village of Menands to the Albany-Rensselaer county line; beginning at a point on the northern city line of Albany, thence running generally northerly through or near the village of Menands to the southern city line of Watervliet; beginning at a point on the northern city line of Albany, thence running generally northerly, on new location east of the Delaware and Hudson railroad and the Menands regional market, to a point, to be determined by the commissioner, on the southern city line of Watervliet east of Broadway, including a traffic interchange with state highway nine thousand one hundred twelve, and extending from the traffic interchange with state highway nine thousand one hundred twelve southwesterly to a point on the Menands road, state highway one thousand eight hundred seventy-nine, west of the Delaware and Hudson railroad, to be determined by the commissioner, including the separation of grades with the Delaware and Hudson railroad in the village of Menands in accordance with the provisions of the railroad law; beginning at a point to be determined by

the commissioner on the northern city line of Watervliet, east of Cohoes road, thence running generally northerly to a point on the southern city line of Cohoes in the vicinity of Dyke avenue, including a traffic interchange with Dyke avenue; beginning at a point near the junction of state highways one hundred seventy-six and three hundred eighty-five, thence running generally northeasterly on or near Wolf road to a point on state highway eight hundred seventy-nine, as determined by the commissioner; beginning at a point on the northern city line of Albany, east of Watervliet avenue, thence running generally northwesterly and northerly to a connection with interstate route 502 in the vicinity of Troy-Shaker road, including a traffic interchange with the Washington avenue-northside route arterial in the city of Albany; beginning at a point on the northern city line of Albany, north of the interchange of the Washington avenue-northside route arterial and the crosstown route arterial, thence running generally northerly to an interchange with interstate route 502 in the vicinity of the Albany-Shaker road, as determined by the commissioner, thence continuing generally northwesterly to the Albany-Schenectady county line, as determined by the commissioner, including necessary connections to Karner road and the Albany airport road; beginning at a point on interstate route connection 540 in the vicinity of the village of Green Island, thence running generally westerly to a connection with interstate route 502 as determined by the commissioner, thence continuing generally westerly to an interchange with interstate route connection 550 in the vicinity of the Albany-Schenectady county line; beginning at a point on the western city line of Albany, east of the Slingerlands bypass, thence running generally northwesterly, to a point on the Albany city line east of Krumkill road; beginning at a point on the western city line of Albany, west of Krumkill road, thence running generally northwesterly, to a point on the west Albany city line west of Fuller road; Slingerlands bypass, beginning at a point at the intersection of state highway ninety-two and state highway five thousand two hundred thirty-seven in the Town of Bethlehem, thence running generally northeasterly, including necessary connections to existing facilities, to a point on the southern city line of Albany near Krumkill road; beginning at a point on state highway one hundred ninety-three as determined by the commissioner, thence crossing state highway eight thousand three hundred forty-nine or

state highway five thousand six hundred forty-three, in or near the hamlet of Becker's Corners, as determined by the commissioner, thence running generally northwesterly on new location crossing state highways three hundred sixty-seven and one hundred seventy-eight to a point on the Slingerlands bypass near the hamlet of New Scotland, with necessary connections to existing state highways; beginning at a point on the Becker's Corners-Slingerlands bypass highway near state highway three hundred sixty-seven, thence running generally northeasterly to a point on state highway five thousand four hundred ninety-nine, to be determined by the commissioner, with necessary connections to existing state highways; beginning at the Greene-Albany county line, thence running generally northerly to or near the hamlet of Coeymans; beginning at the Greene-Albany county line near the hamlet of Medusa, thence running generally northerly to or near the hamlet of Rensselaerville; beginning at a point in or near the hamlet of Preston Hollow, thence running generally northwesterly to the Albany-Schoharie county line; beginning at the Greene-Albany county line, south of the hamlet of Cooksburg, thence running generally northerly to or near the hamlet of Cooksburg, thence running generally southeasterly to the Albany-Greene county line; beginning at the Greene-Albany county line, thence running generally northeasterly to or near the hamlet of Potter Hollow; beginning at a point on state highway one thousand four hundred sixty-eight in or near the hamlet of Coeymans, thence running generally northeasterly to a point on state highway five hundred eight in or near the hamlet of Coeymans; beginning at a point on Washington avenue, in the city of Albany, at its intersection with Brevator street in said city, thence running generally northwesterly in the city and county of Albany to a point on Karner road to be determined by the commissioner. The total cost of constructing that portion of said Washington avenue extension within the city of Albany may be borne by the state and paid for from any state or federal moneys available for the construction or reconstruction of state highways; beginning at a point in or near the hamlet of Potter Hollow, thence running generally southeasterly to or near the hamlet of Cooksburg, thence running generally northerly to or near the hamlet of Preston Hollow; beginning at a point on state highway one hundred ninety-nine, in or near the hamlet of Rensselaerville, thence running generally northeasterly along the Delaware turnpike,

through or near the hamlets of Clarksville, Unionville and Delmar, to the southern city line of Albany; beginning at the Greene-Albany county line south of the hamlet of South Westerlo, thence running generally northeasterly through or near the hamlets of Dormansville and Feura Bush to or near state highway one hundred ninety-three in or near the hamlet of Glenmont; beginning at a point in or near the village of Ravena, thence running generally northwesterly through or near the hamlets of Aquetuck and Coeymans Hollow to an intersection with state highway nine hundred seventy-nine; beginning at a point in or near the hamlet of Dormansville at an intersection with state highway one thousand four hundred four, thence running generally northwesterly through or near the hamlet of Westerlo to an intersection with state highway one hundred ninety-nine; beginning at a point in or near the hamlet of Selkirk, thence running generally northerly through or near the hamlet of Glenmont to the southern city line of Albany; beginning at a point in or near the hamlet of Callanans Corners, thence running generally easterly to or near the hamlet of Becker's Corners; beginning at a point on state highway three hundred sixty-seven west of the hamlet of Bethlehem Center, thence running generally northerly to a point on state highway forty-one in or near the hamlet of Elsmere; beginning at a point on state highway forty-one in or near the hamlet of Delmar, thence running generally northwesterly to a point on state highway five thousand ten in or near the hamlet of Slingerlands; beginning at a point on state highway five thousand ten east of the hamlet of New Scotland, thence running generally northwesterly to a point on state highway nine hundred forty-eight east of the village of Voorheesville; beginning at a point on state highway three hundred sixty-six in or near the hamlet of New Salem, thence running generally northeasterly to or near the village of Voorheesville; beginning at a point on state highway one hundred ninety-eight in or near the hamlet of Mallorys Corners, thence running generally northwesterly to a point in or near the hamlet of East Berne; beginning at a point on state highway five thousand five hundred one north of the hamlet of East Berne, thence running generally northerly through or near the village of Altamont and the hamlet of Dunnsville to the Albany-Schenectady county line; beginning at a point in or near the hamlet of Berne, thence running generally northeasterly through or near the hamlet of Knox to an intersection with state highway nine hundred

seventy-eight; beginning at a point on state highway five thousand five hundred one east of the hamlet of East Berne, thence running generally northerly to a point on state highway nine hundred seventy-eight west of the village of Altamont; beginning at a point in or near the village of Altamont, thence running generally easterly through or near the hamlet of Guilderland Center to an intersection with state highway five thousand one hundred fifty-five; beginning at a point on state highway one hundred seventy-seven east of the village of Altamont, thence running generally northerly to the Albany-Schenectady county line; beginning on the northern city line of Albany, thence running generally northwesterly through or near the village of Colonie to the Albany-Schenectady county line; beginning on the western city line of Watervliet, thence running generally northwesterly to the vicinity of the Adirondack northway; beginning at a point on state highway nine thousand two hundred eighty near the western city line of Cohoes, thence running generally northerly and northwesterly to a point on state highway five thousand five hundred fifty-five west of the city of Cohoes; beginning at a point on state highway one hundred ninety-eight east of the hamlet of Mallorys Corners, thence running generally northerly to an intersection with state highway eight thousand two hundred forty-four; beginning at an intersection with state highway nine thousand one hundred one south of the city of Albany, thence running generally easterly to an intersection with state highway one thousand one hundred ninety-eight; beginning at a point on the northern city line of Albany, thence running generally northerly near the western boundary of the village of Menands to a point on state highway one thousand eight hundred seventy-nine; beginning on the northern Watervliet city line, thence running generally northerly to the southern city line of Cohoes; beginning at a point in or near the village of Ravena, thence running generally northerly to or near the hamlet of Becker's Corners; beginning at the northern city line of Albany, on or near North Pearl street, thence running generally northeasterly to a point on state highway nine hundred seventy-seven in or near the village of Menands.

2. Upon the completion and acceptance of the construction of the highways described as "beginning at a point on the northern city line of Albany, north of the interchange of the Washington avenue-northside

route arterial and the crosstown route arterial, thence running generally northerly to an interchange with interstate route 502 in the vicinity of the Albany-Shaker road, as determined by the commissioner, thence continuing generally northwesterly to the Albany-Schenectady county line, as determined by the commissioner, including necessary connections to Karner road and the Albany airport road", the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment to the county of Albany of all of state highways one thousand five hundred sixty-two and one thousand five hundred sixty-two-a, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways of Albany county, and the state comptroller, respectively, the state shall cease to maintain said highways one thousand five hundred sixty-two and one thousand five hundred sixty-two-a, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Albany, and said highways shall thereafter be maintained by the county of Albany as part of the county road system.

3. Upon the completion of the highway described above as "beginning at a point on the northern city line of Albany, thence running generally northerly through or near the village of Menands to the southern city line of Watervliet", the commissioner is hereby authorized and directed to enter an official order of abandonment of that portion of state highway nine hundred seventy-seven from a point north of state highway nine thousand one hundred twelve, southerly to the northern city line of Albany and all of state highway nine thousand three hundred twenty-nine, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways of Albany county, and the state comptroller, the state shall cease to maintain said portion of state highway nine hundred seventy-seven from a point north of state highway nine thousand one hundred twelve, southerly to the northern city line of Albany and all of state highway nine thousand three hundred twenty-nine, and all rights and obligations of the state therein shall revert to and become the responsibility of the county of Albany.

4. Upon the completion and acceptance of the construction of the highway described above as "beginning at a point on state highway one hundred ninety-three as determined by the commissioner, thence crossing state highway eight thousand three hundred forty-nine or state highway five thousand six hundred forty-three, in or near the hamlet of Becker's Corners, as determined by the commissioner, thence running generally northwesterly on new location crossing state highways three hundred sixty-seven and one hundred seventy-eight to a point on the Slingerlands bypass near the hamlet of New Scotland, with necessary connections to existing state highways", the commissioner shall abandon by official order to the town of Bethlehem all of state highway ninety-two, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, the supervisor of the town of Bethlehem, all of Albany county, and the state comptroller, the aforesaid state highway, together with all rights and obligations of the state therein shall be turned over and surrendered to the aformentioned town, to be thereupon and thereafter maintained as part of the town highway system of said town.

5. Upon the assumption of jurisdiction by the state of New York of the highway described as "beginning at a point near the junction of state highways one hundred seventy-six and three hundred eighty-five, thence running generally northeasterly on or near Wolf road to a point on state highway eight hundred seventy-nine, as determined by the commissioner", the commissioner is hereby authorized and directed to enter an official order of immediate abandonment to the county of Albany of all of state highway eight hundred seventy-nine westerly of its intersection with Albany county road one hundred fifty-one at approximately station two hundred seventeen, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Albany county, and the state comptroller, the state shall cease to maintain the aforesaid portion of highway specified for abandonment as above set forth, and all the rights and obligations of the state therein shall be assumed by and become the responsibility of the county of Albany, and thereafter the said portion of highway shall be maintained

by the county of Albany as part of the county road system.

2. Allegany county. 1. Beginning at the Cattaraugus-Allegany county line east of the village of Portville, thence running generally easterly through the hamlets of Ceres and Little Genesee to a point in the village of Bolivar; beginning at a point in the village of Bolivar, thence running generally easterly through the hamlet of Allentown to a point in the village of Wellsville; beginning at a point in the village of Wellsville, thence running generally easterly through or near the hamlet of Elm Valley, and the village of Andover to the Allegany-Steuben county line, east of the village of Andover; beginning at the Pennsylvania state line north of the village of Genesee, Pennsylvania, thence running generally northerly through or near the hamlets of Shongo and Stannards Corners to a point in the village of Wellsville; beginning at a point in the village of Wellsville, thence running generally northerly through or near the village of Belmont, the hamlets of Belfast and Caneadea, the village of Fillmore and the hamlet of Hume, to the Wyoming-Allegany county line, south of the village of Pike; beginning at the Cattaraugus-Allegany county line west of the village of Cuba, thence running generally easterly through or near the villages of Cuba and Friendship to a state highway in the hamlet of Belvidere; beginning at a state highway in the vicinity of the hamlet of Transit Bridge and thence running generally northeasterly through the village of Angelica, and the hamlet of Birdsall to the hamlet of Garwoods, thence running generally northwesterly through the hamlet of Swain to the Livingston-Allegany county line; beginning at the Cattaraugus-Allegany county line north of the village of Portville, thence running generally northerly through or near the hamlets of Obi and West Clarksville to a state highway in the village of Cuba; beginning at a point in the village of Cuba on state highway five thousand twenty-three and thence running generally northeasterly through or near the hamlets of Black Creek and Rockville to a junction with a state highway south of the hamlet of Belfast; beginning in the village of Andover at a junction with a state highway, thence running generally northerly through or near the hamlet of Alfred Station and the village of Almond, to the Allegany-Steuben county line in the village of Almond; beginning at a state highway in the village of Belmont, thence running generally easterly through or near the hamlet of

Phillips Creek and the village of Alfred to a state highway at the hamlet of Alfred Station; beginning at the Cattaraugus-Allegany county line near the hamlet of Fairview, thence running generally southeasterly to a point in or near the hamlet of Rushford, thence easterly to a state highway in the hamlet of Caneadea; beginning at a state highway in the village of Fillmore, thence running generally northeasterly through or near the hamlet of Rossburg to the Wyoming-Allegany county line, south of the hamlet of Portageville; beginning at a state highway in the hamlet of Garwoods, thence running generally easterly through or near the village of Canaseraga to the hamlet of Heiman's Corners, thence generally southeasterly to the Allegany-Steuben county line, northwest of the village of Arkport; beginning at a state highway in the hamlet of Heiman's Corners, thence running generally easterly to the Allegany-Steuben county line west of the hamlet of Healy's Corners; beginning at a state highway in the hamlet of Stannards Corners, thence running generally easterly through or near the hamlets of Hallsport and Whitesville, to the Allegany-Steuben county line, east of the hamlet of Whitesville; beginning at the Pennsylvania-New York state line north of the hamlet of Genesee, Pennsylvania, thence running generally northeasterly to a state highway in the hamlet of Whitesville; beginning at a state highway in the village of Bolivar, thence running generally northerly through or near the village of Richburg and the hamlet of Nile, to a state highway in the village of Friendship; beginning at a state highway west of the village of Angelica thence running generally northeasterly through or near the hamlet of Aristotle to a point in the hamlet of State Road, thence generally northerly to the Livingston-Allegany county line, south of the hamlet of Dalton; beginning at a state highway in the vicinity of the northern village line of Alfred, thence running southerly to a point in the village of Alfred; beginning at a state highway north of the hamlet of State Road, thence running generally easterly to state highway eight thousand sixty-one in or near the hamlet of Garwoods; beginning at a state highway at or near the hamlet of West Clarksville, thence running generally southeasterly to a state highway in the village of Richburg; beginning at state highway eight thousand eighty-three in or near the hamlet of Bennetts, thence running generally easterly to a state highway in or near the village of Almond; beginning at a state highway in the

vicinity of the hamlet of Belvidere, thence running generally northeasterly to a state highway in the vicinity of the hamlet of West Almond, said highway to be built with control of access.

2. Upon the completion and acceptance of the highway described as "beginning at a state highway in the vicinity of the hamlet of Belvidere, thence running generally northeasterly to a state highway in the vicinity of the hamlet of West Almond," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Allegany of that portion of state highway eight thousand eighty-three northeasterly from approximately station thirty-two plus or minus; all of state highways eight thousand sixty, eight thousand sixty-one and one thousand three hundred sixty-six between its western end and approximately station seven hundred eighty-five plus thirty-six thereon; and upon the filing of a certified copy of said order with the county clerk, county treasurer, the clerk of the board of supervisors and the county superintendent of highways of Allegany county, and the state comptroller, the said portions of state highways eight thousand eighty-three and one thousand three hundred sixty-six and said state highways eight thousand sixty and eight thousand sixty-one shall be turned over and surrendered to the county of Allegany and they shall thereafter be maintained by the said county as a part of its county road system.

3. Broome county. 1. Beginning at a point on the Pennsylvania-New York state line, thence running generally northerly through or near the hamlet of Vestal Center, thence running generally northerly to an interchange with state highway one thousand six hundred thirteen, crossing the Susquehanna river on the Thomas J. Watson, Sr. Memorial bridge to a point in or near the village of Endicott; beginning at the junction of state highway one thousand two hundred thirty-eight and state highway nine thousand two hundred sixty-two in or near the village of Endicott, thence running generally northerly to a point in or near the hamlet of Union Center, thence running generally northerly through or near the hamlets of Maine and Glen Aubrey to a point in or near the village of Whitney Point, thence running generally easterly through or near the village of Whitney Point to a point on or near state highway

eight thousand two hundred nine, thence running generally northerly through or near the hamlet of Upper Lisle to the Cortland-Broome county line; beginning at the junction of state highways one hundred twenty-six and two hundred sixty-seven in or near the hamlet of Hinmans Corners thence running generally northerly to a junction with state highway two hundred sixty-eight, thence continuing generally northerly through or near the hamlet of Kattelville to a point in or near the hamlet of Chenango Forks, thence generally northerly to the Broome-Chenango county line; beginning at an interchange with state highway one thousand six hundred thirteen near the campus of the State University of New York, thence running generally northerly over the C. Fred Johnson Memorial bridge across the Susquehanna river to a point in or near the village of Johnson City, including a spur leading thence southeasterly on Riverside drive to the west city line of Binghamton, thence generally northerly to a junction with state highway one thousand one hundred sixty-one; beginning at the Broome-Tioga county line, north of the Susquehanna river, thence running generally easterly to a point in or near the village of Endicott, thence continuing through the village of Endicott to the junction of state highway five thousand four hundred twelve, thence generally easterly through or near the hamlet of Endwell to the junction of state highway nine thousand two hundred thirty-one, thence continuing generally easterly through or near the village of Johnson City to the west city line of Binghamton; beginning at the northern city line of Binghamton, thence running generally northerly through or near the village of Port Dickinson to an interchange with state highway fifty-five dash four; beginning at the junction of state highway five thousand two hundred near the hamlet of Ninevah, thence running generally northerly to the Broome-Chenango county line; beginning at the western city line of Binghamton, thence running generally westerly through or near the village of Johnson City along Floral avenue to the Floral avenue-Riverside drive interchange, thence northwesterly on new location to a point on or near state highway five thousand six hundred ninety-nine; beginning at the Broome-Tioga county line at or near the connection with the Southern Tier expressway, thence running generally northeasterly through or near the hamlet of Vestal, crossing the Susquehanna river, through or near the hamlet of Endwell, thence running generally easterly through or near the village of Johnson City, into the

city of Binghamton in the vicinity of Prospect street, crossing the Chenango river to an interchange with interstate route 505 in or near the city of Binghamton, said highway to be built with control of access; beginning at the Pennsylvania-New York state line, west of the Susquehanna river, thence running generally northerly through or near the village of Windsor, thence continuing generally northerly through or near the hamlets of Ouaquaga, Center Village and Harpursville to the junction of state highway five thousand two hundred forty-three with its spur; beginning at the junction of state highway eight thousand four hundred twenty-seven and state highway five thousand two hundred forty-three, thence running generally northerly and northwesterly through or near the hamlet of North Colesville to the Chenango-Broome county line; beginning at the Broome-Chenango county line, thence running generally westerly to the junction of state highway nine hundred sixty-three in or near the hamlet of North Fenton, thence continuing generally westerly crossing the Chenango river to a point in or near the hamlet of Chenango Forks; beginning at a point in or near the hamlet of Chenango Forks, thence running generally northwesterly through or near the hamlet of Itaska to a point in or near the village of Whitney Point; beginning at the junction of state highway one thousand four hundred eighty-six and state highway one thousand six hundred eight, thence running generally westerly through or near the village of Lisle and the hamlet of Center Lisle, to the Broome-Tioga county line; beginning at the Pennsylvania-New York state line, thence running generally northwesterly to a point in or near the hamlet of Corbettsville; beginning at the Pennsylvania-New York state line, thence running generally northerly through or near the hamlet of Kirkwood to the intersection of state highway one hundred twenty-seven and state highway five thousand twenty-two at or near the hamlet of Five Mile Point; beginning at the north city line of Binghamton west of the Chenango river, thence running generally northerly to a junction with state highway two hundred sixty-seven at Hinmans Corners, thence generally northerly through or near the hamlets of Glen Castle and Castle Creek to or near an interchange with interstate route 505, thence generally northerly to an intersection with state highway one thousand six hundred twelve in or near the village of Whitney Point, thence northwesterly to the junction of state highway one thousand four hundred eighty-six and

state highway one thousand six hundred eight near the village of Lisle, thence generally northerly through or near the hamlet of Killawog to the Broome-Cortland county line; beginning at the Pennsylvania-New York state line, thence running generally northerly to the junction of state highway one thousand eight hundred twenty-five and state highway four hundred twenty-one at or near the hamlet of Corbettsville, thence generally northerly through or near the hamlets of Conklin and Conklin Center, to the east city line of Binghamton; beginning at the north city line of Binghamton on or near the Brandywine Avenue arterial route, thence running generally northerly through or near the village of Port Dickinson to an interchange at Chenango street, continuing northerly and easterly to the junction of state highway two hundred sixty-eight and state highway one hundred thirty-four in or near the hamlet of Chenango Bridge, continuing thence easterly through or near the hamlets of Sanitaria Springs and Harpursville to the Broome-Chenango county line; beginning at the entrance to Chenango Valley state park, thence running generally easterly to a junction with state highway nine hundred sixty-three; beginning at a point in or near the village of Whitney Point, thence running generally easterly through or near the hamlet of Triangle to the Broome-Chenango county line; beginning at a point in or near the hamlet of McClure Settlement, thence running generally northerly through or near the hamlets of Sanford, Howes and Vallonia Springs to the Broome-Chenango county line; beginning at or near the junction of state highway one hundred seventy-five and state highway five thousand two hundred forty-two, thence running generally northerly through or near the hamlet of Port Crane to the junction of state highway nine hundred sixty-three and state highway one thousand two hundred forty-one in or near the hamlet of North Fenton; beginning at the Tioga-Broome county line, thence running generally easterly through the hamlets of Ross Corners and Vestal to a junction with the Court Street-Vestal Avenue arterial route at the west city line of Binghamton; beginning at the east city line of Binghamton at a junction with the Court Street arterial route, thence running generally easterly to a junction with state highway five thousand twenty-two and an interchange with interstate route 505 in or near the hamlet of Five Mile Point, thence continuing easterly through the hamlets of West Windsor and Occanum to an interchange in or near the village of Windsor, thence

crossing the Susquehanna river, continuing generally easterly through or near the village of Windsor and the hamlets of Damascus and McClure Settlement, thence easterly to the Broome-Delaware county line near the village of Deposit; beginning at the Tioga-Broome county line, thence running generally easterly to a point in or near the hamlet of Union Center; beginning at or near the junction of state highway one hundred twenty-six and state highway one thousand four hundred eighty-seven, thence running generally easterly and southerly, crossing the Chenango river, to a junction with state highway one hundred thirty-four, including a spur leading to River road in the hamlet of Chenango Bridge.

2. In conjunction with the construction of the highway described as "beginning at the Broome-Tioga county line at or near the connection with the Southern Tier expressway, thence running generally northeasterly through or near the hamlet of Vestal crossing the Susquehanna river, through or near the hamlet of Endwell, thence running generally easterly through or near the village of Johnson City to the city of Binghamton in the vicinity of Prospect street, crossing the Chenango river to an interchange with interstate route 505 in or near the city of Binghamton," access or branch connections to any highway, road or street may, in the discretion of the commissioner, be included in the plans, specifications and estimates and may be constructed according to such design and type as the commissioner shall deem to be suitable for the purpose thereof. The cost of constructing and maintaining the portion of such highway within the city of Binghamton may be borne by the state and be paid for from any state or federal moneys available for the construction, reconstruction or maintenance of state highways. Lands and easements required for the construction of the portion of such highway within the city of Binghamton shall be acquired in the same manner as provided in section thirty of this chapter for the securing of lands and easements for the remainder of this highway outside of the city limits.

4. Cattaraugus county. 1. Beginning at the Cattaraugus-Chautauqua county line west of the village of Randolph, thence running generally easterly through or near the village of Randolph, thence running generally southerly and easterly to the western boundary of the Allegany

Indian reservation; beginning at the eastern city line of Salamanca at or near the hamlet of Killbuck, thence running generally southeasterly to the western city line of Olean at or near State street; beginning at the eastern city line of Olean at or near State street, thence running generally southeasterly to the Cattaraugus-Allegany county line in or near the hamlet of Carroll; beginning at the Cattaraugus-Chautauqua county line south of the hamlet of Conewango Valley, thence running generally northerly through or near the hamlet of Conewango Valley, thence generally easterly to a state highway in or near the hamlet of Conewango; beginning at a point in or near the village of Cattaraugus, thence running generally southeasterly through or near the village of Little Valley to a state highway in or near the village of Ellicottville; beginning at a state highway in or near the village of Franklinville, thence running generally northeasterly to the Cattaraugus-Allegany county line at or near the hamlet of Fairview; beginning at the Cattaraugus-Chautauqua county line west of the village of Perrysburg, thence running generally easterly to a state highway in or near the village of Gowanda; beginning at a state highway in or near the village of Randolph, thence running generally northerly through or near the hamlets of Leon and Markham thence generally northeasterly through or near the hamlet of Dayton and the village of Gowanda to a point on the Cattaraugus-Erie county line; beginning at a point in or near the village of Cattaraugus, thence running generally northwesterly to a state highway in or near the hamlet of Dayton; beginning at a state highway in or near the village of East Randolph, thence running generally northeasterly to a state highway in or near the village of Little Valley; beginning at the New York-Pennsylvania state line near the Allegany reservoir, thence running generally northerly along the westerly bank of the Allegany reservoir to a connection with the Southern tier expressway at the Steamburg interchange, thence generally northerly to a connection with state highway eight thousand three hundred twenty-eight in the hamlet of Steamburg, such highway to be known as "Onoville Road"; beginning at the New York-Pennsylvania state line near the Allegany reservoir, thence running generally northerly along the easterly bank of the Allegany reservoir to a connection with the Southern tier expressway in the vicinity of Cricks Run, such highway to be known as "Quaker Bridge road"; beginning at the northern city line

of Salamanca at or near Center street, thence running generally northwesterly to a state highway in or near the village of Little Valley; beginning at the northern city line of Salamanca at or near Central avenue, thence running generally northeasterly to a state highway in or near the village of Franklinville; beginning at a state highway at or near the hamlet of Great Valley, thence running generally northwesterly through or near the village of Ellicottville, thence northeasterly to a state highway in or near the hamlet of Machias; beginning at a state highway in or near the village of Ellicottville, thence running generally northerly to the Cattaraugus-Erie county line west of the village of Springville; beginning at a state highway in or near the hamlet of Ashford, thence running generally northerly to the Cattaraugus-Erie county line in or near the village of Springville; beginning at the New York-Pennsylvania state line near the Allegany state park, thence running generally northerly to state highway five thousand four hundred thirty; beginning at the New York-Pennsylvania state line in or near the hamlet of Knapp Creek, thence running generally northeasterly to the southern city line of Olean; beginning at the northern city line of Olean at or near Main street, thence running generally northerly to the Cattaraugus-Erie county line in or near the hamlet of Yorkshire; beginning at a state highway in or near the hamlet of Yorkshire, thence running generally easterly to the Cattaraugus-Wyoming county line; beginning at the New York-Pennsylvania state line in the town of Portville, thence running generally northerly to state highway one thousand six hundred eleven south of the village of Portville; beginning at a state highway in or near the village of Portville, thence running generally northeasterly to the Cattaraugus-Allegany county line; beginning at a state highway in or near the hamlet of Maplehurst, thence running generally northeasterly to the Cattaraugus-Allegany county line; beginning at a state highway at or near the hamlet of Fairview, thence running generally northwesterly to the Cattaraugus-Wyoming county line; beginning at a state highway west of the city of Salamanca, thence running generally easterly through or near the city of Salamanca to a state highway in or near the hamlet of Killbuck, said highway to be built with control of access; beginning at a point on the Cattaraugus-Chautauqua county line in or near the village of South Dayton, thence running generally easterly through or near the

village of South Dayton to a point on state highway eight thousand one hundred sixty; beginning at an interchange with the Southern tier expressway in the village of Randolph, thence running generally easterly to a point on state highway five thousand two hundred fifty-eight, also in the village of Randolph; beginning at a point on state highway five thousand two hundred sixty-four-A, west of the village of Allegany, thence running generally northerly to an interchange with the Southern tier expressway.

2. Effective April first, nineteen hundred eighty, the legislative bodies of the county of Cattaraugus and the villages of Ellicottville, Randolph and South Dayton having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a point on the Cattaraugus-Chautauqua county line in or near the village of South Dayton, thence running generally easterly through or near the village of South Dayton to a point on state highway eight thousand one hundred sixty; beginning at an interchange with the Southern tier expressway in the village of Randolph, thence running generally easterly to a point on state highway five thousand two hundred fifty-eight, also in the village of Randolph; beginning at a point on state highway one thousand eight hundred seventy-six, thence running generally easterly to a point on state highway one thousand five hundred nine, all in the village of Ellicottville; beginning at a point on state highway five thousand two hundred sixty-four-A, west of the village of Allegany, thence running generally northerly to an interchange with the Southern tier expressway"; and to transfer to the county of Cattaraugus for future maintenance as part of the county highway system in Cattaraugus county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point on state highway five thousand two hundred fifty-nine-A, thence running generally northerly to a point on state highway one thousand eight hundred seventy-six, east of the village of Little Valley; beginning at a point on the northern city line of Salamanca, thence running generally northerly to a point on state highway five thousand two hundred sixty-five; beginning at a point on state highway nine hundred

fifty-eight north of the hamlet of Markham, thence running generally northerly to a point on state highway nine thousand three hundred in the village of Perrysburg".

5. Cayuga county. 1. Beginning at the Cayuga-Seneca county line in or near the hamlet of Free Bridge, thence running generally easterly to the western city line of Auburn; beginning at the northeastern city line of Auburn, thence running generally northeasterly to the Cayuga-Onondaga county line east of the hamlet of Sennett; beginning at the eastern city line of Auburn, thence running generally easterly to the Cayuga-Onondaga county line west of the village of Skaneateles; beginning at the Cayuga-Seneca county line west of the hamlet of Montezuma, thence running generally easterly through or near the hamlet of Montezuma to the village of Port Byron and easterly to the village of Weedsport, thence northerly and easterly in Weedsport to the Cayuga-Onondaga county line west of the village of Jordan; beginning at the Cayuga-Tompkins county line north of the hamlet of North Lansing, thence running generally northerly through or near the hamlet of East Genoa to the hamlet of Genoa, thence generally northerly through or near the hamlets of Venice Center and Scipio to a junction with a state highway at the hamlet of Fleming, thence continuing northerly to the southern city line of Auburn; beginning at the northern city line of Auburn, thence running generally northerly through or near the village of Weedsport and Cato to a point on the Cayuga-Oswego county line; beginning at the Cayuga-Tompkins county line north of the hamlet of Lake Ridge, thence running generally northerly through or near the hamlets of Goodyears Corners, King Ferry, Ledyard, Poplar Ridge, Sherwood, Scipioville and Mapleton to a junction with a state highway in or near the hamlet of Fleming; beginning at the Cayuga-Tompkins county line north of the village of Groton, thence running generally northerly through or near the hamlet of Locke to the village of Moravia, thence northerly through or near the village of Moravia, and the hamlets of Cascade, Glen Wood Beach, Elmwood and Wyckoff to the southern city line of Auburn; beginning at the northern city line of Auburn, thence running generally northerly to or near the village of Port Byron, the hamlet of Conquest, the village of Victory, the hamlet of North Victory and through or near the hamlet of Finches Corners to a junction with a state highway at or

near the hamlet of Sterling; beginning at a junction with a state highway at the village of Moravia, thence running generally northeasterly through or near the hamlets of Montville, Wilson Corners and Niles to the Onondaga-Cayuga county line; beginning at the Onondaga-Cayuga county line east of the hamlet of Owasco, thence running generally westerly and northerly to the southeastern city line of Auburn; beginning at the Cortland-Cayuga county line northwest of the village of Homer, thence running generally northwesterly through or near the hamlets of Sempronius and New Hope to the Cayuga-Onondaga county line south of the hamlet of Mandana; beginning at the Cortland-Cayuga county line west of the village of Homer, thence running generally westerly through or near the hamlets of Locke, Genoa, Little Hollow and King Ferry, thence generally northerly through the villages of Aurora, Union Springs and Cayuga and the hamlet of Montezuma to a junction with a state highway north of the hamlet of Montezuma; beginning at the Cayuga-Wayne county line east of the village of Red Creek, thence running generally easterly to or near the hamlet of North Victory, thence northeasterly through or near the hamlet of Martville to the Cayuga-Oswego county line northeast of the hamlet of Martville; beginning at the Cayuga-Wayne county line south of the village of Fair Haven, thence running generally northeasterly through or near the hamlets of Sterling, Crockett, Sterling Valley and North Sterling, to the Cayuga-Oswego county line; beginning at a junction with a state highway east of the village of Meridian, thence running generally northerly to the Cayuga-Oswego county line south of the hamlet of South Hannibal; beginning at a junction with a state highway in or near the village of Union Springs, thence running generally easterly and northeasterly to the hamlet of Half Acre thence easterly to a point on the western city line of Auburn; beginning at a point on state highway one thousand one hundred seventy-three in the hamlet of Half Acre thence running northerly to a point on state highway five hundred ninety; beginning at the Cayuga-Wayne county line south of the hamlet of Westbury, thence running generally easterly and southeasterly through or near the villages of Victory, Cato, and Meridian to the Cayuga-Onondaga county line west of the hamlet of Plainville; beginning at a point on a state highway west of the city of Auburn, thence running generally southeasterly to a point on the western city line of Auburn in the

vicinity of West Genesee street; beginning at a state highway east of the hamlet of Free Bridge, thence running generally northeasterly through or near the hamlets of Fosterville and Throopsville to a state highway at or near the hamlet of Sennett; beginning at the Wayne-Cayuga county line west of the hamlet of Spring Lake, thence running generally easterly through or near the hamlet of Spring Lake to a state highway in or near the hamlet of Conquest; beginning at the Seneca-Cayuga county line in or near the village of Cayuga, thence running generally easterly through or near the village of Cayuga to a junction with a state highway west of the western city line of Auburn; beginning at a junction with a state highway in or near the hamlet of Crockett, thence running generally southeasterly to the Cayuga-Oswego county line; beginning at a point on state highway seven hundred fifty-two at the northern end of Owasco lake easterly to a point on state highway three hundred eighty-three.

2. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Cayuga, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on state highway six hundred eighty-six in the village of Cato thence running northerly through the hamlet of Bethel to a point on the Cayuga-Oswego county line; beginning at a point on state highway one thousand one hundred seventy-three in the town of Springport, thence running generally northeasterly to another point on the aforementioned state highway in the hamlet of Half Acre; thence northerly to a point on state highway five hundred ninety; beginning at a point on state highway six hundred eighty-five in or near the hamlet of Crockett, thence running generally easterly to a point on the Cayuga-Oswego county line"; and to transfer to the county of Cayuga for future maintenance as part of the county highway system in Cayuga county and to issue official orders of abandonment of those portions of highways described as follows: "beginning at a point on state highway one thousand three hundred seventeen in the village of Weedsport thence running generally southeasterly to the Cayuga-Onondaga county line west of the village of Elbridge; beginning at an intersection with Half Acre road in the town

of Springport, thence running northerly to the hamlet of Aurelius thence easterly to another intersection with Half Acre road in the hamlet of Half Acre."

6. Chautauqua county. 1. Beginning at the Pennsylvania-New York state line east of Wattsburg, Pennsylvania, thence running generally easterly through or near the hamlets of Clymer and North Clymer, the village of Panama, the hamlet of Ashville and the village of Lakewood to the western city line of Jamestown; beginning at the eastern city line of Jamestown on or near second street, thence running generally northeasterly through the village of Falconer to the Chautauqua-Cattaraugus county line near the hamlet of Waterboro; beginning at a point on state highway one thousand six hundred sixty-three in or near the hamlet of Findley Lake, thence running generally northeasterly to a point in or near the village of Mayville, thence running generally southeasterly generally following the north shore of Chautauqua lake to the northwestern city line of Jamestown; beginning at the Pennsylvania-New York state line southwest of the hamlet of Ripley, thence running generally northeasterly through or near the villages of Westfield, Brocton and Fredonia to a point in or near the village of Silver Creek; beginning at the Pennsylvania--New York state line near Lake Erie, thence running generally northeasterly through or near the hamlet of Barcelona to the western city line of Dunkirk; beginning at a point on state highway nine thousand thirty or state highway eight thousand three hundred thirty-four-A, thence running generally southeasterly through or near the village of Westfield, to a point in or near the hamlet of Hartfield, said highway to be built with control of access; beginning at a state highway in or near the hamlet of Barcelona, thence running generally southeasterly through the villages of Westfield and Mayville and along the southern shore of Chautauqua lake, to a state highway in or near the village of Lakewood; beginning at a state highway in or near the hamlet of Laona, thence running generally easterly through or near the hamlets of Arkwright, Hamlet and Balcom to the Chautauqua-Cattaraugus county line, east of the hamlet of Balcom; beginning at state highway eight thousand three, thence running generally easterly through or near the village of Forestville and the hamlet of Nashville to the Chautauqua-Cattaraugus county line; beginning

at the eastern city line of Dunkirk, at or near Lake Shore road, thence running generally northeasterly through or near the village of Silver Creek to the Chautauqua-Erie county line, in or near the hamlet of Irving; beginning at a state highway at or near Howard street in the village of Silver Creek, thence running generally northeasterly and easterly to state highway five thousand four hundred fifty-two; beginning at the New York-Pennsylvania state line southeast of the hamlet of Cutting, thence running generally northwesterly to a state highway in or near the hamlet of Cutting; beginning at a state highway in or near the hamlet of Cutting, thence running generally northwesterly through or near the hamlet of Findley Lake to the New York-Pennsylvania state line northwest of the hamlet of Findley Lake; beginning at a state highway at or near Shortman road west of the hamlet of Ripley, thence running generally northwesterly to state highway nine thousand thirty; beginning at a state highway in or near the hamlet of North Clymer, thence running generally northerly to a state highway in or near the village of Sherman; beginning at a state highway in or near the village of Sherman, thence running generally northwesterly through or near the hamlet of Ripley to state highway nine thousand thirty; beginning at a state highway in or near the village of Brocton, thence running generally northerly to state highway eight thousand three hundred forty-four-A; beginning at the northern city line of Jamestown at or near Main street, thence running generally northerly through or near the hamlet of Gerry and the villages of Sinclairville and Cassadaga to the southeastern city line of Dunkirk at or near Bennett road; beginning at the New York-Pennsylvania state line in the town of Kiantone, thence running generally northerly east of the city of Jamestown, thence generally northerly and northwesterly to state highway one thousand four hundred seventy-one in or near the hamlet of Gerry; beginning at the southern city line of Jamestown at or near Foote avenue thence running generally southeasterly through or near the hamlet of Stillwater to the hamlet of Frewsburg thence generally northeasterly through or near the hamlet of Clarks Corners to a state highway in or near the hamlet of Kennedy; beginning at the New York-Pennsylvania state line northeast of the borough of Sugar Grove, thence running generally northeasterly through or near the hamlet of Busti to the southern city line of Jamestown; beginning at a state highway in or near the hamlet of

Schermerhorn Corners, thence running generally northerly to or near the hamlet of Ellington, thence generally easterly to the Chautauqua-Cattaraugus county line, thence generally northerly (partially in the county of Cattaraugus) through or near the hamlet of Conewango Valley to a state highway in or near the hamlet of Balcom.

2. Upon the completion and acceptance of the aforesaid highways described as "beginning at a point on state highway nine thousand thirty or state highway eight thousand three hundred thirty-four-A, thence running generally southeasterly through or near the village of Westfield, to a point in or near the hamlet of Hartfield" and "beginning at a state highway in or near the village of Bemus Point, thence running generally easterly to a state highway in or near the hamlet of Levant," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Chautauqua that portion of state highway one thousand three hundred eighty-one east of its intersection with state highway eight thousand two hundred fifty-two easterly to the county line and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, and the county superintendent of Chautauqua county, and the state comptroller, the state shall cease to maintain the aforesaid portion of state highway one thousand three hundred eighty-one and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Chautauqua, and the said portion of highway shall thereafter be maintained by said county as a part of the county road system.

3. Effective April first, nineteen hundred eighty, the legislative body of the county of Chautauqua, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at an intersection of state highways in the village of Westfield thence running generally northwesterly to a state highway in or near the hamlet of Barcelona; beginning at a state highway east of the hamlet of Stillwater, thence running generally easterly through or near the hamlet of Frewsburg thence generally northeasterly through or near the hamlet

of Clarks Corners to a state highway in or near the hamlet of Kennedy; beginning at the New York-Pennsylvania state line northeast to the borough of Sugar Grove, thence running generally northeasterly through or near the hamlet of Busti to the southern city line of Jamestown"; and to transfer to the county of Chautauqua for future maintenance as part of the county highway system in Chautauqua county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a state highway in or near the village of Brocton, thence running generally southeasterly and northeasterly to a state highway in or near the village of Cassadaga; beginning at the southeastern city line of Dunkirk, at or near Franklin avenue, thence running generally southeasterly to state highway five thousand two hundred sixty-two; beginning at a state highway in or near the village of Forestville, thence running generally northerly to a state highway in or near the village of Silver Creek; beginning at a state highway north of the hamlet of Laona thence running generally northwesterly to a state highway in the village of Fredonia."

7. Chemung county. 1. Beginning at a state highway in or near the village of Horseheads, thence running generally northerly through or near the hamlet of Pine Valley and the hamlet of Millport to the Chemung-Schuyler county line south of the village of Montour Falls; beginning at a state highway east of the village of Horseheads, thence running generally northeasterly through or near the hamlet of Sullivanville to the Chemung-Schuyler county line west of the hamlet of Alpine Junction; beginning at a state highway northeast of the village of Horseheads, thence running generally easterly through or near the hamlets of Breesport and Erin to a state highway in or near the hamlet of Swartwood; beginning at the Schuyler-Chemung county line southeast of the hamlet of Cayuta, thence running generally southeasterly through or near the hamlet of Swartwood and the village of Van Etten to the Chemung-Tioga county line west of the village of Spencer; beginning at the Tioga-Chemung county line north of the hamlet Lockwood, thence running generally northerly to a state highway in or near the village of Van Etten; beginning at the Steuben-Chemung county line in or near the hamlet of East Corning, thence running generally southeasterly in or near the hamlet of Big Flats through or near the hamlet of Fitch Bridge

to the western city line of Elmira; beginning at the Pennsylvania-New York state line northwest of the hamlet of Wilawana, Pennsylvania, thence running generally northwesterly through or near the village of Wellsburg to the southeastern city line of Elmira; beginning at the Pennsylvania-New York state line south of the village of Wellsburg, thence running generally northerly to a state highway in or near the village of Wellsburg; beginning at the Pennsylvania-New York state line south of the hamlet of Seeley Creek, thence running generally northeasterly through or near the hamlets of Seeley Creek, Webbs Mills and Southport to the southern city line of Elmira; beginning at the northern city line of Elmira, thence running generally northerly to a state highway in or near the village of Horseheads; beginning at the Pennsylvania-New York state line north of the hamlet of Fassett, Pennsylvania, thence running generally northerly to a state highway in or near the hamlet of Southport; beginning at a state highway in or near the hamlet of Southport, thence running generally easterly to a state highway southeast of the city of Elmira; beginning at the Steuben-Chemung county line southwest of the hamlet of Post Creek, thence running generally northerly through or near the hamlets of Post Creek and Chambers to the Chemung-Schuyler county line south of the hamlet of Beaver Dams; beginning at the Steuben-Chemung county line east of the hamlet of Caton, thence running generally easterly through or near the hamlet of Fitch Bridge to a state highway west of the city of Elmira.

2. Upon the completion and acceptance of reconstruction or improvement of the highway described as "from the eastern terminus of state highway three hundred fifty-six in the hamlet of Erin, thence running easterly and northerly to a point on state highway one thousand three hundred eleven at the intersection of said highway and Chemung county road four, generally following the existing location of county road four", the commissioner is hereby authorized and directed to assume jurisdiction by official order for state highway purposes over the aforesaid described county road and enter an official order of abandonment to the county of Chemung of that portion of state highway one thousand three hundred eleven from its western termini, thence running northerly and easterly to its intersection with county road four.

8. Chenango county. 1. Beginning at the Broome-Chenango county line in or near the hamlet of Nineveh, thence running generally northeasterly to state highway one thousand one hundred seventy-one in or near the village of Afton, thence generally northeasterly to state highway eight thousand two hundred sixteen in or near the village of Bainbridge, thence northeasterly to the Otsego-Chenango county line; beginning at the Otsego-Chenango county line on or near the northern end of state highway seven hundred eight, thence running generally northerly through or near the hamlets of East Guilford, Mount Upton, Rockwell Mills, Holmesville, South New Berlin, Sages, Five Corners, and Lambs Corner to the Madison-Chenango county line; beginning in or near the hamlet of Preston, thence running generally easterly to the western city line of Norwich; beginning at the Broome-Chenango county line, thence running generally northerly along the west bank of the Chenango river along or near the western village line of Greene, thence running northeasterly through or near the hamlet of Brisben and the village of Oxford, thence continuing northeasterly to the southern city line of Norwich; beginning at the northern city line of Norwich, thence running generally northerly through or near the hamlets of Woods Corners and North Norwich and the village of Sherburne to a point on the Madison-Chenango county line; beginning in or near the village of Sherburne, thence running generally northwesterly to a point on the Madison-Chenango county line in or near the village of Earlville; beginning at or near the hamlet of Waldron Corners, thence running easterly and southerly through or near the hamlet of Scott Corners, thence running southeasterly through or near the hamlets of North Pharsalia and Kirk to the western end of county highway forty-four in or near the hamlet of South Plymouth thence running generally southeasterly to a point on the northern city line of Norwich; beginning at a point on the eastern city line of Norwich, thence running generally easterly through or near the hamlet of South New Berlin to a point on the Otsego-Chenango county line; beginning at a point on the Cortland-Chenango county line, thence running generally northeasterly through or near the hamlets of Pitcher, North Pitcher, South Otselic, Otselic Center and Otselic to a point on the Madison-Chenango county line; beginning at a point on state highway two hundred twenty-five in or near the hamlet of Mount Upton, thence running

easterly to the Otsego-Chenango county line; beginning at a point on the Cortland-Chenango county line, thence running generally southeasterly through or near the hamlets of Lakeville and Smithville Flats to or near the northwestern village line of Greene; beginning at a point on the Broome-Chenango county line near the hamlet of Bettsburg, thence running generally northeasterly to or near the village of Afton, thence running northwesterly through or near the hamlet of North Afton to or near the hamlet of Coventryville; beginning at a point on the Broome-Chenango county line, thence running generally easterly through or near the hamlet of Genegantslet, the village of Greene, the hamlets of Coventry and West Bainbridge, the village of Bainbridge and the hamlet of Bennettsville to the Delaware-Chenango county line; beginning at a point on the Broome-Chenango county line, thence running generally easterly to a point on the Broome-Chenango county line south of the hamlet of Page Brook; beginning in or near the hamlet of Otselic, thence running easterly through or near the hamlet of Upperville, the villages of Smyrna and Sherburne and the hamlet of Columbus to a point in or near the hamlet of Five Corners; beginning at a point on state highway eight hundred six in or near the village of New Berlin, thence running generally easterly to the Otsego-Chenango county line; beginning in or near the hamlet of Smithville Flats, thence running generally northerly to a point in or near the hamlet of McDonough, thence running generally easterly through or near the hamlet of East McDonough, thence running generally southeasterly to or near the village of Oxford, thence continuing southeasterly across the Chenango river and northeasterly to the eastern end of state highway five thousand six hundred twenty-three north of the hamlet of Oxford Station; beginning in or near the hamlet of Woods Corners, thence running generally northeasterly to the eastern end of state highway five hundred ninety-seven; beginning at a point on the eastern city line of Norwich at the east end of the East Main street arterial route in the city of Norwich, thence running generally northerly on or along East River road to a point on state highway five hundred ninety-six; beginning at a point on state highway five hundred ninety-six in or near the hamlet of Hawley Corners, east of the city of Norwich, thence running generally northwesterly on or near county highway thirty-two to a point on state highway five hundred ninety-seven; beginning at a point on state highway one hundred twelve

in or near the hamlet of South Plymouth, as determined by the commissioner, thence running generally southeasterly on or in the vicinity of county highway forty-four to a point on state highway five hundred five, north of the city of Norwich; beginning at a point on the Cortland-Chenango county line, thence running generally northeasterly on or in the vicinity of county highway forty-two to a point on state highway eight hundred seven in or near the hamlet of Scott Corners as determined by the commissioner; beginning at a point on the Broome-Chenango county line in or near the hamlet of Harpursville Station, thence running generally northerly to a point in or near the hamlet of Coventry.

2. Upon completion and acceptance of the highway described above as "beginning at a point on the Cortland-Chenango county line, thence running generally northeasterly on or in the vicinity of county highway forty-two to a point on state highway eight hundred seven in or near the hamlet of Scott Corners, as determined by the commissioner" the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment to the county of Chenango of that portion of state highway eight hundred seven easterly and southeasterly from state highways eight thousand one hundred sixty-one and six hundred sixty-three to its intersection with the highway described above, all of state highways five hundred ninety-eight-a and five hundred ninety-eight, and upon the filing of certified copies of such official orders with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Chenango county, and the state comptroller, the state shall cease to maintain the aforesaid state highways and portion of state highway specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Chenango, the said highways and portion of highway to be maintained by Chenango county as part of the county road system.

3. Upon completion of reconstruction by the county of Chenango and after acceptance of the project of reconstruction by such county of the highway described above as "beginning at a point on state highway one hundred twelve in or near the hamlet of South Plymouth, as determined by

the commissioner, thence running generally southeasterly on or in the vicinity of county highway forty-four to a point on state highway five hundred five, north of the city of Norwich", the commissioner of transportation is hereby authorized and directed to assume jurisdiction by official order for state highway purposes of such described highway and to enter an official order of abandonment to the county of Chenango of that portion of state highway one hundred twelve southeasterly from the western end of county highway forty-four, in or near the hamlet of South Plymouth, to a point on the northern city line of Norwich, and upon the filing of certified copies of such official orders with the county clerk, the county treasurer, the county superintendent of highways, all of Chenango county, and the state comptroller, the state shall cease to maintain that portion specified for abandonment in said official orders, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Chenango.

9. Clinton county. 1. Beginning at the Essex-Clinton county line near the hamlet of Ausable Forks, thence running generally northeasterly and northerly through or near the village of Keeseville and hamlet of Valcour to the southern city line of Plattsburgh; beginning at the northern city line of Plattsburgh, thence running generally northerly through or near the hamlet of Chazy and the village of Champlain to the Canadian border; beginning at the junction of state highways one thousand four hundred eighty-nine and five thousand one hundred ninety-nine, thence running generally northeasterly through or near the hamlet of Cooperville and the village of Rouses Point to the Canadian border; beginning at the Franklin-Clinton county line east of the village of Chateaugay, thence running generally easterly through or near the hamlet of Ellenburg and the village of Mooers to state highway five thousand two hundred twenty-eight south of the village of Rouses Point; beginning at state highway five thousand two hundred twenty-eight south of the village of Rouses Point, thence running generally easterly to the New York-Vermont state line; beginning at state highway one thousand seven hundred forty-six northeast of the village of Champlain, thence running generally easterly to state highway five thousand two hundred twenty-eight south of the village of Rouses Point; beginning at the northwestern city line of Plattsburgh, thence running generally

northerly through or near the hamlets of Beekmantown, West Chazy and Sciota to a point on state highway five thousand one hundred two in the village of Mooers; beginning at state highway five thousand five hundred twenty south of the hamlet of Churubusco, thence running generally northerly through or near the hamlet of Churubusco to the Canadian border; beginning at the Franklin-Clinton county line southeast of the hamlet of Bannerhouse, thence running generally southeasterly through or near the hamlet of Lyon Mountain, the village of Dannemora and the hamlets of Cadyville and Morrisonville to the western city line of Plattsburgh; beginning at the Clinton-Essex county line near the village of Keeseville, thence running generally northerly through or near the village of Keeseville and the hamlets of Peru and Schuyler Falls to a state highway in or near the hamlet of Morrisonville; beginning at the Franklin-Clinton county line west of the hamlet of Riverview, thence running generally easterly through or near the hamlets of Clayburg and Moffitsville to a state highway in or near the hamlet of Cadyville; beginning at a point in or near the hamlet of Peru, thence running generally northerly through or near the hamlet of Lapham to the southern city limits of Plattsburgh; beginning at a point in or near the hamlet of Masons Corners, thence running generally northerly to the Canadian border northeast of the village of Champlain; beginning at a point on state highway seven hundred seventy-six, as determined by the commissioner, thence running generally easterly to interstate route 502 at a point north of the city of Plattsburgh to be determined by the commissioner; beginning at the Franklin-Clinton county line, thence running generally easterly via Star Corners to a point on state highway five thousand five hundred twenty in the hamlet of Ellenburg; beginning at a point on state highway seven hundred seventy-seven, thence running generally northwesterly via Gilroy, Crowley, Lord and Hammond Corners to state highway eight thousand four hundred eighty in the hamlet of Ellenburg; beginning at state highway two hundred fifty-eight in the hamlet of Peru, thence running generally easterly to state highway five thousand three hundred eleven south of the hamlet of Valcour.

2. Effective April first, nineteen hundred eighty, the legislative body of the county of Clinton having previously approved the exchange of highways described in this paragraph, the commissioner is hereby

authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: All of that route described as "beginning at the Franklin-Clinton county line, thence running generally easterly to a point on state highway eight thousand four hundred eighty west of the hamlet of Ellenburg"; all of that route described as "beginning at a point on state highway seven hundred seventy-seven, thence running generally northwesterly via Gilroy, Crowley, Lord and Hammond Corners to a point on state highway eight thousand four hundred eighty in the hamlet of Ellenburg"; and to transfer to the county of Clinton for future maintenance a part of the Clinton county road system and to issue official orders of abandonment of those portions of highway described as follows: beginning at the Franklin-Clinton county line easterly via Ellenburg Center to a point southwest of the hamlet of Ellenburg; beginning at a point in or near the hamlet of Altona, thence running generally easterly through or near the hamlets of Sciota and Chazy to a point in or near the hamlet of Chazy Landing; beginning at state highway one hundred thirty-eight, at or near the hamlet of West Chazy thence running northeasterly to the hamlet of Chazy.

3. Effective September first, nineteen hundred eighty-eight, the legislative bodies of the county of Clinton and town of Peru having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the town road described as follows: "beginning at state highway two hundred fifty-eight in the hamlet of Peru, thence running generally easterly to state highway five thousand three hundred eleven south of the hamlet of Valcour"; and to transfer to the county of Clinton for future maintenance as part of the Clinton county road system and to issue an official order of abandonment of that highway described as follows: that portion of the route described as "beginning at the northerly city line of Plattsburgh, then running generally northerly through or near the hamlets of Beekmantown, West Chazy, Sciota and the village of Mooers to the Canadian border" which lies between a point on state highway five thousand one hundred two in the village of Mooers and the Canadian border.

10. Columbia county. 1. Beginning at the Dutchess-Columbia county line south of the hamlet of Boston Corners, thence running generally northerly through or near the hamlets of Hillsdale, Austerlitz and Shakers to state highway six hundred fifteen in or near the hamlet of New Lebanon; beginning at state highway six hundred fifteen east of the hamlet of New Lebanon, thence running generally northerly to the Columbia-Rensselaer county line northeast of the hamlet of New Lebanon; beginning at the Columbia-Dutchess county line south of the hamlet of Nevis, thence running generally northerly through or near the hamlets of Nevis, Blue Stores, Livingston and Claverack and the village of Valatie to the Columbia-Rensselaer county line north of the village of Valatie; beginning at the Columbia-Dutchess county line south of the hamlet of Cross Hill, thence running generally northerly to the southern city line of Hudson; beginning at the eastern city line of Hudson, thence running generally northerly in the vicinity of the hamlets of Columbiaville and Sunnyside and the village of Kinderhook to a state highway in the village of Valatie; beginning north of the hamlet of Columbiaville, thence running generally northerly through or near the hamlet of Stuyvesant to the Columbia-Rensselaer county line; beginning at the eastern city line of Hudson, thence running generally northeasterly through or near the hamlet of Ghent, the village of Chatham and the hamlets of East Chatham and Queechy to the New York-Massachusetts state line east of the hamlet of Queechy; beginning at the hamlet of Austerlitz, thence running generally northwesterly through or near the hamlet of Spencertown and the village of Valatie to a point at the junction of state highways five thousand seventy-four and one thousand nine hundred seventy-four north of the village of Valatie; beginning at the New York-Massachusetts state line southeast of the hamlet of New Lebanon, thence running generally northwesterly through or near the hamlet of New Lebanon Center to the Columbia-Rensselaer county line southeast of the village of Nassau; beginning at the village of Valatie, thence running generally northerly to the Columbia-Rensselaer county line in the vicinity of the Berkshire thruway's entrance into Columbia county from Rensselaer county; beginning at the village of Chatham, thence proceeding generally northerly through or near the hamlets of Chatham Center and Malden Bridge to the Columbia-Rensselaer county line south of the village of Nassau; beginning at the eastern city line of

Hudson, thence running generally easterly through or near the hamlets of Claverack, Hollowville, Martindale, Craryville, and Hillsdale to the New York-Massachusetts state line east of the hamlet of Hillsdale; beginning at the easterly approach to the Rip Van Winkle bridge, thence running generally easterly to a point in the hamlet of Hollowville; beginning at a point east of the hamlet of Claverack, thence running generally northeasterly through or near the village of Philmont to an intersection with the Taconic State Parkway; beginning at the Columbia-Dutchess county line north of the hamlet of Pine Plains, thence running generally northeasterly through or near the hamlets of Ancram and West Copake to a point east of the hamlet of Copake; beginning at the Columbia-Dutchess county line south of the hamlet of Ancramdale, thence running generally northwesterly through or near the hamlets of Ancramdale, Ancram, West Taghkanic to the Hudson city line; beginning at the hamlet of Linlithgo, thence running generally easterly through or near the hamlet of Livingston to a point in or near the hamlet of West Taghkanic; beginning at the Columbia-Rensselaer county line north of the hamlet of Malden Bridge, thence running southeasterly through or near the hamlets of Malden Bridge and East Chatham to a state highway at a point north of the hamlet of Austerlitz; beginning at the Hudson city line, thence running generally northeasterly to state highway three hundred forty-one at a point north of the city of Hudson; beginning at a point on state highway five thousand seventy-four, thence running generally northerly to the Columbia-Rensselaer county line; beginning at a point in or near the hamlet of Green River, thence running generally southeasterly to the New York-Massachusetts state line east of the hamlet of North Hillsdale; beginning at a point in or near the hamlet of Copake Falls, thence running generally easterly to the New York-Massachusetts state line east of the hamlet of Copake Iron Works; beginning at a point on state highway one thousand nine hundred fifty in or near the hamlet of Queechy, thence running generally northeasterly to a point in or near the hamlet of Shakers; beginning at a point on or near state highway eight thousand five hundred fourteen, thence running generally easterly to the New York-Massachusetts state line west of Stockbridge, Massachusetts.

2. Effective April first, nineteen hundred eighty, the legislative

body of the county of Columbia having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at the Columbia-Dutchess county line, thence running generally northeasterly to the hamlet of Ancramdale thence generally northwesterly to a point on state highway nine thousand fifty-eight"; and to transfer to the county of Columbia for future maintenance as part of the county highway system in Columbia county and to issue official orders of abandonment of those portions of highway described as follows: "beginning in or near the hamlet of Stuyvesant, thence running generally easterly to a point on state highway five thousand one hundred four in the vicinity of the hamlet of Sunnyside; beginning at a point on state highway five thousand one hundred three south of the hamlet of Stockport thence running generally easterly to a point in or near the hamlet of Stottville; beginning at or near an intersection with the Taconic State parkway thence running generally northeasterly through the hamlet of Harlemville to a junction with county route twenty-one".

11. Cortland county. 1. Beginning at the Broome-Cortland county line south of the village of Marathon, thence running generally northwesterly through or near the village of Marathon and through the hamlet of Messengerville along the east bank of the Tioughnioga river to the east city line of Cortland; beginning at the north city line of Cortland, thence running generally northerly through or near the hamlet of Homer to the Onondaga-Cortland county line south of the village of Tully; beginning at the Tompkins-Cortland county line southeast of the hamlet of McLean, thence running generally northeasterly through or near the hamlet of South Cortland, to the western city line of Cortland; beginning at the northern city line of Cortland, thence running generally northeasterly through or near the hamlets of East Homer, Truxton and Cuyler to the Cortland-Madison county line west of the village of DeRuyter; beginning at the Cortland-Broome county line north of the hamlet of Upper Lisle, thence running generally northeasterly to a state highway at or near the hamlet of Willet; beginning at a state highway north of the hamlet of Gee Brook, thence running generally northeasterly through or near the hamlets of Cincinnatus and Taylor to

the Cortland-Chenango county line northeast of the hamlet of Taylor; beginning at a state highway at or near the hamlet of Lower Cincinnatus, thence running generally easterly to or near the Cortland-Chenango county line; beginning at the Tompkins-Cortland county line northwest of the hamlet of Harford, thence running generally southeasterly through or near the hamlets of Harford and Harford Mills to the Cortland-Tioga county line at or near the hamlet of Harford Mills; beginning at the Chenango-Cortland county line in the southeast corner of Cortland county, thence running generally northwesterly through or near the hamlets of Georgetown, Willet, Gee Brook, East Freetown, Solon, Maybury Mills and the village of McGraw to a point on state highway eight hundred eighty-one in or near the hamlet of Polkville; beginning at a state highway at the north end of the village of Homer, thence running generally northerly through or near the hamlet of Scott to the Cortland-Onondaga county line southwest of the hamlet of Spafford; beginning at the Cayuga-Cortland county line southeast of the hamlet of Dresserville, thence running generally easterly through or near the hamlet of Homer Gulf to a state highway northwest of the village of Homer; beginning at the Cayuga-Cortland county line east of the hamlet of Locke, thence running generally easterly to a state highway in or near the village of Homer; beginning at the southern city line of Cortland, thence running generally southerly to or near the hamlet of Virgil, thence generally easterly through or near the hamlet of East Virgil to a state highway at or near the hamlet of Messengerville; beginning at a state highway in or near the hamlet of Truxton, thence running generally northerly to the Onondaga-Cortland county line south of the hamlet of Apulia; beginning at a state highway east of the hamlet of Harford, thence running generally easterly to a state highway in or near the hamlet of Harford Mills; beginning at the hamlet of Harford, thence running generally easterly through or near the hamlet of Hunt Corners, to the village of Marathon, to a junction with a state highway west of the hamlet of Willet; beginning at the Tompkins-Cortland county line, east of the village of Groton, thence running generally easterly to the eastern city line of Cortland; beginning at a state highway at the hamlet of South Cortland, thence running generally northeasterly to a point on the western city line of Cortland; from a point on the northern city line of Cortland, thence running generally northeasterly

through or near the village of Homer and the hamlets of Pratt Corners, Little York and Preble to the Cortland-Onondaga county line southwest of the village of Tully; beginning at a state highway at or near the hamlet of Preble, thence running generally easterly to state highway five hundred ninety-five; beginning at state highway eight thousand five hundred twenty-two near the city of Cortland thence running generally easterly on or in the vicinity of Fisher avenue crossing a state highway and continuing easterly and southeasterly to the northern city line of Cortland; beginning at a state highway south of the village of Homer, thence running generally easterly crossing another state highway and continuing easterly to a connection with interstate route 505; beginning at the northern city line of Cortland east of the Tioughnioga river, thence running generally northerly and westerly to a state highway north of the city of Cortland; beginning at a point on the Cortland-Tompkins county line, thence running generally northeasterly to a point on a state highway in or near the hamlet of Virgil.

2. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Cortland having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on the Cortland-Tompkins county line, thence running generally northeasterly to a point on a state highway in or near the hamlet of Virgil; beginning at a point on a state highway east of the hamlet of East Virgil thence running generally easterly to a point on a state highway in or near the hamlet of Messengerville"; and to transfer to the county of Cortland for future maintenance as part of the county highway system and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point on a state highway thence running generally easterly to a point in the hamlet of Cincinnatus; beginning at a point in or near the hamlet of Chenango thence running generally northwesterly and northerly to a state highway in or near the hamlet of Truxton".

12. Delaware county. Beginning at the Sullivan-Delaware county line in or near the hamlet of Long Eddy, thence running generally northwesterly

through or near the hamlets of Pea Brook and French Woods to state highway five thousand four hundred fifty-six in or near the village of Hancock; beginning at the Otsego-Delaware county line, thence running generally northeasterly through or near the hamlets of East Sidney and Bartlet Hollow, the village of Franklin and the hamlets of Leonta and North Franklin to the Delaware-Otsego county line; beginning at an interchange with state highway five thousand forty-five in or near the village of Deposit, thence running generally northeasterly through or near the village of Deposit and the hamlet of Stilesville, thence crossing the Cannonsville reservoir, running through or near the hamlets of Granton and Beerston, the village of Walton, the hamlets of Hamden and Fraser, the village of Delhi, the hamlets of East Delhi, Bloomville and South Kortright and the villages of Hobart and Stamford to the Delaware-Schoharie county line; beginning at the Chenango-Delaware county line, thence running generally easterly through or near the village of Masonville and the hamlets of Trout Creek and Loomis to state highway one thousand two hundred seventy-one in or near the village of Walton; beginning at a point on state highway nine thousand two hundred sixty-eight in or near the village of Walton, thence running generally southeasterly through or near the Bear Spring Mountain game management area to the junction of Main street and Maple avenue in or near the hamlet of Downsville; beginning at the junction of state highway eight thousand fifty and state highway one thousand eight hundred eighty-eight in or near the hamlet of Stilesville, thence running generally northerly through or near the hamlets of Hambletville, Barbourville and Masonville and the village of Sidney to the Delaware-Otsego county line; beginning at an interchange with state highway five thousand two hundred forty-six in or near the hamlet of East Branch, thence running generally northeasterly along the north bank of the east branch of the Delaware river through or near the hamlets of Harvard, Shinhopple, Colchester and Downsville, thence running generally easterly along the southerly side of the Pepacton reservoir, crossing the reservoir on the Shavertown bridge, thence running generally easterly along the northerly side of the Pepacton reservoir to a junction with state highway eight thousand seventeen in or near the hamlet of Dunraven; beginning at the junction of state highway eight thousand seventeen and state highway five thousand three hundred eighty-four in or near the village of

Margaretville, thence running generally northerly through or near the hamlets of Kelly Corners, Halcottsville, Roxbury and Grand Gorge to the Delaware-Schoharie county line; beginning at the Broome-Delaware county line, thence running generally southeasterly through or near the village of Deposit, the hamlet of Hales Eddy and the Village of Hancock, thence running generally easterly through or near the village of Hancock, the hamlet of Cadosia, along the east branch of the Delaware river through or near the hamlets of Fishs Eddy, East Branch, Horton and Butternut Grove to the Delaware-Sullivan county line; beginning at the Otsego-Delaware county line, thence running generally easterly through or near the hamlets of Davenport Center, Davenport, North Kortright and Harpersfield and the village of Stamford to a point on the Delaware-Schoharie county line; beginning at a point on the Schoharie-Delaware county line, thence running generally southeasterly through or near the hamlet of Grand Gorge to the Delaware-Greene county line; beginning at the Ulster-Delaware county line, thence running generally northwesterly through or near the hamlet of Griffin Corners, the village of Fleischmanns, the hamlet of Arkville and the village of Margaretville, along the northern side of the Pepacton reservoir through or near the hamlet of Dunraven and the village of Andes to state highway one thousand four hundred forty-one in or near the village of Delhi; beginning at a point on state highway one thousand four hundred forty-one in or near the village of Delhi, thence running generally northwesterly through or near the hamlet of Meridale to a junction with state highway eight thousand two hundred eighty-eight in or near the hamlet of North Franklin; beginning at an interchange with state highway five thousand four hundred fifty-six in or near the hamlet of Cadosia, thence running generally northerly through or near the hamlets of Cadosia, Kerryville and Apex, crossing the Cannonsville reservoir to state highway eight thousand one hundred eighty-seven.

13. Dutchess county. 1. Beginning at the Putnam-Dutchess county line south of the village of Fishkill, thence running generally northerly through or near the villages of Fishkill and Wappingers Falls to the southern city line of Poughkeepsie; beginning at the northern city line of Poughkeepsie, thence running generally northerly through or near the hamlets of Hyde Park and Staatsburg, the villages of Rhinebeck and Red

Hook and the hamlet of Upper Red Hook to the Columbia-Dutchess county line south of the hamlet of Clermont; beginning at the Putnam-Dutchess county line south of the city of Beacon, thence running generally northerly to the southern city line of Beacon; beginning at the northern city line of Beacon, thence running generally northerly to state highway five thousand fifty to a point north of the village of Wappingers Falls; beginning at the northern city line of Beacon, thence running generally northeasterly through or near the village of Fishkill and the hamlets of Wiccopee, Stormville, and Greenhaven to state highway eight thousand five hundred twenty-five in the vicinity of the hamlet of Poughquag; beginning at a state highway west of the hamlet of Wiccopee, thence running generally northeasterly through or near the hamlets of Hopewell Junction, Arthursburg, Billings and Moores Mills, to a state highway in the vicinity of the hamlet of South Millbrook; beginning at state highway six hundred twenty-seven in the vicinity of the hamlet of East Fishkill, thence running generally northwesterly through or near the hamlets of Hopewell Junction, New Hackensack and Red Oak Mills to the eastern city line of Poughkeepsie, with a connection to state highway five hundred forty-nine near the eastern Poughkeepsie city line; beginning at the northern city line of Poughkeepsie, thence running generally northerly through or near the hamlets of East Park, Pleasant Plains, Wurtemburg, and Annandale, to the Columbia-Dutchess county line north of the hamlet of Madalin; beginning at the Putnam-Dutchess county line north of the hamlet of Ludingtonville, thence running generally northwesterly to state highway six hundred twenty-seven southwest of the hamlet of Stormville; beginning at the Putnam-Dutchess county line north of the hamlet of West Patterson, thence running generally northwesterly through or near the hamlet of Holmes to a state highway in or near the hamlet of Stonehouse; beginning at the Putnam-Dutchess county line north of the hamlet of Patterson, thence running generally northerly through or near the village of Pawling, the hamlets of Wingdale, Dover Plains and Amenia and the village of Millerton to the Columbia county line south of the hamlet of Boston Corners; beginning at the northern end of state highway three hundred forty-three south of Pawling, thence running generally northwesterly through or near the hamlets of Stonehouse, Billings and Manchester Bridge to state highway five hundred forty-nine east of Poughkeepsie; beginning at the eastern city line of Poughkeepsie

thence running generally northeasterly through or near the hamlets of Pleasant Valley and Washington Hollow, the village of Millbrook, the hamlets of Mabbettsville and Amenia to the Connecticut-New York state line east of the hamlet of Amenia; beginning at state highway seven hundred forty-eight in the vicinity of the hamlet of Washington Hollow, thence running generally northerly through or near the hamlets of Stanfordville to a state highway in or near the hamlet of Pine Plains; beginning at a point on state highway eight thousand four hundred ninety-two east of the hamlet of Barrytown, thence running generally easterly through or near the village of Red Hook, the hamlets of Rock City, Lafayetteville and Pine Plains to state highway three hundred forty-four southwest of the village of Millerton; beginning at a point in or near the hamlet of Rhinecliff, thence running generally northeasterly through or near the village of Rhinebeck and the hamlet of Eighmyville to a point on state highway six hundred twenty-eight near the hamlet of Rock City; beginning at the north end of state highway one thousand seven hundred sixty in or near the hamlet of South Millbrook, thence running generally easterly to a point on state highway five thousand four hundred sixty northwest of the hamlet of Dover Plains; beginning at a point on a state highway northeast of the hamlet of Wingdale, thence running generally easterly to the Connecticut-New York state line east of the hamlet of Webatuck; beginning at a point on state highway five thousand nine in or near the village of Pawling, thence running generally easterly through or near the hamlet of Mizzentop to the Connecticut-New York state line east of the hamlet of Mizzentop; beginning at a point on state highway seven hundred nine in or near the village of Millerton thence running generally easterly to the Connecticut-New York state line east of the village of Millerton; beginning at state highway one thousand seven hundred twenty-two in the vicinity of the hamlet of Dover Plains, thence running generally northerly to state highway five thousand four hundred sixty north of the hamlet of Dover Plains; beginning at state highway eight thousand five hundred eleven, thence running generally northwesterly to state highway four hundred thirty-two in or near the village of Rhinebeck; beginning at a point on state highway one thousand three hundred fourteen east of the hamlet of Pine Plains, thence running generally northerly to the Columbia-Dutchess county line northeast of the hamlet of Pine Plains;

beginning at a point on the northern city line of Poughkeepsie west of Delafield street, thence running generally northeasterly to state highway nine thousand three; beginning at a point on state highway nine thousand three, as determined by the commissioner, thence running generally easterly on new location to a point on the West Dutchess highway, as determined by the commissioner; beginning at state highway two hundred twenty-three near Spackenkill road, thence running generally easterly on or in the vicinity of Spackenkill road to state highway one thousand five hundred twenty-nine, thence generally northeasterly and easterly to state highway eight thousand three hundred sixty-four, as determined by the commissioner; beginning at a point on interstate route 503 near the hamlet of Wiccopee, as determined by the commissioner, thence running generally northerly on new location crossing state highway five hundred forty-nine west of the hamlet of Pleasant Valley, thence generally northerly on a new location to a connection with state highway eight thousand five hundred seven or state highway eight thousand five hundred eleven, near the hamlet of Wurtemburg as determined by the commissioner, said highway to be built with control of access; beginning at a point on a state highway west of the village of Millbrook, thence running generally northeasterly to a point on a state highway in or near the village of Millbrook; beginning at a point on the northeastern Poughkeepsie city line at or near Smith street, thence running generally northeasterly through or near the hamlet of Salt Point to an interchange with the Taconic state parkway.

2. Upon the completion and acceptance of the construction of the highway described as "beginning at a point on interstate route 503 near the hamlet of Wiccopee, as determined by the commissioner, thence running generally northerly on new location crossing state highway five hundred forty-nine west of the hamlet of Pleasant Valley, thence generally northerly on a new location to a connection with state highway eight thousand five hundred seven or state highway eight thousand five hundred eleven, near the hamlet of Wurtemburg, as determined by the commissioner, said highway to be built with control of access," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Dutchess that portion of state highway one thousand two hundred thirty-five from its intersection with

state highway six hundred twenty-seven northerly to state highway eight thousand four hundred fifty-three, that portion of state highway one thousand two hundred thirty-five from its intersection with state highway eight thousand four hundred fifty-four northerly and westerly to state highway eight thousand ninety-three; also all of state highways eight thousand ninety-three, one thousand five hundred twenty-nine, one hundred thirty-five, five hundred fifty and eight thousand five hundred seven; upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of representatives, the county superintendent of highways, all of Dutchess county, and the state comptroller, the state shall cease to maintain the aforesaid portions of state highways and state highways specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Dutchess, the said portions of state highways and state highways to be maintained by Dutchess county as a part of the county road system.

3. Effective April first, nineteen hundred eighty, the legislative body of the county of Dutchess having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on state highway one thousand three hundred fourteen east of the hamlet of Pine Plains, thence running generally northerly to the Columbia-Dutchess county line northeast of the hamlet of Pine Plains; beginning at a point on a state highway west of the village of Millbrook, thence running generally northeasterly to a point on a state highway in or near the village of Millbrook; beginning at a point on the northeastern Poughkeepsie city line at or near Smith street, thence running generally northeasterly through or near the hamlet of Salt Point to an interchange with the Taconic state parkway; beginning at state highway two hundred twenty-three, thence running generally easterly on Spackenkill road to state highway one thousand five hundred twenty-nine", and to transfer to the county of Dutchess for future maintenance as part of the Dutchess county road system and to issue official orders of abandonment of these portions of highway described as follows: "beginning at state highway five thousand four hundred

eighty-four west of the hamlet of Amenia, thence running generally northwesterly through or near the hamlets of Smithfield, Skekomeko, and Bethel Station to state highway eight thousand three hundred forty-two in the vicinity of the hamlet of Pine Plains; beginning at a point on state highway one thousand seven hundred seventy-eight in or near the village of Millerton, thence running generally southeasterly to the Connecticut-New York state line southeast of the hamlet of Millerton; beginning at a point in the village of Tivoli thence running generally easterly to state highway eight thousand three hundred forty-three; beginning at a point west of the hamlet of Barrytown, thence running generally easterly to a point on state highway eight thousand four hundred ninety-two east of the hamlet of Barrytown; beginning at a point on state highway eight thousand three hundred forty-two in or near the hamlet of Pine Plains, thence running generally northerly to its terminus north of the hamlet of Pine Plains; beginning at a point on state highway four hundred fifty-three, thence running generally easterly to a point on a state highway in or near the hamlet of East Park".

14. Erie county. 1. Beginning at a state highway in or near the hamlet of Collins, thence running generally easterly through or near the village of Springville to a state highway in or near the hamlet of Sardinia; beginning at a state highway in or near the village of Farnham, thence running generally easterly through or near the village of North Collins to a state highway in or near the hamlet of Langford; beginning at state highway two, thence running generally easterly through or near the villages of Orchard Park and East Aurora and the hamlet of Wales Center to the Erie-Wyoming county line; beginning at a state highway in or near the hamlet of Wales Center, thence running generally southeasterly to the Erie-Wyoming county line; Mile Strip road, beginning at a state highway in or near the hamlet of Woodlawn, thence running generally easterly to state highway nine thousand two hundred sixty-nine; beginning at the eastern city line of Buffalo near Seneca street, thence running generally southeasterly to state highway nine thousand three hundred eighty-one; beginning at the eastern city line of Buffalo near Clinton street, thence running generally easterly through or near the hamlet of Marilla to the Erie-Wyoming county line;

beginning at the eastern city line of Buffalo near Broadway, thence running generally easterly through or near the villages of Depew, Lancaster and Alden to the Erie-Genesee county line; beginning at the eastern city line of Buffalo near Genesee street, thence running generally easterly through or near the hamlets of Bowmansville, Millgrove and Crittendon to the Erie-Genesee county line; beginning at the eastern city line of Buffalo at the Kensington avenue arterial, thence running generally easterly through or near the village of Depew to a state highway in or near the hamlet of Millgrove, said highway to be built with control of access as determined by the commissioner; beginning at the northern city line of Buffalo near Main street, thence running generally easterly through or near the village of Williamsville to the Erie-Genesee county line near the village of Akron; beginning at state highway one hundred twenty-nine near the Grand Island bridge, thence running generally southeasterly and easterly to state highway one hundred thirty; beginning at a point on state highway five thousand one hundred seventy-two near Ellicott creek, thence running generally easterly to a state highway in or near the hamlet of Getzville; beginning at the West River parkway near Staley road, thence running generally easterly to state highway nine hundred ninety-one; beginning at state highway five thousand four hundred fifty-two in the Cattaraugus Indian reservation, thence running generally northerly and northeasterly through or near the villages of Farnham and Angola and the hamlet of Athol Springs to the southern city line of Lackawanna; beginning at the Erie-Chautauqua county line in the Cattaraugus Indian reservation, thence running generally northeasterly to state highway nine thousand two hundred seventeen; beginning at the Grand Island terminus of the South Grand Island bridge, thence running generally northwesterly to the Grand Island terminus of the North Grand Island bridge; beginning at the Erie-Cattaraugus county line in or near the village of Gowanda, thence running generally northerly, northeasterly and northwesterly to a state highway in or near the hamlet of Athol Springs; beginning at state highway one thousand sixty-seven, thence running generally northeasterly to state highway one thousand eight hundred fifty-six in or near the hamlet of Athol Springs; beginning at a state highway in or near the hamlet of Collins Center, thence running generally northerly to a state highway in or near the village of Hamburg; beginning at a state highway

in or near the village of Hamburg, thence running generally northerly to the southern city line of the city of Lackawanna; beginning at a state highway known as Mile Strip road, thence running generally northerly to the southern city line of Lackawanna; beginning at the northwesterly city line of Buffalo, thence running generally northwesterly and northeasterly to the western city line of Tonawanda; beginning at state highway twenty-three northwest of the city of Buffalo, thence running generally northeasterly to state highway nine thousand two hundred sixteen; beginning at the northern city line of Buffalo, thence running generally northerly to the southern city line of Tonawanda near Military road; beginning at state highway nine thousand two hundred twenty-one, Military road, thence running generally easterly to state highway nine thousand two hundred twenty, Delaware avenue; beginning at the northern city line of Buffalo, near Delaware avenue, thence running generally northerly to the southern city line of Tonawanda; beginning at a point south of the city of Tonawanda near an interchange with an interstate highway, thence running generally northerly to the southern city line of Tonawanda near Eggert road; beginning at the northern city line of Buffalo near Niagara Falls boulevard, thence running generally northerly to the Erie-Niagara county line; beginning at a point on the northern city line of Buffalo, thence running generally northeasterly to a state highway in or near the hamlet of Millersport; beginning at a state highway south of the hamlet of Getzville near Campbell boulevard, thence running generally northerly to the Erie-Niagara county line; beginning at state highway sixty-seven or state highway nine thousand two hundred nineteen near Slade avenue, thence running generally northerly near the easterly city line of Buffalo to state highway nine thousand two hundred sixteen; Southern expressway, beginning at state highway one thousand three hundred thirty-three near the village of Springville, thence running generally northerly to the New York state thruway, Erie section, near the city of Lackawanna, said highway to be built with control of access; beginning at the Erie-Cattaraugus county line in or near the village of Springville, thence running generally northerly to a state highway in or near the village of Hamburg; beginning at a state highway in or near the hamlet of North Boston, thence running generally northeasterly, northerly and northwesterly through or near the village of Orchard Park to the eastern city line of Buffalo; beginning at state

highway sixty-seven north of the village of Orchard Park, thence running generally northerly to state highway nine thousand two hundred sixteen, near Sheridan drive; beginning at state highway one thousand sixty-six near the village of Orchard Park, thence running generally northerly through the village of Depew to the Erie-Niagara county line in or near the hamlet of Millersport; beginning at the Ontario section of the New York state thruway near William street, thence running generally easterly to state highway five hundred twenty-nine in or near the hamlet of Town Line; Aurora expressway, beginning at the Seneca street interchange of the Erie section of the New York state thruway, thence running generally easterly and southeasterly, through or near the village of East Aurora to state highway five thousand three hundred seventeen in or near the hamlet of South Wales, said highway to be built with control of access; beginning at a state highway in the village of East Aurora, thence running generally northerly to a state highway; beginning in or near the hamlet of Glenwood, thence running generally northwesterly to a state highway in or near the village of Orchard Park near Duells Corners; beginning at the Erie-Cattaraugus county line in or near the hamlet of Chaffee, thence running generally northwesterly through or near the hamlets of Holland and South Wales to a state highway in the village of East Aurora; beginning at a state highway west of the hamlet of Wales Center, thence running generally northerly to state highway five hundred twenty-nine; beginning at a state highway south of the village of Akron, thence running generally northerly, westerly and northerly to the Erie-Niagara county line west of the Tonawanda Indian reservation; beginning at a point on the eastern city line of Buffalo at or near Walden avenue, thence running generally easterly through or near the villages of Depew and Lancaster to a point on a state highway northwest of the village of Alden; beginning at or near Maple avenue in the town of Amherst, thence running generally northerly to a point on state highway one thousand four hundred ninety-two; beginning at or near the Southern expressway, thence running generally easterly to state highway one thousand six hundred sixty-five.

2. Upon the completion and acceptance of the construction of the highway described as "beginning at the eastern city line of Buffalo at the Kensington avenue arterial, thence running generally easterly

through or near the village of Depew to a state highway in or near the hamlet of Millgrove", the commissioner is hereby authorized and directed to enter an official order of abandonment, to the county of Erie, of all of state highways one thousand two hundred twelve and one thousand two hundred thirteen, also that portion of state highway one thousand two hundred fourteen from its junction with state highway one thousand two hundred thirteen easterly to its junction with the highway above described as "beginning at the eastern city line of Buffalo at the Kensington avenue arterial, thence running generally easterly through or near the village of Depew to a state highway in or near the hamlet of Millgrove" and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Erie county, and the state comptroller, the state shall cease to maintain the state highways and portion of state highway specified for abandonment as above set forth, and all the rights and obligations of the state therein shall revert to and become the responsibility of the county of Erie.

3. Effective April first, nineteen hundred eighty, the legislative bodies of the county of Erie and the village of Hamburg having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a point on the eastern city line of Buffalo at or near Walden avenue, thence running generally easterly through or near the villages of Depew and Lancaster to a point on a state highway northwest of the village of Alden; beginning at or near Rensch road in the town of Amherst, thence running generally northerly to a point on state highway one thousand four hundred ninety-two; beginning at the northern Buffalo city line, thence running northerly to a state highway west of the hamlet of Eggertsville; beginning at a point on a state highway west of the hamlet of Wales Center, thence running generally northerly to a state highway in or near the hamlet of Porterville; beginning at or near state highway nine thousand three hundred thirty-two in the village of Hamburg, thence running easterly to state highway eight hundred sixty-two; beginning at

state highway eight hundred sixty-two in the village of Hamburg, thence running northerly to state highway two"; and to transfer to the county of Erie for future maintenance as part of the county highway system in Erie county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a state highway in the village of Akron, thence running generally northeasterly to the Erie-Genesee county line, south of the Tonawanda Indian reservation; beginning at a state highway in or near the hamlet of Clarence, thence running generally northerly to Greiner road; beginning at state highway two hundred sixty-three northwest of the village of East Aurora, thence running generally easterly to a state highway south of the hamlet of Marilla; beginning at a state highway in or near the hamlet of Brant, thence running generally northerly through or near the village of Angola to a state highway in or near the hamlet of Evans Center; beginning at state highway five thousand nineteen in or near the hamlet of Athol Springs, thence running generally easterly and southeasterly to state highway two; beginning at the West River parkway, thence running generally easterly to state highway nine hundred ninety-one; beginning at state highway one thousand three hundred thirty-six on Grand Island, thence running generally northerly to a point near Fix road and Base Line road; beginning at a point north of the Beaver Island state park, thence running generally westerly, northerly and northeasterly to a point on or near Whitehaven road; beginning at or near Savage road in the hamlet of Sardinia, thence running generally easterly to a state highway; beginning at a state highway in the hamlet of Wales Center, thence running generally northerly and westerly to a point in or near the hamlet of Porterville; beginning at a state highway south of the village of Alden and west of the Erie-Genesee county line, thence running generally northerly to a state highway in the village of Alden; beginning at the city line of Tonawanda, thence running northeasterly to a point on or near state highway five thousand one hundred seventy-two near Ellicott Creek; beginning at a point on state highway six hundred forty-five near the hamlet of Duells Corners, thence running northwesterly to state highway two hundred seventy-two".

4. Upon the completion and acceptance of the construction of the aforesaid highway described as "Southern expressway, beginning at state

highway one thousand three hundred thirty-three near the village of Springville, thence running generally northerly to the New York state thruway, Erie section, near the city of Lackawanna", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Erie of those portions of state highways five hundred twenty-seven, five hundred twenty-eight and nine hundred eighty-nine which become unnecessary as part of the state highway system; and state highway one thousand four hundred ninety-two, Ellicott Creek-Getzville, town of Amherst, station 0 + 08 at Niagara Falls boulevard to station 154 + 04 at Getzville (state highway five hundred eighty-four) a modified total length of two and eighty-eight hundredths miles of two-lane macadam pavement; all of state highways one thousand four hundred ninety-one and one thousand four hundred ninety-one-a from its intersection with state highway nine thousand two hundred seventy northerly to state highway five hundred twenty-nine, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Erie county, and the state comptroller, the state shall cease to maintain the aforesaid highways and portions of highways specified for abandonment as above set forth, and all the rights and obligations of the state therein shall revert to and become the responsibility of the county of Erie.

15. Essex county. 1. Beginning at the Warren-Essex county line west of Schroon lake, thence running generally northeasterly through or near the hamlets of South Schroon, Schroon Lake, Schroon River, North Hudson, Underwood and New Russia to the village of Elizabethtown, thence running generally northwesterly through or near the hamlets of Upper Jay and Jay to the Clinton-Essex county line in or near the hamlet of Ausable Forks; beginning again at the Clinton-Essex county line in the vicinity of the hamlet of Keeseville, thence running generally northeasterly to the Clinton-Essex county line in the vicinity of the hamlet of Keeseville; beginning at the Hamilton-Essex county line west of the hamlet of Newcomb, thence running generally southeasterly through or near the hamlets of Aiden Lair and Minerva to the Warren-Essex county line south of the hamlet of Minerva; beginning at the Franklin-Essex county line in or near the village of Saranac Lake, thence running generally easterly

through or near the village of Lake Placid and the hamlet of Wilmington to a state highway in or near the hamlet of Jay; beginning at state highway five thousand one hundred seventy-nine west of the hamlet of Severance, thence running generally easterly through or near the hamlets of Severance, Paradox Lake, and Chilson to a point in or near the village of Ticonderoga, thence running generally southerly to the Essex-Warren county line south of the village of Ticonderoga; beginning at the Warren-Essex county line north of the hamlet of Hague, thence running generally northeasterly to the village of Ticonderoga; beginning at a state highway near the village of Ticonderoga, thence running generally easterly to a point in the vicinity of Fort Ticonderoga; beginning at state highway one thousand four hundred eleven in or near the hamlet of Whallonsburg, thence running generally northerly through or near the hamlets of Essex and Willsboro to the Clinton-Essex county line northwest of the hamlet of Willsboro; beginning at state highway eight hundred forty-one south of the village of Port Henry, thence running generally northeasterly to the eastern shore of Lake Champlain in the Crown Point reservation; beginning in the village of Elizabethtown, thence running generally easterly to the village of Westport; beginning in the village of Elizabethtown, thence running generally northerly through or near the hamlet of Lewis to state highway eight thousand two hundred thirty-eight south of the village of Keeseville; beginning at state highway one thousand nine hundred forty-six, west of the hamlet of Port Kent, thence running generally easterly to the hamlet of Port Kent; beginning in or near the hamlet of Euba Mills, thence running generally northwesterly to state highway five thousand two hundred thirty-eight east of the hamlet of Keene; beginning at state highway five thousand five hundred near the village of Lake Placid, thence running generally easterly through or near the hamlet of North Elba to a state highway in or near the hamlet of Keene; beginning at state highway eight thousand three hundred ninety near the village of Lake Placid, thence running generally southerly to the John Brown memorial; beginning at state highway eight thousand three hundred ninety in or near the hamlet of North Elba, thence running generally southerly to the Mt. Van Hoevenburg bobsled run; beginning at a state highway west of the village of Ticonderoga, thence running generally northerly through or near the hamlet of Crown Point and the villages of Port Henry

and Westport and the hamlet of Wadhams to a point in or near the hamlet of Whallonsburg; beginning at the Franklin-Essex county line in or near the village of Saranac Lake, thence running generally northeasterly to the Franklin-Essex county line near the village of Bloomingdale; beginning at interstate route 502 south of the hamlet of North Hudson, thence running generally easterly to state highway one thousand five hundred eighty south of the hamlet of North Hudson; beginning at a point on or near state highway seven hundred fifty-six east of the hamlet of Newcomb, thence running generally easterly to a point on or near state highway five thousand one hundred eighty in or near the hamlet of Schroon River; beginning at state highway one thousand nine hundred nine in the hamlet of Port Kent, thence running generally northeasterly to the vicinity of the ferry terminal in the hamlet of Port Kent.

All that portion of the state highway system identified as route twenty-eight-n and running from North Creek through the towns of Minerva and Newcomb to the town of Long Lake shall be designated and known as "The Roosevelt-Marcy Memorial Highway."

2. Effective April first, nineteen hundred eighty-five, the legislative body of the county of Essex having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the town road described as follows: "beginning at state highway one thousand nine hundred nine in the hamlet of Port Kent, thence running generally northeasterly to the vicinity of the ferry terminal in the hamlet of Port Kent"; and to transfer to the county of Essex for future maintenance as part of the Essex county road system and to issue an official order of abandonment of the highway described as follows: "beginning at a state highway in or near the village of Bloomingdale, thence running generally northerly to the Franklin-Essex county line near the village of Bloomingdale".

16. Franklin county. 1. Beginning at the Hamilton-Franklin county line west of Duck lake, thence running generally northwesterly to the Franklin-St. Lawrence county line; beginning at the St. Lawrence-Franklin county line southeast of the hamlet of Veteran

Mountain, thence running generally northerly through or near the hamlet of Moody to the village of Tupper Lake; beginning at the St. Lawrence-Franklin county line east of the hamlet of Piercefield, thence running generally easterly through or near the village of Tupper Lake to the Franklin-Essex county line in or near the village of Saranac Lake; beginning at state highway nine thousand ten south of the hamlet of Wawbeek, thence running generally northerly through or near the hamlets of Upper Saranac, Lake Clear, Paul Smiths, Meacham Lake, the village of Malone and the hamlet of Constable to the Canadian border near the hamlet of Trout River; beginning at a point in or near the village of Malone, thence running generally northeasterly to state highway five thousand six hundred thirteen west of the hamlet of Thayers Corners; beginning at the Essex-Franklin county line north of the village of Bloomingdale, thence running generally northerly through or near the hamlet of Merrills Corners to the Franklin-Clinton county line west of the hamlet of Riverview; beginning at the Essex-Franklin county line east of the village of Saranac Lake, thence running generally northerly through or near the village of Saranac Lake and the hamlet of Harrietstown, thence generally westerly through or near the hamlet of Gabriels to the hamlet of Paul Smiths; beginning at state highway eight thousand two hundred twenty-two in or near the hamlet of Lake Clear Junction, thence running generally easterly to a state highway south of the hamlet of Harrietstown; beginning at the St. Lawrence-Franklin county line west of the hamlet of St. Regis Falls, thence running generally southeasterly through or near the hamlets of St. Regis Falls and Santa Clara to a state highway in or near the hamlet of Meacham Lake; beginning at the St. Lawrence-Franklin county line east of the hamlet of Rooseveltown, thence running generally southerly through or near the hamlets of Hogansburg, Bombay, Moira and Dickinson to a state highway in or near the hamlet of St. Regis Falls; beginning at the St. Lawrence-Franklin county line northeast of the hamlet of Helena, thence running generally northerly to a state highway in or near the hamlet of Hogansburg; beginning at state highway eight hundred twenty east of the hamlet of Hogansburg, thence running generally easterly through or near the hamlet of Fort Covington, the hamlets of Westville Center, Constable and Thayers Corners, and the village of Chateaugay to the Franklin-Clinton county line; beginning at the St. Lawrence-Franklin

county line southwest of the hamlet of Dickinson, thence running generally easterly through or near the hamlets of Dickinson and Bangor to a point in or near the village of Malone; beginning at a point in or near the village of Malone, thence running generally northwesterly to a state highway in or near the hamlet of Westville Center; beginning at the St. Lawrence-Franklin county line west of the hamlet of Moira, thence running generally easterly through or near the hamlets of Moira and North Bangor to a point in or near the village of Malone; beginning at the Clinton-Franklin county line southeast of the hamlet of Bannerhouse, thence running generally northerly through or near the hamlet of The Forge to a state highway in or near the village of Chateaugay; beginning at a state highway north of the hamlet of The Forge, thence running generally easterly to the Franklin-Clinton county line; beginning at state highway eight thousand one hundred twenty-nine in or near the hamlet of Merrills Corners, thence running generally northwesterly through or near the hamlet of Duane center to state highway eight thousand eighty-five; beginning at a point on state highway one thousand six hundred fifty-nine in or near the hamlet of Fort Covington, thence running generally northwesterly to a point on or near the United States-Canada border line.

2. Effective April first, nineteen hundred eighty, the legislative bodies of the county of Franklin and the village of Malone having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a state highway in or near the hamlet of Westville Center, thence running generally easterly through or near the hamlet of Constable to a state highway in or near the hamlet of Hawks Hollow; beginning at a state highway north of the hamlet of The Forge, thence running generally easterly to the Franklin-Clinton county line; beginning at a point on state highway 49-10, thence running generally northeasterly to a point on state highway five thousand five hundred fifty-two, entirely in the village of Malone"; and to transfer to the county of Franklin for future maintenance as part of the county highway system in Franklin county and to issue official orders of abandonment of those portions of highway

described as follows: "beginning at a state highway in or near the hamlet of Bangor, thence running generally northerly to a state highway in or near the hamlet of Bangor, thence running generally northerly to a state highway in or near the hamlet of North Bangor; beginning at a point in or near the hamlet of The Forge, thence running generally easterly to the Franklin-Clinton county line; beginning at the Franklin-Essex county line, northwest of the village of Bloomingdale, thence running generally westerly to a point at or near the junction of state highways one thousand two hundred fifty-one and fifty-two dash seventeen, southeast of the hamlet of Gabriels; beginning at a state highway in the village of Chateaugay, thence running generally northerly to the Canadian border".

17. Fulton county. 1. Beginning at the Herkimer-Fulton county line in or near the village of Dolgeville, thence running generally easterly through or near the hamlets of Oppenheim, Lassellsville, Rockwood and Cork to the western city line of Johnstown; beginning at the eastern city line of Johnstown, thence running generally easterly through or near the village of Broadalbin to the Fulton-Saratoga county line; beginning at the Montgomery-Fulton county line, thence running generally northerly through or near the hamlet of Crum Creek to the hamlet of Oppenheim; beginning at the Montgomery-Fulton county line, thence running generally easterly to state highway six hundred twenty in the hamlet of Ephratah, thence continuing easterly to state highway one thousand five hundred ninety-seven in or near the hamlet of Ephratah; beginning at the Montgomery-Fulton county line, thence running generally northerly through or near the hamlet of Ephratah to a point on state highway five thousand five hundred fifty-four in or near the hamlet of Caroga; beginning at state highway five thousand five hundred fifty-four at or near the hamlet of Rockwood, thence running generally northerly through or near the hamlets of Fullers Corners and Newkirk Mills to state highway six hundred eighteen south of the hamlet of Caroga Lake; beginning in or near the hamlet of Cork, thence running generally northwesterly to a point near the hamlet of Fullers Corners; beginning in or near the hamlet of Ephratah, thence running generally easterly through or near the hamlet of Kecks Center to the western city line of Johnstown; beginning at the Montgomery-Fulton county line, thence

running generally northwesterly through or near the hamlet of Sammonsville, thence generally northeasterly to or near the western city line of Johnstown; beginning at the Montgomery-Fulton county line, thence running generally northeasterly to the southern city line of Johnstown near Union avenue; beginning at the western city line of Gloversville at the end of Rose street, thence running generally northwesterly through or near the hamlets of Meco, Wheelerville and Pine Lake to the Fulton-Hamilton county line; beginning at the Herkimer-Fulton county line in or near the hamlet of Stratford, thence running generally easterly to a point in or near the hamlet of Pine Lake; beginning at the western city line of Gloversville at the end of West Eleventh avenue, thence running generally northerly to a point in or near the hamlet of Bleecker; beginning at the eastern city line of Gloversville near the southern end of Kingsboro avenue, thence running generally northeasterly through or near the village of Mayfield to the hamlet of Cranberry Creek, thence generally northerly along the western shore of the Sacandaga reservoir to the Fulton-Hamilton county line; beginning at or near the village of Northville, thence running generally easterly over the Sacandaga reservoir to the east end of the Northville bridge in the village of Northville; beginning at county road one hundred fifty-four near the city of Gloversville, thence running generally easterly to or near the village of Mayfield; beginning at a point on state highway five hundred forty-four thence running generally northwesterly to the eastern city line of Gloversville; beginning at the Montgomery-Fulton county line, thence running generally northwesterly to the eastern city line of Johnstown on East State street; beginning near the eastern city line of Johnstown on state highway three hundred sixty-one, thence running generally northerly to the eastern city line of Johnstown on East Avenue; beginning at or near the eastern city line of Johnstown on state highway five hundred forty-four, thence running generally northerly to a point on the southern city line of Gloversville; beginning at the Montgomery-Fulton county line, thence running generally northerly through or near the hamlets of Perth and Vail Mills, thence generally northwesterly to a point in or near the village of Mayfield; beginning at a point on the easterly city line of Gloversville, thence running generally easterly and southeasterly to a point on state highway five hundred forty-three west of the hamlet of

Vail Mills.

2. Effective April first, nineteen hundred eighty, the legislative body of the county of Fulton, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at a point on the easterly city line of Gloversville, thence running generally easterly and southeasterly to a point on state highway five hundred forty-three west of the hamlet of Vail Mills"; and to transfer to the county of Fulton for future maintenance as part of the county highway system in Fulton county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a county road thence running generally easterly along state highway 49-2 to the easterly end of state highway 49-2 west of the hamlet of Meco; beginning at the northern city line of Gloversville near Easterly avenue, thence running generally northerly to county road one hundred twenty-two, thence generally easterly to the west end of county road one hundred two; beginning in or near the hamlet of West Perth, thence running generally northwesterly to a point on state highway five hundred forty-four."

3. Upon the completion and acceptance of the construction of that portion of the above described highway "Beginning at the Herkimer-Fulton county line in or near the village of Dolgeville, thence running generally easterly through or near the hamlets of Oppenheim, Lassellsville, Rockwood and Cork to the western city line of Johnstown" from a point on state highway one hundred nine easterly to the western city line of Johnstown, the commissioner is hereby authorized and directed to enter an official order of abandonment of that portion of state highway one hundred nine from a point to be determined by the commissioner easterly and southeasterly to the westerly city line of Johnstown, and upon the filing of certified copies of such official orders with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways of Fulton county and the state comptroller, the state shall cease to maintain said portion of state highway one hundred nine and all rights and obligations

of the state therein shall revert to and become the responsibility of the county of Fulton.

18. Genesee county. Beginning at the Erie-Genesee county line, thence running generally easterly through or near the hamlets of Darien Center and Darien, the village of Alexander and the hamlets of Bethany Center and Pavilion Center to the Genesee-Livingston county line; beginning at the Erie-Genesee county line, thence running generally easterly through or near the hamlets of Pembroke, East Pembroke and Bushville to the western city line of Batavia; beginning at the eastern city line of Batavia, thence running generally easterly through or near the hamlet of Stafford and the village of LeRoy to the Genesee-Livingston county line; beginning at the Niagara-Genesee county line, thence running generally southeasterly to a point in or near the hamlet of Alabama Center, from a point in or near the hamlet of Basom, thence running generally easterly through or near the villages of Oakfield and Elba and the hamlet of Byron to or near the village of Bergen; beginning at the Wyoming-Genesee county line, thence running generally northerly through or near the hamlet of Darien Center, the village of Corfu and the hamlets of Indian Falls, Basom and Alabama Center to the Genesee-Orleans county line; beginning at the Wyoming-Genesee county line, thence running generally northeasterly through or near the village of Alexander to the southern city line of Batavia; beginning at the northern city line of Batavia, thence running generally northerly through or near the village of Elba and the hamlet of Langton Corners to the Genesee-Orleans county line; beginning at the Wyoming-Genesee county line, thence running generally northerly through or near the hamlets of Pavilion and Pavilion Center, the village of LeRoy, the hamlet of Fort Hill and the village of Bergen to the Genesee-Monroe county line; beginning at the Erie-Genesee county line, thence running generally easterly through or near the village of Corfu and the hamlet of West Batavia to the southwestern city line of Batavia; beginning at the eastern city line of Batavia, thence running generally northeasterly to the Genesee-Monroe county line south of the village of Bergen; beginning at the Wyoming-Genesee county line near the village of Attica, thence running generally northwesterly to a point in or near the hamlet of Darien; beginning at the Wyoming-Genesee county line, thence running generally northwesterly through or near the hamlets

of Pavilion, Texaco Town and East Bethany to the southern city line of Batavia; beginning at the western city line of Batavia, thence running generally northwesterly to or near the village of Oakfield; beginning at the Erie-Genesee county line, thence running generally northeasterly to or near the hamlet of Basom; beginning at a point in or near the hamlet of Stafford, thence running generally northerly through or near the hamlets of South Byron and Byron to the Genesee-Orleans county line; beginning at a point in the village of Bergen, thence running generally easterly to the Genesee-Monroe county line; beginning at a point south of the village of Bergen, thence running generally northeasterly near the southeastern corner of the village of Bergen to the Genesee-Monroe county line.

19. Greene county. Beginning at the Ulster-Greene county line, thence running generally northerly along the Hudson river through or near the villages of Catskill, Athens and Coxsackie and the hamlet of New Baltimore, to the Greene-Albany county line; beginning at the Delaware-Greene county line at or near the hamlet of Prattsville, thence running generally easterly through or near the hamlets of Ashland, Windham, South Durham, Cairo and Leeds, to state highway five thousand seven hundred sixteen in or near the village of Catskill; beginning at state highway five thousand four hundred ninety-one east of the hamlet of Prattsville, thence running generally easterly through or near the hamlets of Lexington and Jewett Center, the villages of Hunter and Tannersville, and the hamlets of Haines Falls and Palenville, to state highway five thousand twenty-seven south of the village of Catskill; beginning at the Ulster-Greene county line north of the hamlet of Bushnellsville, thence running generally northerly to a point in or near the hamlet of Lexington; beginning at the Ulster-Greene county line northeast of the hamlet of Phoenicia, thence running generally northerly through or near the hamlets of Lanesville and Stony Clove to state highway one thousand two hundred forty-two; beginning at a point in or near the village of Hunter, thence running generally northerly to a point in or near the hamlet of Windham; beginning at the Ulster-Greene county line north of the hamlet of Saxon, thence running generally northerly to a point in or near the hamlet of Palenville; beginning at the Ulster-Greene county line southeast of the hamlet of Palenville,

thence running generally northerly to or near state highway eight hundred eighty-seven near the hamlet of Cairo; beginning at the Albany-Greene county line, thence running generally southeasterly through or near the hamlets of Durham and East Durham, to a point in or near the hamlet of Cairo; beginning at a point in or near the hamlet of Cairo, thence running generally northerly through or near the hamlets of Freehold and Greenville, to the Greene-Albany county line; beginning at the Albany-Greene county line, thence running generally easterly through or near the hamlets of Oak Hill, Greenville and Earlton to a point in or near the village of Coxsackie; beginning at state highway five thousand three hundred seventy near the hamlet of New Baltimore, thence running generally northerly to the Greene-Albany county line south of the hamlet of Coeymans; beginning at state highway five thousand three hundred sixty-six in or near the village of Catskill, thence running generally northerly to state highway five thousand three hundred sixty-nine west of the village of Coxsackie; beginning at a point in or near the hamlet of Oak Hill, thence running generally northerly to the Greene-Albany county line; beginning at state highway five thousand six hundred eighty-five in the village of Catskill, thence running generally easterly to state highway five thousand three hundred sixty-seven; beginning at the Schoharie-Greene county line north of the hamlet of West Durham, thence running generally northeasterly to the Greene-Albany county line north of the hamlet of West Durham.

20. Hamilton county. Beginning at the Herkimer-Hamilton county line west of the hamlet of Morehouseville, thence running generally easterly through or near the hamlets of Morehouseville and Hoffmeister and along the southerly and easterly side of Piseco lake, thence running northeasterly through or near the hamlet of Lake Pleasant to a point in or near the village of Speculator; beginning at the Fulton-Hamilton county line in the vicinity of Stoner lake, thence running generally northerly through or near the hamlet of Arietta to a point south of Piseco lake; beginning at the Fulton-Hamilton county line on the westerly side of Sacandaga reservoir, thence running generally northerly through or near the hamlets of Hope and Wells, thence generally northerly along the west side of the Sacandaga river through or near the village of Speculator, thence generally northerly on the west side of

Indian lake to the hamlet of Indian Lake, thence generally northwesterly to the hamlet of Blue Mountain Lake, thence generally northerly to the hamlet of Long Lake, thence generally northerly to the Hamilton-Franklin county line; beginning at a point on state highway five thousand five hundred fourteen, thence running generally northeasterly along the east side of the east branch of the Sacandaga river to the Hamilton-Warren county line; beginning at a point in or near the hamlet of Indian Lake, thence running generally easterly to the Hamilton-Warren county line near the hamlet of North River; beginning at the Herkimer-Hamilton county line near the hamlet of Eagle Bay, thence running generally easterly along the southerly side of Sixth, Seventh and Eighth lakes and Raquette lake to a point in or near the hamlet of Blue Mountain Lake; beginning at a point in or near the hamlet of Long Lake, thence running generally easterly to the Hamilton-Essex county line.

All that portion of the state highway system identified as route twenty-eight-n and running from North Creek through the towns of Minerva and Newcomb to the town of Long Lake shall be designated and known as "The Roosevelt-Marcy Memorial Highway."

21. Herkimer county. 1. Beginning at the Otsego-Herkimer county line west of the village of West Winfield, thence running generally northeasterly to the Herkimer-Oneida county line; beginning at the Oneida-Herkimer county line in or near the village of West Winfield, thence running generally easterly through or near the village of West Winfield to the Herkimer-Otsego county line; beginning at the Otsego-Herkimer county line east of the village of Richfield Springs, thence running generally easterly through the hamlet of Warren to the Herkimer-Otsego county line; beginning at the Otsego-Herkimer county line south of the village of West Winfield, thence running generally northerly to a point in or near the village of West Winfield; beginning at a point east of the village of West Winfield, thence running generally northeasterly through or near the hamlet of Cedarville to a point in or near the village of Ilion; beginning at the Otsego-Herkimer county line, thence running generally northerly through or near the hamlets of South Columbia and Getman Corners to a point in or near the village of Mohawk; beginning at a point in or near the hamlet of Gulph,

thence running generally northeasterly to a point in or near the village of Frankfort; beginning at the Otsego-Herkimer county line northeast of the village of Richfield Springs, thence running generally northeasterly through or near the hamlets of Cullen, Jordanville and Paines Hollow to a point on state highway eight thousand four hundred seventeen south of the city of Little Falls; beginning at the Otsego-Herkimer county line, thence running generally northeasterly through or near the hamlets of Vanhornesville and Starkville to the Herkimer-Montgomery county line; beginning at a point on or near the southern village line of Mohawk, thence running generally southeasterly through or near the hamlets of Edicks, Paines Hollow and Smith Corners to a point in or near the hamlet of Starkville; beginning at the Oneida-Herkimer county line and the eastern city line of Utica, thence running generally southeasterly through or near the villages of Frankfort, Ilion and Mohawk and the hamlets of Fort Herkimer, Jacksonburg and Indian Castle to the Herkimer-Montgomery county line; beginning at the Oneida-Herkimer county line and the eastern city line of Utica, thence running generally southeasterly through or near the village of Herkimer to the western city line of Little Falls; beginning at the eastern city line of Little Falls, thence running generally southeasterly to the Herkimer-Montgomery county line; beginning at a point in or near the village of Mohawk at the west end of state highway eight thousand four hundred one, thence running generally northerly to a point on state highway forty-eight dash eleven; beginning at a point on state highway eight thousand four hundred one, thence running generally northerly to the southern city line of Little Falls; beginning at the west end of state highway eight hundred thirty-one-CA thence running generally easterly and southerly over the Mohawk river and Barge Canal to a point on state highway eight thousand four hundred seventeen; beginning at the west end of state highway five thousand one hundred five at a point on or near the eastern city line of Little Falls, thence running generally southeasterly to a point on the eastern city line of Little Falls; beginning at a point on or near state highway five thousand one hundred five on the eastern city line of Little Falls, thence running generally easterly to the east end of state highway eight thousand four hundred ninety-eight; beginning at a point in or near the village of Herkimer, thence running generally northerly through or near the village of Middleville, thence running

easterly through or near the hamlets of Fairfield and Salisbury Center to the Herkimer-Fulton county line; beginning at a point on or near the northern city line of Little Falls, thence running generally northwesterly through or near the villages of Middleville, Newport and Poland to the Herkimer-Oneida county line; beginning at the Oneida-Herkimer county line near county road two hundred forty-two, thence running generally southeasterly to the Oneida-Herkimer county line; beginning at a point on or near the northern city line of Little Falls, thence running generally northerly to a point on or near state highway four hundred sixty-six east of the hamlet of Fairfield; beginning at a point on or near state highway four hundred sixty-eight, thence running generally northeasterly to a point in or near the hamlet of Burrell Corners; beginning at a point on or near the eastern city line of Little Falls, thence running generally northeasterly through or near the hamlet of Manheim Center, the village of Dolgeville and the hamlet of Salisbury Center to the north end of state highway four hundred sixty-three; beginning at a point in or near the village of Dolgeville, thence running generally easterly to the Herkimer-Fulton county line; beginning at a point on state highway four hundred sixty-three in or near the hamlet of Salisbury Center, thence running generally northerly to a point on state highway four hundred sixty-four in or near the hamlet of Salisbury Center; beginning at a point on state highway four hundred fifty-six west of the Montgomery-Herkimer county line, thence running generally northwesterly to a point near the hamlet of Manheim Center; beginning at a point on state highway five thousand five hundred fifty-nine in or near the village of Poland, thence running generally northeasterly through or near the village of Cold Brook and the hamlets of Wilmurt and Nobleboro to the Herkimer-Hamilton county line; beginning at the Oneida-Herkimer county line on or near the north side of Hinckley reservoir, thence running generally easterly to a point on state highway eight thousand ninety west of the hamlet of Wilmurt; beginning at the Oneida-Herkimer county line, thence running generally northeasterly through the hamlets of McKeever, Thendara, Old Forge and Eagle Bay to the Herkimer-Hamilton county line; beginning at a point on state highway eight hundred thirty-one, thence running generally northwesterly to the eastern city line of Little Falls; beginning at the Oneida-Herkimer county line east of the hamlet of Washington Mills,

thence running generally southeasterly to a point in or near the hamlet of Gulph; beginning at a point south of the village of Herkimer on state highway eight thousand four hundred one, thence running northwesterly to a point on state highway forty-eight dash eleven in the village of Herkimer.

2. Upon the completion and acceptance of the highway described as "beginning at a point on state highway eight hundred thirty-one, thence running generally northwesterly to the eastern city line of Little Falls", the commissioner shall abandon by official orders (1) to the town of Danube that portion of state highway eight hundred thirty-one from its intersection with the highway mentioned above northwesterly and northerly to its junction with state highway eight hundred thirty-one-CA, which shall be discontinued as a public highway, and (2) to the town of Manheim all of state highway five thousand one hundred five and that portion of state highway four hundred fifty-six from its intersection with state highway five thousand one hundred five northeasterly to its intersection with state highway eight thousand four hundred ninety-eight-A. Upon the filing of certified copies of such official orders with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, the supervisors of the towns of Danube and Manheim, all of Herkimer county, and the state comptroller, the state shall cease to maintain the said state highways and portions of highways, and they shall be turned over and surrendered as respectively designated in the aforementioned official orders (1) and (2) to the towns of Danube and Manheim, together with all the rights and obligations of the state therein, to be maintained thereafter respectively by the towns of Danube and Manheim.

3. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Herkimer having approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at a point south of the village of Herkimer on state highway eight thousand four hundred one, thence running northwesterly to a point on state highway forty-eight dash eleven in the village of Herkimer"; and to transfer to the county

of Herkimer and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point in or near the hamlet of Columbia Center thence running generally northeasterly to a point in or near the hamlet of Getman Corners".

22. Jefferson county. 1. Beginning at a point in or near the village of Cape Vincent, thence running generally northeasterly through or near the villages of Clayton and Alexandria Bay to the Jefferson-St. Lawrence county line including connections within the village of Clayton; beginning at a point in or near the village of Cape Vincent, thence running generally southeasterly through or near the village of Chaumont to a point in the village of Brownville, thence southerly to a point on state highway one thousand one hundred eighty-two; beginning at the Oswego-Jefferson county line north of the hamlet of Sandy Creek, thence running generally northerly through or near the villages of Mannsville and Adams and the hamlet of Adams Center to the southern city line of Watertown; beginning at state highway one thousand one hundred thirty-four in or near the city of Watertown, thence running generally easterly through or near the village of Deferiet and the hamlet of Fargo to the Jefferson-St. Lawrence county line east of the hamlet of Natural Bridge; beginning at state highway five thousand six hundred fifty-one north of the city of Watertown, thence running generally northerly through or near the hamlets of Pamelia and Redwood to the Jefferson-St. Lawrence county line southwest of the village of Hammond; beginning at the northern city line of Watertown, thence running generally northeasterly through or near the villages of Evans Mills, Philadelphia and Antwerp to the Jefferson-St. Lawrence county line southwest of the hamlet of Somerville; beginning at state highway eight thousand one hundred five south of Evans Mills, thence easterly to a point on the boundary of Fort Drum; beginning at the Jefferson-Oswego county line northwest of the village of Sandy Creek, thence running generally northerly and northeasterly along Lake Ontario west of the hamlet of Henderson and through or near the hamlet of Baggs Corners to the western city line of Watertown; beginning at the northwestern city line of Watertown, thence running generally northwesterly through or near the hamlet of Gunns Corners to the village of Clayton; beginning at state highway one hundred eighty-one south of the village of Dexter, thence

running generally northerly through or near the village of Dexter and the hamlets of Gunns Corners and LaFargeville to an intersection with state highway five thousand three hundred four; beginning at a point in or near the village of Alexandria Bay, thence running generally southeasterly to state highway one thousand five hundred seventy-seven-A; beginning at state highway four hundred twenty-three west of the village of Theresa, thence running generally easterly through or near the village of Theresa, thence southeasterly to a point on state highway five thousand five hundred forty-eight in the village of Philadelphia; beginning at a point in or near the village of Clayton, thence running generally easterly through or near the hamlet of LaFargeville to a point on state highway one thousand one hundred fifty-one west of the village of Theresa; beginning at the Jefferson-Lewis county line southeast of the village of Carthage, thence running generally northerly through or near the village of Carthage to a state highway in or near the hamlet of Fargo; beginning at the southeastern city line of Watertown, thence running generally easterly through or near the hamlet of Burrs Mills to the Jefferson-Lewis county line west of the village of Copenhagen; beginning at interstate route five hundred five, thence southerly via the hamlet of Adams Center, thence running generally easterly through or near the hamlet of Rodman to the Jefferson-Lewis county line east of the hamlet of Tremains Corners; beginning at a point in or near the village of Deferiet, thence running generally southeasterly through or near the villages of Herrings, Carthage and West Carthage to the Jefferson-Lewis county line; beginning at state highway five thousand three hundred thirty-two-A in the village of West Carthage, thence northwesterly via the hamlet of Great Bend to an intersection with state highways five thousand six hundred eighty-one and five thousand six hundred seventeen east of the village of Evans Mills; beginning at state highway eight thousand four hundred eighteen, thence running generally easterly through or near the hamlet of Woodville and the village of Ellisburg to a state highway in or near the hamlet of Pierrepont Manor; beginning at a state highway in or near the village of Ellisburg, thence running generally northerly through or near the hamlet of Belleville to state highway one hundred eighty-three; beginning at a state highway west of the hamlet of Henderson, thence running generally easterly through or near the hamlet

of Henderson to a point in or near the village of Adams; beginning at or near the junction of state highway eight thousand fifteen and one thousand one hundred eighty-two, thence running generally easterly to the western city line of Watertown; beginning at state highway one thousand one hundred thirty-four east of the city of Watertown easterly to a point in the village of West Carthage; beginning at a point on the city line of Watertown northeasterly to a point on state touring route three near Felts Mills; beginning at or near the junction of state highways five thousand one hundred forty and nine thousand three hundred sixty-three north of the city of Watertown, thence running generally easterly and southeasterly through or near the hamlet of Calcium to state highway five thousand five west of the village of Black River; beginning at the ramp of interstate route 505 north of the hamlet of Adams Center, thence running generally easterly to state highway five thousand four hundred twenty-six.

2. Effective August first, nineteen hundred seventy-nine, the legislative bodies of the county of Jefferson and the village of Brownville having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a point in or near the village of Cape Vincent, thence running generally southeasterly through or near the village of Chaumont to a point in the village of Brownville, thence southerly to a point on state highway one thousand one hundred eighty-two", consisting of a connection between state highways one thousand one hundred eighty-two and one thousand eight hundred forty-five across the Black river in the village of Brownville; "beginning at state highway four hundred twenty-three west of the village of Theresa, thence running generally easterly through or near the village of Theresa, thence southeasterly to a point on state highway five thousand five hundred forty-eight in the village of Philadelphia", consisting of a connection between state highway four hundred twenty-three and the village of Theresa; "beginning at interstate route five hundred five southerly via the hamlet of Adams Center, thence running generally easterly through or near the hamlet of Rodman to the Jefferson-Lewis county line east of the hamlet of Tremains Corners",

consisting of a connection between interstate route five hundred five and the hamlet of Adams Center; all of that route described as "beginning at state highway five thousand three hundred thirty-two-A in the village of West Carthage northwesterly via the hamlet of Great Bend to an intersection with state highways five thousand six hundred eighty-one and five thousand six hundred seventeen east of the village of Evans Mills"; all of that route described as "beginning at state highway one thousand one hundred thirty-four east of the city of Watertown easterly to a point in the village of West Carthage"; all of that route described as "beginning at a point on the city line of Watertown northeasterly to a point on state touring route three near Felts Mills"; and to transfer to the county of Jefferson for future maintenance as part of the Jefferson county road system and to issue official orders of abandonment of those portions of highway described as follows: beginning at state highway five thousand three hundred four northerly to the hamlet of Fishers Landing; beginning at state highway one thousand one hundred fifty-one easterly to state highway two hundred thirty-six north of the hamlet of Redwood; beginning at state highway one thousand one hundred fifty-one west of the village of Theresa to a point within the village of Theresa; beginning east of the village of Theresa to a point in or near the village of Antwerp; beginning at a point south of the village of Antwerp, thence running generally northerly to a point in or near the village of Antwerp; beginning at a point in or near the village of Adams, thence running generally easterly through or near the hamlets of Lorraine and Worth to state highway one thousand seven hundred fifty-one west of the hamlet of Barnes Corners; beginning at a point in the village of Brownville easterly to the western city line of Watertown; beginning at the northerly approach span of the Thousand Island bridge, thence running northerly to the Canadian border.

23. Kings county. Beginning at a point near the Atlantic avenue pumping station in the vicinity of East New York, thence running generally southeasterly along a pipeline to the Kings-Queens county line in the vicinity of Ozone park. (Conduit avenue).

24. Lewis county. 1. Beginning at the Oneida-Lewis county line

northwest of the village of Booneville, thence running generally northwesterly through or near the village of Turin and the village of Lowville and the hamlet of Deer River to the Lewis-Jefferson county line northwest of the hamlet of Deer River; beginning at the Lewis-Jefferson county line near the hamlet of Natural Bridge, thence running generally northeasterly through or near the village of Harrisville to the Lewis-St. Lawrence county line northeast of the village of Harrisville; beginning at the Lewis-Oneida county line south of the hamlet of West Leyden, thence running generally northerly through or near the hamlet of West Leyden and the village of Constableville, thence continuing northeasterly to the hamlet of Potters Corners; beginning at the Oneida-Lewis county line south of the village of Port Leyden, thence running generally northerly through or near the village of Port Leyden and the villages of Lyons Falls and Lowville, thence continuing generally westerly through the hamlet of Barnes Corners to the Jefferson-Lewis county line: the total cost of the highway-railroad separation in the village of Lyons Falls necessary in the construction of the last described highway, where no crossing now exists, may be borne by the state and be paid for from any state or federal moneys available for the construction or reconstruction of state highways; beginning at the hamlet of West Lowville, thence running generally northwesterly through or near the village of Copenhagen to the Jefferson-Lewis county line northwest of the village of Copenhagen; beginning in the village of Lowville, thence running generally northeasterly to the village of Croghan; beginning at a point on or near state highway one thousand one hundred ninety-three in the village of Croghan, thence running northerly through or near the hamlet of Indian River to a point on or near state highway eight thousand two hundred thirteen at or near the hamlet of Remington Corners; beginning at the village of Croghan, thence running generally northwesterly through or near the hamlets of Beaver Falls and Naumburg to the Jefferson-Lewis county line northwest of the hamlet of Naumburg; beginning in the hamlet of Potters Corners, thence running generally northeasterly to the village of Lyons Falls; beginning in the hamlet of West Leyden, thence running generally easterly to the Oneida-Lewis county line east of the hamlet of West Leyden; beginning at a point on state highway five thousand three hundred thirty-two-B southwest of the village of

Castorland, thence running generally northeasterly to the hamlet of Naumburg; beginning at the hamlet of Copenhagen, thence running generally northeasterly to the hamlet of Deer River; beginning at the hamlet of West Lowville, thence running generally southerly to the hamlet of Sheldon Corners; beginning at the hamlet of Locust Grove, thence running generally northeasterly to the village of Port Leyden.

2. Effective April first, nineteen hundred eighty, the legislative bodies of the county of Lewis and the village of Croghan having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road and village street described as follows: "beginning at a state highway in the village of Croghan thence running generally northerly through or near the hamlet of Indian River to a point on a state highway at or near the hamlet of Remington Corners"; and to transfer to the county of Lewis for future maintenance as part of the county highway system in Lewis county and to issue official orders of abandonment of these portions of highway described as follows: "beginning at a state highway in the hamlet of Barnes Corners, thence running generally northeasterly to a state highway in the village of Copenhagen".

25. Livingston county. 1. Beginning at the Wyoming-Livingston county line near the hamlet of Portageville, thence running generally easterly through or near the villages of Nunda and Dansville to the Livingston-Steuben county line; beginning at the Wyoming-Livingston county line northeast of the hamlet of Perry Center, thence running generally easterly through or near the village of Leicester, the hamlet of Cuylerville, the village of Geneseo, the hamlet of Lakeville and the village of Livonia to state highway seven hundred seventeen; beginning at a point in or near the hamlet of Hemlock, thence running generally easterly to the Livingston-Ontario county line; beginning at the Genesee-Livingston county line east of the village of Leroy, thence running generally southeasterly through or near the villages of Caledonia and Avon, the hamlet of East Avon and the village of Lima to the Livingston-Ontario county line; beginning at the Allegany-Livingston county line south of the hamlet of Dalton, thence running generally

northerly to a point in or near the hamlet of Dalton to be determined by the commissioner; beginning at a point north of the hamlet of Dalton, thence running generally northerly through or near the villages of Nunda, Mount Morris, Leicester and Caledonia to the Livingston-Monroe county line; beginning at a point in or near the village of Dansville, thence running generally easterly then northerly through or near the hamlet of Scottsburg, Millville and East Avon to the Livingston-Monroe county line; beginning at the Steuben-Livingston county line north of the village of Wayland, thence running generally northerly through or near the hamlet of Springwater to the Livingston-Ontario county line; beginning at the Ontario-Livingston county line south of the hamlet of Hemlock, thence running generally northerly through or near the hamlet of Hemlock and the village of Lima to the Livingston-Monroe county line near the village of Honeoye Falls; beginning at the Allegany-Livingston county line northwest of the hamlet of Swain, thence running generally northwesterly near the hamlet of Dalton to state highway five thousand two hundred seventy-two; beginning at state highway five thousand two hundred seventy-one near the hamlet of Brooks Grove, thence running generally easterly through or near the hamlet of Tuscarora; beginning at a point in or near the hamlet of Ross Corners to a state highway near the hamlet of Groveland Station; beginning at the Steuben-Livingston county line south of the village of Dansville, thence running generally northerly and northwesterly through or near the village of Dansville, the hamlets of Groveland Station and Hampton Corners, the village of Geneseo and the hamlets of Piffard and Greigsville to the Livingston-Wyoming county line; beginning at a state highway in or near the village of Dansville, thence running generally northwesterly through or near the hamlets of West Sparta and Sonyea to a point in or near the village of Mount Morris; beginning at a state highway in or near the village of Mount Morris, thence running generally easterly to state highway eight thousand one hundred twelve; beginning at the Genesee-Livingston county line east of the hamlet of Pavilion Center, thence running generally easterly to state highway five thousand two hundred seventy-three; beginning at state highway five thousand two hundred seventy-three, thence running generally northerly to the Livingston-Monroe county line near the Genesee river; beginning at state highway eight hundred fifty-six in the village of Geneseo, thence

running generally northerly to state highway five thousand three hundred two in the village of Avon; beginning at state highway one thousand thirty in the village of Avon, thence running generally easterly and northerly to state highway five thousand three hundred two in the village of Avon; beginning at the Wyoming-Livingston county line east of the village of Perry, thence running generally northeasterly to state highway one thousand two hundred forty-eight; beginning at a state highway near the hamlet of Springwater, thence running generally northwesterly through or near the hamlet of Conesus to a state highway in or near the village of Livonia; beginning at a state highway in or near the hamlet of Lakeville, thence running generally northwesterly to a state highway in or near the hamlet of Millville; beginning at state highway five thousand three hundred ninety-eight near the southeast Dansville village line, thence running generally northeasterly to a state highway in the village of Dansville; beginning at the Monroe-Livingston county line south of the village of Honeoye Falls, thence running generally southeasterly to the Livingston-Ontario county line.

2. Effective April first, nineteen hundred eighty-three, the legislative bodies of the county of Livingston and the villages of Dansville and Nunda having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at state highway five thousand two hundred seventy-one in the village of Nunda, thence running generally easterly to a point on or near state highway eight hundred sixty-seven in the village of Dansville", consisting of a portion of the route described in paragraph one hereof which begins at the Wyoming-Livingston county line near the hamlet of Portageville and ends at the Livingston-Steuben county line; that portion of the route described in paragraph one hereof as "beginning at a point in or near the village of Dansville, thence running generally easterly then northerly through or near the hamlet of Scottsburg, Millville and East Avon to the Livingston-Monroe county line" that lies within the village of Dansville between state highway five thousand three hundred ninety-eight and state highway one thousand five hundred

seventy-four; and to transfer to the county of Livingston for future maintenance as part of the Livingston county road system and to issue official orders of abandonment of those highways described as follows: "beginning at a point at or near state highway eight thousand four hundred three north of the village of Dansville, thence running generally northerly to a state highway near the hamlet of Conesus;" that portion of the route described as "beginning at the Allegany-Livingston county line south of the hamlet of Dalton, thence running generally northerly through or near the villages of Nunda, Mount Morris, Leicester and Caledonia to the Livingston-Monroe county line" which lies in or near the hamlet of Dalton; that portion of the route described as "beginning at state highway five thousand two hundred seventy-one near the hamlet of Brooks Grove, thence running generally easterly through or near the hamlet of Tuscarora to a state highway near the hamlet of Groveland Station" which lies between a point near the hamlet of Tuscarora and a point in or near the hamlet of Ross Corners.

26. Madison county. Beginning at the Cortland-Madison county line near the village of DeRuyter, thence running generally easterly and northerly through or near the village of DeRuyter, thence running generally northerly through or near the hamlets of Sheds and New Woodstock to a point in or near the village of Cazenovia; beginning at a point in or near the village of Cazenovia, thence running generally northerly in the vicinity of the hamlet of Chittenango Falls to a point in or near the village of Chittenango; beginning at a point in or near the hamlet of Sheds, thence running generally southeasterly to a point in or near the hamlet of Georgetown; beginning at the Onondaga-Madison county line, thence running generally easterly to a point in or near the hamlet of New Woodstock; beginning at the Onondaga-Madison county line, thence running generally easterly through or near the villages of Cazenovia and Morrisville and the hamlets of Pine Woods and Bouckville and the village of Madison, to the Madison-Oneida county line; beginning at the southerly end of state highway three hundred thirty-seven west of the village of Cazenovia, thence running generally northwesterly to the Madison-Onondaga county line; beginning at the Onondaga-Madison county line east of the hamlet of Eagle Village, thence running generally easterly to a point in or near the village of Chittenango; beginning at

the Onondaga-Madison county line east of the hamlet of Mycenae, thence running generally easterly and northerly through or near the village of Chittenango, thence generally easterly through or near the village of Wampsville and southerly of the city of Oneida, to the Madison-Oneida county line; beginning at the Chenango-Madison county line south of the hamlet of Georgetown, thence running generally northerly through or near the hamlets of Georgetown, West Eaton and Eaton to a point east of Lelands pond; beginning at the Chenango-Madison county line in or near the village of Earlville, thence running generally northerly through or near the villages of Earlville and Hamilton, thence northerly and northeasterly to a point east of the hamlet of Bouckville; beginning at a point north of the village of Hamilton called Pecksport, thence running generally northerly to the hamlet of Pine Woods; beginning at a point in or near the hamlet of Pine Woods, thence running generally northerly through or near the village of Munnsville to a point just southerly of the south city line of Oneida (high tax district); beginning at the Chenango-Madison county line south of the hamlet of East Hamilton, thence running generally northerly through or near the hamlets of East Hamilton and North Brookfield Station to the Madison-Oneida county line; beginning at a point east of the village of Madison, thence running generally northerly to the Madison-Oneida county line at a point on or near the southern village line of Oriskany Falls; beginning at the Chenango-Madison county line at a point southeast of the hamlet of South Brookfield, thence running generally northerly through or near the hamlets of West Edmeston and Leonardsville to the Madison-Oneida county line at a point on or near the southern village line of Bridgewater; beginning at the Onondaga-Madison county line west of the hamlet of Bridgeport, thence running generally easterly through or near the hamlets of Bridgeport, Lakeport, South Bay and Oneida Valley to the Madison-Oneida county line; beginning at a point south of the village of Canastota, thence running generally northerly through or near the village of Canastota to the Madison-Oneida county line; beginning at a point in the city of Oneida, low tax district known as Five Corners, thence running generally northeasterly to the division line between the city of Oneida "low tax" and "high tax" districts; beginning at a point on the northern city line of Oneida, high tax district, thence running generally northwesterly to or near the hamlet of Oneida Valley;

beginning at a point on state highway one thousand one hundred ten north of the city of Oneida, thence running generally northeasterly to the Madison-Oneida county line.

27. Monroe county. 1. Beginning at the Livingston-Monroe county line near the village of Caledonia, thence running generally northerly and easterly through or near the hamlet of Mumford, the village of Scottsville, and the hamlets of Rush and Mendon to the Monroe-Ontario county line; beginning at the Genesee-Monroe county line at a point southeast of the village of Bergen, thence running generally easterly through or near the hamlets of Riga Center and Buckbee Corners to the Ballantyne bridge; beginning at the Ballantyne bridge, thence running generally easterly through or near the hamlet of Mortimer and the village of Pittsford, thence southeasterly through or near the hamlet of Bushnell Basin to the Monroe-Ontario county line; beginning at the Orleans-Monroe county line at a point southwest of the village of Brockport, thence running generally easterly through or near the villages of Brockport and Spencerport to the western city line of Rochester; beginning at the southern city line of Rochester near Highland avenue, thence running generally southeasterly through or near the village of Pittsford to the Monroe-Wayne county line; beginning at the Orleans-Monroe county line southeast of the hamlet of Murray, thence running generally easterly through or near the hamlets of Clarkson, Garland, Parma Corners and Greece to the western city line of Rochester; beginning at the northern city line of Rochester near Portland avenue, thence running generally easterly to state highway fifty-six dash seven; beginning at state highway fifty-two dash one, thence running generally easterly across Irondequoit bay, through or near the village of Webster to the Monroe-Wayne county line, said highway to be built with control of access; beginning at the Genesee-Monroe county line north of the village of Bergen, thence running northerly through or near the village of Brockport and the hamlets of Clarkson and Hamlin Center to a point south of Lake Ontario state parkway; beginning at state highway five thousand forty-six near the hamlet of Garbutt, thence running generally northerly through or near the hamlets of Buckbee Corners and North Chili, the village of Spencerport, the hamlets of Parma Corners and Parma Center and the village of Hilton to a point north of the village

of Hilton; beginning at state highway five thousand forty-six in or near the village of Scottsville, thence running generally northerly through or near the village of Scottsville to state highway two hundred fifty-two at a point southwest of the hamlet of Chili Center; beginning at state highway two hundred fifty-five in or near the hamlet of Chili Center, thence running generally northerly to state highway eighty-three; beginning at state highway eighty-three, thence running generally northerly through or near the hamlet of Elmgrove to state highway six; beginning at state highway one hundred sixty-five, thence running generally northerly to the intersection of the Lake Ontario state parkway; beginning at state highway eight thousand two hundred twenty-three at a point near the Monroe-Ontario county line, thence running generally northerly through or near the villages of Fairport and Webster to state highway five hundred seventy-three; beginning at the intersection of the Lake Ontario state parkway at a point approximately two miles west of the western city line of Rochester, thence running generally southerly through or near a point defined by the intersection of the Greece-Gates town line with the west city line of Rochester, thence running southerly and southeasterly to and outside the city line of Rochester to a point on Scottsville road; beginning at a point on Scottsville road, thence running generally southeasterly and easterly to a point in the town of Brighton southwest of the northwest corner of the town of Pittsford, thence generally northerly to the southern city line of Rochester; beginning at the eastern city line of Rochester, thence running generally northerly to the eastern city line of Rochester; beginning at the northern city line of Rochester, thence running generally northerly between the eastern city line of Rochester and Irondequoit bay to a point near Lake Ontario east of the hamlet of Sea Breeze and west of Irondequoit bay; beginning at the Genesee-Monroe county line east of the village of Bergen, thence running generally easterly through or near the village of Churchville and the hamlets of North Chili and Gates Center to the western city line of Rochester; beginning at the Livingston-Monroe county line at a point south of the village of Scottsville, thence running generally northerly through or near the village of Scottsville and along the west side of the Genesee river to the southern city line of Rochester at a point east of the airport; beginning at the Livingston-Monroe county line north of the

hamlet of East Avon, thence running generally northerly through or near the hamlet of West Henrietta to the southern city line of Rochester; beginning at the Livingston-Monroe county line north of the village of Lima, thence running generally northerly through or near the village of Honeoye Falls and the hamlets of Rush and Henrietta to the southern city line of Rochester; beginning at the Livingston-Monroe county line in or near the village of Honeoye Falls, thence running generally northerly through or near the village of Honeoye Falls and west of Mendon Ponds Park to state highway ninety-four; beginning at the Ontario-Monroe county line north of the hamlet of Ionia, thence running generally northerly through or near the hamlet of Mendon and the village of Pittsford to state highway sixty north of the village of Pittsford; beginning at the southeastern city line of Rochester, thence running generally southeasterly through or near the village of East Rochester to a point on or near the east village line of Fairport; beginning at or near the east village line of Fairport, thence running generally easterly to the Monroe-Wayne county line; beginning at state highway five on or near Clover street, thence running generally easterly through or near the hamlets of Penfield and East Penfield to the Monroe-Wayne county line; beginning at the eastern city line of Rochester near Fairhaven road, thence running generally easterly passing south of Penfield Center to the Monroe-Wayne county line; beginning at the eastern city line of Rochester near Clifford avenue, thence running generally easterly adjacent to the south end of Irondequoit bay, thence northerly and northeasterly through or near the village of Webster to the Monroe-Wayne county line; beginning at the Orleans-Monroe county line near the hamlet of Morton, thence running generally easterly to state highway eighty-one north of the hamlet of Hamlin; beginning at the Orleans-Monroe county line near the hamlet of Kendall Mills, thence running generally easterly through or near the hamlet of Hamlin and the village of Hilton to state highway one thousand two hundred eighty-one east of the village of Hilton; beginning at state highway five thousand forty-six at a point north of the hamlet of Mumford, thence running generally northerly through or near the hamlet of Riga Center and the village of Churchville to state highway six hundred thirty-four; beginning at state highway four hundred eighty, thence running generally northerly through or near the village of Churchville to state highway

five thousand five hundred thirty-nine at a point west of the village of Spencerport; beginning at state highway five thousand five hundred thirty-nine at a point southeast of the village of Brockport, thence running generally northerly through or near the hamlet of Garland to state highway one thousand seven hundred twenty-seven east of the hamlet of Hamlin; beginning at state highway one thousand two hundred eighty-two, thence running generally northerly to a point near the south limit of Hamlin Beach park; beginning at the Orleans-Monroe county line east of the village of Holley, thence running generally easterly through or near the village of Brockport to state highway eighty in or near the village of Brockport; beginning at state highway four hundred ninety-two southeast of the village of Holley, thence running northerly along the Monroe-Orleans county line to state highway five thousand four hundred twenty-five; beginning at state highway two hundred sixty-nine in or near the hamlet of Parma Center, thence running generally easterly to state highway one thousand two hundred eighty-one; beginning at state highway one thousand two hundred eighty-one, thence running generally easterly through or near the hamlet of North Greece to the Lake Ontario state parkway near the western city line of Rochester; beginning at state highway two hundred fifty-two east of the hamlet of Buckbee Corners, thence running generally northeasterly through or near the hamlet of Chili Center to the western city line of Rochester; beginning at state highway two hundred fifty-five at or near the hamlet of Chili Center, thence running generally easterly to state highway seventy-nine; beginning at a state highway at a point near the northeastern village line of Scottsville, thence running generally easterly to state highway six hundred forty-eight; beginning at state highway sixty-two, thence running generally easterly through or near the hamlet of Henrietta to state highway two hundred ninety-four, thence running generally easterly to state highway four hundred ninety-three south of the village of Pittsford; beginning at a state highway near the northeastern village line of Pittsford, thence running generally northeasterly through or near the village of East Rochester to state highway one hundred sixty-seven at a point near the hamlet of Penfield; beginning at state highway five hundred seventy-five west of the village of Honeoye Falls, thence running generally easterly through or near the village of Honeoye Falls to state highway one thousand three hundred nineteen; beginning at

state highway two hundred fifty-four, thence running generally easterly to the western city line of Rochester; beginning at state highway two hundred fifty-four, thence running generally northerly through or near the hamlet of Gates Center to state highway two hundred fifty-three; beginning at state highway fifty-two dash one at a point near Lake Ontario and east of the Irondequoit bay outlet, thence running generally easterly adjacent to the edge of Lake Ontario to state highway five hundred seventy-four; beginning at the city line of Rochester east of Culver road, thence running generally easterly to state highway fifty-two dash one; beginning at the eastern city line of Rochester, thence running generally easterly along the south side of Ellison park to state highway one hundred sixty-eight; beginning at state highway eight thousand four hundred forty-three at a point near the hamlet of Mortimer, thence running generally northeasterly adjacent to the east side of the Genesee river to the southern city line of Rochester; beginning at a point near the northwestern city line of Rochester, thence running generally northerly to the Lake Ontario state parkway; beginning at the intersection of the western expressway at a point near the Penn Central railroad, thence running generally easterly north of the Monroe county airport to state highway four hundred one; beginning at the eastern city line of Rochester, thence running generally southeasterly, southwest of the village of East Rochester and northeast of the village of Pittsford, and through or near the hamlet of Bushnell Basin to state highway eight thousand two hundred twenty-three; beginning at the intersection of the interstate route from Rochester to Bushnell Basin, thence running generally easterly to state highway one thousand three hundred thirty-seven in the village of East Rochester; beginning at state highway six hundred forty-eight at a point west of the hamlet of Rush, thence running generally northerly passing east of the hamlet of West Henrietta and west of the hamlet of Henrietta to the Rochester Outer Loop, interstate route five hundred ninety; beginning at the Outer Loop at a point west of the northwestern corner of the town of Pittsford, thence running generally easterly near the northwestern corner of the town of Pittsford to interstate route 490; beginning at state highway ninety-nine, thence running generally northwesterly to a state highway at a point just east of Irondequoit bay; beginning at the intersection of the western expressway at a point north of state highway

eighty-three thence running generally westerly to state highway five thousand five hundred thirty-nine.

2. Upon the completion and acceptance of that portion of the highway described above as "beginning at the Genesee-Monroe county line at a point southeast of the village of Bergen, thence running generally easterly through or near the hamlets of Riga Center and Buckbee Corners to the Ballantyne bridge" from the intersection of the state highway from Scottsville to Buckbee Corners, easterly to the Ballantyne bridge, the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe of the portion of state highway two hundred eighty-six north of its intersection with state highway one thousand two hundred eighty-two, in the town of Hamlin, and also that portion of state highway eighty-one lying north of its intersection with state highway two hundred eighty-six in the town of Hamlin, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways of Monroe county, the supervisor of the town of Hamlin and the state comptroller, the state shall cease to maintain such portions of said state highway two hundred eighty-six and state highway eighty-one, and all the rights and obligations of the state therein shall revert to the county of Monroe and such portions of said state highways two hundred eighty-six and eighty-one shall thereafter be maintained by said county as a part of the county road system of said county.

3. Effective April first, nineteen hundred eighty-four, the legislative bodies of the county of Monroe and the town of Henrietta having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the town road described as follows: that portion of the route described in paragraph one hereof as "beginning at a state highway at a point near the northeastern village line of Scottsville, thence running generally easterly to state highway six hundred forty-eight" that runs from a point on state highway one thousand four hundred ninety-nine-A in or near the hamlet of Riverton, thence northerly and easterly to county road eighty-four; and to

transfer to the town of Henrietta for future maintenance as part of the Henrietta town road system and to issue official orders of abandonment of that portion of state highway one thousand four hundred ninety-nine-A beginning at the intersection of said state highway and the aforesaid described town road, thence running generally easterly to county road eighty-four; and to transfer to the county of Monroe for future maintenance as part of the Monroe County road system and to issue official orders of abandonment of that portion of state highway one thousand four hundred ninety-nine-A, beginning at the intersection of said state highway and county road eighty-four, thence running generally northeasterly to its intersection with the aforesaid described town road.

4. Effective April first, nineteen hundred eighty-four, the legislative body of the village of Fairport having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the village street described as follows: that portion of the route described in paragraph one hereof as "beginning at the southeastern city line of Rochester, thence running generally southeasterly through or near the village of East Rochester to a point on or near the east village line of Fairport" that lies within the village of Fairport beginning at a point approximately 0.27 miles south of the southerly terminus of state highway five hundred seventy-four-A, thence running generally east and southeast to a point on or near the east village line of Fairport; and to transfer to the village of Fairport for future maintenance as part of the Fairport village road system and to issue official orders of abandonment of that portion of the route described as "beginning at state highway five hundred seventy-four-A in or near the village of Fairport, thence running generally easterly to the Monroe-Wayne county line" which lies between state highway five hundred seventy-four-A and the east village line of Fairport.

8. Upon the completion and acceptance of the highway described above as "beginning at the intersection of the western expressway at a point near the Penn Central railroad, thence running generally easterly north

of the Monroe county airport to state highway four hundred one", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe of all of state highway one thousand three hundred sixty-seven, and that portion of state highway four hundred one from its junction with state highway two hundred fifty-four easterly to its intersection with the proposed state highway described above; upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Monroe county, and the state comptroller, the state shall cease to maintain the aforesaid state highway and portion of state highway specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Monroe, the said highway and portion of highway to be maintained by Monroe county as a part of the county road system.

9. Upon the completion and acceptance of the highway described above as "beginning at state highway eighty-three, thence running generally northerly through or near the hamlet of Elmgrove," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe of all of state highway four hundred eight upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Monroe county, and the state comptroller, the state shall cease to maintain the aforesaid state highway specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Monroe, the said highway to be maintained by Monroe county as a part of the county road system.

10. Upon completion and acceptance of the highways described above as "beginning at the northern city line of Rochester near Portland avenue, thence running generally easterly to state highway fifty-six dash seven", "beginning at state highway fifty-two dash one, thence running generally easterly across Irondequoit bay, through or near the village of Webster to the Monroe-Wayne county line" and "beginning at state highway ninety-nine, thence running generally northwesterly to a state

highway at a point just east of Irondequoit bay", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe of that portion of state highway ninety-nine northeasterly from its intersection with the state highway connection described above as "beginning at state highway ninety-nine, thence running generally northwesterly to a state highway at a point just east of Irondequoit bay," to state highway one hundred, all of state highways one hundred and one hundred-one; upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Monroe county, and the state comptroller, the state shall cease to maintain the aforesaid state highways and portion of state highway specified for abandonment in said official order, and all rights and obligations of the state therein shall be turned over and surrendered to the county of Monroe, the said highways and portion of state highway to be maintained by Monroe county as a part of the county road system.

11. Upon completion and acceptance of that portion of the highway described above as "beginning at state highway five thousand forty-six near the hamlet of Garbutt, thence running generally northerly through or near the hamlets of Buckbee Corners and North Chili, the village of Spencerport, the hamlets of Parma Corners and Parma Center and the village of Hilton to a point north of the village of Hilton", from state highway five thousand forty-six near the hamlet of Garbutt to state highway one thousand two hundred thirty-six in the vicinity of Buckbee Corners, the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe all of state highway five hundred seventy-three-A, and that portion of state highway five hundred seventy-three beginning at a point on state highway five hundred seventy-three approximately one thousand six hundred feet east from the westerly town line of the town of Webster, as determined by the commissioner of transportation, easterly to state highway five hundred seventy-four; upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Monroe county, and the state comptroller, the state shall cease to maintain the

aforesaid state highway and portion of state highway specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Monroe, the said highway and portions of state highway to be maintained by Monroe county as a part of the county road.

12. The legislative body of the county of Monroe having previously approved the exchange of certain county roads for certain state highways, as set forth in this paragraph, the commissioner is authorized to issue official orders of abandonment and to transfer to the county of Monroe for future maintenance as a part of the Monroe county road system all of the state highway system described as: all of state highway two hundred eighty-six, all of state highway one thousand two hundred eighty-two, all of state highway seventy-eight, all of state highway five hundred seventy-three, all of state highway five hundred seventy-three-A, all of state highway one thousand three hundred ninety, and the portion of state highway one thousand three hundred thirty-seven, from the intersection at the westbound entrance and exit ramps of state highway one hundred sixty-six northerly to the end of state jurisdiction at the south end of the Panorama trail bridge over Irondequoit creek (BIN 1095720), and the portion of state highway five thousand four hundred twenty-five, known as West avenue, from its intersection at Redman road easterly to the intersection at state highways eighty and five thousand seven hundred, and the portion of state highway one thousand four hundred eighty-one from the intersection of state highway five thousand five hundred twenty-nine northerly to the intersection of state highway six including the drainage easement extending easterly from Elmgrove road approximately 1000' but excluding BIN 4047410 over the Erie canal and its approaches defined as the highway between the southern intersection at county route one hundred eleven, known as Ridgeway avenue, to the northern intersection at county route one hundred eleven, known as Ridgeway avenue; and the portion of state highway one thousand three hundred sixty-seven from the new alignment of the intersection of state highway eight thousand four hundred forty-three northerly to the intersection with Riverside drive and the portion of state highway one thousand three hundred sixty-seven from the intersection with Riverside drive northerly to the end of the

state jurisdiction at the Rochester city line; and to assume jurisdiction for state highway purposes over the various county roads described as follows: the portion of touring route New York two hundred fifty-two in the town of Chili consisting of county route one hundred twenty-seven, known as Beaver road, from state highway two hundred fifty-two to Archer road and county route one hundred twenty-nine, known as Archer road, from Beaver road to Ballantyne road and county route one hundred twenty-five, known as Ballantyne road, from Archer road easterly to the intersection with Theron street, the portion of county route one hundred twenty-five, known as Ballantyne road, from Theron street easterly to state highway seventy-nine, and the portion of touring route New York nineteen in the town of Hamlin consisting of county route two hundred thirty-two, known as Lake Road East Fork, from the current end of state jurisdiction of state highway eighty-one at North Hamlin road northerly to state highway forty-nine -- one, and the portion of touring route New York two hundred fifty-nine in the town of Parma consisting of the portion of county route two hundred twenty-six, known as North avenue, from the current end of state jurisdiction of state highway four hundred ninety-one at Curtis road northerly to state highway forty-nine -- two, and the portion of touring route New York two hundred sixty in the town of Hamlin consisting of the portion of county route two hundred thirty, known as Walker-Lake Ontario road, from the current end of state jurisdiction at state highways one thousand seven hundred twenty-seven and eight thousand four hundred twenty-six northerly to state highways forty-nine -- one and forty-nine -- two, and the portion of touring route New York thirty-one in the town of Sweden consisting of the portion of county route two hundred thirty-six, known as Redman road, from its intersection at state highway four hundred ninety-two northerly to its intersection at state highway five thousand four hundred twenty-five, and the portion of touring route New York four hundred forty-one in the town of Brighton consisting of the portion of county route eighty-seven, known as Linden avenue, from its intersection at state highway five easterly to the beginning of state jurisdiction of state highway one hundred sixty-six and the portion of county route ninety-nine, known as Pattonwood drive, from the Rochester city line easterly to its intersection with county route one hundred twenty-four, known as Thomas avenue, including all approaches and portions of the

structure of the Colonel Patrick O'Rorke Memorial bridge located thereon.

13. Upon the completion and acceptance of the construction of the aforesaid state highway described as "the portion of state highway one thousand three hundred sixty-seven from the new alignment of the intersection of state highway eight thousand four hundred forty-three northerly to the intersection with Riverside drive" and "the portion of state highway one thousand three hundred sixty-seven from the intersection with Riverside drive northerly to the end of the state jurisdiction at the Rochester city line", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Monroe of all of state highway one thousand three hundred sixty-seven, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the legislative body, the county superintendent of highways, and the state comptroller, the state shall cease to maintain the aforesaid highways specified for abandonment as above set forth and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Monroe and said state highway shall thereafter be maintained by said county as part of the county road system of said county.

15. Upon the opening to traffic of the new bridge across Irondequoit bay and upon the letting of a contract by the United States corps of Army engineers, for the project to open Irondequoit bay into Lake Ontario at a point to be determined across state highway five hundred thirty-eight and/or state highway five hundred seventy-three, the commissioner is authorized and directed to enter an official order of discontinuance for highway purposes of that portion of the above mentioned state highway or highways which will comprise such opening. The commissioner shall file certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Monroe county and the state comptroller. Upon completion of such project opening and in the event the project opening does not occupy the existing channel at the junction of state highway five hundred

thirty-eight and state highway five hundred seventy-three the commissioner is authorized to remove the bridge over the existing channel and fill such channel under such bridge in order to provide highway access to the project opening to persons along the remaining state highway. In the event the present channel is utilized for the project opening the commissioner is authorized to remove or permit the removal of the existing structure over such channel. The expense of any state work shall be a proper charge against funds available for the construction, reconstruction, or maintenance of state highways.

28. Montgomery county. 1. Beginning at the Herkimer-Montgomery county line west of the village of St. Johnsville, thence running generally easterly through or near the villages of St. Johnsville, Nelliston, Palatine Bridge, Fonda and Fort Johnson to a point on or near the western city line of Amsterdam; beginning at a point on or near the eastern city line of Amsterdam, thence running generally easterly through or near the hamlet of Cranesville to the Montgomery-Schenectady county line; beginning at the Herkimer-Montgomery county line east of the hamlet of Indian Castle, thence running generally easterly through or near the village of Fort Plain to a point on or near Erie boulevard in the village of Canajoharie; beginning at the west end of state highway one thousand eight hundred sixty-six-A in the village of Canajoharie, thence running generally easterly through or near the villages of Canajoharie and Fultonville to a point on or near the western city line of Amsterdam; beginning at a point on the eastern city line of Amsterdam on the southern side of the Mohawk river near Cleveland avenue, thence running generally easterly to the Montgomery-Schenectady county line; beginning at the Herkimer-Montgomery county line east of the hamlet of Starkville, thence running generally easterly through or near the village of Fort Plain crossing the Mohawk river to a point in or near the village of Nelliston; beginning at the Otsego-Montgomery county line west of the hamlet of Vandeusenville, thence running generally northerly to a point in or near the hamlet of Sprout Brook; beginning at a point on or near Main street in the village of Fort Plain, thence running generally southwesterly through or near the village of Fort Plain and the hamlet of Freysbush to the hamlet of Sprout Brook, thence running generally easterly through or near the

hamlet of Buel and northeasterly to a point south of the hamlet of Marshville; beginning at the Schoharie-Montgomery county line south of the village of Ames, thence running generally northerly through or near the village of Ames and the hamlet of Marshville to the northern end of state highway one thousand six hundred sixty-seven in the village of Canajoharie; beginning at a point on or near Church street in the village of Canajoharie, thence running generally northerly crossing the Mohawk river and Conrail to a point in or near the village of Palatine Bridge; beginning at a point on or near Moyer street in the village of Canajoharie, thence running generally northerly to or near Montgomery street in the village of Canajoharie; beginning at a point in the village of Palatine Bridge, thence running generally northerly through or near the village of Palatine Bridge and the hamlet of Stone Arabia to the Montgomery-Fulton county line; beginning at a point west of the village of St. Johnsville, thence running generally northerly to the Montgomery-Fulton county line; beginning at a point east of the village of St. Johnsville, thence running generally easterly and northerly to the Montgomery-Fulton county line west of the hamlet of Ephratah; beginning at the Schoharie-Montgomery county line southeast of the hamlet of Charleston Four Corners, thence running generally northwesterly through or near the hamlet of Charleston Four Corners and west of the hamlet of Rural Grove to a point west of the hamlet of Sprakers; beginning at the Schoharie-Montgomery county line south of the hamlet of Oak Ridge, thence running generally northerly through or near the hamlets of Oak Ridge, Charleston and Glen and the village of Fultonville to or near the village of Fonda; beginning at the southern end of the Mohawk river bridge in the village of Fultonville, thence running generally easterly to a point on state highway five thousand six hundred fifty-six; beginning in or near the village of Fonda, thence running generally northwesterly to the Montgomery-Fulton county line south of the hamlet of Sammonsville; beginning in or near the village of Fonda, thence running generally northerly to the Montgomery-Fulton county line south of the city of Johnstown; beginning at a point in or near the hamlet of Glen, thence running generally easterly through or near the hamlet of Mill Point to a point north of the hamlet of Minaville; beginning at the Schenectady-Montgomery county line, thence running generally northerly through or near the hamlets of Scotch Bush

and Minaville to a point on the southern city line of Amsterdam; beginning at the Schenectady-Montgomery county line near the hamlet of Scotch Church, thence running generally northeasterly to or near the hamlet of Scotch Church, thence generally northeasterly to the Montgomery-Schenectady county line; beginning at a point in or near the village of Fort Johnson, thence running generally northerly through or near the village of Fort Johnson and westerly to the Montgomery-Fulton county line; beginning at a point on the northern city line of Amsterdam, thence running generally northerly to the Montgomery-Fulton county line south of the hamlet of Perth; beginning at a point near Church street on the eastern city line of Amsterdam, thence running generally easterly through or near the hamlet of Manny Corners to the Montgomery-Saratoga county line; beginning at a point on state highway five thousand one hundred nine east of the village of St. Johnsville, thence running easterly to a point on the Fulton-Montgomery county line south of the hamlet of Ephratah.

2. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Montgomery having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on state highway five thousand one hundred nine east of the village of St. Johnsville, thence running easterly to a point on the Fulton-Montgomery county line south of the hamlet of Ephratah; beginning at a point on state highway five thousand six hundred fifty-six-A in or near the village of Fultonville thence running generally easterly to a point on state highway five thousand six hundred fifty-six"; to transfer to the county of Montgomery for future maintenance as part of the Montgomery county road system and to issue official orders of abandonment of those highways described as follows: "beginning at state highway one thousand six hundred eighteen, thence running generally northerly to the hamlet of Auriesville; beginning at a point in or near the hamlet of Scotch Church, thence running generally northwesterly to a point southeast of the Amsterdam city line".

29. Nassau county. 1. North Hempstead turnpike, beginning at a point

on the New York city line west of the hamlet of Manhasset, thence running generally easterly through or near the hamlet of Manhasset and the village of Roslyn and the hamlet of East Norwich to a point on the Nassau-Suffolk county line in the vicinity of the village of Laurel Hollow; Long Island expressway, beginning at a point on the New York city line in the vicinity of the village of Lake Success, thence running generally easterly through or near the hamlet of Jericho to the Nassau-Suffolk county line in the vicinity of the hamlet of Plainview; Union turnpike, beginning at a point on the New York city line in the vicinity of the village of New Hyde Park, thence running generally easterly to a point on Hillside avenue in the vicinity of the hamlet of Garden City Park; Hillside avenue, beginning at a point on the New York city line in the vicinity of the village of New Hyde Park, thence running generally easterly through or near the village of Williston Park to a point on the Jericho turnpike in the vicinity of the hamlet of Carle Place; beginning at a point on the New York city line west of the village of Floral Park, thence running generally easterly to the intersection of the New York city-Hempstead boundary line with the Jericho turnpike. Such highway shall be of the same width and type of construction as is located, in which case municipal authorities of the city in which such highway is located shall by resolution petition the commissioner of transportation to provide the width and type of construction desired. The additional expense caused by the increased width or different type of construction or both shall be borne wholly by such city; Jericho turnpike, beginning at a point on the New York city line in the vicinity of the village of Floral Park, thence running generally easterly through or near the village of Mineola and the hamlet of Jericho to the Nassau-Suffolk county line in the vicinity of the hamlet of Woodbury; Hempstead turnpike, beginning at a point on the New York city line in the vicinity of the hamlet of Elmont, thence running generally easterly through or near the hamlet of Franklin Square to a point on Franklin street in the village of Hempstead; Hempstead turnpike, beginning at a point on Hendrickson avenue in the village of Hempstead, thence running generally easterly through the hamlet of Levittown to the Nassau-Suffolk county line in the vicinity of the village of Farmingdale; Front street, beginning at a point in the vicinity of Williams street in the village of Hempstead, thence running

generally easterly to a point on the Hempstead turnpike in the vicinity of the hamlet of East Meadow; Jerusalem avenue, beginning at a point on Newbridge road in the vicinity of the hamlet of North Bellmore, thence running generally easterly to a point on state highway nine thousand seventeen in the vicinity of the hamlet of Massapequa; Sunrise highway, beginning at a point on the New York city line in the vicinity of the village of Valley Stream, thence running generally easterly through or near the villages of Rockville Center and Freeport and the hamlets of Wantagh and Massapequa to the Nassau-Suffolk county line in the vicinity of the hamlet of Amityville, with a spur to the Amityville village connection of the Nassau-Suffolk county line; Nassau expressway, beginning at a point on the New York city line in the vicinity of the hamlet of Woodmere, thence running generally southerly to the Atlantic Beach bridge in the vicinity of the village of Atlantic Beach; Long Beach expressway, beginning at a point on the Atlantic Beach bridge, thence running generally easterly to the west city line of the city of Long Beach; Long Beach expressway, beginning at a point on the east city line of the city of Long Beach, thence running generally easterly to the Loop parkway in the vicinity of the hamlet of Point Lookout; Greenvale-Glen Cove, beginning at a point on the North Hempstead turnpike in the vicinity of the hamlet of Greenvale, thence running generally northerly to a point on state highway nine thousand seventeen in the vicinity of the hamlet of Glen Head; Port Washington boulevard, beginning at a point on the North Hempstead turnpike in the vicinity of the village of Munsey Park, thence running generally northerly to the vicinity of Harbor road in the hamlet of Port Washington; Newbridge road, beginning at a point on Jerusalem avenue in the vicinity of the hamlet of North Bellmore, thence running generally northerly through or near the hamlet of East Meadow to a point on state highway nine thousand seventeen in the vicinity of the hamlet of Hicksville; Massapequa-Glen Cove, beginning at a point on Merrick road in the vicinity of the hamlet of Massapequa, thence running generally northerly through or near the hamlet of Hicksville to the city of Glen Cove; Jericho-Oyster Bay, beginning at a point on state highway nine thousand seventeen in the vicinity of the hamlet of Jericho, thence running generally northerly to the vicinity of Harbor Place in the village of Oyster Bay; Wantagh avenue, beginning at a point on Merrick road in the vicinity of the

hamlet of Wantagh, thence running generally northerly to a point on the Hempstead turnpike in the vicinity of the hamlet of Plainedge; Seaford-Oyster Bay expressway, beginning at a point on the Wantagh parkway in the vicinity of the hamlet of Wantagh, thence running generally through or near the hamlets of Seaford, Bethpage and Plainview to a point on state highway nine thousand twenty-one south of the village of Oyster Bay; beginning at a point on the Seaford-Oyster Bay expressway as determined by the commissioner, thence generally northerly and northwesterly to a connection with the proposed bridge connecting Westchester and Nassau counties, including connections with existing highways. Notwithstanding the provisions of any local, general or special law, the last aforementioned highway or portions thereof may be built with control of access as determined by the commissioner. Carman Mill road, beginning at a point on Merrick road in the vicinity of the hamlet of West Amityville, thence running generally northerly to a point on the Sunrise highway in the vicinity of the hamlet of West Amityville; beginning at a point on the Hempstead turnpike in the vicinity of the village of Farmingdale, thence running generally southeasterly to the Nassau-Suffolk county line in the vicinity of the village of Farmingdale.

2. Upon completion and acceptance of the aforementioned Seaford-Oyster Bay expressway, the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment to the county of Nassau of such portions of state highways one thousand seven hundred ninety-eight and FASSH fifty-one dash eight as shall not be used in the construction of said highway, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county commissioner of public works, all of Nassau county, and the state comptroller, the highways described in such official order, together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Nassau, to be maintained thereafter by that county.

30. Niagara county. 1. Beginning at the eastern city line of Niagara Falls at or near River road, thence running generally southeasterly to the western city line of North Tonawanda at or near River road;

beginning at the eastern city line of Niagara Falls, thence running generally easterly to an intersection with state highway five thousand one hundred sixty-four, at or near the northeastern city line of Niagara Falls; beginning at the eastern city line of Niagara Falls on or near Pine avenue, thence running generally southeasterly passing through the city of North Tonawanda, near the northeast city line, to the Niagara-Erie county line; beginning at the northern city line of Niagara Falls on or near College avenue, thence running generally easterly through or near the hamlet of Cambria Station to the western city line of Lockport on or near West avenue; beginning on the eastern city line of Lockport on or near Akron road, thence running generally southeasterly through or near the hamlet of Dysinger, to the southern county line of Niagara county west of the Tonawanda Indian reservation; beginning at a point on Transit Road (state highway five hundred seven) at the intersection of Robinson Road, thence running generally westerly to a point east of the New York State Barge Canal to be determined by the commissioner, thence running generally north to the southern city line of Lockport; beginning at the westerly city line of Lockport, thence running generally northwesterly to a point on or near Saunders Settlement Road (state highway nine thousand ninety-four) at its intersection with Upper Mountain Road; beginning on the eastern city line of Lockport on or near East avenue, thence running generally southeasterly through or near the hamlets of McNalls and Royalton Center to the eastern county line of Niagara county north of the Tonawanda Indian reservation; beginning at a point on or near state highway five thousand five hundred sixty-three in the town of Lockport, thence running generally easterly through or near the village of Middleport, to the Niagara-Orleans county line; beginning in the village of Lewiston at or near Fourth street, thence running generally easterly through or near the hamlets of Cambria and Warrens Corners to a state highway in or near the hamlet of Wrights Corners; beginning on a state highway at a point north of the hamlet of Wrights Corners, thence running generally easterly through or near the hamlets of Ridgewood and Johnson Corners to the Niagara-Orleans county line west of the hamlet of Jeddo; beginning in or near the village of Youngstown, thence running generally southeasterly through or near the hamlets of Ransomville and North Ridge to a point on or near state highway five thousand four hundred sixteen

at or near the hamlet of Cambria; beginning at a point on state highway nine thousand three hundred twenty-two south of Four Mile Creek state park, thence running generally northeasterly along the south shore of Lake Ontario, through or near the hamlet of Olcott, thence running generally easterly to the Niagara-Orleans county line; beginning on the northern city line of Niagara Falls, thence running generally northeasterly to the village of Lewiston; beginning on the northern city line of Niagara Falls at or near the intersection of Lockport road and Hyde Park boulevard, thence running generally northwesterly to or near an intersection with state highway four hundred seventy-five; beginning in or near the village of Lewiston on or near state highway five thousand three hundred six, thence running generally easterly and northerly to or near state highway eight thousand three hundred six northeast of the village of Youngstown; beginning on the northern city line of Niagara Falls approximately three sixteenths mile northwest of the intersection of Pine avenue and Military road, thence running generally northwesterly to an intersection with state highway five thousand five hundred ninety; beginning at or near the northern city line of North Tonawanda on or near Ward road, thence running generally through or near the hamlet of St. Johnsburg to an intersection with state highway five thousand three hundred five; beginning at or near state highway nine thousand ninety-four in or near the hamlet of Sanborn, thence running generally northerly through or near the hamlet of Pekin to a point at or near state highway one thousand three hundred sixteen; beginning at the northern city line of North Tonawanda on or near Shawnee road, thence running generally northerly through or near the hamlets of Shawnee and North Ridge to a point in or near the village of Wilson; beginning at or near the Niagara-Erie county line in or near the hamlet of Wendelville, thence running generally northerly through or near the hamlets of Pendleton Center and Lockport Junction to an intersection with state highway five thousand four hundred sixteen in or near the hamlet of Warrens Corners; beginning at or near the Niagara-Erie county line, thence running generally northerly west of the hamlet of Raymond to the southern city line of Lockport; beginning at or near the northern city line of Lockport, thence running generally northerly through or near the hamlets of Wrights Corners and Newfane to a point in or near the hamlet of Olcott; beginning at a point on state

highway one thousand one hundred thirty-five in or near the village of Middleport, thence running generally northerly and easterly to the Niagara-Orleans county line south of the New York state barge canal; beginning at the eastern city line of Niagara Falls, thence running generally southeasterly to an intersection with a state highway; beginning at the eastern city line of Lockport on or near Walnut street, thence running generally northeasterly to an intersection with state highway five thousand five hundred sixty-one; beginning at a point on state highway five thousand four hundred thirty-one, thence running generally northerly through or near the hamlets of Jeddo and Northridgeway to an intersection with state highway nine thousand fifty-two; beginning at a point on state highway one thousand six hundred thirty-five, thence running generally northerly to a point on state highway five thousand one hundred sixty-four.

2. Upon the completion and acceptance of the construction of the aforesaid highway described as "beginning at the eastern city line of Lockport on or near Walnut street, thence running generally northeasterly to an intersection with state highway five thousand five hundred sixty-one", the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment of that portion of state highway eight thousand four hundred fifty-one from its westerly terminus at state highway five thousand five hundred sixty-three easterly to the intersection created by the construction of the proposed highway described at the beginning of this paragraph (the portion of such abandonment in the town of Lockport being 1.36 miles and in the town of Royalton approximately 2.15 miles), together with that portion of state highway five thousand five hundred sixty-three from its westerly terminus at the city of Lockport easterly to its intersection with the aforesaid proposed highway described at the beginning of this paragraph (being approximately 1.61 miles of abandonment in the town of Lockport) and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Niagara county, the state comptroller, and the supervisors of the towns of Lockport and Royalton, the state shall cease to maintain the highways named in such official order, and all the rights and obligations of the

state therein shall revert to and become the responsibility of the towns of Lockport and Royalton, the said towns to maintain thereafter the part or parts of said highways within their respective bounds as part of their respective town highway systems.

3. Effective September first, nineteen hundred ninety, the legislative body of the county of Niagara having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: that portion of the route described as "beginning at a point on Transit road (state highway five hundred seven) at the intersection of Robinson road, thence running generally westerly to a point east of the New York State Barge Canal to be determined by the commissioner, thence running generally north to the southern city line of Lockport" which lies between a point on Transit road (state highway five hundred seven) at the intersection of Robinson road, thence running westerly along Robinson road to a point east of the New York State Barge Canal to be determined by the commissioner; and to transfer to the county of Niagara for future maintenance as part of the county highway system in Niagara county and to issue official orders of abandonment of that route described as "beginning at a state highway in the village of Middleport, thence running generally northerly to an intersection with state highway five thousand four hundred thirty-one".

4. Effective October first, nineteen hundred ninety-eight, the legislative body of the county of Niagara having previously approved the exchange of certain county roads for certain state highways, as set forth in this paragraph, the commissioner is authorized to issue official orders of abandonment and to transfer to the county of Niagara for future maintenance as a part of the Niagara county road system all of the state highway described as the portion of state highway five thousand five hundred sixty, beginning at state touring route two hundred seventy-one in the village of Middleport and thence running generally easterly a distance of approximately 0.81 miles to the Niagara-Orleans county line and all of the state highway described as the portion of state highway seven hundred forty-nine, beginning on the easterly city line of the city of Lockport on or near Akron road, thence

running generally southeasterly on Akron road to the intersection of Akron road with Dysinger road; and to assume jurisdiction for state highway purposes over the county roads described as follows: the portion of Robinson road (county road number one hundred twenty-three), beginning at Transit road (state highway number five hundred seven), thence running generally easterly to Beattie avenue, thence running generally easterly along Dysinger road (county road number one hundred thirty-three) to the intersection of Dysinger road with Akron road (state highway number seven hundred forty-nine).

31. Oneida county. 1. Beginning at the Madison-Oneida county line east of the village of Madison, thence running generally easterly through or near the hamlet of Sangerfield and the village of Bridgewater to the Oneida-Otsego county line; beginning at the Herkimer-Oneida county line east of the village of Bridgewater, thence running generally easterly to the Oneida-Herkimer county line, west of the village of West Winfield; beginning at the Madison-Oneida county line, thence running generally northeasterly through or near the village of Waterville and the hamlet of Paris to a point in or near the village of New Hartford; beginning at a point in or near the village of Waterville, thence running generally northwesterly through or near the hamlet of Forge Hollow to a point in or near the hamlet of Deansboro; beginning at the Madison-Oneida county line in or near the village of Oriskany Falls, thence running generally northerly through or near the hamlet of Deansboro and the villages of Clinton and New Hartford to the southern city line of Utica; beginning at a point on or near state highway seven hundred sixty-one, thence running generally northerly through or near the hamlets of Kirkland and Westmoreland to a point in or near the hamlet of Stanwix; beginning at a point on or near the west end of state highway one thousand six hundred ten, thence running generally easterly to a point on or near the east end of state highway nine thousand sixty-one, in or near the village of Clinton; beginning at a point on or near state highway five thousand three hundred eighty-five in or near the village of Oriskany Falls, thence running generally northwesterly through or near the hamlets of Augusta, Vernon Center and Lowell to a point on or near state highway five hundred sixty-four in the city of Rome; beginning at a point in or near the hamlet of Vernon Center, thence running generally northwesterly

to a point on or near state highway two hundred seventy-one in the village of Vernon; beginning at a point east of the hamlet of Kirkland, thence running generally southeasterly to a point northeast of the village of Clinton; beginning at a point northeast of the village of Clinton on or near the south end of state highway fifty-four dash two, thence running generally northeasterly to a point on or near state highway nine thousand two hundred five; beginning at the Oneida-Madison county line, thence running generally northerly through or near the village of Bridgewater and hamlets of Clayville, Chadwicks and Washington Mills to the southern city line of Utica, including an interchange connection with Genesee street in the city of Utica; beginning at the Madison-Oneida county line, thence running generally easterly through or near the village of Oneida Castle, the city of Sherrill, the village of Vernon and the hamlet of Kirkland to a point on the southern city line of Utica; beginning at a point in or near the village of Oneida Castle, thence running generally northeasterly through or near the hamlet of Verona Station to a point on or near the southern inner corporation line of the city of Rome; beginning at a point south of the southern inner corporation line of the city of Rome, thence running generally southeasterly through or near the villages of Oriskany, Whitesboro, New York Mills and Yorkville to the western city line of Utica; beginning at a point on state highway eight thousand four hundred fifty-five in the village of Oriskany, thence running generally northeasterly to a point on or near state highway two hundred ninety-six; beginning at a point on or near state highway nine thousand two hundred five, west of the village of New Hartford, thence running generally northeasterly to a point in or near the village of New York Mills; beginning at the Madison-Oneida county line east of the city of Oneida, thence running generally easterly to a point on or near state highway forty-seven dash one, north of the village of Oneida Castle; beginning at a point on the Madison-Oneida county line, thence running generally northeasterly through or near the hamlets of Durhamville and New London to a point on the western inner corporation line of the city of Rome; beginning at a point on the Madison-Oneida county line, thence running generally easterly through or near the hamlets of State Bridge and Verona Station to a point in or near the village of Vernon; beginning at a point on a state highway in or near the hamlet of

Stanwix, as determined by the commissioner, thence running generally southeasterly and easterly through or near the hamlet of Westmoreland to a state highway on or near the southwestern city line of Utica, as determined by the commissioner; beginning at a point in or near the village of New York Mills, thence running generally easterly to the western city line of Utica; beginning at the Madison-Oneida county line, thence running generally northerly through or near the hamlet of Sylvan Beach to a point on or near state highway eight thousand one hundred three, east of the hamlet of North Bay; beginning at the Oneida-Madison county line, thence running generally northerly along the eastern shore of Oneida lake to a point on or near the southern boundary of Verona Beach state park; beginning at a point on the northern boundary of the Verona Beach state park, thence running generally northerly along the eastern shore of Oneida lake to a point south of the hamlet of Sylvan Beach; beginning at the Oswego-Oneida county line, thence running generally easterly through or near the hamlets of North Bay and Vienna to a point in or near the hamlet of New London; beginning at a point in or near the hamlet of Vienna, thence running generally northwesterly through or near the village of Camden to the Oswego-Oneida county line; beginning at the Oswego-Oneida county line, thence running generally southeasterly to a point in or near the village of Camden; beginning at a point in or near the village of Camden, thence running generally southeasterly through or near the hamlet of Taberg, to the western inner corporation line of the city of Rome; beginning at the eastern inner corporation line of the city of Rome, thence running generally southeasterly through or near the hamlet of Cary Corners to the western city line of Utica; beginning at the southern end of state highway one thousand five hundred seventeen at a point on or near the northern city line of Utica, thence running generally northerly to a point south of the Erie canal; beginning at a point on or near state highway one thousand five hundred seventeen on the northern side of the Governor Thomas E. Dewey Thruway, thence running generally northerly to a point west of the western city line of Utica; beginning at the northern inner corporation line of the city of Rome, thence running generally northerly through or near the hamlets of Stokes, West Branch and Ava to the Oneida-Lewis county line; beginning at the northern inner corporation line of the city of Rome, thence running generally northerly through or

near the hamlets of Westernville and northwestern to a point in or near the village of Boonville; beginning at the Oneida-Lewis county line, thence running generally easterly to a point in or near the village of Boonville; beginning at a point in or near the village of Holland Patent, thence running generally northwesterly through or near the hamlets of Steuben and Big Brook to a point in or near the hamlet of Frenchville; beginning at a point on state highway five hundred sixty, in the vicinity of the entrance to Griffiss Air Force base, thence running generally northeasterly near or through the hamlet of Floyd to a point on state highway eight thousand three hundred forty-five, west of the village of Holland Patent; beginning at a point on state highway five thousand five hundred forty-seven, north of the village of Whitesboro, thence running generally northeasterly through or near the villages of Holland Patent, Barneveld and Prospect and the hamlet of Hinckley to the Oneida-Herkimer county line; beginning at the northern city line of Utica, thence running generally northerly and northwesterly through or near the villages of Barneveld and Remsen, the hamlet of Alder Creek, and the village of Boonville to the Oneida-Lewis county line; beginning in the town of Deerfield on or near state highway nine hundred thirty-three, thence running generally northeasterly to a point south of West Canada creek and west of the village of Poland; beginning at the Herkimer-Oneida county line at a point on or near state highway five thousand five hundred fifty-nine, thence running generally easterly to a point on the Oneida-Herkimer county line west of the village of Poland; beginning at a point on state highway nine hundred thirty-one, south of the village of Barneveld, thence running generally easterly to the Oneida-Herkimer county line; beginning at a point on state highway five thousand three hundred forty-five, north of the village of Prospect, thence running generally northwesterly to a point on or near state highway five thousand three hundred forty-six in or near the village of Remsen; beginning at a point on state highway five thousand two hundred forty-eight in or near the hamlet of Alder Creek, thence running generally northeasterly through or near the hamlets of Forestport, White Lake and Otter Lake to the Oneida-Herkimer county line; beginning at a point on state highway five thousand three hundred three in or near the village of Boonville, thence running generally northwesterly to the Oneida-Lewis county line; beginning at a point west

of the village of New Hartford in the vicinity of the Utica North-South arterial, thence running generally southeasterly through or near the hamlet of Washington Mills to the Oneida-Herkimer county line; beginning at a point on state highway nine hundred thirty-one south of the village of Barneveld, thence running generally northerly through the village of Barneveld to a point on state highway five thousand three hundred twenty-five; beginning at a point on or near state highway fifty-eight dash four in or near the city of Rome as determined by the commissioner, thence running generally northeasterly to the southern inner corporation line of the city of Rome; beginning at a point on state highway eight thousand five hundred ten in the village of Whitesboro, thence running northeasterly to a point on state highway two hundred ninety-seven; beginning at the city line of Utica at state arterial highway sixty dash twenty-five thence running generally northeasterly to a point on the village of Yorkville - city of Utica line at or near Whitesboro street.

2. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Oneida, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the roads described as follows: "beginning at a point on state highway one hundred forty west of the hamlet of Vernon Center thence running generally northwesterly to a point on state highway two hundred seventy-one in the village of Vernon; beginning at a point on state highway eight thousand five hundred ten in the village of Whitesboro, thence running northeasterly to a point on state highway two hundred ninety-seven; beginning at the city line of Utica at state arterial highway sixty dash twenty-five, thence running generally northeasterly to a point on the village of Whitesboro - city of Utica line at or near Whitesboro street;" and to transfer to the county of Oneida for future maintenance as part of the county highway system in Oneida and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point in or near the hamlet of Vernon Center, thence running generally northerly to a point on or near state highway one hundred forty; beginning at the eastern boundary of Griffiss Air Force base, thence running generally easterly to a point in or near the hamlet of Floyd; beginning at the northern

city line of Utica, thence running generally northerly to a point on or near state highway nine hundred thirty-three in the vicinity of county road thirty-six."

3. All that portion of the north-south arterial highway (south city line to Oriskany street) in the county of Oneida, between Burrstone road and Court street as specifically located between station 100+00 and station 198+00 shall be designated as "The General Casimir Pulaski Highway".

4. Effective September first, nineteen hundred eighty-eight, the legislative body of the county of Oneida, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the roads described as follows: "beginning at a point on state highway eight thousand four hundred fifty-five in the village of Oriskany, thence running generally northeasterly to a point on or near state highway two hundred ninety-six"; and to transfer to the county of Oneida for future maintenance as part of the county highway system in Oneida and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point on or near state highway five thousand one hundred thirty-nine, west of the hamlet of Taberg, thence running generally northwesterly to a county highway in or near the hamlet of Thompson Corners."

5. The commissioner is authorized to assume, upon the filing of an official order by the commissioner with the department, the department of state and the county clerk of Oneida county, jurisdiction for state highway purposes over the highway described as follows: beginning at a point, to be determined by the commissioner, at the intersection of East Chestnut street and the eastern inner corporation line of the city of Rome, thence running generally southeasterly on East Chestnut street and Mohawk drive to the intersection of Mohawk drive and Hill road, thence running generally southeasterly on Hill road to the intersection of Hill road and Wright drive, thence running generally southerly on Wright drive to a point to be determined by the commissioner, at the intersection of Wright drive and state highway number five hundred

sixty.

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

32. Onondaga county. 1. Beginning at the Onondaga-Cayuga county line west of the village of Elbridge, thence running generally easterly through or near the villages of Elbridge, Camillus and Solvay to the western city line of Syracuse; beginning at the eastern city line of Syracuse, thence running generally southeasterly through or near the hamlet of Dewitt, the village of Fayetteville and the hamlet of Mycenae to the Onondaga-Madison county line east of the hamlet of Mycenae; beginning at the Onondaga-Cortland county line south of the village of Tully, thence running generally northerly through or near the village of Tully and the hamlet of Lafayette, through the Onondaga Indian reservation to the southern city line of Syracuse; beginning at the northern city line of Syracuse, thence running generally northerly to or near the village of North Syracuse and the hamlet of Cicero to the Onondaga-Oswego county line in or near the hamlet of Brewerton; beginning at an intersection with a state highway near the hamlet of Tully Center, thence running generally northerly through or near the hamlets of Tully Valley and Cardiff, thence through the Onondaga Indian reservation to the intersection with a state highway near the northern boundary of the Onondaga Indian reservation; beginning at the Onondaga-Cayuga county line west of the village of Skaneateles, thence running generally easterly through or near the village of Skaneateles, the hamlets of Clintonville, Navarino, Cardiff, Lafayette, Pompey and Pompey Center, to the Onondaga-Madison county line east of the hamlet of

Pompey Center; beginning at the Onondaga-Cayuga county line east of the village of Jordan, thence running generally easterly through or near the villages of Jordan and Baldwinsville, the hamlets of Euclid, Cicero, Cicero Center and Bridgeport to the Onondaga-Madison county line in or near the hamlet of Bridgeport; beginning at an intersection with a state highway in or near the village of Elbridge, thence running generally northwesterly to a state highway in or near the village of Jordan; beginning at the Onondaga-Cayuga county line east of the hamlet of Owasco, thence running generally easterly and southerly to the Onondaga-Cayuga county line north of the hamlet of Niles; beginning at the Onondaga-Cortland county line south of the hamlet of Spafford, thence running generally northerly through or near the hamlets of Spafford, Spafford Valley and Borodino to a state highway in or near the village of Skaneateles; beginning at the Onondaga-Cayuga county line south of the hamlet of Mandana, thence running generally northerly through or near the hamlet of Mandana to a state highway in or near the village of Skaneateles; beginning at interstate route connection 570 in the vicinity of Walters road, thence running generally northwesterly through or near the village of Baldwinsville to the Onondaga-Oswego county line northeast of the hamlet of Lamson; beginning at the northern city line of Syracuse, thence running generally northwesterly through or near the village of Liverpool to the Onondaga-Oswego county line in or near the hamlet of Three Rivers; beginning at the southern city line of Syracuse, thence running generally southerly through or near the hamlets of South Onondaga, Otisco, Vesper and Tully Center and the village of Tully, thence running generally easterly to or near the hamlet of Apulia and the village of Fabius, to a point on the Madison-Onondaga county line; beginning at the Onondaga-Cortland county line south of the hamlet of Apulia, thence running generally northerly to the hamlet of Apulia; beginning at a state highway in or near the village of Fabius, thence running generally northerly through or near the hamlet of Pompey to a state highway in or near the hamlet of Jamesville; beginning at the Onondaga-Madison county line southeast of the hamlet of Oran, thence running generally northwesterly through or near the hamlet of Oran, the village of Manlius and hamlet of Lyndon, thence running generally westerly through or near the hamlet of Dewitt, to the eastern city line of Syracuse; beginning at a state highway in or near the hamlet of

Fairmount, thence running generally southeasterly to the western city line of Syracuse; beginning at the eastern city line of Syracuse, thence running generally easterly through or near the hamlet of Jamesville and the Village of Manlius, northeasterly through or near the hamlet of Eagle village to the Onondaga-Madison county line northeast of the hamlet of Eagle Village; beginning at a state route in or near the hamlet of Borodino, thence running generally northerly through or near the village of Marcellus and the hamlet of Marcellus Falls to a state highway in or near the village of Camillus; beginning at a state highway in or near the village of Marcellus, thence running generally easterly through or near the hamlet of Cards Corners to a state highway at Onondaga Hill; beginning at a state highway in or near the village of Manlius, thence running generally northerly through or near the village of Fayetteville to a state highway in or near the hamlet of Manlius Center; beginning at the Onondaga-Cortland county line near the hamlet of Tully Center, thence running generally northerly to a state highway at a point west of the village of Tully; beginning at the eastern city line of Syracuse, thence running generally easterly through or near the village of East Syracuse and the hamlet of Manlius Center to a state highway in or near the hamlet of Mycenae; beginning at the northern city line of Syracuse, thence running generally northeasterly through or near the hamlets of Collamer and Shepps Corners, thence generally northeasterly to a state highway in or near the hamlet of Bridgeport; beginning at a state highway in or near the village of Skaneateles, thence running generally northerly and easterly to a state highway north of the hamlet of Marcellus Falls; beginning at a state highway north of the Onondaga-Cayuga county line north of the hamlet of Niles, thence running generally northerly and easterly to a state highway in or near the hamlet of Mandana; beginning at the Onondaga-Cayuga county line west of the hamlet of Plainville, thence running generally easterly through or near the hamlet of Plainville and the village of Baldwinsville, thence generally southeasterly through or near the hamlet of Cold Springs to a state highway in or near the village of Liverpool; beginning at the hamlet of Manlius Center, thence running generally westerly to the eastern city line of Syracuse over the right-of-way of the Erie canal; beginning at a point on a state highway near the hamlet of Fairmount Corners, thence running generally southerly on a new

location to Split Rock road; beginning at the intersection of interstate route connections 570 and/or 571 at the Butternut interchange, thence running generally southeasterly and southerly on new location to an intersection with a state highway east of the hamlet of Jamesville. Notwithstanding the provisions of any local, general or special law, the last aforementioned highway or portions thereof may be built with control of access as determined by the commissioner. Beginning at a point on a state highway near the village of Solvay, thence running generally northerly on new location to interstate route connection 570; beginning at a point on a state highway east of the hamlet of Moyers Corners, thence running generally southeasterly and easterly on new location to an intersection with interstate route 505 in the vicinity of the village of North Syracuse, continuing southeasterly and easterly to interstate route 504 in the vicinity of the hamlet of Collamer; beginning near the northeast corner of the Onondaga Indian reservation at a junction with a state highway, thence running generally westerly along the northern boundary of the reservation to a state highway; beginning at a point in or near the village of Solvay, thence running generally northerly to interstate route connection 570, thence northwesterly through or near the state fairgrounds to another interchange with interstate route connection 570; beginning at the Jamesville interchange of interstate route connection 571, thence running generally southeasterly through or near the village of Manlius to a state highway northwest of the village of Cazenovia at the Onondaga-Madison county line, said highway to be built with control of access; beginning at the northern city line of Syracuse from an extension of North Midler avenue, thence running generally northerly and northeasterly to New Court street; beginning at a point on a state highway at or near the boundary between the city of Syracuse and the village of East Syracuse, thence running generally northerly along the eastern Syracuse city line through or near the village of East Syracuse to a point on state highway three hundred forty-eight at or near Carrier circle; beginning on state highway eight thousand four hundred ninety-six at a point, to be determined by the commissioner, approximately one thousand three hundred feet north of the intersection of state highway eight thousand four hundred ninety-six with Van Buren road, thence running generally northeasterly on a new location to an

intersection with state highway six hundred seventy-one at a point, to be determined by the commissioner, approximately nine hundred feet southeast of the intersection of state highway six hundred seventy-one with Curtis street, thence continuing northerly and northeasterly on a new location to a state highway one thousand thirty-nine at a point, to be determined by the commissioner, between the village line of the village of Baldwinsville and the intersection of state highway one thousand thirty-nine and Willet parkway in the town of Lysander.

2. Upon the completion and acceptance of the construction of the highway described as "beginning at the Jamesville interchange of interstate route connection 571, thence running generally southeasterly through or near the village of Manlius to a state highway northwest of the village of Cazenovia at the Onondaga-Madison county line", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Onondaga of all state highway nine thousand twenty-five, and state highway nine thousand three hundred fifty-four, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Onondaga county and the state comptroller, the state shall cease to maintain the aforesaid state highways specified for abandonment as above set forth and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Onondaga and said state highways shall thereafter be maintained by said county as a part of the county road system of said county.

3. Effective April first, nineteen hundred eighty, the legislative body of the county of Onondaga, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on state highway four hundred twenty-nine north of the northwestern village line of East Syracuse thence running generally northerly to a point on state highway three hundred forty-eight at Carrier circle; beginning at the present terminus of state highway five hundred fifty-four east of the village of Fabius thence running

generally easterly to a point on the Madison-Onondaga county line; beginning at a point at the junction of interstate route connection 570 and state highway one thousand three hundred fifty-three thence running northwesterly through or near the state fairgrounds to another interchange with interstate route connection 570"; and to transfer to the county of Onondaga for future maintenance as part of the county highway system in Onondaga and to issue official orders of abandonment of those portions of highway described as follows: "beginning at an intersection with a state highway east of the Cayuga-Onondaga county line southwest of the village of Elbridge, thence running generally northwesterly to the Onondaga-Cayuga county line; beginning at a state highway north of the dividing line between the town of Elbridge and the town of Skaneateles, thence running generally northerly to a state highway east of the village of Elbridge; beginning at the northern city line of Syracuse at the intersection of Wadsworth street and LeMoyne avenue, thence running generally northerly on LeMoyne avenue to a state highway in or near the hamlet of Mattydale".

4. Effective April first, two thousand three, the legislative body of the village of Elbridge, having previously approved the exchange of certain county roads for certain state highways, as set forth in this subdivision, the commissioner is authorized to transfer to the village of Elbridge for future maintenance as part of the village of Elbridge system of streets all of the state highway described as beginning at that portion of state highway five thousand eighty at the intersection of two state highways in or near the village of Elbridge thence running generally northwesterly to the northern village line of the village of Elbridge.

5. Effective April first, two thousand three, the legislative Body of the town of Elbridge, having previously approved the exchange of certain county roads for certain state highways, as set froth in this subdivision, the commissioner is authorized to transfer to the town of Elbridge for future maintenance as part of the town of Elbridge system of roads all of the state highway described as state highway four hundred eighty-seven beginning at the northern village line of the village of Elbridge thence running generally northwesterly to the

southern village line of the village of Jordan.

6. Effective April first, two thousand three, the legislative body of the village of Jordan, having previously approved the exchange of certain county roads for certain state highways, as set forth in this subdivision, the commissioner is authorized to transfer to the village of Jordan for future maintenance as part of the village of Jordan system of streets all of the state highway described as state highway five thousand six hundred thirty beginning at the southern village line of the village of Jordan thence running generally northwesterly to an intersection with Jordan Elbridge Road (referred to herein as county road one hundred five).

7. Effective April first, two thousand three, the legislative body of the county of Onondaga, having previously approved the exchange of certain county roads for certain state highways, as set forth in this subdivision, the commissioner is authorized to transfer to the county of Onondaga for future maintenance as part of the county of Onondaga system of roads the bridge located in the town of Elbridge and identified as bridge identification number 1022080 and the bridge located in the village of Elbridge and identified as bridge identification number 1022070.

8. Effective April first, two thousand three, the legislative body of the county of Onondaga, having previously approved the exchange of certain county roads for certain state highways, as set forth in this subdivision, the commissioner is authorized to assume jurisdiction for state highway purposes over the road identified as county road one hundred five and/or Jordan Elbridge Road and described as beginning at an intersection with state highway five thousand eighty in or near the village of Elbridge, thence running generally northwesterly, on an alignment east of Skaneateles creek, to an intersection with state highway five thousand six hundred thirty in or near the village of Jordan.

33. Ontario county. 1. Beginning at the Livingston-Ontario county line, thence running generally easterly through or near the hamlet of

West Bloomfield and the village of East Bloomfield to the western city line of Canandaigua; beginning at the eastern city line of Canandaigua, thence running generally easterly through or near the hamlet of Flint to the western city line of Geneva; beginning at the Monroe-Ontario county line near the hamlet of Mendon, thence running generally easterly through or near the villages of Victor, Manchester, Clifton Springs and Phelps to the Ontario-Seneca county line; beginning at the Steuben-Ontario county line southwest of the village of Naples, thence running generally northerly through or near the village of Naples and the hamlets of Bristol Springs, South Bristol and Vincent to state highway five thousand five hundred seventy-six; beginning at state highway five thousand eighty-one near the village of Holcomb, thence running generally northwesterly through or near the hamlet of Ionia to the Ontario-Monroe county line; beginning at the Yates-Ontario county line west of the village of Rushville, thence running generally northerly along the east side of Canadaigua lake to the southern city line of Canandaigua; beginning at the eastern city line of Canandaigua, thence running generally easterly to state highway fifty-five dash two; beginning at the eastern city line of Canandaigua, thence running generally northerly through or near the hamlet of Chapin and the villages of Shortsville and Manchester to the Ontario-Wayne county line; beginning at the Yates-Ontario county line north of the hamlet of Angus, thence running generally northwesterly and northerly to a point northwest of the city of Geneva, thence generally easterly and northerly through or near the hamlet of West Junius to the Ontario-Wayne county line south of the hamlet of Alloway; beginning at the Livingston-Ontario county line north of the hamlet of Springwater, thence running generally northerly between Hemlock lake and Canadice lake to the Ontario-Livingston county line south of the hamlet of Hemlock; beginning at the Livingston-Ontario county line east of the hamlet of Hemlock, thence running generally easterly and northeasterly through or near the hamlets of Honeoye and Vincent to state highway five thousand six hundred eighty-eight; beginning at state highway eight thousand one hundred fifty-six in or near the hamlet of Bristol Springs, thence running generally northeasterly through or near the hamlet of Cheshire to the western city line of Canandaigua; beginning at the Steuben-Ontario county line north of the hamlet of Ingleside, thence

running generally northerly to state highway two hundred four in or near the village of Naples; beginning at state highway five thousand three hundred ninety-seven in or near the village of Naples, thence running generally northeasterly to the Ontario-Yates county line; beginning at the Yates-Ontario county line in or near the village of Rushville, thence running generally northeasterly through or near the hamlets of Gorham and Stanley to state highway six hundred thirty-five; beginning at state highway six hundred sixty-two northeast of the village of Rushville, thence running generally northerly through or near the hamlets of Reeds Corners to state highway two hundred seven east of the city of Canandaigua; beginning at the Yates-Ontario county line east of the village of Rushville, thence running generally northerly and northeasterly through or near the hamlet of Halls Corners to state highway three hundred thirty-three west of the city of Geneva; beginning at state highway one hundred ninety-one north of Honeoye lake, thence running generally northerly through or near the hamlet of West Bloomfield to the Ontario-Livingston county line near the village of Honeoye Falls; beginning at state highway five thousand eighty-one near the village of East Bloomfield, thence running generally northeasterly and southeasterly through the villages of East Bloomfield and Holcomb to state highway one hundred eighty-eight; beginning at state highway three hundred thirty-five west of the village of Victor, thence running generally northwesterly to the Ontario-Monroe county line; beginning at the northern city line of Canandaigua, thence running generally northwesterly to a connection with interstate route 504; beginning at state highway one thousand four hundred fifteen near the hamlet of Chapin, thence running generally easterly and northerly through or near the hamlet of Orleans to state highway six hundred eight; beginning at state highway one thousand two hundred seventy-seven in or near the village of Phelps, thence running generally northerly to the Ontario-Wayne county line; beginning at state highway five thousand two hundred fifty-two east of the village of Phelps, thence running generally easterly through or near the hamlet of West Junius to the Ontario-Seneca county line; beginning at the Wayne-Ontario county line, thence running generally easterly through or near the hamlet of Port Gibson to the Ontario-Wayne county line; beginning at state highway five thousand five hundred seventy-six near the western city line of

Canandaigua, thence running generally southerly and easterly to the eastern city line of Canandaigua; beginning at state highway two hundred five in or near the hamlet of Woodville, thence running generally easterly to the Ontario-Yates county line; that portion of state highway one thousand seven hundred four from its intersection of the highway described above at or near the Ontario-Yates county line northerly to the southerly city line of Geneva, that portion of state highway two hundred three from its westerly terminus southeasterly to its junction with the easterly terminus of state highway six hundred sixty-two, that portion of state highway six hundred sixty-two from its southerly terminus northerly to its junction with state highway two hundred three, and that portion of state highway one thousand five hundred fifty from its westerly terminus easterly to its junction with state highway one thousand seven hundred twenty-six.

2. Upon completion and acceptance of the highway described as "beginning at state highway five thousand five hundred seventy-six near the eastern city line of Canadaigua, thence running generally southerly and easterly to the eastern city line of Canandaigua", the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment to the county of Ontario of that portion of state highway one hundred eighty-seven from its westerly terminus easterly to its junction with state highway six hundred thirty-nine, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Ontario county, and the state comptroller, the state shall cease to maintain said portion of state highway one hundred eighty-seven specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Ontario, the said portion of state highway to be maintained by Ontario county as a part of the county road system.

3. Upon the completion and acceptance of that portion of the highway described as "beginning at the Yates-Ontario county line north of the hamlet of Angus, thence running generally northwesterly and northerly to a point northwest of the city of Geneva, thence generally easterly and

northerly through or near the hamlet of West Junius to the Ontario-Wayne county line south of the hamlet of Alloway", from the Yates-Ontario county line north of the hamlet of Angus, thence running generally northwesterly and northerly to a point northwest of the city of Geneva, thence generally easterly to state highway three hundred thirty-four the commissioner of transportation is hereby authorized and directed to enter an official order of abandonment to the county of Ontario of that portion of state highway one thousand seven hundred four from its intersection of the highway described above at or near the Ontario-Yates county line northerly to the southerly city line of Geneva, that portion of state highway two hundred three from its westerly terminus southeasterly to its junction with the easterly terminus of state highway six hundred sixty-two, that portion of state highway six hundred sixty-two from its southerly terminus northerly to its junction with state highway two hundred three, and that portion of state highway one thousand five hundred fifty from its westerly terminus easterly to its junction with state highway one thousand seven hundred twenty-six, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Ontario county, and the state comptroller, the state shall cease to maintain said portions of state highways specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Ontario, the said portions of state highways to be maintained by Ontario county as part of the county road system.

4. Effective September first, nineteen hundred ninety-six, the legislative body of the county of Ontario having previously approved the exchange of certain county roads for certain state highways, as set forth in this paragraph, the commissioner is authorized to transfer to the county of Ontario, for future maintenance as a part of the Ontario county road system, all of the highways described as follows: that portion of state highway one thousand five hundred fifty from its westerly terminus easterly to its junction with state highway one thousand seven hundred twenty-six; that portion of state highway one hundred eighty-seven from its westerly terminus easterly to its junction

with state highway six hundred thirty-nine; that portion of state highway two hundred three from its westerly terminus southeasterly to its junction with the easterly terminus of state highway six hundred sixty-two; that portion of state highway six hundred sixty-two beginning at its southerly terminus south of the hamlet of Gorham, thence running generally northerly to its junction with state highway two hundred three; that portion of state highway three hundred thirty-three from state highway five thousand four hundred seventy-three northerly and then easterly to its eastern terminus at the Geneva city line; that portion of state highway six hundred sixty-two running generally northwesterly to state highway one thousand five hundred eighty-five at Baldwin Corners; and to assume jurisdiction for state highway purposes over the county road described as follows: county road three beginning at the northern village line of the village of Bloomfield, thence running generally northerly to the south village line of the village of Victor.

5. Effective September first, nineteen hundred ninety-six, the legislative body of the village of Bloomfield having previously approved the abandonment of the street described in this paragraph, the commissioner is authorized to assume jurisdiction for state highway purposes over a portion of the village street known as Elm Street and described as follows: beginning at the northern terminus of state highway one hundred eighty-eight in the village of Bloomfield, thence running generally northerly to the north village line of the village of Bloomfield.

6. Effective September first, nineteen hundred ninety-six, the legislative body of the town of Canandaigua having previously approved the transfer, to the town, of the state highways described in this paragraph, the commissioner is authorized to transfer to the town of Canandaigua, for future maintenance as part of the town of Canandaigua highway system, all of the highways described as follows: that portion of state highway five thousand five hundred seventy-six running generally easterly from its junction with state highway seventy-eight dash fourteen, to its easterly terminus, and that portion of state highway one hundred eighty-seven from its junction with state highway

seventy-eight dash fourteen northeasterly to its easterly terminus.

34. Orange county. 1. Beginning at the northwestern city line of Port Jervis, thence running generally northwesterly through or near the hamlets of Sparrow Bush and Quarry Hill to the Sullivan-Orange county line; beginning at the northeastern city line of Port Jervis, thence running generally northeasterly through or near the hamlet of Cuddebackville to the Sullivan-Orange county line south of the hamlet of Westbrookville; beginning at the New York-New Jersey state line near the village of Unionville, thence running generally northerly through or near the hamlets of Westtown and Slate Hill to a state highway between the village of Goshen and the city of Middletown; beginning at a state highway in or near the hamlet of Rockville, thence running generally northeasterly through or near the hamlet of Bullville to a state highway in or near the hamlet of Pine Bush; beginning at the Rockland-Orange county line, thence running generally northerly through or near the village of Tuxedo Park, the hamlet of Southfield and the village of Harriman, thence running generally northwesterly through or near the villages of Monroe, Chester and Goshen and the hamlet of Fair Oaks to the Sullivan-Orange county line near the village of Bloomingburg; beginning at the New York-New Jersey state line, thence running generally northeasterly through the hamlet of New Milford and the villages of Warwick, Florida and Goshen to a state highway between the city of Middletown and the village of Montgomery; beginning at the Rockland-Orange county line, thence running generally northerly through or near the hamlet of Fort Montgomery, the villages of Highland Falls and Cornwall and the hamlet of New Windsor to the southern city line of Newburgh; beginning at the northern city line of Newburgh, thence running generally northerly through or near the hamlet of Middle Hope to the Orange-Ulster county line; beginning at a point on state highway one thousand five hundred thirty-eight north of the city line of Newburgh, thence running generally northwesterly through or near the hamlets of Cronomer and Leptondale to the Orange-Ulster county line; beginning at the Orange-Ulster county line east of the hamlet of Walker Valley, thence running generally easterly through the hamlet of Pine Bush and the village of Walden to the western city line of Newburgh; beginning at or near a state highway between the hamlet of Fair Oaks and the

Orange-Sullivan county line, thence running generally easterly through the hamlet of Bullville, the village of Montgomery and the hamlet of Coldenham to the western city line of Newburgh; beginning at a state highway in or near the hamlet of Cuddebackville, thence running generally easterly through or near the village of Otisville to the western city line of Middletown; beginning at the eastern city line of Middletown, thence running generally easterly to a state highway in or near the village of Montgomery; beginning at the eastern city line of Port Jervis, thence running generally easterly to a state highway in or near the hamlet of Slate Hill; beginning at a state highway in or near the village of Florida, thence running generally northeasterly through the villages of Chester and Washingtonville and the hamlet of Vails Gate to state highway forty-one dash two south of the city line of Newburgh; beginning at a state highway in or near the village of Washingtonville, thence running generally northerly through or near the hamlet of Burnside and the villages of Maybrook and Walden to the Orange-Ulster county line; beginning at a state highway between the hamlet of Southfield and the village of Harriman, thence running generally northwesterly through or near the villages of Monroe and Chester to a point on state highway fifty-three dash seven south of the village of Goshen; beginning at a point on state highway fifty-three dash seven in or near the village of Goshen, thence running generally northwesterly to the southern city line of Middletown; beginning at state highway ninety-five, thence running generally easterly to the Erie Lackawanna railroad in the hamlet of New Hampton; beginning at the northern city line of Middletown, thence running generally northerly to a state highway between the hamlet of Fair Oaks and the Orange-Sullivan county line; beginning at a state highway west of the hamlet of Campbell Hall, thence running generally easterly through or near the hamlets of Campbell Hall, Burnside and Little Britain to the western city line of Newburgh; beginning at a state highway near the village of Harriman, thence running generally northeasterly through Harriman state park, the United States Military Academy and the village of Cornwall to a point on state highway eight thousand five hundred thirty-six west of the village of Cornwall; beginning at a state highway in or near the village of Harriman, thence running generally northerly through or near the hamlet of Highland Mills and the hamlets of Mountainville and Vails Gate to the

southern city line of Newburgh; beginning at a state highway near the village of Warwick, thence running generally easterly through or near the village of Greenwood Lake to a state highway northeast of the village of Tuxedo Park, thence running easterly to a point on the New York state thruway; beginning at a state highway in or near the hamlet of Fort Montgomery, thence running generally northerly through or near the village of Highland Falls to a state highway between the hamlet of Fort Montgomery and the village of Cornwall; beginning at a state highway in or near the village of Monroe, thence running generally northerly to a state highway in or near the village of Washingtonville; beginning at the New York-New Jersey state line, thence running generally northeasterly to or near the village of Greenwood Lake; beginning at a point on state highway one hundred fifty-three southwest of Lake Washington, thence running generally northerly through or near the hamlets of Gardnertown and Cronomer Valley to the Orange-Ulster county line south of the hamlet of Plattekill; beginning at the New York-New Jersey state line, thence running generally northerly along the eastern shore of Greenwood Lake to or near the village of Greenwood Lake; beginning at state highway forty-one dash two near the hamlet of New Windsor, thence running generally northwesterly to the southern city line of Newburgh; beginning at the northern city line of Newburgh, thence running generally northeasterly to a state highway near the hamlet of Balmville; beginning at state highway four hundred twelve near the hamlet of Sparrow Bush, thence running generally northwesterly to the Orange-Sullivan county line; beginning at the southeastern city line of Port Jervis, thence running generally southeasterly on new location to state highway two hundred eighty-three; beginning at the northeastern city line of Port Jervis, thence running generally northeasterly to a state highway near the hamlet of Huguenot; beginning at the northern city line of Newburgh, thence running generally northerly to a connection with interstate route five hundred three, as determined by the commissioner; beginning at a state highway in or near the hamlet of Vails Gate, thence running generally northerly to state highway one hundred fifty-three.

2. Upon the completion and acceptance of the aforementioned highway described as "beginning at the northeastern city line of Port Jervis,

thence running generally northeasterly to a state highway near the hamlet of Huguenot", the commissioner shall abandon to the county of Orange by official order that portion of state highway eight thousand three hundred from the above described point of intersection southwesterly to the city line of Port Jervis, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways of Orange county, and the state comptroller, the state shall cease to maintain the aforesaid portion of state highway eight thousand three hundred, and such portion of said highway, together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Orange to be maintained thereafter by said county as part of its county road system.

3. Upon the completion and acceptance of the aforementioned highway described as "beginning at state highway forty-one dash two near the hamlet of New Windsor, thence running generally northwesterly to the southern city line of Newburgh", the commissioner shall abandon to the county of Orange by official order that portion of state highway forty-one dash two from its intersection with the highway described in the forepart of this paragraph, northerly to its junction with state highway forty-two together with those portions of state highways forty-two and nine thousand thirty-three from their intersections with the aforementioned highway northerly to their termini at the southern city line of Newburgh, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways of Orange county, and the state comptroller, the state shall cease to maintain the aforesaid portions of state highways forty-one dash two, forty-two and nine thousand thirty-three, and such portions of said highways together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Orange to be maintained thereafter by said county as part of its county road system.

4. Upon the completion and acceptance of the aforementioned highway described as "beginning at the southeastern city line of Port Jervis,

thence running generally southeasterly on new location to state highway two hundred eighty-three", the commissioner shall abandon to the county of Orange by official order that portion of state highway two hundred eighty-three from the above described point of intersection southwesterly and westerly to the city line of Port Jervis, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Orange county, and the state comptroller, the state shall cease to maintain the aforesaid portion of state highway two hundred eighty-three, and such portion of said highway together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Orange to be maintained thereafter by said county as part of its county road system.

5. Upon the completion and acceptance of that portion of the aforementioned highway described as "Beginning at the northwestern city line of Port Jervis, thence running generally northwesterly through or near the hamlets of Sparrow Bush and Quarry Hill to the Sullivan-Orange county line" from a point on state highway four hundred twelve, thence southeasterly on new location to a point on the northwestern city line of Port Jervis, the commissioner shall abandon to the county of Orange by official order that portion of state highway four hundred twelve from the above described point thereon southeasterly to the westerly city line of Port Jervis, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Orange county, and the state comptroller, the state shall cease to maintain the aforesaid portion of state highway four hundred twelve, and such portion of said highway together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Orange to be maintained thereafter by said county as part of its county road system.

6. Effective April first, nineteen hundred eighty, the legislative body of the county of Orange having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway

purposes over the county roads described as follows: "beginning at a state highway in or near the hamlet of Vails Gate, thence running generally northwesterly to state highway one hundred fifty-three; beginning at a point on state highway one hundred fifty-three southwest of Lake Washington, thence running generally northerly to state highway one hundred thirteen; beginning at the northern terminus of state highway sixty-two dash seven, thence running generally northerly through or near the hamlets of Gardnertown and Cronomer Valley to the Orange-Ulster county line south of the hamlet of Plattekill"; and to transfer to the county of Orange for future maintenance as part of the Orange county road system and to issue official orders of abandonment of those highways described as follows: "beginning at a state highway northeast of the village of Tuxedo Park, thence running generally easterly to the Orange-Rockland county line; beginning at a point on state highway forty-two near the hamlet of Orrs Mills, thence running easterly to a point near state highway eight thousand five hundred thirty-six; beginning at a state highway in the village of Monroe, thence running generally easterly to a state highway in the hamlet of Highland Mills".

7. Effective upon the approval and filing by the comptroller of the state of New York of the first contract for the construction of a new interchange on the Governor Thomas E. Dewey thruway between exit fifteen, in the town of Ramapo, Rockland county, and exit sixteen in the town of Woodbury, Orange county, connecting such thruway with existing highways in the vicinity of the intersection of state highway eight thousand two hundred fifty-eight and state highways one thousand six hundred forty-three B and four hundred sixteen in the town of Tuxedo, Orange county, provided that the legislative body of Orange county shall have previously approved the transfer of the highway described in this paragraph, the commissioner of transportation is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: that portion of the route described in paragraph one hereof as "beginning at a state highway near the village of Warwick, thence running generally easterly through or near the village of Greenwood Lake to a state highway northeast of the village of Tuxedo Park, thence running easterly to a point on the New York state

thruway" that lies between state highway four hundred sixteen and a point on the New York state thruway.

35. Orleans county. 1. Beginning at the Niagara-Orleans county line southeast of the village of Middleport, thence running generally easterly through or near the villages of Medina, Albion, and Holley to the Orleans-Monroe county line east of the village of Holley; beginning at the Niagara-Orleans county line east of the village of Middleport, thence running generally easterly to the west corporate line of the village of Medina; beginning at the Niagara-Orleans county line near the hamlet of Jeddo, thence running generally easterly through or near the hamlets of Ridgeway, Gaines and Murray, to the Orleans-Monroe county line east of the hamlet of Murray; beginning at the Niagara-Orleans county line at or near the hamlet of County Line, thence running generally easterly through or near the hamlet of Kuckville, to state highway three hundred ninety-four north of the hamlet of Carlton Station, thence running generally easterly near the hamlets of Kent and Kendall to the Orleans-Monroe county line south of the hamlet of Morton; beginning at the Genesee-Orleans county line north of the hamlet of Alabama Center, thence running generally northerly through or near the villages of Medina and Lyndonville to state highway eight thousand three hundred twenty-two; beginning at the Genesee-Orleans county line south of the hamlet of Barre Center, thence running generally northerly through or near the village of Albion and the hamlets of Childs, Carlton Station and the bridges to state highway sixty-nine-two; beginning at the Genesee-Orleans county line north of the hamlet of Byron, thence running generally northerly through or near the hamlet of Clarendon and the village of Holley to a point on state highway five thousand six hundred ninety-seven; beginning at a point near the hamlet of Murray, thence running generally northerly to a point south of the hamlet of Kendall at state highway eight thousand four hundred nine; beginning at state highway three hundred ninety-five at the southern boundary of the village of Medina, thence running generally easterly to or near the hamlet of Millville, and thence running southeasterly and easterly through or near the hamlet of Clarendon to the Orleans-Monroe county line, east of the hamlet of Clarendon; beginning at the Niagara-Orleans county line near the hamlet of Jeddo, thence running generally northerly

along the Niagara-Orleans county line, to a point north of the hamlet of County Line; beginning at a point north of the village of Albion, thence running generally northwesterly to a point in or near the hamlet of Gaines to be determined by the commissioner; beginning at a point at or near the hamlet of Fancher, thence running generally northerly to a point on state highway five thousand six hundred ninety-seven west of the hamlet of Murray; beginning at the Orleans-Monroe county line at state highway nine thousand three hundred forty-three, thence running generally northerly along the Orleans-Monroe county line to state highway five thousand four hundred twenty-one, east of the village of Holley; beginning at the Orleans-Monroe county line east of the hamlet of Murray, thence running generally northerly along the Orleans-Monroe county line, to Lake Ontario; beginning at a point just north of the Genesee-Orleans county line south of the hamlet of Shelby Center, thence running generally easterly to a point at or near the hamlet of West Barre.

2. Effective April first, nineteen hundred eighty-nine, the legislative body of the county of Orleans, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads comprising that portion of the route described as "beginning at the Genesee-Orleans County line south of the hamlet of Barre Center, thence running generally northerly through or near the village of Albion and the hamlets of Childs, Carlton Station and The Bridges to state highway sixty-nine dash two" which lies between a point on or near state highway three hundred ninety-four to a point on or near state highway sixty-nine dash two; and to transfer to the county of Orleans for future maintenance as part of the Orleans county road system and to issue official orders of abandonment of that portion of the route described as "beginning at the Genesee-Orleans County line north of the hamlet of Alabama Center, thence running generally northerly through or near the Villages of Medina and Lyndonville to Lake Ontario" which lies between a point on or near state highway eight thousand three hundred twenty-two and Lake Ontario.

3. Effective July first, two thousand ten, the legislative body of the

village of Medina, having previously approved the exchange of highways described in this paragraph, the commissioner is authorized and directed to assume jurisdiction for state highway purposes over the village roads described as follows: the portion of newly routed sixty-three, reserved as state highway nine thousand five hundred sixty-two, known as North Main street, from the intersection of Glenwood avenue northerly to West avenue, and the portion of newly routed sixty-three, also reserved as state highway nine thousand five hundred sixty-two, known as Commercial street, from the intersection of West avenue northerly to Prospect avenue; and to transfer to the village of Medina for future maintenance as part of the village of Medina system of streets; and to issue official orders of abandonment of those portions of highways described as follows: the portion of state highway five thousand three hundred fifteen previously routed NY sixty-three, known as West Center street, from the intersection of Prospect avenue easterly to the intersection of North and South Main streets; a portion of state highway five thousand three hundred fifteen previously routed NY sixty-three, known as Prospect avenue, from West Center street northerly to Commercial street.

36. Oswego county. 1. Beginning at the Cayuga-Oswego county line east of the hamlet of Crockett, thence running generally easterly through or near the village of Hannibal and the hamlet of Granby Center to the western city line of Fulton; beginning at the northeastern city line of Fulton, thence running generally northeasterly through or near the hamlets of Volney, Palermo and Wellwood, the village of Mexico and the hamlet of Port Ontario to the Jefferson-Oswego county line north of Sandy pond; beginning at the Oswego-Onondaga county line north of the hamlet of Brewerton, thence running generally northerly through or near the village of Central Square, the hamlets of Hastings Center, Hastings, Colosse and Mapleview (Union Square), the villages of Pulaski and Sandy Creek to the Jefferson-Oswego county line north of the village of Sandy Creek; beginning at Selkirk state park, thence running generally easterly and southeasterly through or near the hamlet of Port Ontario, the village of Pulaski, the hamlet of Pineville, the village of Altmar, the hamlets of Checkered House and Williamstown to the Oneida-Oswego county line southeast of the hamlet of Williamstown; beginning at the Oswego-Onondaga county line north of the hamlet of Lamson, thence

running generally northerly on the west side of the Oswego river to the southern city line of Fulton; beginning at the northern city line of Fulton, thence running generally northerly through or near the hamlet of Minetto to the southern city line of Oswego; beginning at a state highway east of the hamlet of Volney, thence running generally easterly through or near the village of Central Square, the hamlets of West Monroe, Constantia and Bernard Bay to the Oneida-Oswego county line at or near the village of Cleveland; beginning at the northern city line of Fulton, thence running generally northeasterly to the southern city line of Oswego; beginning at a state highway in or near the village of Mexico, thence running generally southeasterly through or near the hamlet of Colosse, the village of Parish, the hamlets of West Amboy and Amboy Center to the Oswego-Oneida county line east of the hamlet of Amboy Center; beginning at a state highway north of the hamlet of Hastings, thence running generally northeasterly to a state highway at or near the village of Parish; beginning at the Oswego-Cayuga county line northeast of the hamlet of Martville, thence running generally northerly and northeasterly through or near the village of Hannibal and the hamlet of Southwest Oswego to the western city line of Oswego; beginning at the eastern city line of Oswego, thence running generally easterly through or near the hamlets of Scriba and New Haven and the village of Mexico to an intersection with a state highway at or near the hamlet of Mapleview; beginning at the Cayuga-Oswego county line northeast of the hamlet of North Sterling, thence running generally northeasterly to a state highway at or near the hamlet of Southwest Oswego; beginning at a state highway west of the hamlet of New Haven, thence running generally northeasterly through or near the hamlet of Texas to state highway eight thousand four hundred fifty-eight north of the village of Mexico; beginning at a state highway at or near the hamlet of Mapleview, thence running generally easterly through or near the hamlets of Dugway, Howardville and South Albion to a state highway at or near the hamlet of Checkered House; beginning at the Cayuga-Oswego county line south of the hamlet of South Hannibal, thence running generally northerly to or near the hamlet of South Hannibal, thence running generally northeasterly through or near the hamlet of Bowens Corners to the southern city line of Fulton; beginning at a state highway at or near the hamlet of Amboy Center, thence running generally

northerly to a state highway at or near the hamlet of Williamstown; beginning at a point in the village of Phoenix, thence running generally northerly to state highway nine hundred seventy-three south of the hamlet of Palermo; beginning at a point on a state highway north of the hamlet of Brewerton, thence running generally easterly paralleling the north shore of Oneida lake to a state highway near the village of Constantia; beginning at a state highway in or near the hamlet of Palermo, thence running generally easterly through or near the hamlet of East Palermo to a state highway at or near the hamlet of Hastings; beginning at a point on the Cayuga-Oswego county line north of the hamlet of Bethel thence running northerly to a point on state highway eight thousand two hundred fourteen south of the village of Hannibal.

2. Effective April first, nineteen hundred eighty, the legislative body of the county of Oswego having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on the Cayuga-Oswego county line north of the hamlet of Bethel thence running northerly to a point on state highway eight thousand two hundred fourteen south of the village of Hannibal; beginning at the Cayuga-Oswego county line east of the hamlet of Crockett thence running generally easterly to an intersection of state highways in the village of Hannibal"; and to transfer to the county of Oswego for future maintenance as part of the county highway system and to issue official orders of abandonment of the portion of highway described as follows: "beginning at the northern city line of Fulton thence running generally northerly to a point west of the hamlet of South Scriba".

37. Otsego county. Beginning at the Otsego-Chenango county line, thence running generally easterly and northeasterly through or near the villages of Unadilla and Otego to the west city line of Oneonta; beginning at the east city line of Oneonta, thence running generally northeasterly through or near the hamlets of Colliersville, Cooperstown Junction and Maryland, the village of Schenevus and the hamlets of Worcester and East Worcester to the Otsego-Schoharie county line; beginning at state highway five thousand two hundred two in or near the

hamlet of Unadilla, thence running generally easterly to the Otsego-Delaware county line; beginning at the Otsego-Delaware county line, thence running generally northeasterly to a junction with state highway five thousand four hundred fifty-four; beginning at the Otsego-Oneida county line, thence running generally easterly to the Otsego-Herkimer county line; beginning at the Otsego-Herkimer county line, thence running generally easterly through or near the hamlet of Brighton Corners and the village of Richfield Springs to the Otsego-Herkimer county line; beginning at the Otsego-Herkimer county line, thence running generally easterly through or near the hamlets of Springfield and East Springfield, thence continuing easterly north of the village of Cherry Valley to the Otsego-Schoharie county line; beginning at a point on state highway one thousand four hundred nine and state highway five thousand six hundred twenty-four in or near the village of Richfield Springs, thence running generally northerly to the Otsego-Herkimer county line; beginning at the Otsego-Delaware county line in or near the village of Sidney, thence running generally northerly to a junction with state highway seven hundred eight; beginning at a state highway in or near the village of Sidney, thence running generally northerly, west of the Unadilla river, to the Otsego-Chenango county line; beginning at a point on the Otsego-Chenango county line, in or near the hamlet of South New Berlin, thence running generally northeasterly to the Otsego-Chenango county line; beginning at the Otsego-Chenango county line in or near the village of New Berlin, thence running generally northeasterly through or near the hamlets of Pittsfield, Ambler and Edmeston to a state highway in or near the hamlet of West Burlington; beginning at a state highway in or near the hamlet of Kelsey Corners, thence running generally easterly through or near the hamlet of Burlington to a state highway in or near the hamlet of Oaksville; beginning at or near the intersection of Glen avenue and Chestnut street in the village of Cooperstown, thence running generally northerly through or near the village of Cooperstown, thence running generally northerly through or near the hamlets of Three Mile Point, Five Mile Point and Springfield Center, thence running generally northeasterly to the Otsego-Herkimer county line; beginning at a state highway in or near the hamlet of Colliersville, thence running generally northerly through or near the hamlets of Milford Center and

Portlandville, the village of Milford and the hamlets of Hartwick Seminary and Index to a point in or near the village of Cooperstown near Chestnut street and Glen avenue, thence running generally northwesterly through or near the hamlets of Fly Creek, Oaksville and Schuyler Lake to a state highway in or near the village of Richfield Springs; beginning at state highway one thousand four hundred nine in or near the village of Richfield Springs, thence running generally northerly to the Otsego-Herkimer county line; beginning at the Otsego-Chenango county line in or near the hamlet of Mount Upton, thence running generally northeasterly through or near the hamlet of Copes Corners and the villages of Gilbertsville and Morris, thence running generally northerly through or near the hamlets of Stetsonville, Garrattsville, West Burlington, Kelsey Corners, Burlington Flats and West Exeter to the Otsego-Herkimer county line; beginning at the Otsego-Chenango county line in or near the hamlet of South New Berlin, thence running generally easterly through or near the village of Morris, thence running generally southeasterly through or near the hamlets of West Laurens and West Oneonta to state highway three hundred seventeen; beginning at the southern city line of Oneonta, thence running generally southerly to a state highway, thence running generally easterly to the Otsego-Delaware county line; beginning at a state highway in or near the village of Milford, thence running generally northeasterly through or near the hamlet of Roseboom, thence running generally northerly through or near the village of Cherry Valley to an interchange with state highway eight thousand sixty-four, thence continuing generally northerly to the Otsego-Montgomery county line; beginning at a state highway in or near the hamlet of Roseboom, thence running generally southerly and easterly through or near the hamlets of Pleasant Brook and South Valley to the Otsego-Schoharie county line in or near the hamlet of Weber Corners; beginning at the junction of state highway one thousand eight hundred eighty-seven and state highway one thousand three hundred two, thence running generally northerly through or near the village of Laurens and the hamlets of Mount Vision, South Hartwick and Hartwick to a junction with state highway fifty-four dash six; beginning at a point on the Oneonta city line, connecting to an arterial route east of Grand street extended, thence running generally easterly to an arterial route at the Oneonta city line in the vicinity of Factory street.

38. Putnam county. 1. Beginning at the Westchester-Putnam county line north of the Bear Mountain bridge, thence running generally northerly through or near the hamlet of Garrison and the village of Cold Spring to the Putnam-Dutchess county line south of the city of Beacon; beginning at the Westchester-Putnam county line north of the city of Peekskill, thence running generally northerly through or near the hamlet of McKeels Corners to the Putnam-Dutchess county line south of the village of Fishkill; beginning at the Westchester-Putnam county line, thence running generally northeasterly and northerly through or near the hamlets of Mahopac and Carmel to the Putnam-Dutchess county line northwest of the hamlet of Ludingtonville; beginning at the Westchester-Putnam county line north of the hamlet of Croton Falls, thence running generally northerly through or near the village of Brewster and the hamlet of Haines Corners, and passing east of the hamlets of Towners and Patterson to the Putnam-Dutchess county line south of the village of Pawling; beginning at state highway five thousand seven hundred twenty-two at or near the village of Cold Spring, thence running generally easterly through or near the hamlet of McKeels Corners, crossing the Taconic state parkway in the Clarence Fahnstock state park, thence generally southeasterly through or near the hamlet of Kent Cliffs to state highway five hundred seventy at or near the hamlet of Carmel; beginning at state highway five hundred seventy south of the hamlet of Carmel, thence running generally easterly through or near the hamlet of Tilly Foster to a state highway near the village of Brewster; beginning at state highway five thousand two hundred three west of the Eastbranch reservoir, thence running generally easterly to the New York-Connecticut state line west of the city of Danbury; beginning at state highway eight thousand three hundred forty-seven near Lake Carmel, thence running generally northeasterly through or near the hamlet of Patterson to state highway five thousand two hundred three south of the Putnam-Dutchess county line; beginning at state highway five thousand three hundred eighty-seven north of the hamlet of Graymoor, thence running generally northwesterly to state highway five thousand seven hundred twenty-two near the hamlet of Garrison; beginning at the Westchester-Putnam county line southwest of the hamlet of Baldwin Place, thence running generally northerly to the hamlet of Mahopac Falls,

thence generally easterly to state highway five hundred sixty-nine in or near the hamlet of Mahopac; beginning at state highway five hundred eighty-five west of the hamlet of Patterson, thence running generally northwesterly to the Putnam-Dutchess county line; beginning at state highway five hundred eighty-five west of the hamlet of Towners, thence running generally easterly through or near the hamlet of Towners to state highway five thousand two hundred three at or near the hamlet of Haines Corners; beginning at state highway one thousand four hundred fifty-five near the Eastbranch reservoir, thence running generally southerly to the Westchester-Putnam county line; beginning at state highway nine hundred nine near the Middlebranch reservoir, thence running generally easterly through or near the hamlet of Dykeman to state highway five thousand two hundred three near the hamlet of Sears Corners; beginning at a point on the Putnam-Westchester county line on or along the abandoned right of way of the Penn Central railroad, Putnam division, thence running generally northerly on or along the abandoned right of way of the Penn Central railroad, Putnam division, to a point as determined by the commissioner on state highway five hundred sixty-nine in the vicinity of the hamlet of Mahopac.

2. Upon completion and acceptance of the highway described above as "beginning at a point on the Putnam-Westchester county line on or along the abandoned right of way of the Penn Central railroad, Putnam division, thence running generally northerly on or along the abandoned right of way of the Penn Central railroad, Putnam division, to a point as determined by the commissioner on state highway five hundred sixty-nine in the vicinity of the hamlet of Mahopac," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Putnam of such adjacent portions of state highway five hundred sixty-nine, which are no longer needed for state highway purposes, as determined by the commissioner.

3. Effective April first, nineteen hundred eighty, the legislative body of the county of Putnam having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at the

southern end of state highway 51-6 thence running generally southeasterly to a point on state highway five hundred seventy in or near the hamlet of Carmel"; and to transfer to the county of Putnam for future maintenance as part of the county highway system and to issue official orders of abandonment of those portions of highways described as follows: "beginning at state highway five thousand seven hundred twenty-two south of the village of Cold Spring thence running generally northerly to state highway one thousand six hundred ninety-four in the village of Nelsonville; beginning at state highway five thousand four hundred thirty-eight, thence running generally southeasterly to the Putnam-Westchester county line; beginning at state highway five thousand four hundred thirty-eight south of the village of Brewster, thence running generally northerly to state highway five thousand ninety-eight in the village of Brewster; beginning at the northern Cold Spring village line, thence running generally northwesterly to a point on state highway five thousand seven hundred twenty-eight."

39. Queens county. Conduit avenue, beginning at a point on the Kings-Queens county line in the vicinity of Ozone Park, thence running generally easterly along a pipeline, to the Queens-Nassau county line in the vicinity of Valley Stream.

40. Rensselaer county. 1. Beginning at the Columbia-Rensselaer county line, thence running generally northerly to the Boston-Albany turnpike, thence running generally northwesterly through or near the hamlets of Rice Corners, Schodack Center, East Greenbush and Hampton Manor to the eastern city line of Rensselaer; beginning at the Columbia-Rensselaer county line, thence running generally northerly through or near the hamlets of Brainard Station, East Nassau and Hoag's Corners, thence generally westerly through or near the hamlets of West Sand Lake and DeFreestville, thence generally southwesterly to the eastern city line of Rensselaer; the portion of the bridge, in the vicinity of Congress street, between the cities of Watervliet and Troy which lies within the county of Rensselaer; beginning at the eastern city line of Troy, thence running generally easterly through or near the hamlets of Eagle Mills, Grafton and Petersburg to the New York-Massachusetts state line; beginning at the eastern city line of Troy, thence running generally

northeasterly through or near the hamlets of Brunswick Center, Haynersville, Raymertown, Pittstown and Boyntonville to the White House bridge, thence running generally northerly through or near the village of Hoosick Falls to the Washington-Rensselaer county line; beginning at the Columbia-Rensselaer county line, thence running generally northerly through or near the hamlets of Center Berlin, Berlin, Petersburg and North Petersburg to state highway five thousand three hundred fifty-four; beginning at a point in or near the hamlet of North Petersburg, thence running generally easterly to the New York-Vermont state line; beginning at state highway four hundred ninety in or near the hamlet of Hoosick, thence running generally easterly to the New York-Vermont state line; beginning at state highway fifty-five on or near the Sand Lake-Nassau town line, thence running generally southeasterly through or near the hamlets of West Stephentown, Stephentown Center and Stephentown to the New York-Massachusetts state line; beginning at the Columbia-Rensselaer county line west of the hamlet of Brainard, thence running generally easterly to state highway five thousand one hundred eight in or near the hamlet of Brainard; beginning at state highway five thousand twenty-nine, thence running generally southeasterly through or near the village of Nassau to state highway four hundred thirty-nine west of the hamlet of Brainard near the Columbia-Rensselaer county line; beginning at the Columbia-Rensselaer county line, thence running generally northeasterly to a point in or near the village of Nassau; beginning at the Columbia-Rensselaer county line, thence running generally northerly through or near the hamlet of Schodack and the village of Castleton-on-the-Hudson to the southern city line of Rensselaer; beginning at state highway one thousand one hundred sixteen in or near the village of Castleton-on-the-Hudson, thence running generally easterly to state highway five hundred thirty-six; beginning at a state highway south of the hamlet of Rice Corners, thence running generally northerly through or near the hamlets of East Schodack and West Sand Lake to state highway seventy-seven in or near the hamlet of Wynantskill; beginning at state highway two hundred two, thence running generally northerly through or near the hamlet of Couse Corners to state highway five thousand five hundred thirty-three; beginning at state highway eight thousand fifty-eight in or near the town of North Greenbush, thence running generally northerly to the southern city line

of Troy; beginning at the eastern city line of Rensselaer, thence running generally southeasterly through or near the hamlets of Couse Corners and Luther to state highway eight thousand three hundred sixty-five in or near the hamlet of Shiver Corners; beginning at state highway eleven in the town of North Greenbush, thence running generally easterly to state highway one hundred ninety-five; beginning at the southeastern city line of Troy, thence running generally southeasterly through or near the hamlet of Wynantskill to state highway two hundred eighty-four in or near the hamlet of Sand Lake; beginning at state highway two hundred eighty-eight in or near the town of North Greenbush, thence running generally easterly to or near the hamlet of Poestenkill; beginning at or near the Lansingburg reservoir, thence running generally southeasterly to state highway twenty-five in or near the hamlet of Brunswick Center; beginning at state highway eighty-four near the hamlet of Brunswick Center, thence running generally southeasterly to state highway one hundred ninety-seven in or near the hamlet of Clums Corners; beginning at or near the northeastern city line of Troy, thence running generally northerly through or near the hamlets of Speigletown and Melrose and the village of Schaghticoke to the Washington-Rensselaer county line; beginning at the Saratoga-Rensselaer county line, thence running generally easterly to a point on state highway four hundred seventy-seven; beginning at the junction of state highways one thousand eight hundred forty-three and eight thousand three hundred fifty near the village of Schaghticoke thence running generally easterly through the village of Valley Falls to the Washington-Rensselaer county line; beginning at state highway four hundred ninety in or near the hamlet of North Hoosick, thence running generally easterly to the New York-Vermont state line; beginning at state highway five thousand two hundred seventy-eight in the town of Sand Lake, thence running generally northerly to state highway one hundred ninety-seven in or near the town of Brunswick; beginning at a point to be determined by the commissioner on state highway twenty-six, thence running generally northeasterly to the southern city line of Troy; beginning at the southern city line of Troy west of Winter street, thence running generally easterly to state highway two hundred one; beginning at the northern city line of Troy, thence running generally northeasterly to state highway nine hundred eighty; beginning at a point on the southeastern city line of Rensselaer

on state highway one hundred two, thence running generally northerly to Third avenue in the city of Rensselaer; beginning at a point on the eastern city line of Rensselaer connecting with the South Mall expressway, thence running generally easterly to a point on state highway twenty-six or five thousand one hundred ninety-six, as determined by the commissioner; beginning at a point on the South Mall expressway east of the city line of Rensselaer, thence running generally southerly to a connection with state highway one hundred two in the vicinity of High street; beginning at the Saratoga-Rensselaer county line, thence running generally southeasterly to the Champlain canal lock four access road; from a point on state highway two hundred two, thence running generally easterly to a point at or near the intersection of Reno and Miller roads.

2. Effective April first, nineteen hundred eighty, the legislative body of the county of Rensselaer having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at state highway five thousand two hundred seventy-eight in or near the town of Sand Lake, thence running generally northerly to state highway one hundred ninety-seven in or near the town of Brunswick; beginning at a point on state highway two hundred eighty-four in the hamlet of Sand Lake, thence running generally northwesterly to state highway two hundred eighty-eight; beginning at a point on state highway eleven, thence running generally easterly to state highway seven hundred sixty-five; beginning at the Saratoga-Rensselaer county line, thence running generally easterly to a point on state highway four hundred seventy-seven"; and to transfer to the county of Rensselaer for future maintenance as part of the county highway system in Rensselaer county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at or near the southerly village line of Valley Falls, thence running generally northerly to a point on state highway one thousand seven hundred forty-four; beginning at the southern city line of Troy, thence running generally southeasterly to state highway seven hundred sixty-five; beginning at the northern city line of Troy, thence running northeasterly along state highway five hundred four

to state highway one thousand one hundred twenty-three; beginning at the access road to lock four east of the Champlain canal, thence running generally easterly to a point at or near the northern boundary of the village of Schagticoke, beginning at a point on the easterly city line of Rensselaer, thence running generally southeasterly to the hamlet of Sliters Corners; beginning at the easterly city line of Troy, thence running generally easterly to a point on state highway two hundred one; beginning at a point on state highway two hundred eighty-four in the hamlet of Averill Park, thence running generally northwesterly to state highway two hundred eighty-eight; beginning at the eastern city line of Troy, thence running generally northerly paralleling the eastern city line of Troy to the eastern city line of Troy; beginning at state highway twenty-six, thence running generally northeasterly to the southern city line of Troy, excluding that portion between Williams road and White View road; beginning at a point on state highway two hundred eighty-seven, thence running generally easterly to state highway twenty-six in the hamlet of DeFreestville".

3. Upon the completion and acceptance of the aforementioned highways described as "beginning at a point to be determined by the commissioner on state highway twenty-six, thence running generally northeasterly to the southern city line of Troy", "beginning at the southern city line of Troy west of Winter street, thence running generally easterly to state highway two hundred one" and "beginning at the northern city line of Troy, thence running generally northeasterly to state highway nine hundred eighty", the commissioner shall abandon to the county of Rensselaer by respective official orders (coinciding with the completion and acceptance of the first highway set forth above) all of state highway eleven and that portion of state highway twenty-six north of its junction with the first highway set forth above; (coinciding with the completion and acceptance of the second highway set forth above) all of state highway seventy-seven and that portion of state highway two hundred one west of its junction with the second highway set forth above; and (coinciding with the completion and acceptance of the third highway set forth above) all of state highways eleven hundred twenty-three and five hundred four and that portion of state highway nine hundred eighty south of its junction with the third highway set

forth above. Upon the filing of a certified copy of each such respective official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Rensselaer county, and the state comptroller, the aforesaid state highways and portions of state highways specified for abandonment in each such respective official order, together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Rensselaer, to be thereupon and thereafter maintained by the county as a part of the county road system of said county.

4. Upon the completion and acceptance of the construction of the highways described above as "beginning at a point on the eastern city line of Rensselaer connecting with the South Mall expressway, thence running generally easterly to a point on state highway twenty-six or five thousand one hundred ninety-six, as determined by the commissioner" and "beginning at a point on the South Mall expressway east of the city line of Rensselaer, thence running generally southerly to a connection with state highway one hundred two in the vicinity of High street", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Rensselaer of all state highway five thousand five hundred thirty-three from the easterly Rensselaer city line easterly to its junction with state highways five thousand one hundred ninety-six and nine hundred eighty-one-A; and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Rensselaer county and the state comptroller, the state shall cease to maintain the aforesaid state highway and portions of state highways specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Rensselaer, the said highway and portions of state highways to be maintained by Rensselaer county as a part of the county road system.

41. Rockland county. 1. Beginning at the New York-New Jersey state line, thence running generally northerly through or near the hamlets of Palisades, Sparkill, Orangeburg and Congers, the villages of Haverstraw and West Haverstraw and the hamlets of Stony Point and Tomkins Cove to

the Orange-Rockland county line near the Bear Mountain bridge; beginning at a state highway in or near the hamlet of Sparkill, thence running generally northerly through or near the villages of Piermont, South Nyack and Nyack to a state highway near the hamlet of Congers; beginning at the New York-New Jersey state line, thence running generally northerly through or near the hamlets of Pearl River, Bardonia and New City to a state highway near the village of Haverstraw; beginning at the New York-New Jersey state line, thence running generally northerly through or near the village of Spring Valley to a state highway near the hamlet of Mount Ivy; beginning at the New York-New Jersey state line, thence running generally northerly through or near the hamlets of Monsey and Ladentown to a state highway near the hamlet of Jones Point; beginning at the New York-New Jersey state line, thence running generally northerly through or near the village of Hillburn, the hamlet of Ramapo and the village of Sloatsburg to the Rockland-Orange county line south of the village of Tuxedo; beginning at a state highway in or near the village of Hillburn, thence running generally easterly through or near the village of Suffern, the hamlet of Tallman, the villages of Spring Valley and West Nyack to or near the village of Nyack; beginning at the New York-New Jersey state line, thence running generally northeasterly through or near the village of Suffern and the hamlets of Ladentown and Mount Ivy to a state highway near the village of Haverstraw; beginning at the New York-New Jersey state line, thence running generally northerly through or near the village of Suffern, the hamlet of Ramapo and the village of Sloatsburg to the Rockland-Orange county line; beginning at the New York-New Jersey state line, thence running generally northerly to a state highway in or near the hamlet of Sparkill; beginning at the New York-New Jersey state line, thence running generally northerly to a state highway in or near the hamlet of Orangeburg; beginning at the Palisades interstate parkway, thence running generally easterly to a state highway in or near the hamlet of Stony Point; beginning at state highway seven hundred twenty-eight in or near the hamlet of Sparkill, thence running generally northerly to or near a state highway in or near the village of Piermont.

2. Upon the completion and acceptance of the construction or improvement of the highways described above as "beginning at the New

York-New Jersey state line, thence running generally northerly through or near the hamlets of Palisades, Sparkill, Orangeburg and Congers, the villages of Haverstraw and West Haverstraw and the hamlets of Stony Point and Tomkins Cove to the Rockland-Orange county line near the Bear Mountain bridge; beginning at a state highway in or near the villages of Piermont, South Nyack and Nyack to a state highway near the hamlet of Congers", the commissioner is hereby authorized and directed to enter an official order of abandonment to the village of Piermont of state highway sixteen hundred ninety-seven and to the county of Rockland that portion of state highway seven hundred twenty-eight northwest of state highway sixteen hundred ninety-seven, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the village of Piermont, the clerk of the board of supervisors, the county superintendent of highways of Rockland county, the supervisor of the town of Orangetown, and the state comptroller, the state shall cease to maintain state highway sixteen hundred ninety-seven, and that portion of state highway seven hundred twenty-eight northwest of state highway sixteen hundred ninety-seven and all the rights and obligations of the state therein shall revert to and become the responsibility of the village of Piermont and the county of Rockland respectively.

3. Upon the request of the governing bodies of the villages of Nyack and Upper Nyack, the commissioner is hereby authorized and directed to enter an official order of abandonment to the village of Nyack, Rockland county, all of that portion of state highway twelve hundred ninety-five which lies within the village of Nyack and to the village of Upper Nyack, Rockland county, all of that portion of state highway twelve hundred ninety-five which lies within the village of Upper Nyack. Upon the filing of certified copy of such official order of abandonment with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, the clerks of the villages of Nyack and Upper Nyack, all of Rockland county and the state comptroller, the state shall cease to maintain the portions of state highway designated for abandonment as above set forth and all the rights and obligations of the state therein shall be turned over and surrendered to the villages of Nyack and Upper Nyack respectively, to be

thereafter maintained as village streets by the village of Nyack and Upper Nyack, respectively, as above set forth.

42. St. Lawrence county. 1. Beginning at the Jefferson-St. Lawrence county line northeast of the village of Redwood, thence running generally northeasterly through or near the village of Morristown to a point on the southwesterly Ogdensburg city line near the intersection of Mansion avenue and Cedar street; beginning at a point on the southerly Ogdensburg city line near the intersection of New York avenue and Lake street west of the Oswegatchie river, thence northeasterly to a point on the southerly Ogdensburg city line in the vicinity of Rosseel street; also farther east beginning from a point on the easterly Ogdensburg city line near the approach to the bridge to Canada, thence northeasterly to a point on the southerly Ogdensburg city line at the approach to the bridge to Canada; beginning at the Veteran's mountain camp, thence running generally southeasterly to a point on state highway one thousand two hundred fifty; beginning at the Jefferson-St. Lawrence county line, thence running generally northeasterly through or near the villages of Gouverneur, Canton and Potsdam and the hamlet of Nicholville to the St. Lawrence-Franklin county line; beginning at a point on state highway five thousand four hundred sixty-seven in or near the village of Massena, thence running generally southerly and easterly through or near the hamlet of Winthrop to a point on a state highway southeast of the hamlet of Winthrop; beginning at a point on or near state highway eight thousand three hundred thirty-seven north of the village of Harrisville, thence running northerly through or near the hamlets of Geers Corners and Balmat to a point on or near state highway one thousand two hundred sixty-three in or near the hamlet of Fowler; beginning at the Lewis-St. Lawrence county line near the village of Harrisville, thence running generally easterly through or near the hamlets of Fine, Star Lake, Sevey and Piercefield to the St. Lawrence-Franklin county line; beginning at the Jefferson-St. Lawrence county line, thence running generally northeasterly along the St. Lawrence river to or near the village of Morristown; beginning at or near the village of Morristown, thence running generally southeasterly through or near the hamlet of Pope's Mills and the village of Gouverneur to or near the hamlet of Fine; beginning at or near the city line of Ogdensburg, thence running

generally southeasterly to a state highway in or near the village of Canton; beginning at a point in or near the village of Potsdam, thence running generally northerly through or near the village of Norwood to a point in or near the hamlet of Raymondville; beginning at a point in or near the village of Potsdam, thence running generally northeasterly through or near the hamlets of Stockholm Center and Lawrenceville to a point on the Franklin-St. Lawrence county line; beginning on state highway five thousand one hundred fifteen, east of the village of Canton, thence running generally northerly through or near the hamlets of Madrid and Raymondville, to a point on state highway one thousand six hundred thirty-one in the village of Massena; beginning at a point on or near state highway five hundred twenty-one west of the village of Massena, thence running generally easterly over state highways five thousand five hundred thirty-six and nine thousand three hundred sixty-eight to state highway nine thousand three hundred sixty-seven, thence running generally southerly to a point on or near state highway one thousand two hundred sixty-one; beginning at state highway eight thousand one hundred in or near the village of Massena, thence running generally northeasterly through or near the hamlet of Raquette River, to the St. Lawrence-Franklin county line, west of the hamlet of Hogansburg; beginning at a point in or near the village of Potsdam, thence running easterly to a point in or near the hamlet of Parishville; beginning at a point in or near the hamlet of Parishville, thence running generally easterly to a point in or near the hamlet of Hopkinton; beginning at a point on or near state highway eight thousand four hundred seventy-six northeast of the village of Richville, thence running generally northerly through the village of Heuvelton to a point on or near the Ogdensburg city line; beginning at a point northeast of the city of Ogdensburg, thence running generally northeasterly along the St. Lawrence river through the village of Waddington to a point on state highway fifty-seven dash five in or near the village of Massena; beginning at a point in or near the hamlet of Madrid, thence running generally southeasterly to a point in or near the village of Potsdam; beginning at a point in or near the hamlet of Madrid, thence running generally northerly to a point in or near the village of Waddington; beginning at a point on or near state highway one thousand two hundred sixty-one, thence running generally easterly through or near the hamlet

of Helena, thence running generally northeasterly to the St. Lawrence-Franklin county line; beginning at a point on or near state highway one thousand three hundred eighty-nine, thence running generally northerly to a point on or near state highway eight thousand three hundred ninety-five at or near the village of Edwards; beginning at a point in or near the hamlet of Colton, thence running generally northerly to a junction with state highway seven hundred thirty-four; beginning at a point on or near state highway nine thousand one hundred six-A, thence running generally westerly to a point in or near the hamlet of Horseshoe; beginning at a point in or near the hamlet of Nicholville, thence running generally southeasterly to the St. Lawrence-Franklin county line; beginning at state highway five thousand four hundred sixty-seven in or near the village of Massena, thence running generally southeasterly to state highway one thousand two hundred sixty-one, thence generally easterly to a junction with state highway fifty-five dash seven; beginning at state highway five hundred twenty-one, thence running generally southeasterly to state highway eight thousand one hundred; beginning at a point on state highway five thousand thirty-two as determined by the commissioner, thence running generally northeasterly and easterly to a connection with state highway one thousand thirty-two or one thousand one hundred eight in the vicinity of the northern village line of Potsdam, as determined by the commissioner; beginning at a point on state highway one thousand thirty-two or one thousand one hundred eight in the vicinity of the northern village line of Potsdam, as determined by the commissioner, thence running generally easterly to a connection with state highway one thousand five hundred forty-eight, at a point to be determined by the commissioner; beginning at a point on or near state highway eight hundred seventy-eight west of the city of Ogdensburg thence running northeasterly to a point on the west Ogdensburg corporation line; beginning at a point on the Franklin-St. Lawrence county line thence running generally northerly to another point on the aforementioned county line; beginning at a point on state highway five thousand one hundred fifteen east of the village of Canton, thence running generally southeasterly through the hamlet of Colton to a point in or near the hamlet of Seveys Corners; beginning at a point in or near the hamlet of Pope's Mills, thence running generally northeasterly to a point on a

state highway in or near the village of Heuvelton; beginning at a point on a state highway in the hamlet of Stockholm Center, thence running generally northeasterly through the hamlets of Winthrop, Brasher Falls, and North Lawrence, and thence running southerly to a state highway in or near the hamlet of Reeds Corners.

2. Effective September first, nineteen hundred eighty-two, the legislative bodies of the county of St. Lawrence and the towns of Canton and Peirrepont, and the village of Canton, having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a point in or near the hamlet of Stockholm Center, thence running generally easterly to a state highway west of the hamlet of Lawrenceville; beginning at a point on state highway five thousand one hundred fifteen east of the village of Canton thence running generally northerly through or near the hamlet of Madrid to a state highway in or near the hamlet of Raymondville; beginning at a point on or near state highway eight thousand three hundred thirty-seven north of the village of Harrisville, thence running northerly through or near the hamlets of Geers Corners and Balmat to a point on state highway one thousand two hundred sixty-three in or near the hamlet of Fowler; beginning at a state highway in or near the hamlet of Winthrop thence running generally southeasterly to a point southeast of the hamlet of Winthrop; beginning at a point on or near state highway eight hundred seventy-eight west of the city of Ogdensburg thence running northeasterly to a point on the west Ogdensburg corporation line, beginning on a point at the southern end of state highway one thousand one hundred and twenty-six thence running easterly to a point on a state highway in or near the hamlet of Colton"; and to transfer to the county of St. Lawrence for future maintenance as part of the county highway system in St. Lawrence county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point south of the village of Hammond thence running generally southerly to a point in or near the hamlet of Rossie; beginning at the village of Canton northerly boundary line thence running generally northerly through the hamlet of Morley to a state

highway in or near the hamlet of Madrid; beginning at a point in the hamlet of Norfolk, thence running generally easterly to a point on state highway one thousand five hundred eighty-seven; beginning at a point in or near the hamlet of Kindrews Corners thence running generally northeasterly through the village of Rensselaer Falls to a point in the hamlet of Woodbridge Corners; beginning at a point in the hamlet of Nicholville thence running generally northerly to the hamlet of Lavery's Corners; beginning at a point in the hamlet of Reeds Corners thence running generally southerly to the hamlet of Lavery's Corners; beginning at point on the western-most end of state highway nine thousand three hundred fifty-seven thence running generally northeasterly to a point on the eastern-most end of state highway nine thousand three hundred fifty-seven"; and to transfer to the village of Canton for future maintenance as part of the village street system in the village of Canton and to issue official orders of abandonment of those portions of highway described as follows: "beginning at state highway five thousand one hundred fifteen in the village of Canton, thence running northerly to the village of Canton boundary line".

43. Saratoga county. 1. Beginning at the Albany-Saratoga county line at or near the hamlet of Crescent, thence running generally northwesterly and northerly through or near the hamlets of Clifton Park, Elnora, Ballston Lake and Ballston Center, and the village of Ballston Spa, to the southern inner corporation tax boundary of Saratoga Springs; beginning at the northern inner corporation tax boundary of Saratoga Springs, thence running generally northerly through or near the hamlet of Wilton and the village of South Glens Falls to the Saratoga-Warren county line; beginning at the Fulton-Saratoga county line, thence running generally easterly through or near the hamlets of Mosherville, East Galway, Rock City Falls and North Milton, to the western inner corporation tax boundary of Saratoga Springs; beginning at state highway eight thousand sixty-five in or near the hamlet of Clifton Park, thence running generally easterly to the southern city line of Mechanicville; beginning on the northern city line of Mechanicville, thence running generally northerly and westerly through or near the village of Stillwater, the hamlet of Bemis Heights, the Saratoga battlefield, and the villages of Victory and Schuylerville, thence running generally

westerly to the western inner corporation tax boundary of Saratoga Springs; beginning at a point south of the village of South Glens Falls on state highway fifty-eight, thence running generally easterly to the Saratoga-Washington county line, east of the village of Fort Edward; beginning at a point in or near the city of Saratoga Springs, thence running generally northeasterly to or near state highway one thousand four hundred sixty-one, in or near the hamlet of Gansevoort; beginning at a point in or near the city of Saratoga Springs, thence running generally northerly to a point on or near state highway two hundred forty-two; beginning at a point on state highway five thousand two hundred five in or near the hamlet of Bemis Heights, thence running generally northerly to or near state highway two hundred forty-four in or near the village of Schuylerville; beginning at a point on state highway five thousand two hundred five in or near the hamlet of Bemis Heights, thence running generally westerly to a point on or near state highway one thousand five hundred twenty-eight, thence running northerly to a point in or near the city of Saratoga Springs; beginning at a point on state highway one thousand one hundred seventeen north of the hamlet of Vischer Ferry, near the Albany-Saratoga county line, thence running generally northerly through or near the hamlets of Rexford and Elnora, east of Ballston lake, to a point on or near state highway six hundred eleven near Kayaderosseras creek; beginning at a point on state highway one thousand one hundred seventeen south of the hamlet of Rexford, thence running generally northerly through or near the hamlet of Elnora to a point on or near the Southard Corners-Kayaderosseras creek highway; beginning at the Schenectady-Saratoga county line in the vicinity of the hamlet of Glenridge, thence running generally easterly through or near the hamlet of Rexford to a point on or near state highway eight thousand one hundred thirty-seven; beginning at the Schenectady-Saratoga county line, thence running generally northerly to a point on or near state highway one thousand one hundred seventeen in or near the hamlet of Rexford; beginning at a point on the Schenectady-Saratoga county line in or near the hamlet of Burnt Hills, thence running generally northeasterly to a point on or near state highway five thousand two hundred eighty-one or nine thousand fifty-six; beginning at a point on state highway eight thousand sixty-five, in or near the hamlet of Clifton Park, thence running generally northerly to a point on or near

state highway six hundred ten, in or near the hamlet of Round Lake; beginning at a point in or near the village of Ballston Spa, thence running generally easterly to a point on or near state highway one thousand five hundred twenty-eight and six hundred eleven; beginning at a point on or near state highway five thousand six hundred thirty-nine north of the hamlet of Crescent, thence running generally northerly to a point on or near state highway one thousand three hundred forty-five, south of the hamlet of Newtown; beginning at a point on or near state highway fifty-nine south of the city of Mechanicville, thence running generally northerly to a point in or near the city of Mechanicville on or near state highway one thousand three hundred forty-five; beginning at a point on the northerly Mechanicville city line, thence running generally northerly to a point on or near state highway two hundred forty-three north of the Boston and Maine railroad bridge; beginning at the Schenectady-Saratoga county line, south of the hamlet of West Charlton, thence running generally northerly through or near the village of Galway to a point on or near state highway eight thousand forty-five, west of the hamlet of Mosherville; beginning at a point on state highway five thousand seven hundred thirteen, west of the city of Saratoga Springs, thence running generally easterly to a point on or near the western city line of Saratoga Springs; beginning at a point on state highway six hundred ten west of the city of Mechanicville, thence running generally easterly to a point on or near the westerly city line of Mechanicville; beginning at a point on or near state highway five thousand two hundred seventy-seven, in or near the village of Schuylerville, thence running generally northerly through or near the hamlet of Gansevoort to a point on or near state highway five thousand five hundred ninety-eight in or near the village of South Glens Falls, with a connection to the Saratoga-Washington county line north of the village of Schuylerville; beginning at a point on or near state highway four hundred forty-three, in or near the city of Saratoga Springs, thence running generally northerly through or near the hamlets of Greenfield Center, North Greenfield and South Corinth and the village of Corinth to the Saratoga-Warren county line; beginning at a point on or near state highway six hundred ten in or near the city of Mechanicville, thence running generally northwesterly through or near the hamlets of Maltaville and Malta to a point on state highway six hundred eleven in

or near the city of Saratoga Springs; beginning at a point on or near state highway six hundred eleven north of the hamlet of Malta, thence running generally easterly to a point at or near the junction of state highway eight thousand two hundred seventy-six and eight thousand one hundred thirty-one; beginning at a point on or near state highway five thousand sixty-two south of the village of Ballston Spa, thence running generally easterly to a point at or near the junction of state highway six hundred ten and six hundred eleven, in or near the hamlet of Malta; beginning at the Montgomery-Saratoga county line, thence running generally easterly to a point in or near the village of Ballston Spa; beginning at the Albany-Saratoga county line in or near the village of Waterford, thence running generally northerly to a point on or near state highway fifty-nine, south of the city of Mechanicville; beginning at a point on or near state highway five thousand two hundred eighty-one, thence running generally northeasterly to a point on or near state highway five thousand eighty-five; beginning at an interchange with interstate route 502, thence running generally easterly to a state highway in or near the hamlet of Crescent; beginning at a point on state highway nine thousand three hundred eighty-seven in the vicinity of the interchange with interstate route five hundred two (interstate route eighty-seven) thence generally northeasterly to or near the intersection of state highway six hundred ten and state highway one thousand seven hundred ninety-five.

2. The total cost of highway-railroad separations necessary in the construction of the highway above described as "beginning at a point on state highway one thousand one hundred seventeen south of the hamlet of Rexford, thence running generally northerly through or near the hamlet of Elnora to a point on or near the Southard Corners-Kayaderosseras creek highway", where no crossings now exist, may be borne by the state and be paid for from any state or federal moneys available for the construction or reconstruction of state highways.

3. The total cost of the highway-railroad separation necessary in the construction of the highway above described as "beginning at a point on or near state highway fifty-nine south of the city of Mechanicville, thence running generally northerly to a point in or near the city of

Mechanicville on or near state highway one thousand three hundred forty-five", where no crossing now exists, may be borne by the state and be paid for from any state or federal moneys available for the construction or reconstruction of state highways. Upon the completion and acceptance of said described highway, the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Saratoga of that portion of state highway fifty-nine from the southerly Mechanicville city line south of its intersection with said described highway, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Saratoga county, and the state comptroller, the state shall cease to maintain such portion of state highway fifty-nine and all rights and obligations of the state therein shall be turned over and surrendered to the county of Saratoga and such portion of said state highway shall thereafter be maintained as a part of the county road system of said county.

4. Upon the completion and acceptance of the highway above described as "beginning at a point on the northerly Mechanicville city line, thence running generally northerly to a point on or near state highway two hundred forty-three north of the Boston and Maine railroad bridge", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Saratoga of that portion of state highway two hundred forty-three from the northerly Mechanicville city line north to its intersection with the above described state highway, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Saratoga county and the state comptroller, the state shall cease to maintain such portion of state highway two hundred forty-three and all rights and obligations of the state therein shall be turned over and surrendered to the county of Saratoga and such portion of said state highway shall thereafter be maintained as a part of the county road system of said county.

5. Upon the completion and acceptance of the highway above described

as "beginning at a point on state highway six hundred ten west of the city of Mechanicville, thence running generally easterly to a point on or near the westerly city line of Mechanicville", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Saratoga of that portion of state highway six hundred ten from the westerly Mechanicville city line west to its intersection with the above described state highway and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Saratoga county, and the state comptroller, the state shall cease to maintain such portion of state highway six hundred ten and all rights and obligations of the state therein shall be turned over and surrendered to the county of Saratoga and such portion of said state highway shall thereafter be maintained as a part of the county road system of said county.

6. Upon completion and acceptance of the highway described above as "beginning at a point in or near the city of Saratoga Springs, thence running generally northerly to a point on or near state highway two hundred forty-two", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Saratoga of that portion of state highway two hundred forty-two, from the above described point of intersection as determined by the commissioner, southerly to its intersection with state highway four hundred forty-three, together with that portion of state highway four hundred forty-three from its intersection with state highway two hundred forty-two southerly to the northern city line of Saratoga Springs, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Saratoga county, and the state comptroller, the state shall cease to maintain said portions of state highway two hundred forty-two and four hundred forty-three, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Saratoga and the portions of said highways shall thereafter be maintained by the county of Saratoga as a part of the county road system.

7. The commissioner of transportation is directed to assume jurisdiction over the following described county road:

Commencing at the northerly highway boundary of the state route 146 -- Saratoga county road 90 intersection (station 0+24); thence northerly along county road 90 to its intersection with the southerly highway boundary of the junction of the east and west spurs of state route 146A (station 2+92), a total length of 0.05 mile.

The commissioner of transportation shall prepare an official order designating such road and highway as a part of the state highway system to be hereafter maintained as a part of the state highway system, and shall file certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways and with the clerk of the town of Clifton Park, all of the county of Saratoga and with the comptroller of the state of New York.

8. Effective April first, nineteen hundred eighty-one, the legislative body of the county of Saratoga having previously approved the transfer of the highway described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at the Saratoga-Schenectady county line in the vicinity of the hamlet of Glenridge, thence running generally easterly to a point on state highway one thousand one hundred seventeen".

9. Upon the completion and acceptance of the highway described as "beginning at a point on state highway nine thousand three hundred eighty-seven in the vicinity of the interchange with interstate route five hundred two (interstate route eighty-seven) thence generally northeasterly to or near the intersection of state highway six hundred ten and state highway one thousand seven hundred ninety-five", the commissioner is hereby authorized and directed to enter an official order of abandonment to the village of Round Lake of that portion of state highway nine thousand three hundred eighty-seven, and as included in an official order dated July twenty-seventh, nineteen hundred seventy

from the above-described point as determined by the commissioner easterly to its intersection with state highway one thousand seven hundred ninety-five and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Saratoga county, and the state comptroller, the state shall cease to maintain such portion of state highway nine thousand three hundred eighty-seven and all rights and obligations of the state therein shall be turned over and surrendered to the village of Round Lake and such portion of said state highway shall thereafter be maintained by the village of Round Lake as a village road.

44. Schenectady county. 1. Beginning at the Albany-Schenectady county line, thence running generally northerly on state highway five hundred seventy-seven to the southern Schenectady city line; beginning on the Great Western Gateway bridge, thence running generally northwesterly through or near the village of Scotia and the hamlet of Hoffmans to the Schenectady-Montgomery county line; beginning at the Schoharie-Schenectady county line west of the hamlet of Quaker Street, thence running generally easterly through or near the hamlets of Quaker Street and Duanesburg to the hamlet of Rotterdam, thence southeasterly to a point on the Albany-Schenectady county line south of the hamlet of Carman; beginning in or near the village of Scotia, thence running generally northeasterly through or near the hamlets of East Glenville and High Mills to the Schenectady-Saratoga county line; beginning at the Albany-Schenectady county line, thence running generally northwesterly along state highways four hundred seven, one and 57-20 to the Schenectady city line with a connector running northwesterly along state highway one to state highway one thousand eight hundred seventy-two; beginning at the Schoharie-Schenectady county line near the village of Esperance, thence running generally easterly through or near the hamlet of Duanesburg and southeasterly through or near the hamlet of Gifford Corners to the Albany-Schenectady county line; beginning at or near the hamlet of Gifford Corners at an intersection with state highway eight thousand ninety-seven thence running generally easterly and northeasterly to an intersection with state highway five hundred seventy-seven; beginning at the intersection of state highways five

hundred seventy-seven and five thousand seven hundred ten, thence running generally easterly on Altamont avenue to the Schenectady city line; beginning at the Schenectady-Montgomery county line, thence running generally easterly through or near the hamlet of Mariaville, thence southeasterly, easterly and southeasterly to a point at the intersection of state highways eight hundred eighty and five hundred seventy-seven; beginning at the Schenectady-Montgomery county line near the hamlet of Pattersonville, thence running generally southeasterly along the south bank of the Mohawk river through or near the hamlet of Rotterdam Junction to an interchange of traffic with interstate route connection 550; beginning at a point in the village of Scotia, thence running generally northerly and northwesterly through or near the hamlet of Glenville Center to the Schenectady-Saratoga county line; beginning at the Schoharie-Schenectady county line near the village of Esperance, thence running generally northerly and northeasterly through or near the hamlet of Braman Corners to an intersection with state highway seven hundred eighty-nine east of the Montgomery-Schenectady county line; beginning at the Montgomery-Schenectady county line at or near the hamlet of Scotch Church, thence running generally easterly and northeasterly through or near the hamlet of Pattersonville to an intersection with state highway six hundred forty; beginning at an intersection with state highway seven hundred eighty-nine in or near the hamlet of Mariaville, thence running generally northerly to the Montgomery-Schenectady county line; beginning at or near the hamlet of Quaker Street, thence running generally northerly through or near the village of Delanson to an intersection with state highway one thousand four hundred fifty-four; beginning at the Albany-Schenectady county line in the town of Rotterdam, thence running generally northerly and northeasterly through or near the hamlet of Pine Grove to a point on state highway five hundred seventy-seven in the hamlet of South Schenectady; beginning at state highway five thousand seven hundred ten, thence running generally northeasterly to the southern city line of Schenectady; beginning at the Albany-Schenectady county line, thence running generally northwesterly on state highway one hundred seventy-nine to the Schenectady city line; beginning at state highway one hundred seventy-nine east of the Schenectady city line, thence running generally northerly through the town of Niskayuna to the

Saratoga-Schenectady county line; beginning at state highway six hundred forty in the vicinity of the hamlet of Rotterdam Junction, thence running generally northeasterly to barge canal lock nine; beginning at the northwest Schenectady city line, thence running generally northwesterly along state highway one thousand one hundred seventy-two to state highway five thousand three hundred fourteen; beginning at the Albany-Schenectady county line, thence running generally northerly to the Saratoga-Schenectady county line near the hamlet of Aqueduct, the total cost of highway-railroad separations necessary in the construction of this highway where no crossings now exist, may be borne by the state and be paid for from any state or federal moneys available for the construction or reconstruction of state highways; beginning at a point on interstate route connection 550, thence running generally easterly on new location to a point on the western Schenectady city line in the vicinity of Fawn avenue to connect with a Schenectady arterial route, including the interchange of traffic with interstate route connection 550; beginning at a point on interstate route connection 550 in the vicinity of interstate route 504 west of Schenectady, thence running generally northeasterly on new location to the Schenectady-Saratoga county line in the vicinity of the hamlet of Burnt Hills; beginning at the northern Schenectady city line on a new bridge over the Mohawk river, connecting to an arterial route, thence running generally northeasterly to the Saratoga-Schenectady county line in the vicinity of the hamlet of Glenridge; beginning at a point on the eastern Schenectady city line on or in the vicinity of Rosa road, thence running generally easterly crossing state highway one thousand eight hundred seventy-two and continuing generally southeasterly to a point on state highway seven hundred ninety-three; beginning at a point on state highway five thousand three hundred fourteen, thence running generally easterly along Glenridge road to a point on the Saratoga-Schenectady county line; beginning at a point on state highway eight hundred eighty, thence running generally northeasterly via Burdeck road and Campbell road to an interchange of traffic with interstate route connection 550; beginning at a point on Campbell road, thence running generally easterly along state highways six hundred forty-one and one thousand eight hundred fifty-three to a point on the western Schenectady city line; beginning at station 23+46 on state highway 70-4, thence running southeasterly

along state highway 70-4 to station 30+28.

2. Upon the completion and acceptance of the highway described as "beginning at a point on interstate route connection 550 in the vicinity of interstate route 504 west of Schenectady, thence running generally northeasterly on new location to the Schenectady-Saratoga county line in the vicinity of the hamlet of Burnt Hills," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Schenectady of state highways seventy-three, one thousand four hundred eighty-two, and one thousand six hundred seventy-nine, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways of Schenectady county, and the state comptroller, respectively, the state shall cease to maintain said highways seventy-three, one thousand four hundred eighty-two, and one thousand six hundred seventy-nine, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Schenectady and said highways shall thereafter be maintained by the county of Schenectady as part of the county road system.

3. Upon completion and acceptance of the highway described as "beginning at a point on the eastern city line of Schenectady on or in the vicinity of Rosa road, thence running generally easterly crossing state highway one thousand eight hundred seventy-two and continuing generally southeasterly to a point on state highway seven hundred ninety-three", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Schenectady of that portion of state highway eight thousand four hundred sixty-six from its intersection with state highway seven hundred eighty-nine northerly to the Schenectady-Montgomery county line; upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of highways, all of Schenectady county, and the state comptroller, the state shall cease to maintain the aforesaid portions of state highways specified for abandonment in said official order, and all the rights and obligations of the state therein shall be turned over and surrendered to the county of Schenectady, the said portions of state

highways to be maintained thereafter by Schenectady county as a part of the county road system.

4. Upon completion and acceptance of a project of reconstruction within the highway described as "beginning at a point on state highway five hundred seventy-seven, thence running generally northeasterly via Helderberg avenue to the southern city line of Schenectady", the legislative body of the county of Schenectady having previously approved the exchange of said highway, the commissioner is authorized and directed to enter an official order of abandonment of such highway and to transfer such highway to the county for future maintenance as part of the county highway system.

5. Effective April first, nineteen hundred eighty, the legislative body of the county of Schenectady having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: All of that route described as "beginning at a point on state highway five thousand three hundred fourteen, thence running generally easterly along Glenridge road to a point on the Saratoga-Schenectady county line"; all of that route described as "beginning at a point on state highway eight hundred eighty, thence running generally northeasterly via Burdeck road and Campbell road to an interchange of traffic with interstate route connection 550"; all of that route described as "beginning at a point on state highway one hundred seventy-nine east of the Schenectady city line thence running generally northerly to a point on state highway one"; and to transfer to the county of Schenectady for future maintenance as part of the county highway system in Schenectady county and to issue official orders of abandonment of those portions of highway described as follows: beginning at state highway four hundred seven on or near the Albany-Schenectady county line in the vicinity of the Mohawk river, thence running generally along the south bank of such river northwesterly and westerly to state highway one east of the Schenectady city line; beginning at an intersection with state highway one thousand eight hundred seventy-two thence running northwesterly along state highway one to the Schenectady city line; beginning at the intersection

of state highway eight hundred eighty and five hundred seventy-seven, thence running generally northeasterly along state highway one hundred sixty-three to a point on the western city line of Schenectady; beginning at a point on state highway five hundred seventy-seven, thence running northerly to a point on the southern city line of Schenectady.

45. Schoharie county. Beginning at the Otsego-Schoharie county line, thence running generally northeasterly through or near the hamlet of West Richmondville, the villages of Richmondville and Cobleskill to the Schoharie-Schenectady county line; beginning at the Delaware-Schoharie county line, thence running generally southeasterly through or near the hamlet of South Gilboa Station to the Schoharie-Delaware county line; beginning at a point on state highway five thousand three hundred forty-three in or near the hamlet of South Gilboa Station, thence running generally southeasterly through or near the hamlet of South Gilboa to a junction with state highway eight thousand three hundred twelve; beginning at the Delaware-Schoharie county line north of the village of Stamford, thence running generally northerly through or near the hamlets of South Jefferson, Jefferson, Baird Corners and Summit to a junction with state highway five thousand four hundred fifty-eight in or near the village of Richmondville; beginning at a point in or near the village of Cobleskill, thence running generally northwesterly through or near the hamlet of Hyndsville, Jamesville, Gardnerville and Beekman Corners and the village of Sharon Springs to the Schoharie-Montgomery county line; beginning at the Albany-Schoharie county line, thence running generally northwesterly through or near the hamlets of Livingstonville and Franklinton, the village of Middleburg and the hamlet of East Cobleskill to state highway five thousand two hundred eighty-six; beginning at a state highway in the village of Cobleskill, thence running generally northwesterly through or near the hamlet of Lawyersville to the junction of state highway five thousand five hundred sixty-nine and state highway eight thousand eighty-one in or near the hamlet of Sharon; beginning at the junction of state highway five thousand four hundred forty-four and state highway five thousand eighty-six in or near the hamlet of Vrooman, thence running generally southeasterly through or near the hamlet of Gallupville to the Schoharie-Albany county line; beginning at a point on state highway five

thousand eighty-six in or near the hamlet of Gallupville, thence running generally northeasterly to the Schoharie-Albany county line; beginning at the junction of state highway five thousand one hundred ninety-five and state highway nine thousand two hundred ninety-eight, thence running generally northwesterly to a junction with state highway five thousand six hundred nineteen; beginning at the junction of state highway five thousand one hundred ninety-five and state highway one thousand two hundred fifteen, thence running generally northerly through or near the hamlets of Central Bridge and Sloansville to the Schoharie-Montgomery county line; beginning at the junction of state highway nine thousand fifty-nine and state highway eight thousand four hundred four north of the hamlet of Sloansville, thence running generally northwesterly to the Schoharie-Montgomery county line; beginning at the Delaware-Schoharie county line northeast of the hamlet of Grand Gorge, thence running generally northeasterly through or near the hamlets of North Bleinheim, Breakabeen, Fultonham and Watsonville, the villages of Middleburg and Schoharie and the hamlet of Vrooman to the Schoharie-Schenectady county line; beginning at the Otsego-Schoharie county line, thence running generally easterly through or near the village of Sharon Springs, the hamlets of Sharon Center, Sharon, Little York, Carlisle and Sloansville and the village of Esperance to the Schoharie-Schenectady county line; beginning at the Otsego-Schoharie county line in or near the hamlet of Weber Corners, thence running generally easterly through or near the hamlets of Dorloo and Seward to a junction with state highway one thousand nine hundred eleven; beginning at the junction of state highway eight thousand three hundred twelve and state highway one thousand seven hundred eighty-four, thence running generally easterly through or near the hamlets of Gilboa, West Conesville, Conesville and Manorkill to the Schoharie-Greene county line.

46. Schuyler county. Beginning at the Chemung-Schuyler county line north of the village of Millport, thence running generally northerly through or near the villages of Montour Falls and Watkins Glen to the Schuyler-Yates county line south of the hamlet of Rock Stream; beginning at the Chemung-Schuyler county line in the vicinity of the hamlet of Beaver Dams, thence running generally northeasterly to a state highway in the village of Watkins Glen; beginning at a state highway in the

village of Watkins Glen, thence running generally easterly and northerly through or near the hamlets of Hector and Valois to the Schuyler-Seneca county line south of the village of Lodi; beginning at a state highway in the village of Montour Falls, thence running generally southeasterly through or near the village of Odessa and the hamlets of Alpine and Cayuta to the Schuyler-Chemung county line northwest of the village of VanEtten; beginning at the Steuben-Schuyler county line in the vicinity of the hamlet of Bradford, thence running generally northeasterly through or near the hamlets of Tyrone and Altay to a state highway in or near the hamlet of Cole's Corners south of the village of Dundee; beginning at a state highway in the village of Odessa, thence running generally northeasterly through or near the hamlets of Mecklenburg and Perry City to the Schuyler-Tompkins county line southwest of the village of Trumansburg; beginning at a state highway northeast of the village of Watkins Glen, thence running generally northeasterly through or near the village of Burdett and the hamlets of Bennettsburg and Mecklenburg to the Schuyler-Tompkins county line east of the hamlet of Mecklenburg; beginning at a state highway northeast of the hamlet of Bennettsburg, thence running generally northeasterly through or near the hamlet of Reynoldsville to a state highway in or near the hamlet of Perry City; beginning at the Steuben-Schuyler county line in the vicinity of the hamlet of Wayne, thence running generally northeasterly to the Schuyler-Yates county line southwest of the village of Dundee; beginning at a state highway northwest of the village of Watkins Glen, thence running generally northwesterly through or near the hamlet of Reading Center to the Schuyler-Yates county line; beginning at the Yates-Schuyler county line, thence running generally westerly to the Schuyler-Yates county line in the vicinity of Cole's Corners; beginning at a point at the northern entrance of Watkins Glen state park, thence running generally northerly and easterly to a point in the village of Watkins Glen; beginning at a point in the vicinity of White Hollow school, thence running generally easterly to a state highway in the village of Watkins Glen; beginning at the Chemung-Schuyler county line southwest of the hamlet of Alpine Junction, thence running generally northeasterly through or near the hamlet of Alpine Junction to the Schuyler-Tompkins county line northeast of the hamlet of Alpine Junction; beginning at a state highway in the village of Watkins Glen,

thence running generally northerly to a point on the southern boundary line of Watkins Glen state park.

47. Seneca county. Beginning at the Ontario-Seneca county line east of the city of Geneva, thence running generally northeasterly through or near the villages of Waterloo and Seneca Falls and the hamlet of Halsey Corners to the Seneca-Cayuga county line at Free bridge; beginning at the Wayne-Seneca county line, thence running generally southeasterly across the northeast corner of the town of Tyre to the Seneca-Cayuga county line; beginning at the Tompkins-Seneca county line, east of the village of Trumansburg, thence running generally northwesterly and northerly along the west shore of Cayuga lake, through or near the hamlets of East Varick, Canoga, Halsey Corners and Crusoe, to the Seneca-Wayne county line, thence generally easterly along this line to a state highway between Montezuma and Savannah; beginning at the Tompkins-Seneca county line in the vicinity of the village of Trumansburg, thence running generally northwesterly through or near the villages of Interlaken and Ovid to the hamlet of Romulus, thence generally northerly to or near the village of Waterloo and northwesterly to the Seneca-Ontario county line near the village of Phelps; beginning at a state highway in or near the village of Interlaken, thence running generally westerly to or near the village of Lodi, thence northerly through or near the village of Ovid and the hamlets of Varick and Rose Hill to a point on the Geneva-Waterloo state highway east of the city of Geneva; beginning at the Ontario-Seneca county line, thence running generally easterly through or near the hamlets of Cosad, Junius Corners, Magee and Nicholas Corners to a point in or near the hamlet of Halsey Corners; beginning at a state highway west of the hamlet of MacDougall, thence running generally easterly through or near the hamlet of MacDougall to a state highway south of the hamlet of Fayette; beginning at the Schuyler-Seneca county line south of the hamlet of Caywood, thence running generally northeasterly through or near the hamlet of Caywood to a state highway at or near the village of Lodi; beginning at a state highway north of the village of Ovid, thence running generally northerly through or near the hamlet of Fayette to a state highway in or near the village of Seneca Falls; beginning at the Waterloo-Seneca Falls state highway, thence running generally northerly through or near the

hamlets of Magee and Malcolm to the Seneca-Wayne county line; beginning at a state highway in or near the village of Seneca Falls, thence running generally easterly toward Cayuga lake and to the village of Cayuga in Cayuga county.

48. Steuben county. 1. Beginning at the Allegany-Steuben county line east of the village of Andover, thence running generally easterly through or near the hamlets of Greenwood and Jasper and the villages of Woodhull and Addison to an interchange with the Southern Tier expressway in or near the village of Painted Post; beginning at the eastern city line of Corning, thence running generally easterly to the Steuben-Chemung county line east of the hamlet of East Corning; beginning at the Pennsylvania-New York state line south of the hamlet of Lindley, thence running generally northerly through or near the hamlets of Lindley and Presho to a state highway in or near the hamlet of Erwin; beginning at a point on the western city line of Corning, thence running generally northwesterly through the villages of Riverside and Painted Post to an interchange with the Southern Tier expressway in or near the hamlet of Coopers Plains; beginning at an interchange with the Southern Tier expressway southeast of the village of Bath, thence running generally northwesterly through or near the village of Bath, the hamlet of Kanona, the village of Avoca, the hamlet of Wallace and the villages of Cohocton and Wayland, thence running generally northerly to the Steuben-Livingston county line north of the village of Wayland; beginning at the Pennsylvania-New York state line south of the hamlet of South Troupsburg, thence running generally northerly through or near the hamlet of Troupsburg to a state highway southwest of the hamlet of Jasper; beginning at a state highway in or near the hamlet of Jasper, thence running generally northwesterly through or near the village of Canisteo to the southern city line of Hornell; beginning at the northern city line of Hornell, thence running generally northerly through or near the villages of North Hornell and Arkport and the hamlet of Healy's Corners to the Steuben-Livingston county line south of the village of Dansville; beginning at the Allegany-Steuben county line in or near the hamlet of Burns, thence running generally southeasterly to a state highway in or near the village of Arkport; beginning at the Allegany-Steuben county line in or near the village of Almond, thence

running generally easterly to the western city line of Hornell; beginning at a state highway in or near the hamlet of Webb's Crossing, thence running generally northeasterly through or near the hamlets of Fremont and Haskinsville, thence running generally northerly to the state highway south of the village of Wayland; beginning at the Allegany-Steuben county line northeast of the hamlet of Whitesville, thence running generally northeasterly through or near the hamlet of Rexville to a state highway in or near the hamlet of Greenwood; beginning at a state highway north of the hamlet of Greenwood, thence running generally northerly to a state highway in or near the village of Canisteo; beginning at a state highway in or near the village of Bath, thence running generally northeasterly through or near the village of Hammondsport to the Steuben-Yates county line north of the hamlet of Keuka; beginning at a state highway south of the village of Hammondsport, thence running generally northerly to a point in or near the village of Hammondsport; beginning at a point in or near the village of Hammondsport, thence running generally northerly to the Steuben-Yates county line south of the hamlet of Branchport; beginning at the northern city line of Corning, thence running generally northeasterly to the Steuben-Chemung county line southwest of the hamlet of Post Creek; beginning at a state highway in or near the hamlet of Kanona, thence running generally northerly through or near the hamlets of Wheeler and Dineharts and the village of Prattsburg, thence generally northwesterly through or near the hamlet of Ingleside to the Steuben-Ontario county line south of the village of Naples; beginning at a state highway in or near the village of Cohocton, thence running generally northerly through or near the hamlet of North Cohocton to the Steuben-Ontario county line southwest of the village of Naples; beginning at the Livingston-Steuben county line east of the village of Dansville, thence running generally easterly to a state highway in or near the village of Wayland; beginning at a state highway in or near the village of Wayland, thence running generally easterly to a state highway in or near the hamlet of North Cohocton; beginning in or near the hamlet of Caton, thence running generally northerly through or near the village of South Corning to the southern city line of Corning; beginning in or near the hamlet of Risingville, thence running generally easterly through or near the hamlets of Thurston and Campbell to a county road west of the hamlet of

Campbell; beginning at a state highway in or near the village of Savona, thence running generally northeasterly through or near the hamlet of Sonora to the Steuben-Schuyler county line in or near the hamlet of Bradford; beginning at a state highway in or near the hamlet of East Corning, thence running generally easterly to the Steuben-Chemung county line west of the hamlet of Big Flats; beginning at the Allegany-Steuben county line east of the hamlet of Heiman's Corners, thence running generally easterly to a state highway in or near the hamlet of Healy's Corners; beginning at a point in or near the hamlet of Rathbone, thence running generally easterly to a state highway in or near the village of Addison; beginning at an interchange with the Southern Tier expressway in or near the village of Painted Post, thence running generally southeasterly through or near the villages of Painted Post and Riverside to the western city line of Corning; beginning at a state highway in or near the village of Canisteo, thence running generally southeasterly through or near the hamlets of Adrian and Cameron to a state highway in or near the hamlet of Rathbone; beginning at a state highway in or near the hamlet of Caton, thence running generally easterly to the Steuben-Chemung county line west of the hamlet of Hendy Creek; beginning at a state highway in or near the hamlet of Lindley, thence running generally easterly to a state highway in or near the hamlet of Caton; beginning at a state highway in or near the hamlet of Loon Lake School, thence running generally easterly to a state highway in or near the village of Cohocton; beginning at the Pennsylvania-New York state line, southeast of the hamlet of Whitesville, thence running generally northwesterly to the Steuben-Allegany county line in the vicinity of the hamlet of Whitesville; beginning at a point on a state highway in or near the hamlet of Keuka thence running generally southeasterly to the Schuyler-Steuben county line north of the hamlet of Wayne.

2. Effective April first, nineteen hundred eighty, the legislative body of the county of Steuben having previously approved the exchange of highway described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at a state highway in or near the hamlet of Caton, thence running generally easterly to the Steuben-Chemung county line west of the hamlet of Hendy

Creek"; and to transfer to the county of Steuben for future maintenance as part of the county highway system in Steuben county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point on a state highway in the hamlet of Prattsburg, thence running generally northerly to county road one hundred twenty-two".

3. Effective April first, nineteen hundred ninety-seven, the legislative body of the county of Steuben having previously approved the exchange of certain county roads for certain state highways, as set forth in this paragraph, the commissioner is authorized to transfer to the county of Steuben for future maintenance as a part of the Steuben county road system all of the state highway described as beginning in or near the hamlet of Risingville, thence running generally easterly through or near the hamlets of Thurston and Campbell to county road four hundred fifteen east of the hamlet of Campbell; all of the state highway described in this subdivision as beginning at a point in or near the hamlet of Rathbone, thence running generally easterly to a state highway in or near the village of Addison; and to assume jurisdiction for state highway purposes over the county roads described as follows: beginning at the terminus of a state highway near the interchange with the Southern Tier Expressway, in or near the hamlet of Coopers Plains, thence running generally northwesterly to a point in or near southeast of the village of Savona; beginning at a point in or near the northwest of the village of Savona, thence running generally northwesterly to the terminus of a state highway southeast of the village of Bath, near an interchange with the Southern Tier Expressway; beginning at the US route fifteen interchange with state highway five thousand ninety-four, thence running generally northerly to a point in or near the hamlet of Gang Mills.

4. Effective April first, nineteen hundred ninety-seven, the legislative body of the village of Savona having previously approved the abandonment of a highway as described in this paragraph, the commissioner is authorized to assume jurisdiction for state highway purposes over the road described as follows: beginning at a point in or near the southeast of the village of Savona, thence running generally

northwesterly to a point in or near the northwest corner of the village of Savona.

5. Effective April first, nineteen hundred ninety-seven, the legislative body of the town of Erwin having previously approved the abandonment of a highway as described in this paragraph, the commissioner is authorized to assume jurisdiction for state highway purposes over the road described as follows: beginning at a point in or near the south of the hamlet of Gang Mills, thence running generally northerly to the intersection with Robert Dann Boulevard.

49. Suffolk county. 1. Beginning at the Suffolk-Nassau county line in or near the hamlet of Cold Spring Harbor, thence running generally easterly through or near the hamlets of Huntington, Fort Salonga and Kings Park to state highway five thousand two hundred thirty-two-A, Jericho turnpike, in or near the hamlet of Smithtown; Lawrence Hill road, beginning at the Suffolk-Nassau county line in or near the hamlet of Cold Spring Harbor, thence running generally easterly to state highway nine thousand three hundred thirty in or near the hamlet of Huntington; North County road, beginning at a state highway in or near the village of the Village of The Branch, thence running generally northeasterly through or near the hamlets of St. James, Stony Brook, and East Setauket and the village of Port Jefferson, thence running generally southeasterly through or near the hamlet of Port Jefferson Station, thence running generally easterly through or near the hamlet of Rocky Point and the village of Shoreham to state highway eight thousand sixty-six; beginning at the Suffolk-Nassau county line in or near the hamlet of Cold Spring, thence running generally easterly through or near the hamlets of South Huntington, Commack, and Smithtown, the village of the Village of The Branch, the hamlets of Centereach, Coram, Middle Island, Ridge, Riverhead, Mattituck and Southhold to a point in or near the village of Greenport; beginning at a point in or near the village of Greenport, thence running generally easterly through or near the hamlet of East Marion to the hamlet of Orient Point, thence running generally southerly to a point in or near Orient Beach state park; Long Island expressway, beginning at the Suffolk-Nassau county line in or near the hamlet of Melville, thence running generally easterly through or near

the hamlets of Ronkonkoma, Medford Station, Yaphank, Manorville and Riverhead to a state highway in or near the hamlet of Mattituck, including a spur connection to the Sunrise highway extension; Hempstead Turnpike, beginning at the Suffolk-Nassau county line in or near the hamlet of Farmingdale, thence running generally easterly to state highway one thousand two hundred nineteen; Sunrise highway extension, beginning at the Suffolk-Nassau county line at the terminus of state highway eight thousand four hundred seventy-four in or near the village of Amityville, thence running generally easterly through or near the village of Brightwaters, the hamlet of Bayshore, the village of Patchogue, the hamlets of Moriches, Eastport, Hampton Bays, Tuckahoe and Hardscrabble to state highway nine thousand three hundred five in or near the hamlet of Promised Land; beginning at the Suffolk-Nassau county line in or near the village of Amityville near Merrick road, thence running generally easterly through or near the village of Babylon and the hamlets of Bayshore and Islip to state highway eight thousand four hundred sixty in or near the hamlet of Great River; beginning at Knoll Road in the hamlet of Shinnecock Hills, thence running generally easterly to a point in or near the village of Southampton; beginning at a point in or near the village of Southampton, thence running generally easterly through the hamlet of Bridgehampton, the village of East Hampton and the hamlet of Montauk to a point near Montauk Point; beginning at a point on state highway eight thousand one hundred eleven at or near the hamlet of Wading River, thence running generally easterly through the hamlet of Centerville to state highway eight thousand one hundred eighty-one in or near the hamlet of Mattituck; beginning at the Suffolk-Nassau county line in or near the village of Farmingdale, thence running generally southeasterly to state highway five thousand two hundred ninety-nine in or near the village of Babylon; beginning at a point on state highway five thousand three hundred in or near the village of Amityville, thence running generally northerly through or near the hamlets of Maywood, Melville and Huntington to a point in or near the hamlet of Halesite; beginning at a point on state highway seven hundred forty-three in or near the village of Babylon, thence running generally northerly through or near the hamlet of Deer Park to or near state highway five thousand one hundred eleven in or near the hamlet of Dix Hills; Hauppauge-Port Jefferson, beginning at a point on state

highway LIE 61-3 in or near the hamlet of Hauppauge, thence running generally northeasterly through or near the hamlet of Nesconset to state highway eight thousand ninety-four in or near the hamlet of Port Jefferson Station, said highway may be built with control of access as determined by the commissioner; beginning at a point on state highway five thousand three hundred one in or near the hamlet of Islip, thence running generally northerly to the Long Island expressway southwest of the hamlet of Hauppauge, thence running generally northeasterly through or near the hamlet of Hauppauge to state highway five thousand two hundred thirty-two-A in the village of the Village of The Branch; beginning in or near the hamlet of Hauppauge at a point on Kings Highway generally west of the intersection of said highway and state highway one thousand two hundred eight, thence running generally southerly to the north service road of state highway LIE 61-3; beginning at a point in or near the village of Patchogue, thence running generally northerly through or near the hamlets of Medford and Coram to state highway eight thousand ninety-four in or near the hamlet of Port Jefferson Station; beginning at a point on a county highway in or near the hamlet of Hampton Bays, thence running generally northwesterly through or near the hamlet of Flanders to state highway six hundred ninety-four in or near the hamlet of Riverhead; beginning at a point on state highway one thousand five hundred twenty-four in or near the village of East Hampton, thence running generally northwesterly through or near the hamlet of Hardscrabble, the villages of Sag Harbor and North Haven and the hamlet of Shelter Island to a point in or near the hamlet of Shelter Island Heights; beginning at the Suffolk-Nassau county line in or near the hamlet of Cold Spring, thence running generally northerly to state highway one thousand six hundred fifty-two in or near the hamlet of Cold Spring Harbor; beginning at a state highway in or near the hamlet of Commack, thence running generally southeasterly to a state highway in or near the hamlet of Bohemia.

2. Upon the completion and acceptance of the construction or improvement of the highway described above as "beginning at the Suffolk-Nassau county line in or near the hamlet of Cold Spring Harbor, thence running generally easterly to state highway nine thousand three hundred thirty in or near the hamlet of Huntington", the commissioner is

hereby authorized and directed to enter an official order of abandonment of that portion of state highway one thousand five hundred twenty-five which lies between the termini of said highway, a distance of about two and thirty-eight hundredths miles, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, of Suffolk county, the town superintendent of the town of Huntington and the state comptroller, the state shall cease to maintain said portion of state highway one thousand five hundred twenty-five which lies between the termini of said highway and all rights and obligations of the state therein shall revert to and become the responsibility of the county of Suffolk.

3. Upon the completion and acceptance of the construction of any portion or portions of the highway described above as "beginning at the Suffolk-Nassau county line at the terminus of state highway eight thousand four hundred seventy-four in or near the village of Amityville, thence running generally easterly through or near the village of Brightwaters, the hamlet of Bayshore, the village of Patchogue, the hamlets of Moriches, Eastport, Hampton Bays, the village of Tuckahoe and the hamlet of Hardscrabble to a state highway in or near the hamlet of Promised Land", the commissioner is hereby authorized and directed to enter an official order or orders of abandonment to the county of Suffolk of such corresponding portion or portions of the following generally parallel state highways: that portion of state highway one thousand two hundred seventy-four easterly from its junction with state highway one thousand eight hundred eighty-three, all of state highways one thousand seven hundred eighty-nine, one thousand four hundred ninety-five, one thousand five hundred twenty-four, and that portion of state highway nine thousand three hundred five easterly to its intersection with the aforesaid highway described as "Sunrise highway extension to a point on state highway nine thousand three hundred five", and of those portions of state highways six hundred ninety-four, eight hundred forty-six and one thousand eight hundred eighty-three south of the said above described and last mentioned Sunrise highway extension. Upon the filing of certified copies of said official order or orders with the county clerk, the county treasurer, the clerk of the board of

supervisors, the county superintendent of highways, all of Suffolk county, and the state comptroller, the state shall cease to maintain the highways and portions of highways abandoned to said county by said order or orders, and the same shall be thereupon and thereafter maintained by the county of Suffolk as part of its county road system.

4. Upon the completion and acceptance of the construction or improvement of the highway described above as "beginning at a state highway in or near the village of Babylon, thence running generally northerly through or near the hamlet of Deer Park to or near the Northern state parkway in or near the hamlet of Dix Hills", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Suffolk of all of state highways eight hundred forty-six, nine hundred ten, nine hundred eleven and twelve hundred six, and upon the filing of certified copies of said official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Suffolk county, and the state comptroller, the state shall cease to maintain the highways listed in such official order, and the same shall be thereupon and thereafter maintained by the county of Suffolk as a part of its county road system.

5. Upon the completion and acceptance of the construction of any portion or portions of the highway described above as "Long Island expressway, beginning at the Suffolk-Nassau county line in or near the hamlet of Melville, thence running generally easterly through or near the hamlets of Ronkonkoma, Medford Station, Yaphank, Manorville and Riverhead to a state highway in or near the hamlet of Mattituck", the commissioner is hereby authorized and directed to enter an official order or orders of abandonment to the county of Suffolk of such corresponding portion or portions of the following generally parallel state highways: that portion of state highway eight thousand sixty-six from its intersection with aforesaid Long Island expressway, easterly to state highway eight thousand sixty-six-A; all of state highway eight thousand sixty-six-A; that portion of state highway eight thousand sixty-six lying between state highway eight thousand sixty-six-A and state highway six hundred ninety-four; that portion of state highway

eight thousand one hundred eighty-one from state highway eight thousand sixty-six northeasterly to state highway one thousand seven hundred twenty-B; all of state highway one thousand seven hundred twenty-B; and that portion of state highway eight thousand one hundred eighty-one from state highway one thousand seven hundred twenty-B to its intersection with the highway described as "beginning at a point on state highway eight thousand one hundred eleven at or near the hamlet of Wading River, thence running generally easterly through the hamlet of Centerville to state highway eight thousand one hundred eighty-one in or near the hamlet of Mattituck". Upon the filing of certified copies of said official order or orders with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Suffolk county, and the state comptroller, the state shall cease to maintain the highway and portions of highways abandoned to said county by such order or orders, and the same shall be thereupon and thereafter maintained by the county of Suffolk as part of its county road system.

50. Sullivan county. Beginning at the Delaware-Sullivan county line, thence running generally southeasterly through or near the hamlets of Roscoe, Livingston Manor, Morsston and Parksville, the village of Liberty, the hamlet of Harris, the village of Monticello, the hamlets of Bridgeville and Rock Hill and the villages of Wurtsboro and Bloomingburg to the Sullivan-Orange county line; beginning at a point on state highway eight thousand four hundred forty-nine in or near the hamlet of Callicoon, thence running generally easterly through or near the hamlets of Hortonville, Falls Mill, Fosterdale, Bethel, White Lake, Mongaup Valley and Maplewood to state highway five thousand thirty-five in or near the village of Monticello; beginning at a point to be determined by the commissioner on state highway eight thousand four hundred twenty-two, thence running generally southeasterly to state highway nine hundred eighty-six in or near the hamlet of Fosterdale; beginning at the Orange-Sullivan county line in or near the hamlet of Rio, thence running generally northeasterly through or near the hamlets of Forestburg and St. Josephs, the village of Monticello, the hamlets of Kiamesha, South Fallsburg, Fallsburg and Woodbourne to state highway one thousand eight hundred thirty-seven in or near the hamlet of Grahamsville; beginning at

a point on state highway one thousand eight hundred thirty-seven in or near the hamlet of Curry, thence running generally northerly through or near the hamlet of Claryville to the Sullivan-Ulster county line; beginning at the junction of state highway seven hundred ninety-five and county road one hundred seventeen, thence running generally easterly through or near the hamlet of Kenoza Lake, the village of Jeffersonville, the hamlets of Youngsville and White Sulphur Springs, the village of Liberty and the hamlets of Loch Sheldrake and Woodbourne to the Sullivan-Ulster county line; beginning at the interstate bridge crossing the Delaware river in the hamlet of Narrowsburg, thence running generally southeasterly on or in the vicinity of county highway twenty-four to a point on state highway eight thousand four hundred twenty-one; beginning at a point on state highway one thousand nine hundred twenty-seven at or near the hamlet of Hunts Corner, thence running generally northeasterly through or near the hamlets of Lava and Cochecton Center to state highway nine hundred eighty-six in or near the hamlet of Fosterdale; beginning at the junction of state highway eight hundred twenty-four and county road one hundred seventeen, thence running generally northeasterly to a junction with state highway seven hundred ninety-five; beginning at a point on state highway eight thousand three hundred fifty-two in or near the hamlet of Barryville, thence running generally northerly through or near the hamlet of Eldred to a junction with state highway nine hundred eighty-six in or near the hamlet of White Lake; beginning at a point on state highway nine hundred eighty-six in or near the hamlet of White Lake, thence running generally northeasterly through or near the hamlets of Kauneonga Lake and Swan Lake to state highway five thousand two hundred ninety-six in or near the village of Liberty; beginning at a point on state highway five thousand two hundred ninety-six in or near the village of Liberty, thence running generally northeasterly through or near the village of Liberty and the hamlet of Bradley along the southerly end of the Neversink reservoir, through or near the hamlets of Neversink, Curry and Grahamsville and along the southerly side of the Rondout reservoir to the Sullivan-Ulster county line; beginning at the Orange-Sullivan county line, thence running generally northwesterly along the northern bank of the Delaware river through or near the hamlets of Mongaup, Pond Eddy, Handsome Eddy, Barryville, Minisink Ford, Tusten, Narrowsburg,

Cochecton, Callicoon, Hankins and Long Eddy to the Sullivan-Delaware county line; beginning at a point on state highway eight thousand one hundred fifty-three near the village of Monticello, as determined by the commissioner, thence running generally northerly through or near the hamlet of Hurleyville to state highway one thousand four hundred sixty-three in or near the hamlet of Loch Sheldrake; beginning at a point on state highway seven hundred in or near the hamlet of Youngsville, thence running generally northerly and northeasterly to a point in or near the hamlet of Livingston Manor; beginning at the Orange-Sullivan county line, thence running generally northeasterly through or near the hamlets of Westbrookville and Haven, the village of Wurtsboro and the hamlets of Summitville and Phillipsport to the Sullivan-Ulster county line.

51. Tioga county. 1. Beginning at a point on the Chemung-Tioga county line, west of the village of Waverly, thence running generally easterly through or near the village of Waverly, the hamlets of Barton, Smithboro and Tioga Center, the village of Owego, and the hamlet of Apalachin to the Tioga-Broome county line, west of the hamlet of Vestal; beginning at a point on a state highway in the village of Owego, thence running generally northerly through or near the hamlet of Flemingsville, the village of Newark Valley, the hamlets of Berkshire and Richford to the Tioga-Cortland county line, near the hamlet of Harford Mills; beginning at a point on a state highway, north of the village of Owego, thence running generally northwesterly through or near the hamlets of Catatonk and Hubbardville, the village of Candor, the hamlets of Gridleyville and Willseyville to the Tioga-Tompkins county line, southeast of the hamlet of Danby; beginning at a point on a state highway in the village of Waverly, thence running generally northerly through or near the hamlet of Lockwood to the Tioga-Chemung county line, south of the village of VanEtten; beginning at a point on a state highway in the village of Spencer, thence running generally northerly through or near the hamlet of North Spencer, to the Tioga-Tompkins county line, south of the hamlet of West Danby; beginning at a point on a state highway in the village of Owego, thence running generally easterly through or near the hamlet of Campville, to the Tioga-Broome county line, west of the village of Endicott; beginning at a point on the Tompkins-Tioga county line, east

of the hamlet of Caroline, thence running generally easterly through or near the hamlets of Richford and East Richford to the Tioga-Broome county line, west of the hamlet of Center Lisle; beginning at a state highway in the village of Candor, thence running generally northerly to a state highway north of the village of Candor; beginning at the Chemung-Tioga county line east of the village of VanEtten, thence running generally easterly through or near the village of Spencer, and the hamlet of West Candor, to a point on a state highway in the village of Candor; beginning at a point on the Pennsylvania-New York state line, south of the village of Nichols, thence running generally northerly through or near the village of Nichols, thence northwesterly to a point on a state highway in the hamlet of Smithboro; beginning at a point on a state highway, south of the village of Newark Valley, thence running generally southeasterly to a point on the Tioga-Broome county line, northwest of the hamlet of Union Center; beginning at a point on a state highway in the village of Nichols, thence running generally northeasterly through or near the hamlet of Lounsberry to a point on a state highway in the village of Owego; beginning at a point on a state highway in the hamlet of Tioga Center, thence running generally northwesterly through or near the hamlet of Halsey Valley, to a point on a state highway east of the village of Spencer.

2. Beginning at a point on state highway one thousand six hundred fifteen in the vicinity of Nichols, as determined by the commissioner, thence generally in a westerly and southerly direction to a point on the boundary line between the state of New York and the commonwealth of Pennsylvania, southeasterly of the village of Waverly, as determined by the commissioner; beginning at a point on the boundary line between the state of New York and the commonwealth of Pennsylvania, southwesterly of the village of Waverly, as determined by the commissioner, thence generally northwesterly to a point on state highway five thousand two hundred eighty-nine, as determined by the commissioner, provided, however, that no construction, reconstruction or improvement of said state highways or the acquisition of rights of way therefor, excepting the purchase of the Delaware, Lackawanna & Western railroad right of way in the state of New York, shall be undertaken by the commissioner until a cooperative contract between this State and the commonwealth of

Pennsylvania, as authorized by subdivision thirty of section ten of this chapter, for the construction and maintenance in the commonwealth of Pennsylvania of a highway or highways which will provide connections at the state line between said state highways shall be made and become effective pursuant to law.

3. Upon the passage of a resolution by the Tioga county legislative body approving the transfer of all right, title and interest to a portion of former state highway five thousand two hundred fifteen that has been discontinued for state maintenance purposes pursuant to official order of the department of transportation number three hundred nineteen and dated the twenty-fourth day of November, nineteen hundred sixty-nine, the commissioner is authorized to issue an official order assuming jurisdiction for state highway purposes over said former portion of state highway described as follows: beginning at the easterly line of the village of Owego, thence running generally easterly through or near the hamlet of Appalachin to a point on the Tioga-Broome county line, west of the hamlet of Vestal.

52. Tompkins county. 1. Beginning at the Schuyler-Tompkins county line southwest of the hamlet of Pony Hollow, thence running generally northeasterly through or near the hamlets of Pony Hollow and Newfield to the southwestern city line of Ithaca; beginning at the northern city line of Ithaca, thence running generally northerly and easterly to a point east of the hamlet of Varna, thence generally easterly through the village of Dryden and northeasterly to the Tompkins-Cortland county line; beginning at state highway four hundred fifty-four, thence running generally northerly to the southern city line of Ithaca; beginning at the Tioga-Tompkins county line, thence running generally northerly through or near the hamlets of West Danby and Stratton to a state highway southwest of the city of Ithaca; beginning at the northern city line of Ithaca, thence running generally northerly through or near the hamlets of South Lansing, Midway and North Lansing to the Tompkins-Cayuga county line north of the hamlet of North Lansing; beginning at a state highway at or near the hamlet of South Lansing, thence running generally northwesterly through or near the hamlet of Lake Ridge to the Cayuga-Tompkins county line; beginning at the

Tompkins-Cortland county line northwest of the hamlet of Harford, thence running generally northwesterly through or near the villages of Dryden, Freeville and Groton to the Tompkins-Cayuga county line north of the village of Groton; beginning at the Schuyler-Tompkins county line, thence running generally easterly through or near the hamlets of Applegate and Kennedy Corners to the western city line of Ithaca; beginning at the southeastern city line of Ithaca, thence running generally southeasterly through or near the hamlets of Bessemer, Slaterville Springs and Caroline to the Tompkins-Tioga county line at or near the hamlet of Caroline; beginning at the northern city line of Ithaca, thence running generally northwesterly through or near the hamlet of Glenwood to the Seneca-Tompkins county line south of the hamlet of Frontenac Point; beginning at the northwestern city line of Ithaca, thence running generally northwesterly through or near the hamlet of Jacksonville and the village of Trumansburg to the Seneca-Tompkins county line at or near the village of Trumansburg; beginning at the Tioga-Tompkins county line east of the hamlet of South Danby, thence running generally northerly through or near the hamlet of Danby to the southern city line of Ithaca; beginning at the northern city line of Ithaca east of Cliff street, thence running generally northwesterly to a point on state highway six hundred sixteen; beginning at the eastern city line of Ithaca, thence running generally northeasterly to an intersection with a state highway southwest of the hamlet of Etna, thence generally northeasterly to a state highway in or near the village of Freeville; beginning at a state highway in or near the hamlet of Millers Corners, thence running generally southerly and easterly through or near the hamlet of Enfield to an intersection with a state highway south of the city of Ithaca; beginning at the Schuyler-Tompkins county line at or near the hamlet of Perry City, thence running generally northeasterly to a state highway at or near the village of Trumansburg; beginning at a state highway in or near the village of Groton, thence running generally easterly through or near the hamlet of Jones Corners to the Cortland-Tompkins county line; beginning at a state highway in or near the hamlet of South Lansing, thence running generally easterly to a state highway southeast of the hamlet of Peruville; beginning at the eastern city line of Ithaca, thence running generally northeasterly to state highway six hundred eighty-one west of

the hamlet of Varna; beginning at a state highway in the village of Dryden, thence running easterly to a point on the Cortland-Tompkins county line east of the village of Dryden.

2. Upon the completion and acceptance of the construction or improvement of the highway above described as, "beginning at the northern city line of Ithaca east of Cliff street, thence running generally northwesterly to a point on a state highway", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Tompkins of that portion of state highway six hundred sixteen from the point of beginning of the above herein described highway extending southeasterly to the northerly Ithaca city line, an approximate length of 0.8 mile. Upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways of Tompkins county and the state comptroller, the state shall cease to maintain said portion of state highway six hundred sixteen and all rights and obligations of the state therein shall be turned over and surrendered to the county of Tompkins and thereafter maintained by the county of Tompkins as a part of the county road system of said county.

4. Effective April first, nineteen hundred eighty, the legislative bodies of the county of Tompkins and the village of Dryden having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads and village streets described as follows: "beginning at a state highway in or near the hamlet of South Lansing, thence running generally easterly to a state highway southeast of the hamlet of Peruville; beginning at a state highway in the village of Dryden thence running easterly to a point on the Cortland-Tompkins county line east of the village of Dryden"; and to transfer to the county of Tompkins for future maintenance as part of the county highway system and to issue official orders of abandonment of those portions of highway described as follows: beginning at a state highway south of the city of Ithaca, thence running generally westerly to a new concrete bridge at the upper entrance to

Buttermilk Falls state park (park entrance); beginning at the hamlet of Guide Board Corners, thence running generally northwesterly through or near the hamlet of Brooktondale to an intersection with a state highway west of the hamlet of Bessemer; beginning at a state highway in or near the hamlet of Halseyville, thence running generally easterly to the western boundary of Taughannock Falls park.

53. Ulster county. 1. Beginning at the Orange-Ulster county line south of the hamlet of Marlboro, thence running generally northerly near the hamlets of Milton, Highland and Port Ewen to the northern approach of the bridge over Rondout creek in the city of Kingston; beginning at the northern city line of Kingston, thence running generally northerly through or near the village of Saugerties to the Greene-Ulster county line north of the hamlet of Malden; beginning at the Orange-Ulster county line south of the hamlet of Plattekill, thence running generally northerly through or near the hamlets of Plattekill and Modena and the village of New Paltz to the southwestern city line of Kingston; beginning at the northern city line of Kingston, thence running generally northerly through or near the hamlet of Glasco to a point on state highway two hundred twenty-eight south of the village of Saugerties; beginning at a point on state highway three hundred eight south of the hamlet of Rifton, thence running generally northeasterly through or near the hamlets of Rifton, St. Remy and Eddyville to the southern city line of Kingston; beginning at the Orange-Ulster county line south of the hamlet of Wallkill, thence running generally northerly through or near the hamlets of Wallkill and Ireland Corners to the village of New Paltz; beginning at the Sullivan-Ulster county line south of the village of Ellenville, thence running generally northeasterly through or near the village of Ellenville and the hamlets of Napanoch, Wawarsing, Pine Bush, Stone Ridge, Marbletown and Hurley to the western approach of the Kingston-Rhinecliff bridge northeast of Kingston; beginning at the Sullivan-Ulster county line in the vicinity of the hamlet of Greenfield, thence running generally easterly through or near the village of Ellenville, the hamlet of Walker Valley and the hamlet of Pine Bush to the Orange-Ulster county line east of the hamlet of Pine Bush; beginning at a point on state highway one hundred forty-one south of the hamlet of Kerhonkson, thence running generally easterly to or

near the hamlet of Ireland Corners, thence running generally northeasterly through or near the hamlets of Modena and Clintondale to the hamlet of Highland, including a connection to the Franklin Delano Roosevelt Mid-Hudson bridge; beginning at the village of New Paltz, thence running generally easterly to state highway two hundred thirty-one north of the hamlet of Highland; beginning at the Sullivan-Ulster county line east of the hamlet of Grahamsville, thence running generally southeasterly near the Rondout reservoir to state highway one hundred forty-one near the hamlet of Napanoch; beginning at state highway two hundred thirty southwest of the hamlet of Stone Ridge, thence running generally easterly through or near the hamlet of High Falls and the village of Rosendale to state highway one thousand four hundred nineteen east of the village of Rosendale; beginning at the Delaware-Ulster county line near the hamlet of Highmount, thence running generally easterly through or near the hamlets of Shandaken, Phoenicia, Boiceville, and West Hurly to the western city line of Kingston; beginning at a point on state highway sixteen in the vicinity of the hamlet of Mount Tremper, thence running generally easterly through or near the hamlets of Willow, Shady, Bearsville, Woodstock, and the village of Saugerties to state highway five thousand six hundred one in or near the village of Saugerties; beginning at a point on state highway forty-seven dash five in the vicinity of the hamlet of West Hurley, thence running generally northerly to state highway thirty-seven in or near the hamlet of Woodstock; beginning at state highway one hundred forty-two west of the village of Saugerties, thence running generally northwesterly to the Green-Ulster county line, southeast of the hamlet of Palenville; beginning at the Sullivan-Ulster county line in the vicinity of the hamlet of Claryville, thence running generally northerly through or near the hamlets of Ladleton, Denning, Branch, Winnisook Lodge, and Olivera to a point on state highway thirty-one in or near the hamlet of Big Indian; beginning at a point on state highway eight thousand two hundred sixty-two north of the hamlet of Wallkill, thence running generally westerly, northerly and easterly passing adjacent to the property of the Wallkill medium security prison to a point on state highway eight thousand two hundred sixty-two north of the point of beginning; beginning at a state highway west of the village of Saugerties, thence running generally northerly to the Greene-Ulster

county line north of the village of Saugerties; in addition, the following spurs: beginning at a point on a state highway east of the hamlet of Wallkill, thence running generally easterly to the Orange-Ulster county line north of the hamlet of St. Elmo; beginning at a point on state highway eight thousand one hundred seventy-six near the hamlet of Saxton, thence running generally northerly to the Greene-Ulster county line north of the hamlet of Saxton; beginning at a point on a state highway in or near the hamlet of Phoenicia, thence running generally northerly to the Greene-Ulster county line south of the hamlet of Lanesville; beginning at a state highway in or near the hamlet of Shandaken, thence running generally northwesterly to the Greene-Ulster county line northwest of the hamlet of Shandaken; beginning at state highway one hundred eighteen in the vicinity of the hamlet of Shokan, thence running generally southerly to the New York city bridge over the Ashokan reservoir; beginning at state highway two hundred thirty in or near the hamlet of Stone Ridge, thence running generally northwesterly through or near the hamlets of Atwood and Davis Corners to a city of New York road on the south side of the Ashokan reservoir; beginning at a state highway near the hamlet of Marlboro, thence running generally easterly to the Hudson river; beginning at a point on the northern city line of Kingston at East Chester street, thence running generally northerly to state highway five thousand; beginning at a point on the northwesterly city line of Kingston, thence running generally northwesterly to a point on state highway five thousand one hundred seventy-three.

2. Upon completion and acceptance of construction of the highway described as "beginning at a point on the northwesterly city line of Kingston, thence running generally northwesterly to a point on state highway five thousand one hundred seventy-three", the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Ulster of that portion of state highway five thousand one hundred seventy-three from the northerly city line of Kingston to its intersection with the highway to be constructed as described in the forepart of this paragraph, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the county legislative body, the county superintendent of

highways, all of Ulster county, and the state comptroller, the aforesaid portion of state highway five thousand one hundred seventy-three described in such official order, and all the right and obligations of the state therein, shall be turned over and surrendered to the county of Ulster, the said portion of highway to be maintained thereafter by the county as a part of the county road system of said county.

54. Warren county. 1. Beginning at or near the hamlet of Riparius in the town of Chester, thence running generally northeasterly through the hamlet of Pottersville to the Warren-Essex county line; beginning at the northern city line of Glens Falls, thence running generally northwesterly through or near the village of Lake George and the hamlet of Warrensburg, thence generally northerly through or near the hamlet of Chestertown, thence generally westerly through or near the hamlet of Riparius, thence generally southwesterly through or near the hamlet of Wevertown, thence generally northerly through or near the hamlet of North Creek to the Warren-Essex county line in the town of Chester; beginning at a state highway in or near the hamlet of North Creek, thence running generally northwesterly to the Warren-Essex county line; beginning at a state highway in or near the hamlet of Bolton Landing, thence running generally northerly through or near the hamlets of Sabbath Day Point, Silver Bay and Hague to the Warren-Essex county line; beginning at the northern city line of Glens Falls, thence running generally northerly to a point near the southeastern shoreline of Lake George, thence generally southwesterly to a junction with a state highway; beginning at a state highway in or near the town of Warrensburg, thence running generally northwesterly through or near the hamlet of The Glen to a state highway in or near the hamlet of Wevertown; beginning at the Hamilton-Warren county line in the town of Thurman, thence running generally northeasterly through or near the hamlet of Bakers Mills, thence generally northeasterly and southeasterly through or near the hamlet of Johnsburg to a state highway in or near the hamlet of Wevertown; beginning at a state highway south of the village of Lake George, thence running generally easterly to the Warren-Washington county line; beginning at a point east of the westerly terminus of state highway one thousand twenty-three, thence running generally northeasterly through or near the hamlets of Starbuckle, Brant

Lake and Graphite to a state highway in or near the hamlet of Hague; beginning at a state highway in or near the village of Lake George, thence running generally northerly through or near the hamlets of Diamond Point and Bolton to a state highway in or near the hamlet of Bolton Landing; beginning at the Saratoga-Warren county line near the hamlet of Lake Luzerne, thence running generally northerly and northeasterly to a state highway in or near the village of Lake George; beginning at the eastern city line of Glens Falls, thence running generally easterly to the Warren-Washington county line; beginning in or near the hamlet of Thurman Station, thence running generally easterly to a state highway in or near the hamlet of Warrensburg; beginning at a point on state highway six hundred fifty-six, east of the city of Glens Falls, thence running northeasterly to the Warren-Washington county line at or near Dix avenue.

2. Effective April first, nineteen hundred eighty-one, legislative bodies of the county of Warren and the town of Queensbury having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county and town roads described as follows: "beginning at a point on state highway six hundred fifty-six east of the city line of Glens Falls, thence running northeasterly to the Warren-Washington county line at or near Dix avenue"; and to transfer to the county of Warren for future maintenance as part of the Warren county road system and to issue official orders of abandonment of those highways described as follows: "beginning at a point on a state highway east of the city line of Glens Falls, thence running generally easterly to the Warren-Washington county line at state highway one thousand six hundred thirty-eight."

55. Washington county. 1. Beginning at the Rensselaer-Washington county line, thence running generally northerly through or near the villages of Cambridge and Salem, the hamlet of Hebron and the village of Granville, thence running generally westerly through or near the hamlets of Middle Granville, Truthville, North Granville and Comstock, thence running generally northerly through or near the village of Whitehall and the hamlets of Clemons, Dresden Station and Putnam, to the

Washington-Essex county line; beginning at state highway five thousand five hundred thirty-one in or near the village of Whitehall, thence running generally easterly to the New York-Vermont state line; beginning at a point on state highway sixty dash five near the village of Granville, thence running generally northerly through or near the hamlets of Raceville and Hampton to the New York-Vermont state line; beginning at a point on or near state highway eight hundred two in or near the hamlet of Hartford, thence running generally northerly through or near the hamlet of West Granville, to or near the village of Whitehall; beginning at a state highway in or near the hamlet of Adamsville, thence running generally easterly through or near the hamlets of South Hartford, Hartford and South Granville to state highway one hundred four in or near the village of Granville; beginning at the Warren-Washington county line, thence running generally easterly through or near the hamlet of West Fort Ann to a state highway in or near the village of Fort Ann; beginning at state highway nine hundred forty-two in or near the hamlet of Smith's Basin, thence running generally northerly to a state highway south of the village of Fort Ann; beginning at a point in or near the village of Fort Edward, thence running generally easterly through or near the village of Argyle, thence running generally northerly through or near the hamlet of North Argyle to state highway eight thousand one hundred one in or near the hamlet of South Hartford; beginning at the Saratoga-Washington county line, thence running generally northerly through or near the hamlets of Fort Miller and Moses Kill to a state highway in or near the village of Fort Edward; beginning at a point on a state highway in or near the hamlet of Middle Falls, thence running generally northerly to a state highway in or near the hamlet of South Argyle; beginning at the Rensselaer-Washington county line, thence running generally northerly through or near the hamlet of Easton to a point on a state highway south of the hamlet of Middle Falls; beginning at a point on or near a state highway in or near the village of Cambridge, thence running generally northwesterly through or near the hamlet of Coila to or near the village of Greenwich, thence running generally easterly to a state highway in or near the hamlet of Battenville; beginning at a point on a state highway in or near the village of Cambridge, thence running generally northeasterly to the New York-Vermont state line; beginning at a point on or near state highway

five thousand four hundred four in or near the village of Granville, thence running generally northerly and easterly to the New York-Vermont state line; beginning at a state highway in or near the hamlet of Smith's Basin, thence running generally easterly to a state highway in or near the hamlet of Hartford; beginning at the Saratoga-Washington county line in or near the village of Fort Edward, thence running generally northerly through or near the village of Hudson Falls, the hamlet of Kingsbury and the village of Fort Ann to a state highway in or near the hamlet of Comstock; beginning at the Warren-Washington county line in or near the village of Hudson Falls, thence running generally easterly to a state highway in or near the hamlet of Adamsville; beginning at a state highway in or near the hamlet of South Argyle, thence running generally northerly to a state highway in or near the village of Argyle; beginning at a state highway in or near the hamlet of Battenville, thence running generally easterly to a point on or near a state highway in or near the village of Salem; beginning at the Saratoga-Washington county line, thence running generally easterly through or near the hamlet of Middle Falls to a state highway in or near the village of Greenwich; beginning at the Rensselaer-Washington county line, east of the hamlet of Eagle Bridge, thence running generally easterly to state highway seven hundred twenty-one; beginning at a point on the Washington-Warren county line in or near the village of Hudson Falls, thence running generally easterly to a point on state highway eight hundred three, thence running generally southeasterly to a point on state highway seven hundred twenty; beginning at a point on state highway one thousand two hundred twenty-three west of the hamlet of East Greenwich, thence running generally northerly through or near the hamlet of Cossayuna, thence running generally westerly to a point on a state highway in or near the hamlet of South Argyle; beginning at a point on state highway nine thousand three hundred seven in or near the village of Fort Edward, thence running generally easterly to a point on state highway nine thousand fifty-one; beginning at a point on state highway nine thousand three hundred twelve in the village of Hudson Falls, thence running generally easterly to a point on state highway nine thousand three hundred thirteen.

2. Effective April first, nineteen hundred eighty, the legislative

body of the county of Washington having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: beginning at a point on the Warren-Washington county line in or near the village of Hudson Falls, thence running generally easterly to a point on state highway eight hundred three, thence running generally southeasterly to a point on state highway seven hundred twenty; beginning at a point on state highway one thousand two hundred twenty-three west of the hamlet of East Greenwich, thence running generally northerly through or near the hamlet of Cossayuna, thence running generally westerly to a point on a state highway in or near the hamlet of South Argyle; and to transfer to the county of Washington for future maintenance as part of the Washington county road system and to issue official orders of abandonment of those highways described as follows: beginning at the Warren-Washington county line in or near the village of Hudson Falls, thence running generally easterly to state highway one thousand eighty in or near the village of Hudson Falls; beginning at a point on state highway one thousand six hundred thirty-eight in or near the village of Hudson Falls, thence running generally easterly to state highway one thousand eighty in or near the village of Hudson Falls; beginning at state highway one thousand five hundred forty-two east of the village of Whitehall, thence running generally easterly through or near the hamlet of Hampton to the New York-Vermont line.

3. Upon repair or replacement of a bridge across the Champlain canal along the above highway described as "beginning at a state highway in or near the hamlet of Smith's Basin, thence running generally easterly to a state highway in or near the hamlet of Hartford." So as to enable such structure to carry a legal load permissible under section three hundred eighty-five of the vehicle and traffic law, the commissioner is authorized and directed to enter official orders of abandonment to the county of Washington of such described highway, excepting the aforementioned bridge which shall continue to be a canal bridge under the jurisdiction and control of the commissioner of transportation, and that highway described as "beginning at state highway nine hundred forty-two in or near the hamlet of Smith's Basin, thence running

generally northerly to a state highway south of the village of Fort Ann."

All that portion of the state highway system identified as routes four and twenty-two running from the town of Fort Ann to the town of Whitehall shall be designated and known as "The Frank A. Moore Memorial Highway."

4. Effective April first, nineteen hundred eighty-three, the legislative body of the village of Fort Edward having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the village road described as follows: "beginning at a point on state highway nine thousand three hundred seven in or near the village of Fort Edward, thence running generally easterly to a point on state highway nine thousand fifty-one."

5. Effective April first, nineteen hundred eighty-six, the legislative body of the village of Hudson Falls having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the village road described as follows: "beginning at a point on state highway nine thousand three hundred twelve in the village of Hudson Falls, thence running generally easterly to a point on state highway nine thousand three hundred thirteen."

6. Effective September first, nineteen hundred ninety-six, the legislative body of the county of Washington having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at state highway nine hundred forty-two in or near the hamlet of Smith's Basin, thence running generally northerly to a state highway south of the village of Fort Ann; and beginning at a state highway in or near the hamlet of Smith's Basin, thence running generally easterly to a state highway in or near the hamlet of Hartford;" and to transfer to the county of Washington for future maintenance as part of the county

highway system in Washington county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at a point on state highway one thousand two hundred twenty-three west of the hamlet of East Greenwich, thence running generally northerly through or near the hamlet of Cossayuna, thence running generally westerly to a point on a state highway in or near the hamlet of South Argyle."

56. Wayne county. 1. Beginning at the Wayne-Ontario county line south of the hamlet of Alloway, thence running generally northerly through or near the hamlet of Alloway and the village of Lyons, the hamlet of Alton and the village of Sodus Point to the south shore of lake Ontario; beginning at the Wayne-Ontario county line south of the village of Palmyra, thence running generally northerly to a junction with a state highway in or near the village of Palmyra; beginning at the same state highway easterly of the aforementioned junction, thence running generally northerly through or near the hamlets of Marion and Williamson to a point on state highway 46-1; beginning at the Wayne-Monroe county line west of the village of Macedon, thence running generally easterly through or near the villages of Macedon and Palmyra crossing into Ontario county through or near the hamlet of Port Gibson and recrossing into Wayne county, thence continuing easterly through or near the villages of Newark, Lyons, Clyde and Savannah, thence running southerly to the Wayne-Seneca county line south of the village of Savannah; beginning at the Wayne-Ontario county line south of the village of Newark, thence running generally northerly through or near the village of Newark crossing a state highway therein and continuing northerly through or near the hamlet of Fairville to a point in or near the village of Sodus; beginning at a point in the village of Savannah, thence running generally northerly through or near the hamlet of South Butler to a point in or near the village of Wolcott; beginning at the Wayne-Monroe county line at or near the hamlet of Union Hill, thence running generally easterly through or near the hamlets of Ontario Center and East Williamson, the village of Sodus, the hamlets of Alton and Resort, the village of Wolcott and the hamlet of Yellow Red Corners to the Wayne-Cayuga county line at or near the village of Red Creek; beginning at the Wayne-Seneca county line north of the hamlet of

Malcolm, thence running generally northerly through or near the village of Clyde, the hamlets of Rose and North Rose to a point in or near the hamlet of Resort; beginning at the Monroe-Wayne county line east of the hamlet of East Penfield, thence running generally easterly to or near the hamlet of Walworth to a point in or near the hamlet of Marion; beginning at a point in or near the village of Macedon, thence running generally northerly to a point in or near the hamlet of Ontario Center; beginning at a point in or near the hamlet of South Butler, thence running generally easterly to the Cayuga-Wayne county line west of the hamlet of Conquest; beginning at a point in or near the hamlet of Yellow Red Corners, thence running generally southeasterly to the Wayne-Cayuga county line south of the village of Westbury; beginning at the Monroe-Wayne county line east of the village of Fairport, thence running generally easterly through or near the hamlet of Macedon Center to a point north of the village of Macedon; beginning at a point in or near the village of Red Creek, thence running generally northerly and northeasterly to the Wayne-Cayuga county line south of the village of Fair Haven; beginning at the Wayne-Seneca county line in the hamlet of Crusoe, thence running generally easterly along this county line to an intersection with state highway eight thousand one hundred forty.

2. Upon the completion and acceptance of that portion of the highway described as "beginning at the Wayne-Monroe county line west of the village of Macedon, thence running generally easterly through or near the villages of Macedon and Palmyra crossing into Ontario county through or near the hamlet of Port Gibson and recrossing into Wayne county, thence continuing easterly through or near the villages of Newark, Lyons, Clyde and Savannah, thence running generally southerly to the Wayne-Seneca county line south of the village of Savannah", from state highway five thousand seventeen, at or near the village of Savannah generally southerly to the Wayne-Seneca county line, the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Wayne of that portion of state highway eight thousand one hundred forty from its intersection with state highway eight thousand three hundred twenty-three to the Seneca county line and that portion of state highway eight thousand three hundred twenty-three from approximate station F three hundred thirty-three plus sixty-three to the

Seneca county line, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways, all of Wayne county, and the state comptroller, the state shall cease to maintain the portions of state highways eight thousand one hundred forty and eight thousand three hundred twenty-three above specified for abandonment and the same shall thereafter be maintained by said county as a part of its county road system.

3. Effective April first, nineteen hundred eighty, the legislative body of the county of Wayne having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county road described as follows: "beginning at a point on the Wayne-Monroe county line east of the hamlet of East Penfield, thence running generally easterly to a point on state highway one thousand eight hundred twenty"; and to transfer to the county of Wayne for future maintenance as part of the county highway system and to issue official orders of abandonment of the portion of highway described as follows: "beginning at a point on state highway 46-1 thence running northerly to a point in or near the hamlet of Pultneyville".

57. Westchester county. 1. Beginning at the northern city line of Yonkers, thence running generally northerly in or near the villages of Hastings-on-Hudson, Tarrytown, Briarcliff Manor, Ossining and Croton-on-Hudson, thence east of the hamlet of Montrose and the village of Buchanan into the city of Peekskill as a connection to an arterial highway; beginning in or near the city of Peekskill at the junction of the Bear Mountain State parkway and the north-south arterial highway, thence running generally westerly across Annsville creek, thence generally northerly paralleling Annsville creek to state highway five thousand three hundred sixty-three, thence generally northerly to the Putnam-Westchester county line; beginning at the northern city line of Yonkers, thence running generally northerly through or near the villages of Ardsley and Elmsford, the hamlet of Hawthorne and the villages of Briarcliff Manor and Ossining to a point on state highway five thousand three hundred sixty-four north of the village of Ossining; beginning at

or near state highway one thousand eight hundred one in the village of Croton-on-Hudson, thence running generally northerly through or near the village of Buchanan to a point on state highway six hundred fifty-seven in the city of Peekskill; beginning at the northern city line of Yonkers, thence running generally northerly through or near the hamlet of Hartsdale to the western city line of White Plains; beginning at state highway five hundred three near the western city line of White Plains, thence running generally northerly to state highway fifty-two in or near the hamlet of Hawthorne; beginning at state highway fifty-four in the village of Briarcliff Manor, thence running generally northeasterly through or near the hamlet of Millwood, crossing the Croton reservoir at Pine bridge, thence running northeasterly through or near the hamlets of Whitehall Corners, Somers, and Croton Falls to a point on state highway five thousand four hundred sixty-four south of the Putnam-Westchester county line; beginning at the northern city line of Mount Vernon, thence running generally northeasterly through or near the villages of Bronxville and Scarsdale to the western city line of White Plains; beginning at the northern city line of White Plains, thence running generally northeasterly through or near the hamlets of Armonk, Bedford Village, Katonah, Goldens Bridge, Purdys and Croton Falls to the Putnam-Westchester county line; beginning at the eastern city line of Peekskill, thence running generally easterly through or near the hamlets of Yorktown, Amawalk and Lincolndale to a point on state highway seven hundred seventy-five in or near the hamlet of Somers; beginning at the eastern city line of Peekskill, thence running generally easterly through or near the hamlets of Mohegan Lake and Shrub Oak to the Putnam-Westchester county line near the hamlet of Baldwin Place; beginning at state highway three hundred thirty-two in or near the hamlet of Yorktown, thence running generally easterly through or near the hamlets of Yorktown Heights, Amawalk, Whitehall Corners, Katonah and Cross River to the New York-Connecticut state line near the hamlet of Mill River; beginning at state highway one thousand two hundred seven in the village of Croton-on-Hudson, thence running generally northeasterly north of the Croton reservoir to state highway nine thousand twenty-four at Pine bridge; beginning at state highway five thousand four hundred eighty-two in the village of Ossining, thence running generally northeasterly to state highway four hundred five north

of the hamlet of Millwood; beginning at a point on state highway nine thousand two hundred fifty-five in the village of Ossining, thence running generally northeasterly to state highway one hundred forty-three west of the hamlet of Millwood; beginning at a point on state highway one hundred forty-three in or near the hamlet of Millwood, thence running generally northeasterly to state highway nine thousand two hundred fifty-eight in the village of Mount Kisco; beginning at a point on state highway nine thousand two hundred six in the village of North Tarrytown, thence running generally northeasterly through or near the hamlet of Pocantico Hills, the villages of Pleasantville and Mount Kisco and the hamlet of Bedford Hills to a point on state highway nine hundred in or near the hamlet of Katonah; beginning at a point on state highway fifty-one in the hamlet of Bedford Village, thence running generally northerly through or near the hamlets of Cross River and North Salem to the Putnam-Westchester county line; beginning at the north end of state highway one thousand three hundred twenty-four south of the hamlet of Somers, thence running generally southerly and easterly to state highway one hundred fifty near the hamlet of Turk Hill; beginning at the New York-Connecticut state line in or near the hamlet of Vista, thence running generally northerly to a point on state highway eight hundred ninety-nine in or near the hamlet of Mill River; beginning at the New York-Connecticut state line south of the hamlet of Pound Ridge, thence running generally northwesterly through or near the hamlet of Pound Ridge to a point on state highway one hundred forty-four at or near the hamlet of Williams Corners; beginning at a point on state highway seven hundred seventy-five in or near the hamlet of Somers, thence running generally easterly to a point on state highway five thousand four hundred sixty-four in or near the hamlet of Purdys; beginning at a point on state highway five thousand four hundred sixty-four in or near the hamlet of Purdys, thence running generally easterly to a point on state highway one hundred fifty-one south of the hamlet of North Salem; beginning at a point on state highway nine thousand two hundred six in the village of Tarrytown, thence running generally easterly through or near the village of Elmsford to the western city line of White Plains; beginning at state highway five thousand two hundred twenty-six at the interstate route connection five hundred twenty, thence running generally southeasterly to a point on state highway five thousand six

hundred sixty-two in or near the village of Port Chester; beginning at a point on the city line of Rye at or near Purchase street, thence running generally northerly crossing interstate route connection five hundred twenty and continuing through or near the hamlets of Purchase and Chappaqua to a point on state highway five hundred eighty-seven east of the hamlet of Millwood; beginning at the southern end of state highway one thousand three hundred seventy, thence running generally northerly through or near the village of Elmsford to a point on state highway five thousand five hundred seventy-one; beginning at a point on state highway eighteen south of Elmsford, thence running generally easterly to state highway five hundred three west of the city of White Plains; beginning at a point on state highway five thousand three hundred seventy-two, thence running generally northerly through or near the village of Scarsdale to the southwestern city line of White Plains; beginning at a point on state highway five thousand three hundred seventy-six north of the village of Mamaroneck, thence running generally northerly to the southeastern city line of White Plains; beginning at a point on state highway five thousand six hundred sixty-two in or near the village of Port Chester, thence running generally northwesterly to the New York-Connecticut state line; beginning at the New York-Connecticut state line, thence running generally northerly to the New York-Connecticut state line south of the Westchester county airport; beginning at a point on state highway thirty-five near the hamlet of Armonk, thence running generally northerly to a point on state highway eight hundred sixty-five in or near the village of Mount Kisco; beginning at a point on state highway seven hundred sixty-nine in or near the hamlet of Amawalk, thence running generally northerly to the Putnam-Westchester county line; beginning on state highway one thousand three hundred six in or near the hamlet of Pound Ridge, thence running generally northerly to a point on state highway eight hundred ninety-nine east of the hamlet of Cross River; beginning on state highway fifty-two in or near the hamlet of Hawthorne, thence running generally northeasterly to a point on state highway nine thousand two hundred fifty-four in or near the village of Pleasantville; beginning at the New York City-Westchester county line in or near the village of Pelham Manor, thence running generally northeasterly to the southern city line of New Rochelle; beginning at the northern city line of New Rochelle, thence running generally

northeasterly through or near the villages of Larchmont and Mamaroneck to the southern city line of Rye; beginning at the northern city line of Rye, thence running generally northeasterly through the village of Port Chester to the New York-Connecticut state line; beginning at an interchange with a proposed expressway running generally parallel to the east shore of the Hudson river, thence running generally easterly to an interchange with state highway nine thousand two hundred six or state highway eight thousand four hundred fifty-seven, as determined by the commissioner thence generally easterly and northeasterly crossing Gory Brook road at a point approximately 0.85 mile south of the intersection of Gory Brook road and Sleepy Hollow road and crossing Sleepy Hollow road at a point approximately 0.25 mile northeasterly of the intersection of Old Sleepy Hollow road and Sleepy Hollow road, thence generally northeasterly crossing Old Sleepy Hollow road at a point approximately 0.75 mile northeasterly of the intersection of Old Sleepy Hollow road and Sleepy Hollow road to a point at or near the junction of state highways five hundred twenty, fifty-two, and fifty-three, as determined by the commissioner; beginning at a point on state highway fifty-two in the vicinity of the hamlet of Hawthorne as determined by the commissioner, thence running generally northwesterly and northerly on or along the abandoned right of way of the Penn Central railroad, Putnam division, to the Putnam-Westchester county line; beginning at a point on interstate route connection five hundred twenty or interstate route connection five hundred one, known as the New England thruway, as determined by the commissioner, thence running generally southeasterly to a connection with the proposed bridge connecting Westchester and Nassau counties, including connections with existing highways. Notwithstanding the provisions of any local, general or special law, the aforementioned highway or portions thereof may be built with control of access as determined by the commissioner; beginning at a point on the northeastern city line of Peekskill, thence running generally easterly on or along Bear Mountain State parkway to a point on or near state highway three hundred thirty-one west of the hamlet of Crompond, thence continuing easterly on or along the Bear Mountain State parkway right of way and on or along the Bear Mountain State parkway to a connection with the Taconic State parkway, thence continuing on new location generally southeasterly to a point on state highway three hundred thirty-two as

determined by the commissioner; beginning at a point on the western city line of New Rochelle, to be determined by the commissioner, thence running northwesterly through Huguenot Woods in the town of Eastchester to another point on the western city line of New Rochelle to be determined by the commissioner; beginning at a point on state highway nine thousand two hundred forty-five, to be determined by the commissioner, thence running southwesterly on an abandoned railroad right of way to a point on the eastern city line of New Rochelle, to be determined by the commissioner, south of Wilmot road, including connections to Wilmot road, Weaver street and Palmer road; beginning at a point on state highway nine thousand two hundred forty-five, as determined by the commissioner, thence running generally northeasterly to a point on the western city line of White Plains east of Old Mamaroneck road; beginning at the northwestern city line of White Plains west of the Bronx River parkway, thence running generally northwesterly to a point on state highway five hundred three as determined by the commissioner; beginning at a point on the northern city line of Rye in the vicinity of Midland avenue, thence running generally northeasterly to a point on state highway five thousand six hundred sixty-two in the vicinity of Westchester avenue, including a connection via Purdy avenue to state highway five thousand seven hundred nineteen; beginning at the northern city line of Mount Vernon, east of the Cross County parkway, thence running generally northeasterly to a point, to be determined by the commissioner, on the western city line of New Rochelle; beginning at a point, to be determined by the commissioner, on the eastern city line of Peekskill in the vicinity of McGregory brook, thence running generally southeasterly on new location to a point on state highway three hundred thirty-one west of the intersection of the Bear Mountain State parkway with state highway three hundred thirty-one; beginning at an intersection with state highway five thousand six hundred sixty-two, thence running generally westerly along Putnam avenue to state highway nine thousand two hundred fifty-six, all in the village of Port Chester, as determined by the commissioner; beginning at a point on state highway three hundred thirty-two, in or near the hamlet of Yorktown, thence running generally northerly to a point on state highway one thousand three hundred nine in or near the hamlet of Shrub Oak; beginning at a point on state highway four hundred five, thence running generally

northerly to a point on state highway one hundred forty-nine; beginning at a point on state highway eight hundred sixty-five in or near the village of Mount Kisco, thence running generally easterly to a point on state highway five thousand one hundred forty-six; beginning at the southern end of state highway fifty-two, thence running generally easterly to a point on state highway one thousand five hundred seventy; beginning at a point on state highway one thousand three hundred twenty-four, thence running generally northerly to a point on state highway two hundred sixty-one; beginning at a point on state highway one thousand three hundred nine, thence running generally northerly to the Putnam-Westchester county line; beginning at the eastern boundary of Mohansic Park, thence running generally easterly to a point on state highway three hundred thirty-two in or near the hamlet of Yorktown Heights; beginning at a point on state highway one thousand eight hundred fifty northwest of the city of Peekskill, thence running generally northwesterly to the eastern approach of the Bear Mountain bridge; beginning at the eastern approach of the Bear Mountain bridge, thence running generally northerly to the Putnam-Westchester county line; beginning at the New York-Connecticut state line in the vicinity of Banksville, thence running generally northerly to state highway five thousand three east of the hamlet of Armonk; beginning in the vicinity of the hamlet of North Salem on state highway one hundred fifty-one, thence running generally easterly to the New York-Connecticut state line; beginning at a point on interstate route five hundred two east of the hamlet of Katonah, thence running northeasterly to state highway five thousand two hundred ninety-eight-A; beginning at a point on state highway five thousand three hundred sixty-four-A, in or near the village of Briarcliff Manor, thence running generally northeasterly to a point on state highway one thousand nine hundred twenty-two; beginning at a point on state highway one thousand nine hundred twenty-five, thence running generally northerly and northwesterly near Spitzenberg Hill in the Blue Mountain reservation to the city of Peekskill; beginning at state highway eight hundred ninety-nine, thence running generally northerly to a point on state highway one hundred fifty-one; beginning at a point on state highway seven hundred seventy thence running generally northeasterly to a point on state highway one hundred fifty-one; beginning in the vicinity of Croton dam on state highway one

thousand eight hundred one, thence running generally easterly to a point on state highway one thousand eight hundred eighty-six to the south of Croton reservoir; beginning at a point on state highway one thousand nine hundred twenty-two, thence running generally northerly to a point on a state highway on the south side of the Croton reservoir; beginning at a point on state highway seven hundred sixty-eight in the vicinity of the hamlet of Kitchawan, thence running generally northerly to a point on a state highway on the south side of the Croton reservoir; beginning at a point on state highway one thousand eight hundred eighty-six in the vicinity of Huntersville bridge, thence running generally northerly, east and north of the city of Peekskill, to a point on state highway five thousand three hundred sixty-three; beginning at a point on state highway one thousand three hundred six west of the hamlet of Pound Ridge, thence running generally northerly to a point on state highway eight thousand two hundred forty-three north of the hamlet of Pound Ridge; Ridgefield avenue, beginning at a point on state highway eight thousand two hundred forty-three southwest of the hamlet of South Salem, thence running generally northeasterly to state highway eight hundred ninety-nine; beginning at a point on a state highway in or near the hamlet of Bedford, thence running generally easterly to a point on state highway one thousand three hundred six in or near the hamlet of Pound Ridge.

2. Upon the completion and acceptance of the construction of the highway described above as "beginning at a point on state highway nine thousand two hundred forty-five, to be determined by the commissioner, thence running southwesterly on an abandoned railroad right of way to a point on the eastern city line of New Rochelle, to be determined by the commissioner, south of Wilmot road, including connections to Wilmot road, Weaver street and Palmer road," the commissioner is hereby authorized and directed to enter an official order of abandonment of those portion of state highways nineteen and one thousand three hundred forty-one within the bounds of the village and town of Scarsdale and the town of Mamaroneck respectively and all of state highway sixteen hundred forty-five in the town of Mamaroneck, in the following manner, namely: To the village of Scarsdale such portion or portions of state highways nineteen and one thousand three hundred forty-one as are within its

bounds and to the county of Westchester such portion of state highway nineteen and all of state highway sixteen hundred forty-five as are within the bounds of the town of Mamaroneck, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors and the county engineer, all of Westchester county, the clerk of the village of Scarsdale and the state comptroller, the state shall cease to maintain such portions of the state highways herein above described and all the rights and obligations of the state therein shall be turned over and surrendered to the village of Scarsdale and the county of Westchester and shall thereafter be maintained by the said village and county respectively.

3. Upon the completion and acceptance of any portion of the highway described above as "beginning at a point on state highway fifty-two in the vicinity of the hamlet of Hawthorne as determined by the commissioner, thence running generally northwesterly and northerly on or along the abandoned right of way of the Penn Central railroad, Putnam Division, to the Putnam-Westchester county line," the commissioner is hereby authorized and directed to enter an official order of abandonment to the county of Westchester of such portions of existing adjacent state highways, hereinafter described, which are no longer needed for state highway purposes, as determined by the commissioner. Such adjacent state highways subject to abandonment as aforesaid are as follows: state highways fifty-two, fifty-three, fifty-four, one hundred forty-three, one hundred forty-eight, one hundred forty-nine and four hundred five.

4. Upon the completion and acceptance of the aforementioned highway described as "beginning at a point, to be determined by the commissioner, on the eastern city line of Peekskill in the vicinity of McGregory brook, thence running generally southeasterly on new location to a point on state highway three hundred thirty-one west of the intersection of the Bear Mountain State parkway with state highway three hundred thirty-one," the commissioner shall abandon to the county of Westchester by official order that portion of state highway three hundred thirty-one from its intersection with the highway described in the aforementioned part of this paragraph west of the Bear Mountain

State parkway intersection, westerly to the easterly city line of Peekskill, and upon the filing of certified copies of such official order with the county clerk, the county treasurer, the clerk of the board of supervisors, the county superintendent of highways of Westchester county, and the state comptroller, the state shall cease to maintain the aforesaid portion of state highway three hundred thirty-one, and such portion of said highway together with all the rights and obligations of the state therein, shall be turned over and surrendered to the county of Westchester to be maintained thereafter by said county as part of its county road system.

5. Effective September first, nineteen hundred eighty, the legislative bodies of the village of Portchester, the town of Harrison and the county of Westchester having previously approved the exchange of highways described in this paragraph, the commissioner is hereby authorized and directed to assume jurisdiction for state highway purposes over the county roads described as follows: "beginning at a point on a state highway south of the village line of Pleasantville thence northeasterly through the village of Pleasantville on or near Manville road to a point on state highway nine thousand two hundred fifty-four; beginning at a point on a state highway in or near the hamlet of Bedford, thence running generally easterly to a point on state highway one thousand three hundred six in or near the hamlet of Pound Ridge; beginning at the present northern terminus of state highway nine hundred one thence running generally northerly to the Connecticut-New York state line; beginning at the present terminus of state highway sixty-three dash seven in the village of Portchester, thence running generally northeasterly to a point on state highway five thousand six hundred sixty-two in the vicinity of Westchester avenue"; and to transfer to the county of Westchester for future maintenance as part of the county highway system in Westchester county and to issue official orders of abandonment of those portions of highway described as follows: "beginning at station 13+13 on state highway six hundred fifty-seven, thence running generally northerly to a point on state highway one thousand two hundred seven in the village of Croton-on-Hudson; beginning at the northern city line of Peekskill, thence running generally northerly to a point on a state highway at or near the hamlet of Union

Church; beginning at the northern city line of Rye, thence running northerly to Purchase street; beginning at a point on state highway one hundred forty-four near the hamlet of Williams Corners, thence running generally northwesterly to a point on state highway five thousand two hundred ninety-eight-A; beginning at a point on state highway five hundred twenty at an intersection with a county road, thence running generally northeasterly to the southern village line of Pleasantville; beginning at a point on state highway one hundred fifty-one south of the hamlet of North Salem, thence running northerly west of the hamlet of North Salem to the Putnam-Westchester county line".

58. Wyoming county. Beginning at the Cattaraugus-Wyoming county line west of the village of Arcade, thence running generally easterly through or near the village of Arcade, the hamlets of Bliss and Pike to state highway eight thousand sixty-seven; beginning at state highway eight thousand sixty-seven, thence running generally easterly to the Wyoming-Livingston county line near the hamlet of Portageville; beginning at the Erie-Wyoming county line, thence running generally easterly through or near the hamlets of Harris Corners, Persons Corners, Varysburg and Halls Corners, the village of Warsaw and the hamlet of Perry Center to the Wyoming-Livingston county line; beginning at the Cattaraugus-Wyoming county line southeast of the village of Arcade, thence running generally northerly through or near the village of Arcade and the hamlets of Java Center, Persons Corners and Bennington Center to the Wyoming-Genesee county line; beginning at the Allegany-Wyoming county line south of the village of Pike, thence running generally northerly through or near the villages of Pike, Gainesville, Warsaw and Wyoming to the Wyoming-Genesee county line; beginning at state highway eight thousand one hundred twenty-one, thence running generally northeasterly through or near the villages of Castile and Perry to the Wyoming-Livingston county line; beginning at a state highway in or near the village of Perry, thence running generally northerly through or near the hamlets of Perry Center and LaGrange to the Wyoming-Genesee county line; beginning at the Livingston-Wyoming county line west of the hamlet of Greigsville, thence running generally northwesterly through or near the hamlet of Peoria to the Wyoming-Genesee county line; beginning at the Allegany-Wyoming county line south of the hamlet of Portageville,

thence running generally northerly through or near the hamlet of Portageville and the villages of Castile and Silver Springs to state highway five thousand four hundred south of the hamlet of Rock Glen; beginning at the Erie-Wyoming county line west of the hamlet of Cowlesville, thence running generally easterly through or near the hamlets of Cowlesville and Bennington to a state highway in or near the village of Attica; beginning at a state highway in or near the hamlet of Halls Corners, thence running generally northwesterly through or near the hamlet of Attica Center to a state highway in or near the village of Attica; beginning at the Erie-Wyoming county line northwest of the hamlet of Strykersville, thence running generally southeasterly through or near the hamlets of Strykersville, Java Center, Waldo's Corners and Smiths Corners to state highway five thousand four hundred north of the village of Gainesville; beginning at a state highway in or near the hamlet of Bliss, thence running generally northerly to a state highway in or near the hamlet of Smiths Corners; beginning at or near state highway one thousand seven hundred sixteen in or near the hamlet of Java Corners, thence running generally northerly to state highway one thousand five hundred fifty-two near the hamlet of Varysburg; beginning at or near state highway eight thousand ninety-two near the hamlet of Varysburg, thence running generally northerly through or near the village of Attica to the Wyoming-Genesee county line; beginning at the Letchworth state park boundary north of the hamlet of Portageville, thence running generally northerly to state highway one thousand eighty-eight in or near the village of Castile; beginning at a state highway northeast of the village of Arcade, thence running generally northerly to state highway one thousand seven hundred sixteen at or near the hamlet of Waldo's Corners.

59. Yates county. Beginning at the Schuyler-Yates county line south of the hamlet of Rock Stream, thence running generally northerly through or near the hamlets of Rock Stream and Glenora, the village of Dresden and the hamlets of Angus and Earls to the Yates-Ontario county line south of the city of Geneva; beginning at the Schuyler-Yates county line northwest of the hamlet of Reading Center, thence running generally westerly to the Yates-Schuyler county line east of the hamlet of Cole's Corners; beginning at the Schuyler-Yates county line north of the hamlet

of Cole's Corners, thence running generally northerly through or near the village of Dundee, the hamlet of Second Milo, the village of Penn Yan and the hamlet of Benton Center to the Yates-Ontario county line southwest of the city of Geneva; beginning at the Steuben-Yates county line north of the hamlet of Keuka, thence running generally northerly to a state highway in or near the village of Penn Yan; beginning at a point in or near the village of Penn Yan, thence running generally easterly to a state highway in or near the village of Dresden; beginning at the Steuben-Yates county line south of the hamlet of Branchport, thence running generally northeasterly through or near the hamlets of Branchport and Bluff Point to a point in or near the village of Penn Yan; beginning at the Ontario-Yates county line northeast of the village of Naples, thence running generally northeasterly through or near the hamlet of Middlesex to a state highway in or near the village of Rushville beginning at a state highway in or near the hamlet of Potter, thence running generally northerly to the Yates-Ontario county line in or near the village of Rushville; beginning at a state highway in or near the hamlet of Middlesex, thence running generally northerly through or near the hamlet of Overacker's Corners to the Yates-Ontario county line north of the hamlet of Overacker's Corners; beginning at a state highway in or near the hamlet of Middlesex, thence running generally southeasterly through or near the hamlet of Potter to a state highway in or near the village of Penn Yan; beginning at the Schuyler-Yates county line northeast of the hamlet of Wayne, thence running generally northeasterly to a state highway west of the village of Dundee; beginning at the Ontario-Yates county line north of the village of Naples, thence running generally northerly to the Yates-Ontario county line in or near the hamlet of Woodville; beginning at the boundary line of Bluff Point state park, thence running generally northerly to a state highway east of the hamlet of Branchport; beginning at a state highway in the village of Dundee, thence running generally easterly to a state highway in or near the hamlet of Starkey; beginning at an unbuilt state highway in or near the hamlet of Italy Hill, thence running generally easterly to a state highway in or near the hamlet of Branchport; beginning at the Steuben-Yates county line north of the village of Prattsburg, thence running generally northerly through or near the hamlets of Italy Hill and Friend to a state highway southeast of the

hamlet of Potter; beginning at a state highway in or near the hamlet of Woodville, thence running generally northeasterly through or near the hamlet of Vine Valley to a state highway in or near the hamlet of Overacker's Corners.

§ 341-a. Repayment to state of moneys advanced to counties for the construction of county highways. Wherever a county highway has been constructed at the joint expense of the state and county and the state has paid the entire cost of construction, including the share of the county, the board of supervisors of the county in which such a county highway has been constructed and the county's share of the expense advanced by the state, may, by resolution, provide for the payment to the state of its share of the cost so advanced, and appropriate and make immediately available an amount sufficient to pay the same. The clerk of the board of supervisors shall transmit certified copies of such resolution to the commissioner of transportation and state comptroller. In case there is due to the county a sum of money from any town located therein, the town board of the town is also authorized to appropriate its share of the cost and pay the same to the county treasurer of the county.

All moneys paid to the state pursuant to the provisions of this section shall be deposited by the comptroller with the department of taxation and finance to the credit of the highway improvement fund, from which fund the said moneys so advanced to said counties were originally taken, and may be expended for the construction of state highways in any county or counties designated by the commissioner of transportation. The term "county highway" shall mean any highway constructed at the joint expense of the state and county classified or referred to as a county highway under former provisions of this chapter.

§ 342. Acceptance of a bridge in the village of Green Island, Albany county, and the city of Troy, Rensselaer county, as part of the state highway system. The state hereby accepts as a part of the system of state highways a certain bridge and highway spanning the Hudson river,

between the village of Green Island, Albany county and the city of Troy, Rensselaer county, known as the Green Island Bridge and such bridge and highway shall hereafter be a part of such system, subject to the supervision and control of the commissioner of transportation, and be hereafter maintained, repaired or reconstructed solely at the expense of the state, notwithstanding the provisions of any other provision of law.

The aforesaid highway shall be under the jurisdiction of the commissioner of transportation and in any future improvement shall be eligible for federal aid in the same manner as any other state highway or bridge.

§ 342-a. Portion of state highway system to be designated as "The Cole and Caldwell Memorial Bridge". The bridge across the Racquette river at Hogansburg on state highway eight thousand three hundred ninety-six running through the St. Regis Indian reservation shall be designated and known as "The Cole and Caldwell Memorial Bridge" in honor of the late Francis Cole and Michael Caldwell, who were St. Regis Mohawk Indians, and both of whom lost their lives because of accidents while engaged in the course of their employment in the work of construction on such bridge.

*** § 342-aa. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway".** All that portion of the state highway system beginning in Queens county at its border with Kings county on the Belt Parkway and continuing east along the southern parkway to the vicinity of Brookville Boulevard, and then on to the sunrise highway and thereafter continuing on route 27 to its eastern terminus at Montauk Point in Suffolk county shall be designated as the "POW-MIA Memorial Highway".

* NB There are 2 § 342-aa's

*** § 342-aa. Portion of state highway system to be designated as the "Westchester County Veterans Memorial Highway.**" That portion of the

state highway system beginning at a point on state highway five hundred three, west of the village of Elmsford, thence running generally easterly and southeasterly on a line north of such highway, thence generally passing through or northerly of the city of White Plains, thence generally along or northerly of the route of the Central Westchester parkway and continuing in a generally easterly direction to a connection with U.S. touring route one in the vicinity of the city of Rye shall be designated and known as the "Westchester County Veterans Memorial Highway."

* NB There are 2 § 342-aa's

*** § 342-aaa. Portion of the state highway system to be dedicated to Westchester Purple Heart Recipients.** All that portion of the state highway system constituting state route thirty-five beginning at its intersection with United States route two hundred two, continuing in a generally easterly direction, and terminating at its intersection with state route one hundred in the town of Somers, county of Westchester, shall be dedicated to Westchester Purple Heart Recipients.

* NB There are 2 § 342-aaa's

*** § 342-aaa. Portion of the state highway system to be dedicated to Boston NY Fallen Firefighters.** The bridge on Rice Hill Road, in the town of Boston, county of Erie, crossing over state route two hundred nineteen, shall be dedicated to Boston NY Fallen Firefighters.

* NB There are 2 § 342-aaa's

§ 342-b. Portion of state highway system to be designated and known as the "Adirondack Trail". All that portion of state highway system beginning at Malone, traveling south on route thirty through Lake Clear, Tupper Lake, Long Lake and Speculator; continuing from Speculator south on route thirty through Wells and Northville to Riceville; continuing south from Riceville on route thirty-a terminating at route five in Fonda.

*** § 342-bb. Portion of the state highway system to be designated as the "27th Div.** Memorial Highway". All that portion of the state highway system beginning at the town of Owego, continuing east on route seventeen and terminating at the intersection of route seventeen and interstate route eighty-seven at exit sixteen of the New York state thruway in or about the town of Woodbury in the county of Orange, shall be designated and known as the "27th Div. Memorial Highway".

* NB There are 5 § 342-bb's

*** § 342-bb. Portion of state highway system to be designated as the "C.** V. Whitney Memorial Highway". All that portion of the state highway system beginning at the intersection of route fifty and route nine in the city of Saratoga Springs at Van Dam Street, continuing north on route fifty and terminating at exit fifteen of route eighty-seven (Adirondack Northway) in or about the city of Saratoga Springs shall be designated and be known as the "C. V. Whitney Memorial Highway".

* NB There are 5 § 342-bb's

*** § 342-bb. Portion of state highway system to be designated as "The John G.** A. O'Neil Memorial Bridges". The bridges of state route 58 crossing Black Lake in the county of St. Lawrence shall be designated and known as "The John G. A. O'Neil Memorial Bridges".

* NB There are 5 § 342-bb's

*** § 342-bb. Portion of state highway system to be designated as "Aluminum Workers' Memorial Highway".** That portion of the state highway system beginning at the intersection of state route thirty-seven and route fifty-six in the town of Louisville, continuing east on route thirty-seven past the Aluminum Company of America, the Reynolds Aluminum Company and the General Motors Company and terminating at the Franklin county line shall be designated and known as the "Aluminum Workers' Memorial Highway".

* NB There are 5 § 342-bb's

*** § 342-bb. Portion of state highway system to be designated as "The Fort Drum Military Highway".** That portion of state route three in Jefferson county, beginning at route twelve and continuing north to the Jefferson - Lewis county border shall be designated as "The Fort Drum Military Highway".

* NB There are 5 § 342-bb's

§ 342-c. Portion of state highway system to be designated as the "Seneca Trail." All that portion of the state highway system identified as follows:

From Hamburg south, following route sixty-two through Eden, North Collins, Gowanda, to Dayton; thence south following present route three hundred fifty-three (formerly route eighteen) through Cattaraugus, Little Valley, to Salamanca; thence east following route seventeen through Killbuck, Carrollton, to Seneca Junction (sometimes called Bradford Junction); thence south following route two hundred nineteen (formerly route eighteen) through Limestone, to the Pennsylvania state line.

§ 342-cc. Portion of the state highway system to be designated as the "Mayor Harvey W. Mansfield Highway". All that portion of the state highway system beginning at the city line of the city of Johnstown on the south and traveling generally northerly and northeasterly on state route 30A to the city line of the city of Johnstown on the east shall be designated and known as the "Mayor Harvey W. Mansfield Highway."

§ 342-ccc. Portion of the state highway system to be designated as the "Paul Cerjan Memorial Highway". All that portion of the state highway system constituting New York route 781/future interstate route 781 from its beginning at interstate route 81 in the town of Pamelia, Jefferson county, to its eastern terminus in the town of Le Ray, Jefferson county,

also referred to as the Fort Drum connector, shall be designated and known as the "Paul Cerjan Memorial Highway".

§ 342-d. Portion of state highway system to be designated as the "Col. George F. Chandler Drive." From exit nineteen of "The Governor Thomas E. Dewey Thruway" and Edison Plaza at the traffic interchange in Ulster County at Kingston, shall be designated as "Col. George F. Chandler Drive."

§ 342-dd. Portion of the state highway system to be designated as the "Turning Point Trail". All that portion of the state highway system beginning at the intersection of route four and the eastern boundary of the village of Whitehall, in the county of Washington, continuing west on route four to the intersection of route four and route twenty-two in the village of Whitehall, then continuing south on route four, and terminating at the intersection of route four and the northern boundary of the city of Mechanicville, in the county of Saratoga shall be designated and known as the "Turning Point Trail".

*** § 342-ddd. Portion of the state highway system to be designated as the "Hancock Veterans Memorial Bridge".** The bridge on state route ninety-seven spanning the Delaware River, designated New York state bridge number 1035490, in the town of Hancock, county of Delaware, shall be designated and known as the "Hancock Veterans Memorial Bridge".

* NB There are 5 § 342-ddd's

*** § 342-ddd. Portion of the state highway system to be designated as the "David H.** Newman Sr. Memorial Bridge". The bridge on state route ninety-seven, designated New York state bridge number 1035460, in the town of Hancock, county of Delaware, shall be designated and known as the "David H. Newman Sr. Memorial Bridge".

* NB There are 5 § 342-ddd's

*** § 342-ddd. Portion of the state highway system to be designated as the "Hugh A.** Kearney Memorial Bridge". The bridge on state route two hundred six crossing the Susquehanna River in the town of Bainbridge, county of Chenango, shall be designated and known as the "Hugh A. Kearney Memorial Bridge".

* NB There are 5 § 342-ddd's

*** § 342-ddd. Portion of the state highway system to be designated as the "SSG Justin R.** Whiting Memorial Bridge". The bridge on state route ninety-seven, designated New York state bridge number 1035450, in the town of Hancock, county of Delaware, shall be designated and known as the "SSG Justin R. Whiting Memorial Bridge".

* NB There are 5 § 342-ddd's

*** § 342-ddd. Portion of the state highway system to be designated as the "Lt.** Cameron N. Hall Memorial Bridge". The bridge on state route ninety-seven, designated New York state bridge number 1035470, in the town of Hancock, county of Delaware, shall be designated and known as the "Lt. Cameron N. Hall Memorial Bridge".

* NB There are 5 § 342-ddd's

§ 342-e. Portion of state highway system to be designated as "The Roosevelt-Marcy Memorial Highway."

All that portion of the state highway system identified as running from the hamlet of North Creek in the county of Warren through the hamlets of Minerva and Newcomb in the county of Essex to the hamlet of Long Lake in the county of Hamilton shall be designated and known as "The Roosevelt-Marcy Memorial Highway."

§ 342-ee. Portion of state highway system to be designated and known as the "Assemblyman Philip B. Healey Memorial Parkway." All that

portion of the state highway system running from the Southern State parkway to the Bethpage state park which is identified and known as the Bethpage state parkway shall be designated and known as the "Assemblyman Philip B. Healey Memorial Parkway".

§ 342-eee. Portion of the state highway system to be designated as the "Sidney Veterans' Memorial Highway". That portion of state highway route eight, between the southern end of the bridge over the Susquehanna River and interstate eighty-eight, which lies in the village of Sidney, county of Delaware, shall be designated and known as the "Sidney Veterans' Memorial Highway".

*** § 342-f. Portion of state highway system to be designated as the "Seaway Trail".** The commissioner of the department of transportation shall provide for the adequate signing of the trail. All that portion of the state highway system identified as follows:

Beginning at the Pennsylvania-New York state line in the town of Ripley, the trail follows state route five in a northeasterly direction toward the village of Silver Creek to a point where route five merges with state route twenty. The trail continues along routes five and twenty to the community of Irving where the trail leaves routes five and twenty and follows the Old Lake Shore Road, running roughly along the Lake Erie shoreline, to the community of Wanakah. At Wanakah, the trail picks up state route five and continues northeasterly and then northerly to the city of Lackawanna and proceeds across the Skyway to the Delaware Avenue exit. The trail then follows Delaware Avenue to Niagara Square in the city of Buffalo and then around Niagara Square to Niagara Street and along Niagara Street to the River Road, state route two hundred sixty-five. The trail continues along the River Road, route two hundred sixty-five through the cities of Tonawanda and North Tonawanda to Buffalo Avenue. Following Buffalo Avenue, the trail then turns onto the westbound lanes of the Robert Moses State Parkway until it reaches the Quay Street exit in the city of Niagara Falls. The trail then leaves the Robert Moses State Parkway and follows Quay Street until it reaches

Rainbow Boulevard. The trail then continues northerly along Rainbow Boulevard, being state route three hundred eighty-four, until it intersects with Niagara Street. The trail then turns westerly onto Niagara Street and continues until it reaches the Rainbow Bridge. From the Rainbow Bridge in the city of Niagara Falls, the trail follows state route one hundred four east to the community of Lewiston, where the trail intersects with route eighteen-F. The trail continues along route eighteen-F, until it merges into state route eighteen. Following route eighteen, the trail passes the villages of Roosevelt Beach, Olcott, Ashwood and Kuckville. Once inside Lakeside Beach State Park, the trail leaves route eighteen and follows Lake Ontario State Parkway, running roughly parallel to the Lake Ontario shoreline. In the town of Irondequoit, Lake Ontario State Parkway joins with Stutson Street. The trail then follows Stutson Street, turns right onto Saint Paul Boulevard, then left onto Lake Shore Boulevard. The trail continues east on Lake Shore Boulevard to Culver Road. The trail then turns right onto Culver Road, then left onto Empire Boulevard, state route four hundred four, then left onto Bay Road and then right onto Lake Road. The trail follows Lake Road through the community of Pultneyville and continues to the village of Sodus Point. At Sodus Point, the trail bears south on state route fourteen to Alton, where it intersects Ridge Road. Following Ridge Road, the trail passes through the villages of Resort and Wolcott. Once outside of Wolcott, the trail picks up Old Ridge Road until it reaches the village of Red Creek. There it joins state route one hundred four-A. The trail continues north on route one hundred four-A through the village of Fair Haven, Sterling and Southwest Oswego to the city of Oswego, then north on state route one hundred four through the community of Scriba to state route one hundred four-B. Proceeding north through the community of Texas, the trail follows route one hundred four-B to the intersection with state route three. There it joins route three north through Port Ontario, and roughly parallel to the Lake Ontario shoreline. At Baggs Corners, the trail follows state route one hundred eighty north through the village of Dexter to the intersection of state route twelve-E at Limerick. The trail then follows route twelve-E west through the village of Chaumont to the village of Cape Vincent, and north along the St. Lawrence River to Clayton where it connects with state route twelve north. The trail follows route twelve past the

village of Alexandria Bay, Chippewa Bay and Oak Point. Near Morristown the trail joins state route thirty-seven north to the city of Ogdensburg. The trail follows state route one hundred twenty-four onto the state arterial, then north on State street (state routes sixty-eight and eighty-seven), and then east on Washington street. The trail turns onto North Rossell street, then left on Ford street. The trail turns left onto Proctor avenue, then right onto state route eight hundred twelve and south to state route thirty-seven. After passing through the village of Waddington, the trail continues on route thirty-seven through the town of Louisville connecting by a left turn onto state route one hundred thirty-one. The trail turns right at the intersection of Tunnel road, still on state route one hundred thirty-one. At the junction with St. Lawrence county route forty-two the trail continues straight over the Grasse river bridge to the junction with state route thirty-seven north. The trail turns left on to state route thirty-seven north to the trail's northern terminus, the Rooseveltown International Bridge.

* NB Effective until completion of roadway

* § 342-e. Portion of state highway system to be designated as the "Seaway Trail". The commissioner of the department of transportation shall provide for the adequate signing of the trail. All that portion of the state highway system identified as follows:

Beginning at the Pennsylvania-New York state line in the town of Ripley, the trail follows state route five in a northeasterly direction toward the village of Silver Creek to a point where route five merges with state route twenty. The trail continues along routes five and twenty to the community of Irving where the trail leaves routes five and twenty and follows the Old Lake Shore Road, running roughly along the Lake Erie shoreline, to the community of Wanakah. At Wanakah, the trail picks up state route five and continues northeasterly and then northerly to the city of Lackawanna and proceeds across the Skyway to the Delaware Avenue exit. The trail then follows Delaware Avenue to Niagara Square in the city of Buffalo and then around Niagara Square to Niagara Street and along Niagara Street to the River Road, state route two hundred sixty-five. The trail continues along the River Road, route two hundred sixty-five through the cities of Tonawanda and North Tonawanda to Buffalo Avenue. Following Buffalo Avenue, the trail then turns onto the

westbound lanes of the Robert Moses State Parkway until it reaches the Quay Street exit in the city of Niagara Falls. The trail then leaves the Robert Moses State Parkway and follows Quay Street until it reaches Rainbow Boulevard. The trail then continues northerly along Rainbow Boulevard, being state route three hundred eighty-four, until it intersects with Niagara Street. The trail then turns westerly onto Niagara Street and continues until it reaches the Rainbow Bridge. From the Rainbow Bridge in the city of Niagara Falls, the trail follows state route one hundred four east to the community of Lewiston, where the trail intersects with route eighteen-F. The trail continues along route eighteen-F, until it merges into state route eighteen. Following route eighteen, the trail passes the villages of Roosevelt Beach, Olcott, Ashwood and Kuckville. Once inside Lakeside Beach State Park, the trail leaves route eighteen and follows Lake Ontario State Parkway, running roughly parallel to the Lake Ontario shoreline. In the town of Irondequoit, Lake Ontario State Parkway joins with Stutson Street. The trail then follows Stutson Street, turns right onto Saint Paul Boulevard, then left onto Lake Shore Boulevard. Continuing east on Lake Shore Boulevard, the trail joins with Lake Road. The trail follows Lake Road through the community of Pultneyville and continues to the village of Sodus Point. At Sodus Point, the trail bears south on state route fourteen to Alton, where it intersects Ridge Road. Following Ridge Road, the trail passes through the villages of Resort and Wolcott. Once outside of Wolcott, the trail picks up Old Ridge Road until it reaches the village of Red Creek. There it joins state route one hundred four-A. The trail continues north on route one hundred four-A through the village of Fair Haven, Sterling and Southwest Oswego to the city of Oswego, then north on state route one hundred four through the community of Scriba to state route one hundred four-B. Proceeding north through the community of Texas, the trail follows route one hundred four-B to the intersection with state route three. There it joins route three north through Port Ontario, and roughly parallel to the Lake Ontario shoreline. At Baggs Corners, the trail follows state route one hundred eighty north through the village of Dexter to the intersection of state route twelve-E at Limerick. The trail then follows route twelve-E west through the village of Chaumont to the village of Cape Vincent, and north along the St. Lawrence River to Clayton where it connects with

state route twelve north. The trail follows route twelve past the village of Alexandria Bay, Chippewa Bay and Oak Point. Near Morristown the trail joins state route thirty-seven north to the city of Ogdensburg. The trail follows state route one hundred twenty-four onto the state arterial, then north on State street (state routes sixty-eight and eighty-seven), and then east on Washington street. The trail turns onto North Rossell street, then left on Ford street. The trail turns left onto Proctor Avenue, then right onto state route eight hundred twelve and south to state route thirty-seven. After passing through the village of Waddington, the trail continues on route thirty-seven through the town of Louisville connecting by a left turn onto state route one hundred thirty-one. The trail turns right at the intersection of Tunnel road, still on state route one hundred thirty-one. At the junction with St. Lawrence county route forty-two the trail continues straight over the Grasse river bridge to the junction with state route thirty-seven north. The trail turns left on to state route thirty-seven north to the trail's northern terminus, the Rooseveltown International Bridge.

* Effective upon completion of roadway

§ 342-ff. Portion of the state highway system to be designated as the "88th Infantry Division, the Blue Devils Memorial Highway". 1. That portion of the state highway system located in the county of Steuben and known as state route 17, excluding that portion of state route 17 from the village of Painted Post to the town of Campbell designated as the Marine Corps League Memorial Highway pursuant to section three hundred forty-two-v of this article, shall be designated and known as the "88th Infantry Division, the Blue Devils Memorial Highway".

2. The commissioner shall provide for the installation and maintenance of adequate signing of the state highway system as designated pursuant to subdivision one of this section.

§ 342-g. Portion of the state highway system to be designated and known as the "Genesee River Parkway". All that portion of the state highway system which is located in the village of Wellsville, county of

Allegany, and which begins at the northerly junction of state route four hundred seventeen and state route nineteen and ends at the southerly junction of state route four hundred seventeen and state route nineteen, shall be designated and known as the Genesee River Parkway.

§ 342-gg. Portion of state highway system to be designated as the "Borden Bridge". All that portion of the state highway system constituting bridge number 1003520, located at the junction of state routes 6 and 22, crossing the Croton River shall be designated and known as the "Borden Bridge".

§ 342-h. Portion of state highway system to be designated as the "Past V.F.W. Commander Alfred Bleich Highway". All that portion of the state highway system beginning at the intersection of route twenty-eight and route seven in the hamlet of Colliersville, county of Otsego, travelling north on route twenty-eight, and terminating at the intersection of route twenty-eight and U.S. route twenty in the village of Richfield Springs, county of Otsego, shall be designated and known as the "Past V.F.W. Commander Alfred Bleich Highway".

§ 342-hh. Portion of the state highway system to be designated as the "POW/MIA Remembrance Bridge". The bridge across the Mohawk River/Erie Canal on state route 28 in the villages of Herkimer and Mohawk in the county of Herkimer, shall be designated and known as the "POW/MIA Remembrance Bridge".

§ 342-i. Portion of state highway system to be designated and known as the "Olympic Trail". All that portion of the state highway system beginning at the intersection of route one hundred eighty and route three, continuing east on route three through Watertown to Deferiet; continuing east from Deferiet on route three-A to Fargo; continuing northeast from Fargo on route three through Natural Bridge, Harrisville, Fine, Star Lake, and Cranberry Lake to Tupper Lake; continuing northeast

from Tupper Lake on route three to Saranac Lake; continuing east on route eighty-six from Saranac Lake through Ray Brook, Lake Placid, and Jay; continuing northeast from Jay on route nine-N terminating at route nine in Keeseville.

*** § 342-ii. Portion of the state highway system in the county of Oneida to be designated as the "Military Highway".** All that portion of the state highway system in the county of Oneida constituting state route 69 from the village of Camden to the hamlet of Taberg shall be designated and known as the "Military Highway".

* NB There are 3 § 342-ii's

*** § 342-ii. Portion of state highway system to be designated as the "Pearl Harbor Memorial Bridge".** The bridge on the portion of Middle Country Road and Nicolls Road in the hamlet of Centereach, town of Brookhaven, county of Suffolk shall be designated and known as the "Pearl Harbor Memorial Bridge".

* NB There are 3 § 342-ii's

*** § 342-ii. Portion of state highway system to be designated as the "Albany County Veterans' Memorial Highway".** All that portion of the state highway system from its intersection at a point with Route 9W in the city of Albany to its intersection at a point with Route 32 in the city of Cohoes, commonly known as interstate seven hundred eighty-seven (or I787) and state route seven hundred eighty-seven shall be designated as the "Albany County Veterans' Memorial Highway".

* NB There are 3 § 342-ii's

§ 342-iii. Portion of the state highway system to be designated as the "Saratoga County Veterans' Memorial Highway". That portion of state highway route 4 in the Village of Schuylerville (Town of Saratoga) commencing at the intersection with Spring Street, south on route 4, past the Saratoga National Cemetery and the Saratoga Battlefield,

through the Town of Stillwater into the City of Mechanicville into the Town of Waterford and ending at the Saratoga County line in Waterford on route 4 shall be designated as the "Saratoga County Veterans' Memorial Highway".

§ 342-j. Portion of state highway system to be designated and known as the "Revolutionary Trail". All that portion of the state highway system beginning at Port Ontario, continuing southeast on route thirteen through Pulaski, Pineville, Altmar, and Westdale to route sixty-nine in Camden; continuing southeast on route sixty-nine to the route forty-six, sixty-nine, forty-nine overlap in Rome; continuing southeast on the route forty-six, sixty-nine, forty-nine overlap and the route twenty-six, sixty-nine, forty-nine overlap to the route sixty-nine and three hundred sixty-five overlap south of Rome; continuing east on route forty-nine to route five in Utica; continuing east on route five through Utica, Herkimer, Amsterdam, Schenectady and Albany; continuing east on route five and State street through Albany; continuing east on State street to Broadway, terminating at Broadway in Albany.

§ 342-jj. Portion of state highway system to be designated and known as the "John J. Okulsky Memorial Highway". All that portion of the state highway system constituting state route two hundred sixty-eight from its intersection with New York route ninety-seven to its intersection with state route ten in Delaware county shall be designated and known as the John J. Okulsky Memorial Highway.

§ 342-k. Portion of state and county highway system to be designated and known as the "Black River Trail". All that portion of the state and county highway system beginning at the intersection of state routes forty-six, forty-nine and sixty-nine in the city of Rome, Oneida County, continuing north on route forty-six to the intersection of state route forty-six and Schuyler Street in the village of Boonville; continuing easterly on Schuyler Street to the intersection of Schuyler Street and state route twelve-D, and then southeasterly on state route twelve-D to

the intersection with state route twelve, and then northerly along state route twelve through Port Leyden and Lyons Falls to the intersection of state route twelve and state route twenty-six in Lowville; continuing north from Lowville on route twelve/twenty-six overlap and then continuing along state route twenty-six to the intersection of state route twenty-six and state route four hundred ten and then northeasterly along state route four hundred ten to the intersection of state routes four hundred ten and state route one hundred twenty-six and then northwesterly along state route one hundred twenty-six to the intersection of state route one hundred twenty-six and state route three in the Village of Carthage, and then southeasterly along route one hundred twenty-six/three overlap and then continuing northerly on state route three through the Villages of Deferiet and Black River to the intersection of state route three and state route twelve, then continuing westerly along route three/twelve overlap to the intersection with United States route eleven (Massey Street) then northerly along route eleven/twelve overlap to the intersection with state route twelve-F (Coffeen Street), then westerly along state route twelve-F to the intersection with state route one hundred eighty, then continuing north along state route one hundred eighty terminating at the intersection of state route one hundred eighty and Water Street in the Village of Dexter, Jefferson County.

*** § 342-kk. Portion of state highway system to be designated as the "Grace Peshkur Memorial Bridge".** The bridge on Waverly Avenue which crosses interstate route 495 in the town of Islip, county of Suffolk, shall be designated and known as the "Grace Peshkur Memorial Bridge".

* NB There are 2 § 342-kk's

*** § 342-kk. Portion of state highway system to be designated as the "Corporal Jason Dunham Memorial Bridge".** All that portion of the state highway system constituting bridge number 1061660, located on state route nineteen, also known as Transit Hill Road, which crosses over interstate route eighty-six, at exit thirty, in the town of Amity, county of Allegany, shall be designated and known as the "Corporal Jason

Dunham Memorial Bridge".

* NB There are 2 § 342-kk's

§ 342-l. Portion of state highway system to be designated and known as the "Military Trail". All that portion of the state highway system beginning at Rooseveltown, continuing east on route thirty-seven through Ft. Covington to Malone; continuing east from Malone on route eleven through Chateaugay, Ellenburg Depot and Mooers Forks, terminating at Rouses Point.

§ 342-ll. Portion of state highway system to be designated as the "Roger Tory Peterson Memorial Bridge". The bridge on interstate route eighty-six which crosses Falconer - Kimball Stand Road/county route one hundred thirty-eight in the town of Ellicott, county of Chautauqua, shall be designated and known as the "Roger Tory Peterson Memorial Bridge".

§ 342-m. Portion of the state highway system to be designated and known as the "Central Adirondack Trail". All that portion of the state highway system beginning at the Hudson River Bridge on route nine between the village of Glens Falls and the city of Glens Falls, continuing north on route nine to Lake George; continuing north from Lake George on route nine through Warrensburg; continuing northwest from Warrensburg on routes nine and twenty-eight through North Creek and North River to Indian Lake; continuing west from Indian Lake on routes twenty-eight and thirty to Blue Mountain Lake; continuing southwest on route twenty-eight from Blue Mountain Lake through Inlet, Eagle Bay, Old Forge and Thendara to Woodgate; continuing southwest from Woodgate on route twenty-eight through Forestport to Alder Creek; continuing south from Alder Creek on routes twenty-eight and twelve to Barneveld; continuing southwest from Barneveld on route three hundred sixty-five through Holland Patent to Rome, terminating at the route forty-six, sixty-nine, forty-nine overlap in Rome.

§ 342-mm. Portion of state highway system to be designated as the "Corporal Jason Dunham Memorial Highway". All that portion of the state highway system constituting state route nineteen, also known as Transit Hill Road, within the town of Amity, county of Allegany, shall be designated and known as the "Corporal Jason Dunham Memorial Highway".

§ 342-n. Portion of state and county highway system to be designated and known as the "Dude Ranch Trail". All that portion of the state and county system beginning at the intersection of route nine-N and interstate route eighty-seven, continuing southwesterly on route nine-N; continuing then along Mill street, Main street and Bridge street (Warren county route forty-four) through the town of Lake Luzerne; crossing into Hadley on Rockwell street (Saratoga county route four) after crossing the Hudson River into the County of Saratoga; continuing northerly on the Hadley-Stony Creek road (Saratoga county route one and Warren county route twelve) to the hamlet of Stony Creek; continuing easterly on Warren County routes three, two and four and route four hundred eighteen (Stony Creek - Warrensburg road) to route nine; continuing south on route nine to Diamond Point road crossing exit twenty-three of the Adirondack Northway; continuing on the Diamond Point road (Warren County route thirty-five) to route nine-N; continuing south on route nine-N through Lake George, terminating at the intersection of route nine-N and interstate route eighty-seven.

§ 342-nn. Portion of the state highway system to be designated as the "Clayton "Peg Leg" Bates Memorial Highway". All that portion of the state highway system, currently known as route 209, beginning at the Sullivan and Ulster county line in the hamlet of Spring Glen within the town of Wawarsing, continuing through the county of Ulster, and terminating at the intersection of route 209 and route 9W in the town of Ulster, county of Ulster, shall be designated and known as the "Clayton "Peg Leg" Bates Memorial Highway".

§ 342-o. Portion of state highway system to be designated as "Chautauqua County Veterans Memorial Bridge". The bridge across Chautauqua Lake from Bemus Point to Stow on the Southern Tier Expressway shall be designated and known as "Chautauqua County Veterans Memorial Bridge".

§ 342-oo. Portion of the state highway system to be designated as "The Bronx Veterans' Memorial Highway". All that portion of the state highway system, currently known as the Bronx River Parkway, from the Westchester county line to the Bruckner expressway shall be designated and known as "The Bronx Veterans' Memorial Highway".

§ 342-p. Portion of state highway system to be designated as "Cattaraugus County Veterans Memorial Bridge". The bridge across the Allegheny river on the Southern Tier Expressway shall be designated and known as "Cattaraugus County Veterans Memorial Bridge".

§ 342-pp. Portion of state highway system to be designated as the "Mayor Frank Ratigan Memorial Bridge". The bridge on the portion of state route 3 in the village of Saranac Lake in the county of Franklin shall be designated and known as the "Mayor Frank Ratigan Memorial Bridge".

§ 342-q. Portion of the state highway system to be designated as the "Dr. Martin Luther King, Jr. Expressway". That portion of the state highway system in the county of Richmond known as the Willowbrook Expressway shall on and after the effective date of this section be designated and known as the "Dr. Martin Luther King, Jr. Expressway".

§ 342-qq. Portion of state highway system to be designated and known as the "Father Joseph Champlin Memorial Highway". All that portion of state highway system constituting state route one hundred seventy-four

from the southern town limit of Camillus continuing through the town of Camillus to its junction at state route five Camillus in Onondaga county shall be designated and known as the Father Joseph Champlin Memorial Highway.

§ 342-r. Portion of state highway system to be designated as "James Aloysius Farley Memorial Bridge". The bridge across Lowland Creek on state route 9W in the town of Stony Point in the county of Rockland shall be designated and known as "James Aloysius Farley Memorial Bridge".

§ 342-rr. Portion of state highway system to be designated and known as the "Trooper David C. Brinkerhoff Memorial Highway". All that portion of the state highway system constituting state route thirty from the western village limit of Margaretville continuing through to the northern town limit of Middletown in Delaware county shall be designated and known as the Trooper David C. Brinkerhoff Memorial Highway.

§ 342-s. Portion of state highway system to be designated as "J. Donald Synnett Memorial Bridge". The bridge on that portion of the state highway system identified as state route 9D, in the village of Wappingers Falls, in the county of Dutchess, shall be designated and known as "J. Donald Synnett Memorial Bridge".

*** § 342-ss. Portion of state highway system to be designated and known as the "New York State Vietnam Veterans' Memorial Highway of Valor".** All that portion of the state highway system constituting route thirty-eight from its intersection with route one hundred four-a in the town of Sterling in Cayuga county, and continuing southerly along route thirty-eight to its intersection with route ninety-six in the town of Owego in Tioga county, shall be designated and known as the "New York State Vietnam Veterans' Memorial Highway of Valor".

* NB There are 2 § 342-ss's

*** § 342-ss. Portion of state highway system to be designated as the "Army Captain George A.** Wood Memorial Bridge". The bridge across the Erie Canal on state highway two hundred ninety-one in the town of Marcy, county of Oneida shall be designated and known as the "Army Captain George A. Wood Memorial Bridge" in honor of the late army captain.

* NB There are 2 § 342-ss's

§ 342-t. Portion of state highway system to be designated as "POW/MIA Bridge". The bridge at the interchange of Veterans' Memorial Highway and Sunrise Highway in the county of Suffolk shall be designated and known as the "POW/MIA Bridge".

§ 342-tt. Portion of state and county highway system to be designated and known as the "Lakes to Locks Passage". All that portion of the state and county system beginning at the Waterford Cohoes bridge and continuing north on state route thirty-two to its junction with United States route four in the town of Waterford, Saratoga county and proceeding north on United States route four to the overlap of United States route four and state route twenty-two and following the four/twenty-two overlap to Whitehall, Washington county and continuing along United States route four to the Vermont state line, and then continuing north on route twenty-two from Whitehall to Ticonderoga, and along state route seventy-four from the Ticonderoga ferry to its intersection with Montcalm street in Ticonderoga and continuing along Montcalm street to the intersection of state route nine-N and along state route nine-N to the overlap of state routes nine-N and twenty-two, and again continuing north from the intersection of state routes twenty-two and seventy-four along the twenty-two/seventy-four overlap to state route nine-N/twenty-two and along nine-N/twenty-two overlap to its intersection with state route nine hundred three and along state route nine hundred three to the Champlain bridge, then again continuing north on state route nine-N/twenty-two to Westport, continuing north on state route twenty-two to Essex, then north on state route twenty-two to the

overlap of state route twenty-two and United States route nine and continuing on the twenty-two/nine overlap to Keeseville, then continuing north on United States route nine to the intersection of state route three hundred seventy-three and along state route three hundred seventy-three to the Port Kent ferry, then again continuing north on United States route nine to the intersection of United States route nine and City Hall Place in the city of Plattsburgh, along City Hall Place to Cumberland avenue and along Cumberland avenue to its junction with United States route nine on the north side of the city of Plattsburgh, and further north on United States route nine to the intersection of county route fifty-seven and along the entire length of county route fifty-seven in a loop to the Cumberland Head ferry and then continuing north on United States route nine to the intersection of county route twenty-two and along county route twenty-two to the intersection of state route nine-B at Coopersville, then generally north on state route nine-B to United States route eleven and along United States route eleven to its termination point at the Canadian border, and along United States route two from its intersection with United States route eleven in the village of Rouses Point to the Vermont state line.

§ 342-u. Portion of the state highway system to be designated as "Senator Warren M. Anderson Expressway". The entire length of interstate route eighty-eight beginning at its intersection with interstate eighty-one in or about the town of Chenango, continuing northeasterly to its intersection with interstate route ninety at exit twenty-five-A of the New York state thruway in or about the city of Schenectady shall be designated and known as the "Senator Warren M. Anderson Expressway".

*** § 342-uu. Portion of state highway system to be designated and known as the "Harriet Tubman Memorial Highway".** All that portion of the state highway system constituting state route thirty-four from its intersection with state route one hundred four in the town of Hannibal in Oswego county, and continuing southerly along state route thirty-four to its intersection with state route seventeen-c in the town of Waverly in Tioga county shall be designated and known as the "Harriet Tubman

Memorial Highway".

* NB There are 2 § 342-uu's

*** § 342-uu. Portion of state highway system to be designated and known as the "Trooper David J.** Lane Memorial Highway". All that portion of the state highway system constituting state route thirty-two between Cairo Junction Road and Hearts Content Road in the town of Cairo in Greene County shall be designated and known as the "Trooper David J. Lane Memorial Highway."

* NB There are 2 § 342-uu's

*** § 342-v. Portion of state highway system designated as the Marine Corps League Memorial Highway.** All that portion of the state highway system beginning at the Pennsylvania - New York line in the county of Steuben south of the town of Lindley travelling north on United States route fifteen through the town of Lindley to the city of Painted Post; continuing northwest on route seventeen to the town of Campbell; continuing northwest on route four hundred fifteen through the village of Cohocton to route fifteen; continuing north on route fifteen through the towns of Livonia, East Avon and West Henrietta to the city of Rochester, terminating at the intersection of route fifteen and interstate route four hundred ninety; provided however, that the portion of route fifteen located within Steuben county shall be known as the Williamson Road section of the Marine Corps League Memorial Highway.

* NB There are 3 § 342-v's

*** § 342-v. Portion of the state highway system to be designated as "St.** Regis Mohawk Indian Veterans Memorial Bridge". The bridge to be erected across the St. Regis river on state route 37 in Franklin county shall be designated and known as "St. Regis Mohawk Indian Veterans Memorial Bridge".

* NB There are 3 § 342-v's

*** § 342-v. Portion of state highway system designated as the Veterans Memorial Highway.** All that portion of the state highway system beginning at the city of Oswego travelling south on route 481 to the point where route 481 becomes interstate route 481 at or near the village of North Syracuse; continuing south on interstate route 481 to the southern terminus of interstate route 481.

* NB There are 3 § 342-v's

§ 342-vv. Portion of state highway system to be designated and known as the "Rensselaer County Korean War Veterans Memorial Highway". All that portion of the state highway system constituting state route seven from where it crosses Eighth Street in the city of Troy in Rensselaer county, and continuing easterly along state route seven to its intersection with Mount Pleasant Avenue in the city of Troy in Rensselaer county shall be designated and known as the "Rensselaer County Korean War Veterans Memorial Highway".

§ 342-vvv. Portion of the state highway system to be designated as "The Woodstock Way". All that portion of the highway system constituting state route 17B in the county of Sullivan shall be designated and known as "The Woodstock Way".

§ 342-w. Portion of the state highway system to be designated as "Phelps Way". All that portion of the state highway system beginning at the intersection of route 448 continuing on route 117 to the Phelps Memorial Hospital and terminating at said hospital shall be designated and known as "Phelps Way".

§ 342-ww. Portion of the New York state thruway to be designated as the "Jewish War Veterans Memorial Highway". All that portion of the New York state thruway in the county of Rockland constituting interstate route 287 from the New Jersey border to "The Governor Mario M. Cuomo Bridge" shall be designated and known as the "Jewish War Veterans

Memorial Highway".

§ 342-www. Portion of the state highway system to be designated as the "Adirondack Veterans' Memorial Highway". That portion of state highway route I-87, known as the Adirondack Northway, between exit one and exit forty-three shall be designated and known as the "Adirondack Veterans' Memorial Highway".

*** § 342-x. Portion of the state highway system to be designated as the "Purple Heart Highway".** That portion of the state highway system constituting Route 5 excepting therefrom that portion of such route heretofore designated as the "Seaway Trail" shall hereafter be designated and known as the "Purple Heart Highway".

* NB There are 2 § 342-x's

*** § 342-x. Portion of state highway system to be designated as "The American Legion Memorial Highway".** All that portion of the state highway system beginning at the Pennsylvania - New York line travelling north on route 81 to the Canada - New York line shall be designated and known as "The American Legion Memorial Highway".

* NB There are 2 § 342-x's

§ 342-xx. Portion of state highway system to be designated as the "Lima Veterans Memorial Highway". That portion of state route 15A located within the boundaries of the town of Lima, county of Livingston, a distance of approximately six and two-tenths miles, shall be designated and known as the "Lima Veterans Memorial Highway".

§ 342-xxx. Portion of the state highway system to be designated as the "Wyoming County Veterans Memorial Highway". All that portion of the state highway system known as United States route 20A beginning at the western county line of the county of Wyoming and ending at the eastern

county line of the county of Wyoming, shall be designated and known as the "Wyoming County Veterans Memorial Highway".

§ 342-xxxx. Portion of state highway system to be designated as the "Livingston County Veterans Memorial Highway". That portion of state route 20A located within the boundaries of the county of Livingston from the intersection of state highway route I-390 continuing westerly to the county line shall be designated and known as the "Livingston County Veterans Memorial Highway".

*** § 342-y. Portion of state highway system to be designated as "Assemblyman Roger J.** Robach Memorial Lakeway." That portion of the state highway system beginning at the intersection of interstate route three hundred ninety and route one hundred four in the town of Greece, continuing north on route three hundred ninety, and terminating at the intersection of route three hundred ninety and the Lake Ontario State Parkway shall be designated and known as the "Assemblyman Roger J. Robach Memorial Lakeway."

* NB There are 2 § 342-y's

*** § 342-y. Portion of state highway system to be designated as "The Putnam County Veterans Memorial Bridge".** The bridge crossing New York state routes 6 and 22 in the town of Southeast in Putnam county shall be designated and known as "The Putnam County Veterans Memorial Bridge".

* NB There are 2 § 342-y's

§ 342-yy. Portion of the state highway system to be designated as the "87th Infantry Division Memorial Highway". All that portion of the state highway system constituting interstate route three hundred ninety, beginning at mile marker 55.7 through the towns of Henrietta and Rush in the county of Monroe and the town of Avon in the county of Livingston and continuing to mile marker 64.5, shall on and after the effective date of this section be designated and known as "87th Infantry Division

Memorial Highway".

§ 342-yyy. Portion of the state highway system to be designated as the "Lt. Joseph J. Theinert Memorial Way". All that portion of the state highway system constituting New York state route one hundred fourteen, beginning at the South Ferry in the town of Shelter Island, county of Suffolk and continuing north for 1.3 miles to its intersection with Cartwright road, shall be designated and known as "Lt. Joseph J. Theinert Memorial Way".

*** § 342-z. Portion of state highway system to be designated as "The Veterans of Foreign Wars Memorial Highway".** All that portion of the state highway system beginning at the Pennsylvania - New York line travelling north on New York state route 11 to the Canada - New York line, excepting therefrom those portions of such route heretofore designated as the "Black River Trail" and the "Military Trail", shall be designated and known as "The Veterans of Foreign Wars Memorial Highway."

* NB There are 2 § 342-z's

*** § 342-z. Portion of state highway system to be designated as the "Lucille Ball-Desi Arnaz Memorial Bridge".** The bridge on interstate route eighty-six which crosses North Main Street in the town of Ellicott, county of Chautauqua, shall be designated and known as the "Lucille Ball-Desi Arnaz Memorial Bridge".

* NB There are 2 § 342-z's

§ 342-zz. Portion of the state highway system to be designated as the "Schenectady County Veterans Memorial Highway". All that portion of the state highway system beginning at the county of Schenectady travelling west on interstate route 890 continuing to the western terminus of interstate route 890 shall be designated and known as the "Schenectady County Veterans Memorial Highway."

§ 342-zzz. Portion of the state highway system to be designated as the "William Cullen Bryant Viaduct". The section on New York State Route 25A which spans over Hempstead Harbor in Nassau County known as the Roslyn Viaduct shall hereafter be designated and known as the "William Cullen Bryant Viaduct".

§ 343. Portion of state highway system to be designated as "The Korean War Veterans Memorial Highway". All that portion of the state highway system constituting state route 690 beginning at its intersection with state route 48 in the town of Lysander, continuing southerly to its intersection with interstate 90 (New York State Thruway Exit 39) in the Town of Van Buren, continuing easterly as Interstate 690 to its terminus at its intersection with interstate route 481 in the town of DeWitt shall be designated and known as "The Korean War Veterans Memorial Highway."

*** § 343-a. Portion of state highway system in the county of Richmond to be designated as "The Korean War Veterans Memorial Parkway".** All that portion of the state highway system in the county of Richmond constituting the Richmond Parkway from Staten Island Expressway to Outerbridge Crossing Approach shall be designated and known as "The Korean War Veterans Memorial Parkway".

* NB There are 4 § 343-a's

*** § 343-a. Portion of the state highway system to be designated as the "Senator Ralph Quattrociocchi Memorial Highway".** All that portion of the state highway system beginning at the point where state route five hundred thirty-one extension travels westerly from interstate route four hundred ninety in the town of Gates, county of Monroe, traveling west on state route five hundred thirty-one extension, and terminating at the intersection of state route five hundred thirty-one extension and Washington Street in the town of Ogden, county of Monroe, shall be designated and known as the "Senator Ralph Quattrociocchi Memorial

Highway."

* NB There are 4 § 343-a's

*** § 343-a. Portion of state highway system to be designated as "The Disabled American Veterans - New York Medal of Honor Highway".** All that portion of United States route twenty beginning at the community of Irving, where route five and route twenty merge with Old Lake Shore road, and continuing northeasterly until approximately one mile south of the town of Depew, Erie county, then continuing easterly across New York state to its terminus at the New York-Massachusetts border approximately two miles east of the town of New Lebanon, Columbia county shall be designated and known as "The Disabled American Veterans - New York Medal of Honor Highway".

* NB There are 4 § 343-a's

*** § 343-a. Portion of the state highway system to be designated as the "General Philip Schuyler Commemorative Highway".** All that portion of the state highway system known as state route 29, bounded on the east by the intersection of U.S. routes 4 and 32 and bounded on the west by the intersection of Henning Road and state route 29, in the county of Saratoga shall be designated and known as the "General Philip Schuyler Commemorative Highway".

* NB There are 4 § 343-a's

*** § 343-aa. Portion of the state highway system in the county of Erie to be designated as the "Staff Sergeant William R.** Wilson III Memorial Highway". All that portion of the state highway system in the county of Erie constituting Interstate 990 (Lockport Expressway) shall be designated and known as the "Staff Sergeant William R. Wilson III Memorial Highway".

* NB There are 5 § 343-aa's

*** § 343-aa. Portion of state highway system to be designated as the**

"Officer Thomas M. Lindsey Memorial Highway". That portion of state route five-a from its intersection with Whitesboro street at the westerly Utica city line in Oneida county, thence running easterly to where state route five-a becomes state route five-s on Oriskany street, thence running generally easterly along state route five-s to its intersection with Broad street, shall be designated and known as the "Officer Thomas M. Lindsey Memorial Highway."

* NB There are 5 § 343-aa's

*** § 343-aa. Portion of the state highway system to be designated as the "New York City Police Department Detective Peter Figoski Memorial Bridge".** The bridge on Route 109 which crosses the Sunrise Highway in the hamlet of West Babylon, county of Suffolk, shall be designated and known as the "New York City Police Department Detective Peter Figoski Memorial Bridge".

* NB There are 5 § 343-aa's

*** § 343-aa. Portion of state highway system to be designated as the "Assemblyman James D.** Conte Memorial Highway". All that portion of the state highway system constituting state route one hundred ten in the town of Huntington in the county of Suffolk from its intersection with state route twenty-five, known as Jericho Turnpike, and continuing to its intersection with state route twenty-five-a in the town of Huntington in the county of Suffolk, known as Main Street, shall be designated and known as the "Assemblyman James D. Conte Memorial Highway".

* NB There are 5 § 343-aa's

*** § 343-aa. Portion of the state highway system to be designated as the "Genesee and Orleans Veterans' Memorial Highway".** All that portion of New York state route 98 beginning at the border of Genesee and Wyoming counties and terminating at the intersection with the Lake Ontario State Parkway in Orleans County shall be designated and be known as the "Genesee and Orleans Veterans' Memorial Highway".

* NB There are 5 § 343-aa's

§ 343-aaa. Portion of the state highway system to be designated as the "Lieutenant Colonel Todd J. Clark Memorial Highway". All that portion of the state highway system in the county of Albany constituting state route one hundred forty-six in the town of Guilderland from state route twenty north to Lydius Street shall be designated as the "Lieutenant Colonel Todd J. Clark Memorial Highway".

§ 343-b. Portion of the state highway system to be designated as "The 94th Infantry Division Memorial Highway." That portion of the state highway system beginning at the New York-New Jersey state line, thence running generally northeasterly on state highway 94 continuing to the northwestern terminus of highway 94 shall be designated and known as "The 94th Infantry Division Memorial Highway."

§ 343-bb. Portion of the state highway system to be designated as the "Walden Veterans' Memorial Bridge". The bridge across the Wallkill river on state route 52 in the village of Walden in the county of Orange shall be designated and known as the "Walden Veterans' Memorial Bridge".

*** § 343-bbb. Portion of the state highway system to be designated as the "86th Blackhawk Infantry Division Memorial Highway".** All that portion of the state highway system in the county of Orange beginning at its boundary with the county of Rockland and running thence northerly into and through the county of Ulster until the terminus in the town of Esopus of the bridge spanning the Rondout Creek constituting state route 9W shall be designated and known as the "86th Blackhawk Infantry Division Memorial Highway".

* NB There are 2 § 343-bbb's

*** § 343-bbb. Portion of the state highway system to be designated as**

the "299th Engineer Combat Battalion Memorial Highway". All that portion of the state highway system beginning at the intersection of interstate route 190 known as the Niagara Thruway and route 266 known as River Road in the vicinity of route 325 known as Sheridan Drive in the town of Tonawanda and county of Erie, thence running northerly on interstate route 190 to route 384 known as Buffalo Avenue in the city of Niagara Falls and county of Niagara and continuing northerly on interstate route 190 also known as the Niagara Expressway to the intersection of the Robert Moses Parkway in the town of Lewiston and county of Niagara, and thence running northerly on the Robert Moses Parkway to the Fort Niagara State Park exit and continuing westerly along such exit to its terminus in Fort Niagara State Park in the village of Youngstown and county of Niagara, shall be designated and known as the "299th Engineer Combat Battalion Memorial Highway".

* NB There are 2 § 343-bbb's

*** § 343-c. Portion of state highway system in the county of Rockland to be designated as "The Korean War Veterans Memorial Highway".** All that portion of the state highway system in the county of Rockland constituting State Route 59 shall be designated and known as "The Korean War Veterans Memorial Highway".

* NB There are 4 § 343-c's

*** § 343-c. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway".** All that portion of the state highway system in Kings County, beginning East of Knapp Street on the Shore Parkway in Kings County, continuing East along the Belt Parkway to the border of Queens County shall be designated as the "POW-MIA Memorial Highway".

* NB There are 4 § 343-c's

*** § 343-c. Portion of the state highway system to be designated as the "William Gregory Bypass".** All that portion of the state highway system of state route 93 known as the Lockport Bypass located in the town and city Lockport between Robinson Road and state route 31, in the county of

Niagara, shall be designated and known as the "William Gregory Bypass".

* NB There are 4 § 343-c's

*** § 343-c. Portion of the state highway system to be designated as the "Thomas C.** Rotondo, Jr. Memorial Bridge". The bridge crossing the New York state barge canal on the Lockport Bypass between State Road and Ohio Street in the city of Lockport shall be designated and known as the "Thomas C. Rotondo, Jr. Memorial Bridge".

* NB There are 4 § 343-c's

*** § 343-cc. Portion of the state highway system to be designated as the "Sgt.** Michael J. Esposito Jr. Memorial Bridge". The bridge on Washington Avenue which crosses over Interstate four hundred ninety-five in the hamlet of Brentwood, in the town of Islip, county of Suffolk, shall be designated as the "Sgt. Michael J. Esposito Jr. Memorial Bridge".

* NB There are 2 § 343-cc's

*** § 343-cc. Portion of the state highway system to be designated as the "Corey J.** Swinson Memorial Bridge". The bridge on County Road 13 which crosses the Sunrise Highway in the hamlet of Bay Shore, county of Suffolk, shall be designated and known as the "Corey J. Swinson Memorial Bridge".

* NB There are 2 § 343-cc's

§ 343-ccc. Portion of the state highway system to be designated as the "Corporal Tony Casamento Memorial Bridge". The bridge on county route 28, exits number 34 on the east and westbound Southern state parkway in the town of Babylon, county of Suffolk, shall be designated and known as the "Corporal Tony Casamento Memorial Bridge".

§ 343-d. Portion of state highway system to be designated as the

"Jackie Robinson Parkway". All that portion of the state highway system in the counties of Kings and Queens which is identified and known as the Interborough Parkway, running from the vicinity of Jamaica Avenue in the county of Kings to Queens Boulevard in the county of Queens, shall be designated and known as the "Jackie Robinson Parkway."

§ 343-dd. Portion of state highway system to be designated as the "Justine L. Hommel Memorial Highway". All that portion of the state highway system constituting state route twenty-three-a in the county of Greene, from its eastern intersection with Whites Road in the town of Catskill, continuing in a generally north westerly direction, and terminating at North Lake Road/County Route eighteen, in the town of Hunter, shall be designated and known as the "Justine L. Hommel Memorial Highway".

§ 343-e. Portion of state highway system in the county of Rockland to be designated as the "Vietnam Veterans Memorial Highway". All that portion of the state highway system in the county of Rockland constituting state route 9W beginning at the New York/New Jersey state line continuing north along the Hudson River through the county of Rockland to the Orange county line located at Bear Mountain Circle, except the bridge across Lowland Creek in the town of Stony Point in the county of Rockland shall be known as the "Vietnam Veterans Memorial Highway".

§ 343-ee. Portion of the state highway system to be dedicated to Clara H. Barton. All that portion of the state highway constituting state route 63 in the village of Dansville, county of Livingston, from its intersection with Zerfass Road to its intersection with Hubbard Lane shall be dedicated to Clara H. Barton.

*** § 343-f. Portion of the state highway system to be designated as "The Norman J.** Levy Memorial Highway". All that portion of the state

highway system in the county of Nassau known as the Meadowbrook Parkway shall on and after the effective date of this section be designated and known as "The Norman J. Levy Memorial Highway".

* NB There are 2 § 343-f's

*** § 343-f. Portion of state highway system in the county of Monroe to be designated as a "POW-MIA Memorial Highway".** All that portion of the state highway system in Monroe County which is named and identified as Macedon Center Road shall be designated and known as a "POW-MIA Memorial Highway".

* NB There are 2 § 343-f's

*** § 343-g. Portion of the state highway system to be designated as the "Don Reile Boulevard".** All that portion of the state highway system beginning at the intersection of state routes twenty-eight and five in Herkimer and continuing northerly along route twenty-eight to the northern boundary line of the village of Herkimer shall be designated and known as the "Don Reile Boulevard".

* NB There are 2 § 343-g's

*** § 343-g. Portion of the state highway system to be designated as the "Pearl Harbor Memorial Expressway".** All that portion of the state highway system located in Richmond county constituting route 440 from Outerbridge Crossing to route 278 (West Shore Expressway) shall be designated and known as the "Pearl Harbor Memorial Expressway".

* NB There are 2 § 343-g's

§ 343-gg. Portion of the state highway system to be designated as the "Southern Adirondack Trail". All that portion of the state highway system beginning at the intersection of the New York state thruway and state route twenty-eight in the village of Herkimer, town of Herkimer, continuing north on state route twenty-eight through the village of Newport and through the village of Poland, thence continuing

northeasterly on state route eight and terminating at the intersection of state routes eight and thirty in the village of Speculator, and all that portion of Old Piseco lake road from its intersection with state route eight in the vicinity of the southwestern end of Piseco lake following along the shoreline of Piseco lake to its intersection with route eight northeast of Piseco lake and all that portion of the state highway system beginning at the intersection of the New York state thruway and state route one hundred sixty-nine and running thence northwesterly along route one hundred sixty-nine until its intersection with state route twenty-eight in the village of Middleville, and all that portion of the state highway system beginning with the intersection of state route one hundred sixty-nine with state routes five and one hundred sixty-seven in the city of Little Falls, continuing northeasterly along route one hundred sixty-seven to the intersection of state route twenty-nine in the village of Dolgeville, continuing north and then west along state route twenty-nine to its beginning at its intersection with state routes twenty-eight and one hundred sixty-nine in the village of Middleville shall be designated and known as the "Southern Adirondack Trail".

§ 343-h. Portion of the state highway system to be designated as the "POW-MIA Memorial Highway". All that portion of the state highway system located in Richmond county constituting route 278 from the Goethals bridge to the Verrazzano-Narrows bridge (Staten Island Expressway) shall be designated and known as the "POW-MIA Memorial Highway".

§ 343-i. Portion of the state highway system to be designated as the "Joe DiMaggio Highway". Notwithstanding any other provision of law to the contrary, all that portion of the state highway system in the county of New York which is identified and known as the West Side Highway, the Miller Highway or state route 9-A, running from Battery Place to West Seventy-second Street, shall be designated and known as the "Joe DiMaggio Highway."

§ 343-j. Portion of the state highway system to be designated as "The Putnam County Veterans Memorial Highway". All that portion of the state highway system in the county of Putnam constituting Interstate route 84 from the state of Connecticut border to the Dutchess County border shall be designated and known as "The Putnam County Veterans Memorial Highway".

*** § 343-k. Portion of the state highway system to be designated as the "St.** Lawrence County Veterans Memorial Highway". All that portion of the state highway system in the county of St. Lawrence constituting state route 37 from the city of Ogdensburg to the town of Morristown shall be designated and known as the "St. Lawrence County Veterans Memorial Highway".

* NB There are 7 § 343-k's

*** § 343-k. Portion of state highway system to be designated as the "POW-MIA Bridge".** All that portion of the state highway system constituting the Route 14 bridge, located across the Erie Canal north of route 31 in the town of Lyons, county of Wayne shall be known as the "POW-MIA Bridge".

* NB There are 7 § 343-k's

*** § 343-k. Portion of the state highway system to be designated as the "Allegany County Veterans Memorial Highway".** All that portion of the state highway system in the county of Allegany constituting interstate route 86 (Southern Tier Expressway) from the Cattaraugus county border to the Steuben county border shall be designated and known as the "Allegany County Veterans Memorial Highway".

* NB There are 7 § 343-k's

*** § 343-k. Portion of the state highway system to be designated as the "United States Army 77th Infantry Division Memorial Highway".** All that portion of the state highway system in the county of Steuben

constituting state route 352 shall be designated and known as the "United States Army 77th Infantry Division Memorial Highway".

* NB There are 7 § 343-k's

*** § 343-k. Portions of the state highway system to be designated as the "Lake Erie Wine Country Trail", the "Canandaigua Wine Trail", the "Cayuga Wi**ne Trail East", the "Cayuga Wine Trail West", the "Between Cayuga and Seneca Lakes Wine Trail", the "Seneca Lake Wine Trail East", the "Seneca Lake Wine Trail West", the "Keuka Lake Wine Trail", the "Shawangunk Wine Trail", the "Dutchess Wine Trail", the "North Fork Wine Trail", the "Hamptons Wine Trail", the "Long Island Wine Region", the "Niagara Wine Trail Ridge", the "Niagara Wine Trail Lake", the "Lake Ontario Wine Trail", the "Adirondack Coast Wine Trail", the "St. Lawrence Wine Trail" and the "Upper Hudson Wine Trail". 1. All that portion of the state highway system constituting US route 20 from exit 61 of I-90 near Ripley to route 5 in Silver Creek shall be designated and known as the " Lake Erie Wine Country Trail".

2. All that portion of the state highway system constituting route 371 from exit 2 of I-390 in Cohocton to route 21 in North Cohocton, route 21 to route 332 in Canandaigua, route 332 to route 96 and route 96 to county route 44 in Ontario county shall be designated and known as the "Canandaigua Wine Trail".

3. All that portion of the state highway system constituting route 13 from exit 54 of route 17 in Horseheads to route 89 in Ithaca and route 89 to route 318 near Seneca Falls and route 318 to route 414 and route 414 to exit 41 of route I-90 shall be designated and known as the "Cayuga Wine Trail West". Also all that portion of the state highway system constituting route 13 from exit 54 of route 17 in Horseheads to route 34 near Ithaca and route 34 to route 34B and route 34B to route 90 and route 90 to routes 5 & 20 and west on routes 5 & 20 and north on route 414 near Seneca Falls to exit 41 of route I-90 shall be designated and known as the "Cayuga Wine Trail East".

3-a. All that portion of the state highway system constituting state

route 96 from its intersection with state route 13 in Ithaca to the intersection of state routes 96, 414 and 96A in Ovid, and then continuing on state route 96A to its intersection with state routes 5 & 20 in Geneva, and then continuing on state routes 5 & 20 to their intersection with state route 14. Such portions of the state highway system shall be designated and known as the "Between Cayuga and Seneca Lakes Wine Trail".

4. All that portion of the state highway system constituting route 414 from exit 46 of route 17 in Corning to exit 41 of I-90 shall be known as the "Seneca Lake Wine Trail East", and route 14 in Watkins Glen to exit 42 of I-90 shall be designated and known as the "Seneca Lake Wine Trail West".

5. All that portion of the state highway system constituting state routes 54 from exit 38 of route 17 in Bath to route 14 in Dresden and route 54-A from route 54 in Hammondsport to route 54 in Penn Yan shall be designated and known as the "Keuka Lake Wine Trail".

6. All that portion of the state highway system constituting route 94 from Warwick to route 208 in Washingtonville and route 208 to route US 44 in Ireland Corners and west on route US 44 to route 299 shall be designated and known as the "Shawangunk Wine Trail".

6-a. All that portion of the state highway system constituting route 32 from route 17 in the unincorporated community of Central Valley within the town of Woodbury to route 94 in the unincorporated community of Vails Gate within the town of New Windsor, route 94 to route 9-W in the town of New Windsor, route 9-W to routes 44 and 55 in the unincorporated community of Highland within the town of Lloyd, and routes 44 and 55 to its intersection with route 208 in the town of Gardiner shall be designated and known as the "Shawangunk East Wine Trail".

6-b. All that portion of the state highway system starting at the intersection of route 9 and route 44 in Poughkeepsie and continuing east on route 44 to route 82 east of the Taconic State parkway in Pleasant

Valley and north on route 82 to route 199 in Pine Plains and west on route 199 to route 9 in Red Hook and south on route 9 to route 44 in Poughkeepsie shall be designated and known as the "Dutchess Wine Trail".

7. The "Long Island Wine Region" shall include two trails which shall be designated and known as the "North Fork Wine Trail" and the "Hamptons Wine Trail". All that portion of the state highway system in the county of Suffolk beginning at exit 71 of Interstate 495, thence generally easterly along state route 24 to its intersection with county route 105, thence generally northerly along county route 105 to its intersection with state route 25, thence generally easterly along state route 25 to the intersection of route 48 and route 25, and westerly along county route 48 (alternatively known as North road, Middle road, Sound avenue) from its eastern terminus to its intersection with Edwards avenue, and thence generally southerly along Edwards avenue to its intersection with interstate 495, shall be designated and known as the "North Fork Wine Trail". All that portion of the state highway system in the county of Suffolk beginning at the intersection of county route 105 and state route 24, thence generally southeasterly along state route 24 to its intersection with state route 27, thence generally easterly along state route 27 to its intersection with state route 114, thence generally northerly along state route 114 to its northern terminus shall be designated and known as the "Hamptons Wine Trail".

7-a. All those portions of the state and local highway system constituting route 104 from the intersection with route 62, Ferry Avenue in the city of Niagara Falls, eastward to the intersection with route 390 in Monroe county shall be known as the "Niagara Wine Trail Ridge."

All those portions of the state and local highway system constituting Route 269 from the intersection of Route 104 North to route 18, Lake Road, in the town of Somerset, westward to the intersection with route 425, Lake Street, in the village of Wilson, southward on route 425 to the intersection with route 62, Niagara Falls Boulevard, in the town of Wheatfield, southward on route 62 to the intersection with I-290, the Youngman Memorial Highway, in the town of Amherst, shall be known as the "Niagara Wine Trail Lake."

8. All that portion of the state highway system constituting route 104 from the Wayne/Monroe county line to its intersection with U.S. route 11 in Maple View, continuing north on U.S. route 11 to the unincorporated area of Adams Center in the town of Adams, Jefferson county. In addition all that portion of the state highway system constituting state route 350 from its intersection with state route 104 in the unincorporated area of Ontario Center in the town of Ontario, Wayne county, to the intersection of state route 31 in the town of Macedon and state route 31 to the Wayne/Monroe county line shall be designated and known as the "Lake Ontario Wine Trail".

9. All that portion of the state highway system starting at exit 35 of interstate route 87 in the town of Peru and continuing west on state route 442 to its intersection with state route 22, and continuing on state route 22 to its intersection with state route 22B, and continuing north on state route 22B to its intersection with state route 3 in the town of Plattsburgh, and continuing east on state route 3 to its intersection with state route 190, and continuing north on state route 190 to its intersection with state route 374, and continuing easterly on state route 374 to its intersection with state route 22 in the town of Plattsburgh, and continuing northerly on state route 22 to its intersection with U.S. route 11 in the town of Mooers, and continuing easterly on U.S. route 11 to its intersection with U.S. route 9 in the town of Champlain, and continuing southerly on U.S. route 9 to its intersection with state route 3 in the city of Plattsburgh, and continuing westerly on state route 3 to exit 37 of interstate route 87 in the town of Plattsburgh shall be designated and known as the "Adirondack Coast Wine Trail".

10. All that portion of the state highway system beginning at the intersection of state route 37 and county route 6 in the town of Hammond, and continuing north on county route 6 to its intersection with state route 37 in the city of Ogdensburg, and continuing east on state route 37 to its intersection with county route 27 in the town of Lisbon, and continuing south on county route 27 to its intersection with county route 10 in the town of Lisbon, and continuing south on county route 10

to its intersection with state route 68 in the town of Canton, and continuing south on state route 68 to its intersection with United States route 11 in the village of Canton, and continuing north on United States route 11 to its intersection with state route 11-C in the unincorporated area of Stockholm Center in the town of Stockholm, and continuing north on state route 11-C to its intersection with county route 53 in the unincorporated area of Winthrop in the town of Stockholm shall be designated and known as the "St. Lawrence Wine Trail".

11. The "Upper Hudson Wine Trail" shall include two trails which shall be designated and known as the "Upper Hudson Wine Trail West" and the "Upper Hudson Wine Trail East". All that portion of the state highway system beginning at the intersection of state route US 20 and state route 146 (Altamont Road) in the town of Guilderland, and continuing west on state route US 20 to state route 30 in the town of Duanesburg, and continuing north on state route 30 to state route 67 in the city of Amsterdam, and continuing east on state route 67 to state route 50 in the village of Ballston Spa, and continuing north on state route 50 to West avenue in the city of Saratoga Springs, and continuing north on West avenue to state route 9N in the city of Saratoga Springs, and continuing north on state route 9N to its intersection with state route US 9 and state route 9N in the town of Lake George, and continuing north on state route US 9 and state route 9N to its intersection with state route 9N (lake shore drive) in the village of Lake George shall be designated and known as the "Upper Hudson Wine Trail West". All that portion of the state highway system beginning at the intersection of state route 40 and state route 67 in the village of Schaghticoke, and continuing north on state route 40 to its intersection with state route 29 near the unincorporated community of Middle Falls (town of Easton), and continuing east on state route 29 to its intersection with state route 372 in the village of Greenwich, and continuing east on state route 372 to its intersection with Washington County route 74 in the village of Greenwich, and continuing south on Washington County route 74 to the Washington-Rensselaer County line where Washington County route 74 becomes Rensselaer County route 114, and continuing south on Rensselaer County route 114 to Rensselaer County route 111 in the town of Schaghticoke, and continuing south on Rensselaer County route 111 to

its intersection with NY 67 in the unincorporated community of Johnsonville (town of Pittstown), and continuing west on state route 67 to its intersection with state route 40 in the village of Schaghticoke shall be designated and known as the "Upper Hudson Wine Trail East".

* NB There are 7 § 343-k's

*** § 343-k. Portion of the state highway system to be designated as the "Joseph A.** Scapelliti Memorial Bridge". The bridge crossing the New York state barge canal on Exchange Street between Market Street and Van Buren Street in the city of Lockport shall be designated and known as the "Joseph A. Scapelliti Memorial Bridge".

* NB There are 7 § 343-k's

*** § 343-k. Portion of the state highway system to be designated as the "Orange County Purple Heart Highway".** All that portion of the state highway system located in Orange county constituting interstate route 84 from the Newburgh-Beacon bridge to exit one of such highway in Port Jervis shall be designated and known as the "Orange County Purple Heart Highway".

* NB There are 7 § 343-k's

§ 343-l. Portion of the state highway system to be designated as the "Don and Tony DeMatteo Parkway". All that portion of the state highway system in the city of Yonkers constituting the Cross County Parkway beginning at the intersection of the Cross County Parkway and the Saw Mill River Parkway in Yonkers and continuing easterly along the Cross County Parkway to the eastern boundary line of Yonkers shall be designated and known as the "Don and Tony DeMatteo Parkway".

*** § 343-m. Portion of the state highway system to be known as the "POW-MIA Memorial Highway".** All that portion of the state highway system constituting state route twelve beginning at the town of Morristown, county of St. Lawrence and continuing south through the counties of

Jefferson, Lewis, Oneida, Madison and Chenango to its intersection with state route twelve-a in the town of Chenango, county of Broome, shall be designated and known as the "POW-MIA Memorial Highway".

* NB There are 4 § 343-m's

*** § 343-m. Portion of the state highway system to be designated as "Christopher's Crossing".** Notwithstanding any other provision of law to the contrary, all that portion of the state highway system in the county of Queens constituting the overpass at Forty-sixth Avenue and the Clearview expressway shall be designated and known as "Christopher's Crossing".

* NB There are 4 § 343-m's

*** § 343-m. Portion of the state highway system in Monroe county to be designated as "Korean War Memorial Highway".** All that portion of the state highway system in the county of Monroe constituting Route 441, beginning at the intersection with East Avenue in Brighton, New York and continuing to the Wayne County line, shall on and after the effective date of this section be designated and known as "Korean War Memorial Highway".

* NB There are 4 § 343-m's

*** § 343-m. Portion of the state highway system to be designated as the "Lost At Sea Memorial Pike".** All that portion of the state highway system beginning at the intersection of state route 114 and Toilsome Lane in the town of East Hampton and continuing northerly along route 114 to the northern boundary line of the village of Sag Harbor shall be designated and known as the "Lost At Sea Memorial Pike".

* NB There are 4 § 343-m's

*** § 343-n. Portion of the state highway system to be designated as the "Ralph J.** Marino Expressway". All that portion of the state highway system located in the county of Nassau and known as the Seaford-Oyster

Bay expressway shall on and after the effective date of this section be designated and known as the "Ralph J. Marino Expressway".

* NB There are 3 § 343-n's

*** § 343-n. Portion of the state highway system to be known as the "Mount Morris Veterans Memorial Highway".** All that portion of the state highway system constituting state route thirty-six within the village of Mount Morris, county of Livingston, shall be designated and known as the "Mount Morris Veterans Memorial Highway".

* NB There are 3 § 343-n's

*** § 343-n. Portion of the state highway system to be designated as the "Cattaraugus County Veterans Memorial Highway".** All that portion of the state highway system in the county of Cattaraugus constituting interstate route 86 (Southern Tier Expressway) from the Chautauqua county border to the Allegany county border shall be designated and known as the "Cattaraugus County Veterans Memorial Highway".

* NB There are 3 § 343-n's

*** § 343-o. Portion of the state highway system to be designated as "Reverend Dr.** Bennett W. Smith, Sr. Way". All that portion of the state highway system in the city of Buffalo constituting Goodell Street from Locust Street to Main Street shall on and after the effective date of this section be designated and known as "Reverend Dr. Bennett W. Smith, Sr. Way".

* NB There are 8 § 343-o's

*** § 343-o. Portion of the state highway system to be designated as the "U.**S. Army 77th Infantry Division Expressway". All that portion of the state highway system which is identified and known as the Clearview Expressway (Interstate 295), shall be designated and known as the "U.S. Army 77th Infantry Division Expressway".

* NB There are 8 § 343-o's

*** § 343-o. Route 301 to be designated as the "Sgt.** Albert Ireland Memorial Highway". That portion of state highway route 301, between route 9D and route 9, in the village of Cold Spring, Putnam county, New York, shall be designated and known as the "Sgt. Albert Ireland Memorial Highway".

* NB There are 8 § 343-o's

*** § 343-o. Portion of state highway system to be designated as "Monroe County American Legion Memorial Highway".** All that portion of the state highway system located in Monroe county constituting route 104 from the Wayne county line to the Orleans county line shall be designated and known as the "Monroe County American Legion Memorial Highway".

* NB There are 8 § 343-o's

*** § 343-o. Portion of the state highway system to be designated as the "Reverend Dr.** Martin Luther King, Jr. Expressway". All that portion of the state highway system located in the city of Buffalo known as the Kensington Expressway shall be designated and known as the "Reverend Dr. Martin Luther King, Jr. Expressway".

* NB There are 8 § 343-o's

*** § 343-o. Portion of the state highway system to be known as the "Dutchess County Veterans' Memorial Highway".** All that portion of the state highway system constituting interstate route eighty-four which lies within the county of Dutchess shall be designated and known as the "Dutchess County Veterans' Memorial Highway".

* NB There are 8 § 343-o's

*** § 343-o. Portion of state highway system to be designated as the "Seneca Nation of Indians, City of Salamanca Veterans Memorial Bridge".** The bridge crossing the Allegany river on Church street between Parkway

drive and Wildwood avenue in the city of Salamanca shall be designated and known as the "Seneca Nation of Indians, City of Salamanca Veterans Memorial Bridge".

* NB There are 8 § 343-o's

*** § 343-o. Portion of the state highway system to be known as the "369th Harlem Hellfighter's Drive".** All that portion of the state highway system currently known as the Harlem River Drive which lies between 130th Street to the exit sign for the George Washington Bridge at 160th Street shall be designated and known as the "369th Harlem Hellfighter's Drive".

* NB There are 8 § 343-o's

*** § 343-p. Portion of the state highway system to be designated as the "Assemblyman Glenn H.** Harris Memorial Highway". All that portion of the state highway system beginning at the intersection of route ten and route twenty-nine-A in the vicinity of Pine Lake, continuing north on route ten, and terminating at the intersection with route eight in the vicinity of Piseco Lake shall be designated and known as the "Assemblyman Glenn H. Harris Memorial Highway".

* NB There are 8 § 343-p's

*** § 343-p. Portion of state highway system in the county of Niagara to be designated as the "North Tonawanda POW-MIA Memorial Highway".** All that portion of the state highway system in the city of North Tonawanda, county of Niagara, constituting River Road shall be designated and known as the "North Tonawanda POW-MIA Memorial Highway".

* NB There are 8 § 343-p's

*** § 343-p. Croton Reservoir Bridge to be designated as the "AMVETS Memorial Bridge".** The bridge across the Croton reservoir in the town of Yorktown, Westchester county, New York which carries the Taconic parkway shall be designated and known as the "AMVETS Memorial Bridge".

* NB There are 8 § 343-p's

*** § 343-p. Portion of state highway system to be designated as the "Apalachin/Campville Memorial Bridge".** The bridge spanning the Susquehanna River and connecting state route 17 in the hamlet of Apalachin and route 17c in the hamlet of Campville, in the town of Owego and county of Tioga, shall be designated and known as the "Apalachin/Campville Memorial Bridge".

* NB There are 8 § 343-p's

*** § 343-p. Portion of the state highway system to be designated as the "Jack Austen Highway".** That portion of state highway route 25, heading east on Woodlot Road to Half Moon Road, in the hamlet of Ridge, town of Brookhaven, Suffolk county, New York, shall be designated and known as the "Jack Austen Highway".

* NB There are 8 § 343-p's

*** § 343-p. Portion of state highway system to be designated as "Steuben County Veterans of Foreign Wars Memorial Highway".** All that portion of the state highway system located in Steuben county constituting New York state route 36, between Hornell and Canisteo, shall be designated and known as the "Steuben County Veterans of Foreign Wars Memorial Highway".

* NB There are 8 § 343-p's

*** § 343-p. Portion of the state highway system to be designated as the "Colonel William O'Brien and Sergeant Thomas Baker Memorial Highway".** All that portion of the state highway system constituting state route forty which lies within the city of Troy, county of Rensselaer, shall be designated and known as the "Colonel William O'Brien and Sergeant Thomas Baker Memorial Highway".

* NB There are 8 § 343-p's

*** § 343-p. Portion of the state highway system to be designated as the "Veterans Memorial Bridge".** The bridge across the Allegheny river on South Union street in the city of Olean, county of Cattaraugus, shall be designated and known as the "Veterans Memorial Bridge".

* NB There are 8 § 343-p's

*** § 343-q. Portion of the state highway system to be designated as the "New York State Troopers T.** Michael Kelly and Kenneth A. Poormon Memorial Highway". That portion of state highway route 28, between state highway route 375 and Maverick Road, which lies in the town of Hurley, county of Ulster, shall be designated and known as the "New York State Troopers T. Michael Kelly and Kenneth A. Poormon Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Wayne County Veteran's Memorial Highway".** All that portion of the state highway system constituting state route 31 in Wayne county, from the Monroe county line to the Seneca county line, shall be designated and known as the "Wayne County Veteran's Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Peter C.** Furnari Memorial Bridge". The bridge across Wappingers lake on state route 9 in the town of Wappingers Falls, county of Dutchess, shall be designated and known as the "Peter C. Furnari Memorial Bridge".

* NB There are 11 § 343-q's

*** § 343-q. Portion of state highway system to be designated as the "Cooper's Cave Bridge".** The bridge spanning the Hudson River on Route 9 above the Cooper's Cave in the city of Glens Falls, county of Warren and the village of South Glens Falls, county of Saratoga, shall be designated and known as the "Cooper's Cave Bridge".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Assemblyman Richard H.** Miller Memorial Highway". All that portion of the state highway system located in the county of Broome constituting state route 201 from its intersection with state route 434 in the town of Vestal to its intersection with state route 17 in the village of Johnson City shall be designated and known as the "Assemblyman Richard H. Miller Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of state highway system to be designated as the "Chautauqua County Veterans Memorial Highway".** All that portion of the state highway system in the county of Chautauqua constituting interstate route eighty-six commencing at its intersection with interstate route ninety and terminating at the Cattaraugus county border shall be designated and known as the "Chautauqua County Veterans Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Orleans County American Legion Memorial Highway".** All that portion of the state highway system in the county of Orleans constituting state route one hundred four commencing at the Niagara County border and terminating at the Monroe County border shall be designated and known as the "Orleans County American Legion Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "100th Infantry Division Memorial Parkway".** That portion of the Cross Island Parkway located in Queens county, starting from the intersection of Willets Point Boulevard, Bell Boulevard and 212th Street to the intersection of the Southern State Parkway, shall be designated and

known as the "100th Infantry Division Memorial Parkway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of state highway system to be designated as the "Mount Pleasant Veterans Memorial Highway".** All that portion of the state highway system beginning at the intersection of route nine-A (also known as Saw Mill River road) and route one hundred forty-one in the hamlet of Hawthorne in the town of Mount Pleasant, thence running generally northerly on route one hundred forty-one, and thence terminating at the intersection of Manville road, route one hundred seventeen and route one hundred forty-one in the village of Pleasantville shall be designated and known as the "Mount Pleasant Veterans Memorial Highway".

* NB There are 11 §343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Lester R.** Stone, Jr. Memorial Highway". All that portion of the state highway system constituting state route seventy-nine from its intersection with state route seven in the town of Colesville, county of Broome, to its intersection with the New York/Pennsylvania state border in the town of Windsor, county of Broome, shall be designated and known as the "Lester R. Stone, Jr. Memorial Highway".

* NB There are 11 § 343-q's

*** § 343-q. Portion of the state highway system to be designated as the "Trooper Brian N.** Rovnak Memorial Bridge". The bridge across the Taconic State Parkway on Beekman Road in the town of East Fishkill, county of Dutchess, shall be designated and known as the "Trooper Brian N. Rovnak Memorial Bridge".

* NB There are 11 § 343-q's

§ 343-r. Portion of the state highway system to be designated as the "Trooper Robert G. Dunning Memorial Bridge". The bridge across the

Taconic State Parkway on Bulls Head Road, in the town of Stanford, county of Dutchess, shall be designated and known as the "Trooper Robert G. Dunning Memorial Bridge".

*** § 343-s. Portion of the state highway system to be designated as the "Doctor Bernard J.** Burke Memorial Bridge". The bridge on route 167 over the Erie Canal, Mohawk River, CSX Railroad and Route 5 (BIN 4038920), in the city of Little Falls, county of Herkimer, shall be designated and known as the "Doctor Bernard J. Burke Memorial Bridge".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Erie County Veterans' Memorial Highway".** All that portion of the state highway system constituting United States route two hundred nineteen, in Erie county from the interchange with interstate route ninety ("The Thomas E. Dewey Thruway"), mile marker 219-5312-124.9, in the town of West Seneca to the interchange at New York route three hundred ninety-one, mile marker 219-5312-116.5, in the town of Hamburg shall be designated and known as the "Erie County Veterans' Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system in the county of Jefferson to be designated as the "Thousand Islands - Seaway Wine Trail".** All that portion of the state and county highway system located in the county of Jefferson and beginning at the intersection of Chestnut Ridge Road and state route three at Wescott Beach State Park, and continuing north on state route three to its junction with state route one hundred eighty, and continuing north along state route one hundred eighty to its intersection with state route twelve-E, and continuing north along state route twelve-E in the town of Cape Vincent, and continuing further north along state route twelve-E in the town of Clayton to its intersection with state route twelve in the town of Clayton, and continuing further north along state route twelve to its intersection with state route twenty-six in the town of Alexandria, and

continuing east along state route twenty-six to the unincorporated community of Theresa, and continuing further east along state route twenty-six to its intersection with United States route eleven in the unincorporated community of Philadelphia, and continuing south along United States route eleven to the unincorporated community of Evans Mills, and continuing further south on United States route eleven to its intersection with state route three hundred forty-two, and continuing west along state route three hundred forty-two to its intersection with interstate eighty-one in the town of Pamelia, shall be designated and known as the "Thousand Islands - Seaway Wine Trail".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Rensselaer County Veterans' Memorial Highway".** That portion of the state highway system constituting interstate route ninety in the county of Rensselaer, from the Albany county line to the exit B-1 toll barrier of the New York state thruway, shall be designated and known as the "Rensselaer County Veterans' Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "William C.** Hennessy Memorial Highway". All that portion of the state highway system in the county of Allegany constituting state route nineteen from the southern boundary of the town of Wellsville to the northern boundary of the town of Scio shall be designated and known as the "William C. Hennessy Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Erie Canal Expressway".** That portion of state highway route I-490 extending from exit 27 in the town of Perinton to exit 9, town of Gates, shall be designated and known as the "Erie Canal Expressway".

* NB There are 12 § 343-s's

*** § 343-s. Route 9D to be designated as the "Hudson Valley POW/MIA Memorial Highway".** All of state highway route 9D within Dutchess, Putnam and Westchester counties, excluding the J. Donald Synnett Memorial Bridge in the village of Wappingers Falls, shall be designated and known as the "Hudson Valley POW/MIA Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Arthur Benson Memorial Highway".** All that portion of the state highway system constituting United States Route two hundred nineteen, in Erie county from the interchange at New York Route three hundred ninety-one, mile marker 219-5312-116.5, in the town of Hamburg, to the terminus of the United States Route two hundred nineteen Expressway at New York Route thirty-nine mile marker 219-5312-103.3, in the town of Concord, shall be designated and known as the "Arthur Benson Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Dr.** Martin Luther King, Jr. Memorial Bridge". The bridge over the barge canal entering the city of Rome, commonly known as the Erie Boulevard bridge and constituting a portion of routes 69, 49 and 26 in the city of Rome, county of Oneida, shall be designated and known as the "Dr. Martin Luther King, Jr. Memorial Bridge".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Private First Class Gregory Huxley, Jr.** Memorial Bridge". The bridge on route 28 over the Forestport reservoir, BIN # 1020210, in the county of Oneida, shall be designated and known as the "Private First Class Gregory Huxley, Jr. Memorial Bridge".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated as the "Justin Wrisley Garvey Memorial Bridge".** The bridge on county road 12 across interstate 87, exit 32, in the town of Lewis, county of Essex, shall be designated and known as the "Justin Wrisley Garvey Memorial Bridge".

* NB There are 12 § 343-s's

*** § 343-s. Portion of the state highway system to be designated the "Senator Jess J.** Present Memorial Highway". All that portion of the state highway system in the county of Chautauqua constituting route four hundred thirty from the state of Pennsylvania border to the intersection of route sixty in the city of Jamestown shall be designated and known as the "Senator Jess J. Present Memorial Highway".

* NB There are 12 § 343-s's

*** § 343-t. Portion of the state highway system to be designated as the "96th Infantry Division WW II Memorial highway".** All that portion of state highway route 96, from NY 332, east to NY 21 in Ontario County, shall be designated and known as the "96th Infantry Division WW II Memorial highway".

* NB There are 7 § 343-t's

*** § 343-t. Portion of the state highway system to be designated as the "Senator Patricia K.** McGee Memorial Highway". All that portion of the state highway system in the county of Cattaraugus constituting state route sixteen from the southern boundary of the city of Olean to the northern boundary of the village of Delevan shall be designated and known as the "Senator Patricia K. McGee Memorial Highway".

* NB There are 7 § 343-t's

*** § 343-t. Portion of the state highway system to be designated as the "Greene County Veterans Memorial Highway".** All that portion of state route twenty-three beginning at the west end of the Rip Van Winkle

bridge in the town of Catskill, county of Greene, thence running generally westerly and thence terminating at the junction of state route one hundred forty-five and state route twenty-three in the town of Cairo, county of Greene, shall be designated and known as the "Greene County Veterans Memorial Highway".

* NB There are 7 § 343-t's

*** § 343-t. Portion of the state highway system to be designated the "Pearl Harbor Veterans Memorial Highway".** All that portion of the state highway system in the county of Steuben constituting state route thirty-six from North Hornell to the Livingston county line shall be designated and known as the "Pearl Harbor Veterans Memorial Highway".

* NB There are 7 § 343-t's

*** § 343-t. Portion of the state highway system to be designated as the "M.** Paul Keesler Memorial Highway". All that portion of the state highway system constituting part of state route twenty-eight from the town of Poland, county of Chautauqua in a generally northwesterly direction to its intersection with state route twelve in the village of Barneveld, county of Oneida shall be designated and known as the "M. Paul Keesler Memorial Highway".

* NB There are 7 § 343-t's

*** § 343-t. Portions of the state highway system to be designated as the "Supervisor Jack C.** Hart Memorial Bridges". That portion of state highway route I-490, consisting of the westbound bridge spanning the Erie Canal that connects the city of Rochester and the town of Gates and that portion of state highway route I-490, consisting of the eastbound bridge spanning the Erie Canal that connects the town of Gates with the city of Rochester, shall be designated and known as the "Supervisor Jack C. Hart Memorial Bridges".

* NB There are 7 § 343-t's

*** § 343-t. Portion of the state highway system to be designated as the "Captain Timothy J.** Moshier Memorial Highway". All that portion of the state highway system in the county of Albany constituting state route one hundred forty in the town of Bethlehem from state route eighty-five south to county route fifty-two shall be designated and known as the "Captain Timothy J. Moshier Memorial Highway".

* NB There are 7 § 343-t's

*** § 343-u. Portion of the state highway system to be designated as the "Griffiss Veterans' Memorial Parkway".** That portion of state highway route 825, from the intersection of state routes 49 and 365 to state route 46 shall be designated and known as the "Griffiss Veterans' Memorial Parkway".

* NB There are 8 § 343-u's

*** § 343-u. Portion of the state highway system to be designated as the "Waterloo: Birthplace of Memorial Day Highway".** All that portion of the state highway system constituting state route ninety-six, in Seneca county from the Phelps town line to the town line of Ulysses, shall be designated and known as the "Waterloo: Birthplace of Memorial Day Highway".

* NB There are 8 § 343-u's

*** § 343-u. Portion of the state highway system to be designated as the "Frederick Douglass - Susan B.** Anthony Memorial Bridge". That portion of state highway route I-490 in the city of Rochester, consisting of the bridge over the Genesee River, known prior to being replaced as the Troup-Howell Bridge, shall be designated and known as the "Frederick Douglass - Susan B. Anthony Memorial Bridge".

* NB There are 8 § 343-u's

*** § 343-u. Portion of state highway system to be designated as "James E.** Widener Memorial Bridge". The bridge on Scottsville-Chili Road,

State Route 386 which crosses over the Black Creek shall be designated and known as "James E. Widener Memorial Bridge".

* NB There are 8 § 343-u's

*** § 343-u. Portion of state highway system to be designated and known as the "Officer Joseph D.** Corr Memorial Highway". All that portion of the state highway system constituting state route eight hundred forty from its intersection with state route eight in New Hartford to its termination at Halsey Road in Whitestown in Oneida county shall be designated and known as the Officer Joseph D. Corr Memorial Highway.

* NB There are 8 § 343-u's

*** § 343-u. Portion of the state highway system to be designated as the "Columbia County Veterans' Memorial Highway".** All that portion of the state highway system in the county of Columbia constituting state route nine-H shall be designated and known as the "Columbia County Veterans' Memorial Highway".

* NB There are 8 § 343-u's

*** § 343-u. Portion of state highway system to be designated as "Leslie "Paul" Bernstein Memorial Bridge".** The bridge on North Titmus Road, which crosses over State Route 27 shall be designated and known as "Leslie "Paul" Bernstein Memorial Bridge".

* NB There are 8 § 343-u's

*** § 343-u. Portion of the state highway system to be designated as the "General Henry Halleck Memorial Bridge".** The bridge on Stokes-Westernville Road crossing the Mohawk River in the county of Oneida shall be designated and known as the "General Henry Halleck Memorial Bridge".

* NB There are 8 § 343-u's

*** § 343-v. Portion of the state highway system to be designated as the "Lance Cpl.** Jordan Haerter Veterans' Memorial Bridge". The bridge on state route 114 connecting the village of Sag Harbor with the village of North Haven crossing Sag Harbor and Sag Harbor Cove shall be designated and known as the "Lance Cpl. Jordan Haerter Veterans' Memorial Bridge."

* NB There are 5 § 343-v's

*** § 343-v. Portion of the state highway system to be designated as the "Gowanda Veterans Memorial Bridge".** The bridge across the Cattaraugus Creek on Main Street in the village of Gowanda, county of Cattaraugus, shall be designated and known as the "Gowanda Veterans Memorial Bridge".

* NB There are 5 § 343-v's

*** § 343-v. Portion of the state highway system to be designated as the "156th Field Artillery Memorial Highway".** All that portion of the state highway system beginning at the intersection of North Manor Avenue and state route thirty-two in the city of Kingston, county of Ulster, and continuing in a generally southerly direction on state route thirty-two, and terminating at the intersection of South William Street and state route thirty-two in the city of Newburgh, county of Orange, shall be designated and be known as the "156th Field Artillery Memorial Highway".

* NB There are 5 § 343-v's

*** § 343-v. Portion of the state highway system to be designated as the "Detective Kathleen M.** Reilly Memorial Bridge". The Merrick Road bridge overpass which goes across the Meadowbrook Parkway in the village of Freeport, county of Nassau, shall be designated and known as the "Detective Kathleen M. Reilly Memorial Bridge" in honor of the late Kathleen M. Reilly, the first female member of the Nassau county police department and the first female police officer in New York state to lose her life in the line of duty.

* NB There are 5 § 343-v's

*** § 343-v. Portion of state highway system to be designated as the "Governor Frank Wayland Higgins Memorial Bridge".** The bridge on the access road to interstate route eighty-six in the town of Olean, county of Cattaraugus, spanning interstate route eighty-six at exit twenty-six of such interstate route, shall be designated and known as the "Governor Frank Wayland Higgins Memorial Bridge".

* NB There are 5 § 343-v's

§ 343-w. Portion of the state highway system to be designated as the "Marine Lance Cpl. Blaise Oleski Memorial Highway". All that portion of the state highway system constituting state route three hundred sixty-five which lies within the village of Holland Patent, county of Oneida, shall be designated and known as the "Marine Lance Cpl. Blaise Oleski Memorial Highway".

*** § 343-x. Portion of the state highway system to be designated as the "National Veterans Highway".** All that portion of the state highway system constituting United States route 62 within the state of New York shall be designated and known as the "National Veterans Highway".

* NB There are 5 § 343-x's

*** § 343-x. Portion of the state highway system to be designated as the "Sampson Veterans Memorial Highway".** All that portion of the state highway system constituting state route 96A, from its intersection with state route 5 and United States route 20 in the town of Waterloo, Seneca county, continuing in a southerly direction along route 96A to its intersection with state route 414 in the village of Ovid, Seneca county, shall be designated and known as the "Sampson Veterans Memorial Highway".

* NB There are 5 § 343-x's

*** § 343-x. Portion of state highway system to be designated as "Cpl.** Paulo Marko Pacificador Memorial Bridge". The bridge on the William

Floyd Parkway which crosses over State Route 27 in the town of Brookhaven, Suffolk county, shall be designated and known as "Cpl. Paulo Marko Pacificador Memorial Bridge".

* NB There are 5 § 343-x's

*** § 343-x. Portion of state highway system to be designated as the "Officer Aldo Rossi Junior Memorial Highway".** All that portion of the state highway system constituting New York state route seven in the village of Port Dickinson, county of Broome, beginning at the northern boundary of the city of Binghamton, continuing northerly to its intersection with interstate route eighty-eight in or about the town of Fenton, also in the county of Broome, shall be designated and known as the "Officer Aldo Rossi Junior Memorial Highway".

* NB There are 5 § 343-x's

*** § 343-x. Portion of the state highway system to be designated as the "Trooper Shawn W.** Snow Street". All that portion of the state highway system in the city of Ogdensburg consisting of state route eight hundred twelve from its intersection with state route thirty-seven to the northerly most intersection of state route thirty-seven and state route eight hundred twelve shall be designated and known as the "Trooper Shawn W. Snow Street".

* NB There are 5 § 343-x's

*** § 343-y. Portion of the state highway system to be designated as the "Detective Michael Perry Memorial Highway".** All that portion of the state highway system beginning at the intersection of state route one hundred and state route one hundred nineteen in the city of White Plains, and continuing in a generally southerly direction on state route one hundred nineteen, and terminating at the intersection of Main Street and state route one hundred nineteen in the city of White Plains, shall be designated and be known as the "Detective Michael Perry Memorial Highway".

* NB There are 5 § 343-y's

*** § 343-y. Portion of the state highway system to be designated as the "Police Officer Michael J.** Califano Memorial Bridge". The Glen Cove Road bridge overpass which goes across Interstate-495 in the village of Old Westbury, county of Nassau, shall be designated and known as the "Police Officer Michael J. Califano Memorial Bridge".

* NB There are 5 § 343-y's

*** § 343-y. Portion of the state highway system to be designated as the "Almond E.** Fisher Memorial Highway". All that portion of the state highway system constituting state route nineteen beginning at the Allegany county line in the town of Hume, and continuing southerly along state route nineteen to its intersection with Allegany County Road 3 in the town of Hume, Allegany county, shall be designated and known as the "Almond E. Fisher Memorial Highway".

* NB There are 5 § 343-y's

*** § 343-y. Portion of the state highway system to be designated as the "Charles Varese Memorial Highway".** All that portion of the state highway system constituting state route 25A within the village of Northport, county of Suffolk, shall be designated and known as the "Charles Varese Memorial Highway".

* NB There are 5 § 343-y's

*** § 343-y. Portion of the state highway system to be designated as the "Purple Heart Way".** All that portion of the state highway system beginning at the Nassau County line in the village of Lake Success, town of North Hempstead, county of Nassau constituting the Northern State Parkway and continuing east along the Northern State Parkway to its terminus in the hamlet of Hauppauge in the towns of Islip and Smithtown, county of Suffolk shall be designated and known as the "Purple Heart Way".

* NB There are 5 § 343-y's

*** § 343-yy. Portion of the state highway system to be designated as the "Police Officer Joseph P.** Olivieri Jr. Memorial Bridge". The bridge on New Hyde Park Road which crosses Interstate four hundred ninety-five in the town of North Hempstead, county of Nassau, shall be designated as the "Police Officer Joseph P. Olivieri Jr. Memorial Bridge".

* NB There are 2 § 343-yy's

*** § 343-yy. Portion of the state highway system to be designated as the "New York State Trooper Kevin P.** Dobson, Sr. Memorial Bridge". The bridge on interstate two-hundred ninety which crosses New York route four hundred twenty-five in the town of Tonawanda, county of Erie, the "New York State Trooper Kevin P. Dobson, Sr. Memorial Bridge".

* NB There are 2 § 343-yy's

*** § 343-z. Portion of the state highway system to be designated as the "Jamestown Veterans Memorial Bridge".** The bridge across Steele Street and the Chadakoin River on West Third Street in the city of Jamestown, county of Chautauqua, shall be designated and known as the "Jamestown Veterans Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway to be designated as the "Alfred F.** Jones Memorial Bridge". The bridge on state route seventy-six, also known as Osborne street, which crosses interstate route eighty-six in the village of Sherman, county of Chautauqua, shall be designated and known as the "Alfred F. Jones Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway system to be designated as the "Specialist Anthony N.** Kalladeen Memorial Highway". All that portion of the state highway system beginning at the intersection of Lake Street

East and state route one hundred twenty in the town/village of Harrison, and continuing in a generally southerly direction on state route one hundred twenty, and terminating at the intersection of Anderson Hill Road and state route one hundred twenty in the town/village of Harrison, shall be designated and be known as the "Specialist Anthony N. Kalladeen Memorial Highway".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway to be designated as the "Sergeant Mark Bradley Memorial Bridge".** The bridges on interstate route eighty-six which cross state route three hundred five in the village of Cuba, county of Allegany, shall both be designated and known as the "Sergeant Mark Bradley Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway system to be designated as the "Staff Sergeant Derek Farley Memorial Bridge".** The bridge across a tributary of Nassau lake on state route 20 in the town of Nassau, county of Rensselaer, shall be designated and known as the "Staff Sergeant Derek Farley Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway system to be designated as the "Sergeant Devin Snyder Memorial Highway".** That portion of the state highway system constituting interstate route three hundred ninety between exit two in the town of Cohocton, county of Steuben, to exit three in the town of Wayland, county of Steuben, shall be designated as the "Sergeant Devin Snyder Memorial Highway".

* NB There are 10 § 343-z's

*** § 343-z. Portion of state highway system to be designated as the "Robert H.** Jackson Memorial Bridge". The bridge on interstate route eighty-six which crosses Strunk Road in the town of Ellicott, county of

Chautauqua, shall be designated and known as the "Robert H. Jackson Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of state highway system to be designated as the "Deputy Kurt Wyman Memorial Highway".** The section of state route twelve-B from College Street in Clinton, New York county of Oneida to state route three hundred fifteen in the town of Deansboro, in the county of Oneida, shall be designated and known as the "Deputy Kurt Wyman Memorial Highway".

* NB There are 10 § 343-z's

*** § 343-z. Portion of state highway system to be designated as the "FDNY Lt.** Richard Nappi Memorial Bridge". The bridge on Patchogue-Mount Sinai Road also known as County Road 83 which crosses interstate route 495 in the town of Brookhaven, county of Suffolk, shall be designated and known as the "FDNY Lt. Richard Nappi Memorial Bridge".

* NB There are 10 § 343-z's

*** § 343-z. Portion of the state highway system to be designated as the "Westchester County Korean War Veterans Memorial Highway".** All that portion of the state highway system beginning at the Westchester County line in the town of Yorktown, county of Westchester, constituting the Taconic State Parkway, and continuing in a generally southerly direction on the Taconic State Parkway, and terminating at the NY-100/NY-133 exit toward Briarcliff Manor/Millwood in the town of New Castle, county of Westchester, shall be designated and be known as the "Westchester County Korean War Veterans Memorial Highway".

* NB There are 10 § 343-z's

§ 343-zz. Portion of the state highway system to be designated as the "Staff Sergeant Kyu Hyuk Chay Memorial Bridge". The bridge on state route one hundred twenty which crosses the Saw Mill River Parkway in the

town of New Castle, county of Westchester, shall be designated as the "Staff Sergeant Kyu Hyuk Chay Memorial Bridge".

*** § 344. Portion of state highway system to be designated as the "United States Submarine Veterans Memorial Highway".** All that portion of the state highway system constituting state route 25 beginning with its intersection at New Suffolk Avenue in Mattituck and ending with its intersection at New Suffolk Road in Cutchogue, shall be designated and known as the "United States Submarine Veterans Memorial Highway".

* NB There are 2 § 344's

*** § 344. Construction of sections.** Unless express provision has been or hereafter shall be made in this chapter, no section hereof shall be construed as authorizing the construction or maintenance of any portion of a highway within the limits of any city, excepting that portion of a third class city lying outside of its corporation tax district where such city embraces the entire area of a former township; also excepting the construction of the pipe line boulevard in the southern part of the counties of Queens and Kings, but not the maintenance thereof; also excepting the maintenance of that section of state highway number five thousand two hundred twenty lying within the limits of the city of North Tonawanda, county of Niagara, a distance of approximately 1.2 miles; and also excepting the maintenance of that section of state highway number five thousand seventy-eight known as Genesee street, all of state highway 57-4 and the section of state highway number one thousand one hundred sixty lying within the corporation tax limits of the city of Oneida, county of Madison, a distance of approximately nine thousand four hundred thirty-eight and one-half feet. This section shall not be construed to apply to the construction or maintenance of state thruways or any work of construction or maintenance in connection therewith.

* NB There are 2 § 344's

*** § 344-a. Portion of the state highway system to be designated as the "Brigadier General James Kenney Memorial Highway".** That portion of New

York state route 7 which constitutes the causeway over the Tomhannock Reservoir in the town of Pittstown in Rensselaer county, state of New York, shall be designated and known as the "Brigadier General James Kenney Memorial Highway".

* NB There are 2 § 344-a's

*** § 344-a. Portion of the state highway system to be designated as the "Saratoga County Veterans Memorial Bridge".** The bridge on New York state route 9P which crosses Fish Creek linking the city of Saratoga Springs and the town of Saratoga, county of Saratoga, shall be designated and known as the "Saratoga County Veterans Memorial Bridge".

* NB There are 2 § 344-a's

*** § 344-b. Portion of the state highway system to be designated as the "Levon Helm Memorial Boulevard".** All that portion of the state highway system constituting New York state route 375, beginning at the intersection of New York state route 28 in West Hurley, county of Ulster and continuing north 2.92 miles to its intersection of New York state route 212 in Woodstock, shall be designated and known as the "Levon Helm Memorial Boulevard".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "LCpl.** Jeremy Lasher Memorial Highway". The section of state route three hundred sixty-five-a beginning at its intersection with New York state route five in the city of Oneida, county of Madison, and continuing its intersection with New York state route three hundred sixty-five in the city of Oneida, county of Madison, shall be designated and known as the "LCpl. Jeremy Lasher Memorial Highway".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "Christopher J.** Scott Memorial Highway". All that portion of the state

highway system constituting New York state route 14A in the town of Reading, county of Schuyler, and in the town of Starkey and village of Dundee, county of Yates, from its junction at its southern terminus with New York state route 14, and proceeding generally northerly to its junction with Pre Emption Road, shall be designated and known as the "Christopher J. Scott Memorial Highway".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "John Stow Vietnam Veterans and MIA Memorial Bridge".** The bridge across interstate route eighty-six on state route three hundred ninety-four, in the town of North Harmony, county of Chautauqua, shall be designated and known as the "John Stow Vietnam Veterans and MIA Memorial Bridge".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "Correction Officer Gary L.** Mitchetti, Jr. Memorial Bridge". The bridge across the Taconic state parkway on Hosner Mountain road, in the town of East Fishkill, county of Dutchess, shall be designated and known as the "Correction Officer Gary L. Mitchetti, Jr. Memorial Bridge".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "Davenport Veterans of Foreign Wars Memorial Highway".** All that portion of the state highway system known as state route twenty-three beginning at the western town line of the town of Davenport and ending at the eastern town line of the town of Davenport, county of Delaware, shall be designated and known as the "Davenport Veterans of Foreign Wars Memorial Highway".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "Hancock Veterans Memorial Highway".** All that portion of the state

highway system constituting state route ninety-seven in the town of Hancock, county of Delaware, beginning at the western boundary of the village of Hancock, continuing in a generally southeasterly direction, and terminating at the Delaware and Sullivan county line, shall be designated and known as the "Hancock Veterans Memorial Highway".

* NB There are 8 § 344-b's

*** § 344-b. Portion of the state highway system to be designated as the "Edward S.** Tucker Memorial Boulevard". That portion of New York state route 208 in the town of Shawangunk, in Ulster county starting at the intersection with park avenue, proceeding northeasterly through said town and terminating at its intersection with reservoir road shall be designated and known as the "Edward S. Tucker Memorial Boulevard".

* NB There are 8 § 344-b's

§ 344-bb. Portion of the state highway system to be designated as the "Honorable Donald Olson Memorial Highway". All that portion of the state highway system constituting New York state route twenty-three, in the town of Windham, county of Greene, from its northern intersection with Old road and continuing in a generally southwesterly direction to its intersection with county route sixty-five, known as Brooksburg road, shall be designated and known as the "Honorable Donald Olson Memorial Highway".

*** § 344-c. Portion of the state highway system to be designated as the "Disabled American Veterans Memorial Bridge".** The bridge across the Taconic state parkway on Bryant Pond road, in the town of Putnam Valley, county of Putnam, shall be designated and known as the "Disabled American Veterans Memorial Bridge".

* NB There are 7 § 344-c's

*** § 344-c. Portion of the state highway system to be designated as the "Sergeant Omar G.** Blowers Memorial Highway". All that portion of the

state highway system constituting state route seventy in the county of Allegany, beginning at the Allegany and Steuben county line continuing in a generally westerly direction, and terminating at the Allegany and Livingston county line, shall be designated and known as the "Sergeant Omar G. Blowers Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-c. Portion of state highway system to be designated as the "Twin Cities Vietnam Veterans Memorial Highway".** The portion of the state highway system consisting of a portion of the arterial highway systems in the cities of North Tonawanda and Tonawanda in Niagara and Erie Counties, respectively, and lying generally between Erie Avenue and Wheatfield Street in the city of North Tonawanda and the highway known as Youngmann Highway in the city of Tonawanda shall be designated and known as the "Twin Cities Vietnam Veterans Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-c. Portion of the state highway system to be designated as the "Sergeant Major Daniel Joseph Daly Memorial Highway".** That portion of New York state route one hundred seven in the city of Glen Cove beginning from the southern city line to Pulaski Street, shall be designated and known as "Sergeant Major Daniel Joseph Daly Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-c. Portion of the state highway system to be designated as the "Youngstown Veterans of Foreign Wars Memorial Highway".** All that portion of the state highway system in the county of Niagara constituting state route ninety-three beginning in the village of Youngstown at the intersection with state route eighteen-F, proceeding east through said village and terminating at the village line of the village of Youngstown in the county of Niagara, shall be designated and known as the "Youngstown Veterans of Foreign Wars Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-c. Portion of the state highway system to be designated as the "Sergeant Shawn Michael Farrell II Memorial Highway".** All that portion of the state highway system constituting New York state route 44-55, beginning at such route's intersection with New York state route 209 in the town of Wawarsing, in the county of Ulster and continuing east to such route's intersection with New York state route 299 in the town of Gardiner, county of Ulster, shall be designated and known as the "Sergeant Shawn Michael Farrell II Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-c. Portion of the state highway system to be designated as the "Detective John M.** Falcone Memorial Highway". All that portion of the state highway system constituting New York state route 9 in the city of Poughkeepsie, in the county of Dutchess from its southern boundary continuing north until the northern boundary shall be designated and known as the "Detective John M. Falcone Memorial Highway".

* NB There are 7 § 344-c's

*** § 344-d. Portion of the state highway system to be designated as the "Specialist David R.** Fahey Jr. Memorial Bridge". The bridge across the New Croton reservoir on state route one hundred twenty-nine, in the town of Yorktown, county of Westchester, shall be designated and known as the "Specialist David R. Fahey Jr. Memorial Bridge".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Captain John J.** Levulis Memorial Highway". All that portion of the state highway system constituting state route seventy-five in the town of Eden, county of Erie, beginning at its intersection with United States route sixty-two in the town of Eden, continuing in a generally southerly direction, and terminating at the Eden and North Collins town line, shall be designated and known as the "Captain John J. Levulis

Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of state highway system to be designated as the "Sergeant Elisha R.** Parker Veterans Memorial Highway". That portion of state route thirteen in the village of Camden in the county of Oneida from its intersection with county route eighty-four, known as Florence Hill Road, and continuing southerly to the village line, shall be designated and known as the "Sergeant Elisha R. Parker Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Marine Captain Eric A.** Jones Memorial Highway". All that portion of the state highway system constituting state route one hundred thirty-seven in the town of Pound Ridge, county of Westchester, beginning at the intersection of state route one hundred thirty-seven and Westchester avenue, continuing in a generally southerly direction on state route one hundred thirty-seven, and terminating at the New York and Connecticut state boundary, shall be designated and known as the "Marine Captain Eric A. Jones Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Trooper Christopher G.** Skinner Memorial Bridge". The northbound and southbound bridges on interstate route eighty-one crossing US route eleven at exit seven, in the town of Chenango, in the county of Broome, shall each be designated and known as the "Trooper Christopher G. Skinner Memorial Bridge".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated and known as the "Police Officer Arthur Lopez Memorial Bridge".** The bridges

on Jericho Turnpike crossing the Cross Island Parkway near exit 27E in the Counties of Queens and Nassau shall each be designated and known as the "Police Officer Arthur Lopez Memorial Bridge".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Deputy Sheriff Glenn Searles Memorial Bridge".** The bridge across the thruway on state route four hundred eighty-one between exit five-w and exit six, in the town of Dewitt, in the county of Onondaga, shall be designated and known as the "Deputy Sheriff Glenn Searles Memorial Bridge".

* NB There are 16 § 344-d's

*** § 344-d. Portion of state highway system to be designated as the "Oneida County Vietnam Veterans Memorial Highway".** All that portion of the state highway system constituting New York state route forty-nine in the county of Oneida, beginning from the eastern city line of the city of Rome and continuing in a generally southeasterly direction to the western city line of the city of Utica shall be designated and known as the "Oneida County Vietnam Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Susan Foster Myers Memorial Bridge".** The bridges across state route two hundred seventy-five on the eastbound and westbound lanes of interstate route eighty-six, in the town of Friendship, county of Allegany, shall each be designated and known as the "Susan Foster Myers Memorial Bridge".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Springwater Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of

Springwater, county of Livingston, beginning at the Canadice and Springwater town line, continuing in a generally southerly direction, and terminating at the intersection of state route fifteen A and state route fifteen shall be designated and known as the "Springwater Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Livonia Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Livonia, county of Livingston, beginning at the Lima and Livonia town line, continuing in a generally southerly direction, and terminating at the Livonia and Canadice town line, shall be designated and known as the "Livonia Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Canadice Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Canadice, county of Ontario, beginning at the Livonia and Canadice town line, continuing in a generally southerly direction, and terminating at the Canadice and Springwater town line, shall be designated and known as the "Canadice Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Rush Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Rush, county of Monroe, beginning at the Henrietta and Rush town line, continuing in a generally southerly direction, and terminating at the Rush and Mendon town line, shall be designated and known as the "Rush Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Mendon Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Mendon, county of Monroe, beginning at the Rush and Mendon town line, continuing in a generally southerly direction, and terminating at the Monroe and Livingston county line, shall be designated and known as the "Mendon Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Henrietta Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Henrietta, county of Monroe, beginning at the Brighton and Henrietta town line, continuing in a generally southerly direction, and terminating at the Henrietta and Rush town line, shall be designated and known as the "Henrietta Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-d. Portion of the state highway system to be designated as the "Brighton Veterans Memorial Highway".** All that portion of the state highway system constituting state route fifteen A in the town of Brighton, county of Monroe, beginning at the Brighton town line, continuing in a generally southerly direction, and terminating at the Henrietta town line, shall be designated and known as the "Brighton Veterans Memorial Highway".

* NB There are 16 § 344-d's

*** § 344-e. Portion of the state highway system to be designated as the "West Seneca Veterans Memorial Highway".** All that portion of the state highway system constituting state route two hundred seventy-seven in the town of West Seneca, county of Erie, shall be designated and known as the "West Seneca Veterans Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Private First Class Douglas Cordo Memorial Highway".** All that portion of the state highway system constituting state route thirty-two in the county of Ulster beginning at the intersection of state route thirty-two and state route nine-W in the town of Ulster, continuing in a generally northerly direction on state route thirty-two, and terminating at the intersection of state route thirty-two and state route nine-W in the town of Saugerties, shall be designated and known as the "Private First Class Douglas Cordo Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Col.** David Ireland Memorial Highway". That portion of the state highway system constituting state route four hundred thirty-four from its intersection with Pennsylvania Avenue to its intersection with South Washington Street, in the city of Binghamton, in the county of Broome, shall each be designated and known as the "Col. David Ireland Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "U.**S. Navy Seabee Parkway". All that portion of the state highway system constituting Lake Ontario State Parkway beginning at the intersection of Greenleaf Road in the town of Greece, county of Monroe and the Lake Ontario State Parkway, continuing west on such parkway and terminating at the intersection of such parkway and E. Manitou Road in the town of Greece in the county of Monroe, shall be designated and known as the "U.S. Navy Seabee Parkway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "6994th Security Squadron Memorial Highway".** All that portion of the

state highway system constituting Interstate 86 from exit 54 to exit 56 shall be designated and known as the "6994th Security Squadron Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as "John Spear Way".** All that portion of the state highway system constituting state route two hundred eight, also known as South Street and Goshen Avenue, in the village of Washingtonville, in the county of Orange, shall be designated and known as "John Spear Way".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Sergeant Kevin W.** White Memorial Bridge". The bridge on U.S. route twenty, between Oak street and South Portage street, in the town of Westfield, county of Chautauqua, shall be designated and known as the "Sergeant Kevin W. White Memorial Bridge".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Marine Corporal James J.** Jackowski Memorial Highway". All that portion of the state highway system constituting state route thirty-five in the town of Lewisboro, county of Westchester, beginning at the intersection of state route thirty-five and state route one hundred twenty-four, continuing in a generally easterly direction on state route thirty-five, and terminating at the intersection of state route thirty-five and Ridgefield avenue, shall be designated and known as the "Marine Corporal James J. Jackowski Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "United States Submarine Veterans' Memorial Highway-Saratoga County".** That portion of the state highway system constituting United States

route 9 in Saratoga county, commencing from the Albany county line to the Warren county line shall be designated and known as the "United States Submarine Veterans' Memorial Highway-Saratoga County".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Corporal Nicholas K.** Uzenski Memorial Highway". All that portion of the state highway system constituting state route three hundred fifty-seven in the county of Delaware, beginning at the intersection of state route three hundred fifty-seven and state route twenty-eight in the town of Franklin, continuing in a generally westerly direction, and terminating at the Franklin and Sidney town line, shall be designated and known as the "Corporal Nicholas K. Uzenski Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of state highway system to be designated as the "Corey Lee Carr Memorial Bridge".** The pedestrian bridge across state routes five, eight and twelve, also known as the north-south arterial, in the city of Utica, county of Oneida, shall be designated and known as the "Corey Lee Carr Memorial Bridge".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Wayne C.** Speenburgh Memorial Highway". All that portion of the state highway system constituting state route twenty-three in the county of Greene, from its southern intersection with Old Road, in the town of Windham, continuing in a generally westerly direction, and terminating at N. Settlement Road, in the town of Ashland, shall be designated and known as the "Wayne C. Speenburgh Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-e. Portion of the state highway system to be designated as the "Major Clayton Carpenter Memorial Highway".** All that portion of the

state highway system constituting state route one hundred eighteen in the town of Yorktown, county of Westchester, beginning at the intersection of state route one hundred eighteen and Underhill Avenue, continuing in a generally northerly direction on state route one hundred eighteen, and terminating at the intersection of state route one hundred eighteen and state route two hundred two, shall be designated and known as the "Major Clayton Carpenter Memorial Highway".

* NB There are 13 § 344-e's

*** § 344-f. Portion of state highway system to be designated as the "Specialist Matthew E.** Baylis Memorial Bridge". The bridge on Oakdale-Bohemia Road, exit number 47A over route 27 in the town of Islip, county of Suffolk, shall be designated and known as the "Specialist Matthew E. Baylis Memorial Bridge".

* NB There are 7 § 344-f's

*** § 344-f. Portion of the state highway system to be designated as the "Major General Harold J.** Greene Memorial Highway". All that portion of the state highway system constituting state route one hundred forty-six in the town of Guilderland, county of Albany, beginning at the intersection of state route twenty and southbound state route one hundred forty-six, continuing in a generally southerly direction on state route one hundred forty-six, and terminating at the intersection of state route one hundred forty-six and Ostrander road, shall be designated and known as the "Major General Harold J. Greene Memorial Highway".

* NB There are 7 § 344-f's

*** § 344-f. Portion of the state highway system to be designated as the "Gordie Little Memorial Bridge".** The bridge on state route twenty-two-B crossing the Saranac river, in the hamlet of Morrisonville within the town of Schuyler Falls and the town of Plattsburgh, county of Clinton, shall be designated and known as the "Gordie Little Memorial Bridge".

* NB There are 7 § 344-f's

*** § 344-f. Portion of state highway system to be designated as the "New York State Trooper Timothy Pratt Memorial Bridge".** The bridge on county route 33 (Ballard Road) which crosses interstate 87, exit 16, in the town of Wilton, county of Saratoga, shall be designated and known as the "New York State Trooper Timothy Pratt Memorial Bridge".

* NB There are 7 § 344-f's

*** § 344-f. Portion of the state highway system to be designated as "Sergeant James J.** Regan Memorial Boulevard". All that portion of the state highway system constituting state route one hundred one in the town of North Hempstead, county of Nassau, beginning at the intersection of state route one hundred one and state route 25A, continuing in a generally northerly direction on state route one hundred one, and terminating at the intersection of state route one hundred one and Crabapple Road, shall be designated and known as "Sergeant James J. Regan Memorial Boulevard".

* NB There are 7 § 344-f's

*** § 344-f. Portion of the state highway system to be designated as the "Gerard 'Jess' Fitzpatrick Memorial Bridge".** The bridge on United States route two hundred nineteen, crossing over Cattaraugus Creek, in the counties of Cattaraugus and Erie, shall be designated and known as the "Gerard 'Jess' Fitzpatrick Memorial Bridge".

* NB There are 7 § 344-f's

*** § 344-f. Portion of the state highway system to be designated as the "Private First Class Duane C.** Scott Memorial Highway". All that portion of the state highway system constituting state route two hundred seventy-five in the county of Allegany, commencing at the intersection of Wellsville Street and Main Street/state route two hundred seventy-five in the village of Bolivar, continuing in a generally northerly direction on state route two hundred seventy-five, and

terminating at the intersection of state route two hundred seventy-five and exit twenty-nine of interstate route eighty-six in the hamlet of Friendship within the town of Friendship, shall be designated and known as the "Private First Class Duane C. Scott Memorial Highway".

* NB There are 7 344-f's

*** § 344-g. Portion of state highway system to be designated as the "Senator William J.** Larkin, Jr. Highway". A portion of state route three hundred, beginning at the intersection of state route three hundred, state route thirty-two and state route ninety-four in New Windsor and ending at the intersection of state route three hundred and state route two hundred seven in New Windsor shall be designated and known as the "Senator William J. Larkin, Jr. Highway".

* NB There are 2 § 344-g's

*** § 344-g. Portion of the state highway system to be designated as the "Detective Steven McDonald Memorial Highway".** All that portion of the highway system constituting the Southern State Parkway, beginning at the interchange of the Belt Parkway and the Cross Island Parkway, continuing in a generally easterly direction, and terminating at exit 22, the intersection of the Meadowbrook State Parkway, shall be designated and known as the "Detective Steven McDonald Memorial Highway".

* NB There are 2 § 344-g's

*** § 344-h. Portion of the state highway system to be designated as the "T Sgt Henry "Hank" Dylong Memorial Bridge".** The bridge on United States route two hundred nineteen northbound and southbound, crossing over state route three hundred ninety-one, in the town of Boston, county of Erie, shall be designated and known as the "T Sgt Henry "Hank" Dylong Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the**

"General William 'Wild Bill' Donovan Memorial Highway". All that portion of the state highway system constituting state route one hundred four in the town of Lewiston, county of Niagara, shall be designated and known as the "General William 'Wild Bill' Donovan Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Jolly 51 Memorial Bridge".** All that portion of the highway system constituting the County Route 31 overpass at Sunrise Highway (State Route 27) in the hamlet of Westhampton, town of Southampton, county of Suffolk, shall be designated and known as the "Jolly 51 Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "New York State Trooper Joel R.** Davis Memorial Bridge". The bridge on United States route eleven crossing the Indian River in the village of Philadelphia, county of Jefferson, shall be designated and known as the "New York State Trooper Joel R. Davis Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Lt.** Christopher J. Raguso FDNY-CFD Memorial Highway". All that portion of the highway system constituting the Jericho Turnpike, beginning at its intersection with East Deer Park Road, continuing in a generally easterly direction, and terminating at St. Johnland Road, shall be designated and known as the "Lt. Christopher J. Raguso FDNY-CFD Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Sergeant James C.** Matteson Memorial Highway". All that portion of the state highway system constituting state route three hundred ninety-four

in the town of Ellicott, county of Chautauqua, shall be designated and known as the "Sergeant James C. Matteson Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "S Sgt Michael F.** Kaczmarek Memorial Bridge". The bridge on United States route twenty A, crossing over Cazenovia Creek, in the town of Aurora, county of Erie, shall be designated and known as the "S Sgt Michael F. Kaczmarek Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Roger J.** Mazal Memorial Bridge". The portion of state route two hundred three consisting of a bridge crossing Kinderhook Creek in the village of Valatie, county of Columbia shall be designated and known as the "Roger J. Mazal Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Sergeant Jonathan Gollnitz - New York Medal of Honor Highway".** All that portion of the state highway system constituting state route twenty in the village of Fredonia, county of Chautauqua, shall be designated and known as the "Sergeant Jonathan Gollnitz - New York Medal of Honor Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "PFC David P.** Coveny Memorial Highway". All that portion of the state highway system constituting state route nineteen in the county of Wyoming, between Sayre Road and Fox Road, in the towns of Warsaw and Middlebury, shall be designated and known as the "PFC David P. Coveny Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "SGT Brian K.** Baker Memorial Bridge". The bridge on Genesee Road, crossing over U.S. Route 219 in the town of Concord in the county of Erie, shall be designated and known as the "SGT Brian K. Baker Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Conesus Veterans Memorial Highway".** All that portion of the state highway system constituting state route two hundred fifty-six in the town of Conesus, county of Livingston, shall be designated and known as the "Conesus Veterans Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Kathy Cairo Davis Memorial Bridge".** The bridge across Rondout creek at High Falls on state route two hundred thirteen in the town of Marbletown, county of Ulster, shall be designated and known as the "Kathy Cairo Davis Memorial Bridge".

* NB There are 14 § 344-h's

*** § 344-h. Portion of the state highway system to be designated as the "Gold Star Families Memorial Highway".** All that portion of the state highway system commencing at the intersection of state route three hundred and state route fifty-two in the town of Newburgh, county of Orange, and continuing in a generally southerly direction on state route three hundred, and terminating at the intersection of state route three hundred and state route seventeen-K in the town of Newburgh, county of Orange, shall be designated and be known as the "Gold Star Families Memorial Highway".

* NB There are 14 § 344-h's

*** § 344-i. Portion of the state highway system to be designated as the "Trooper Nicholas F.** Clark Memorial Bridge". The bridges on interstate eighty-six which cross state route four hundred fifteen, designated bridge numbers 1061621 and 1061622, in the county of Steuben, shall be designated and known as the "Trooper Nicholas F. Clark Memorial Bridge".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Specialist Allan Milk Memorial Bridge".** The bridge on state route ninety-seven, crossing over Basket Creek, in the town of Fremont, county of Sullivan, shall be designated and known as the "Specialist Allan Milk Memorial Bridge".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Justice Thurgood Marshall memorial highway".** The portion of state route 17 in the village of Hillburn, town of Ramapo, county of Rockland, shall be designated and known as the "Justice Thurgood Marshall memorial highway".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Sergeant Jeremy J.** VanNostrand Memorial Highway". The portion of state route 5S in the town of Glen, county of Montgomery shall be designated and known as the "Sergeant Jeremy J. VanNostrand Memorial Highway".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Sergeant John Kempe Winslow Memorial Highway".** All that portion of the state highway system constituting state route two hundred five in the town of Hartwick, county of Otsego, beginning at the intersection with Scotch Hill Road, continuing in a generally southerly direction, and

terminating at the intersection with Rod Gun Club Road, shall be designated and known as the "Sergeant John Kempe Winslow Memorial Highway".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Dennis 'Matt' Howe Memorial Highway".** All that portion of the state highway system located in the town of Nichols, county of Tioga, consisting of state route seventeen beginning at exit sixty-two, continuing generally easterly, and terminating at exit sixty-three shall be designated and known as the "Dennis 'Matt' Howe Memorial Highway".

* NB There are 11 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "SSgt Louis Bonacasa Memorial Bridge".** The bridge on Yaphank Avenue, between the northbound and southbound service roads, crossing the Long Island expressway, within the town of Brookhaven, county of Suffolk, shall be designated and known as the "SSgt Louis Bonacasa Memorial Bridge".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Lance Corporal Aaron M.** Swanson Memorial Highway". All that portion of the state highway system constituting state route three hundred ninety-four in the village of Lakewood, county of Chautauqua, shall be designated and known as the "Lance Corporal Aaron M. Swanson Memorial Highway".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Steve Godlewski Memorial Bridge".** The bridge on state route 9N crossing the west branch of the Ausable River and connecting the town of Black Brook, county of Clinton with the town of Jay, county of Essex, shall be

designated and known as the "Steve Godlewski Memorial Bridge".

* NB There are 11 § 344-i's

*** § 344-i. Portion of state highway system to be designated as "NYPD Det.** TSgt. Joseph G. Lemm Memorial Bridge". The bridge crossing over interstate route two hundred eighty-seven, intersecting with Westchester Avenue in the town of Harrison, county of Westchester, currently known as the white plains avenue bridge, shall be designated and known as "NYPD Det. TSgt. Joseph G. Lemm Memorial Bridge".

* NB There are 11 § 344-i's

*** § 344-i. Portion of the state highway system to be designated as the "Private Charles S.** Cooper, Jr. Memorial Highway". All that portion of the state highway system constituting state route sixty in the town of Kiantone, county of Chautauqua, beginning at the Jamestown city line, continuing in a generally southeasterly direction, and terminating at the intersection with state route sixty-two, shall be designated and known as the "Private Charles S. Cooper, Jr. Memorial Highway".

* NB There are 11 § 344-i's

§ 344-j. Portion of the state highway system to be designated as the "Chief George Bell Memorial Highway". The portion of state route twenty-two in the village of Cambridge, county of Washington shall be designated and known as the "Chief George Bell Memorial Highway".

*** § 344-k. Portion of the state highway system to be designated as the "Officer Kevin F.** Crossley Memorial Highway". All that portion of the highway system constituting Oriskany Boulevard (route sixty-nine) within the village of Whitesboro in the county of Oneida shall be designated and known as the "Officer Kevin F. Crossley Memorial Highway".

* NB There are 3 § 344-k's

*** § 344-k. Portion of the state highway system to be designated as "Melvin Harris, Jr.** Way". That portion of state route one hundred two in the hamlet of Uniondale, Nassau county, beginning at the intersection of Uniondale Avenue and Front Street and ending at the intersection of Hawthorne Avenue and Front Street, shall be designated and known as "Melvin Harris, Jr. Way".

* NB There are 3 § 344-k's

*** § 344-k. Portion of the state highway system to be designated as the "Charles 'Chuck' Kelly Memorial Highway".** All that portion of the state highway system constituting state route thirty-seven from the intersection of state route thirty-seven and New York Avenue to the intersection of state route thirty-seven and county route twenty-eight in the town of Lisbon, shall be designated and known as the "Charles 'Chuck' Kelly Memorial Highway".

* NB There are 3 § 344-k's

*** § 344-l. Portion of the state highway system to be designated as the "Savannah Marie Williams Memorial Highway".** All that portion of the state highway system constituting state route sixty-three between court street and its intersection with state route twenty-a, in the town of Geneseo, county of Livingston, shall be designated and known as the "Savannah Marie Williams Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Firefighter/EMT Michael J.** Field Memorial Bridge". The bridge on Corona Avenue, designated bridge number 1059360, in the town of Hempstead, county of Nassau, which crosses the Southern State Parkway, shall be designated and known as the "Firefighter/EMT Michael J. Field Memorial Bridge".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Sandra L.** Wilson Memorial Highway". All that portion of the state highway system constituting state route 45 in the village of Spring Valley, county of Rockland, shall be designated and known as the "Sandra L. Wilson Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Firefighter Tim Gunther Memorial Highway".** All that portion of the state highway system constituting state route fifty-five in the city of Poughkeepsie, county of Dutchess, shall be designated and known as the "Firefighter Tim Gunther Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "North Dansville Veterans Memorial Highway".** All that portion of the state highway system constituting state route sixty-three in the town of North Dansville, county of Livingston, shall be designated and known as the "North Dansville Veterans Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Colchester Veterans Memorial Bridge".** The bridge on state route thirty, designated bridge number 1020790, in the hamlet of Downsville, county of Delaware, which crosses the east branch of the Delaware River, shall be designated and known as the "Colchester Veterans Memorial Bridge".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Wappinger Veterans Memorial Highway".** All that portion of the state highway system constituting state route nine within the town of Wappinger, county of Dutchess, shall be designated and known as the "Wappinger Veterans Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-l. Portion of the state highway system to be designated as the "Charles W.** Howard Memorial Highway". All that portion of the state highway system constituting state route thirty-one from the intersection of state route thirty-one and Transit Road to the intersection of state route thirty-one and Wood Road, in the town of Albion, county of Orleans, shall be designated and known as the "Charles W. Howard Memorial Highway".

* NB There are 8 § 344-l's

*** § 344-m. Portion of the state highway system to be designated as the "Sergeant David Lockwood Memorial Bridge".** The bridge over Schoolhouse road on interstate route eighty-six, in the town of Randolph, county of Cattaraugus, shall be designated and known as the "Sergeant David Lockwood Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "CPL William James Hillard II Memorial Bridge".** The bridge on interstate route eighty-six, crossing over West Main Street through the town of Randolph, county of Cattaraugus, shall be designated and known as the "CPL William James Hillard II Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Tec.** 5 Edward Enser Memorial Highway". All that portion of the state highway system constituting route 75 from Langford Road south to Shirley Road in the town of North Collins, county of Erie, shall be designated and known as the "Tec. 5 Edward Enser Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Dr.** Martin Luther King Jr. - Michael Henry Schwerner Memorial Bridge". The bridge otherwise known as the "3rd Street Bridge" beginning on East 3rd Street in the town of Mount Vernon, county of Westchester and changing to Boulevard West in the town of Pelham, county of Westchester crossing the Hutchinson Parkway shall be designated and known as the "Dr. Martin Luther King Jr. - Michael Henry Schwerner Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Trooper Joseph Gallagher Memorial Bridge".** The bridge on interstate route ninety, crossing over state route sixteen in the town of West Seneca, county of Erie, shall be designated and known as the "Trooper Joseph Gallagher Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Peter V.** Sobol Memorial Bridge". The bridge on Seagirt Boulevard, designated bridge number 1056539, in the village of Lawrence, county of Nassau, which crosses state route eight hundred seventy-eight, shall be designated and known as the "Peter V. Sobol Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Assemblyman William 'Bill' Magee Memorial Highway".** All that portion of the state highway system constituting state route thirteen within the county of Madison shall be designated and known as the "Assemblyman William 'Bill' Magee Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Chief Warrant Officer 4 Christian J.** Koch Memorial Highway". All that portion of the state highway system constituting state route sixty-four

within the town of Mendon, county of Monroe, shall be designated and known as the "Chief Warrant Officer 4 Christian J. Koch Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Lance Corporal Matthew A.** Falcone Memorial Bridge". The bridge crossing over the Northern State Parkway in the village of North Hills, town of North Hempstead, county of Nassau, currently known as the Shelter Rock Road Bridge, shall be designated and known as the "Lance Corporal Matthew A. Falcone Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated and known as the "State Trooper Donald A.** Strand Memorial Bridge". All that portion of the state highway system constituting the Sunrise Highway Peconic overpass on route 27, in the town of Southampton, county of Suffolk, shall be known as the "State Trooper Donald A. Strand Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Detective Betsy Horner-Miller Cutrone Memorial Bridge".** The bridge operating as a part of Bay Parkway, crossing over Wantagh State Parkway, just above Jones Beach Field 4 and Jones Beach Field 5, within Jones Beach State Park, located on Jones Beach Island within the hamlet of Wantagh, county of Nassau, shall be designated and known as the "Detective Betsy Horner-Miller Cutrone Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Rockland County Clerk Paul Piperato Memorial Highway".** All that portion of the state highway system constituting the portion of state route

three hundred four in the hamlet of New City, town of Clarkstown, county of Rockland, between Ridge Road and State Route 9W shall be designated and known as the "Rockland County Clerk Paul Piperato Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated and known as the "State Trooper Jose A.** Rosado Memorial Bridge". All that portion of the state highway system constituting the Sunrise Highway Speonk Riverhead Rd. overpass on route 27, in the town of Southampton, county of Suffolk, shall be known as the "State Trooper Jose A. Rosado Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of state highway system to be designated as the "Atomic Veterans Memorial Bridge".** The pedestrian bridge across the Taconic State Parkway, in the town of Yorktown, county of Westchester, shall be designated and known as the "Atomic Veterans Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Ulster County Korean War Veterans' Memorial Highway".** All that portion of the state highway system constituting state route 28, beginning at the Kingston Traffic Circle in Ulster county and continuing west to the Town of Ulster Municipal Town Line, shall be designated and known as the "Ulster County Korean War Veterans' Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "SP4 C.** Jay Hall Memorial Highway". All that portion of the state highway system constituting state route seventy-seven from the southerly bounds of the Pembroke Town Park northerly to the intersection of Indian Falls Road in the town of Pembroke, county of Genesee, shall be designated and known as the "SP4 C. Jay Hall Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "CPL Gerald B.** Ramsey Memorial Highway". All that portion of the state highway system constituting state route 238 between state route 20A and Bantam road in the town of Orangeville, county of Wyoming, shall be designated and known as the "CPL Gerald B. Ramsey Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated and known as the "Sgt.** Daniel J. Murtha Memorial Bridge". All that portion of the state highway system constituting the bridge on route nineteen, designated bridge number 1015150, which crosses the Oatka creek one-tenth of a mile south of the junction of routes nineteen and twenty-a, in the town of Warsaw, county of Wyoming, shall be known as the "Sgt. Daniel J. Murtha Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated and known as the "Staff Sergeant Peter J.** Blidy Memorial Bridge". All that portion of the state highway system constituting the bridge on Versailles Plank Road, designated bridge number 6050680, which crosses Clear creek one and one-half miles northeast of Versailles, in the town of Collins, county of Erie, shall be known as the "Staff Sergeant Peter J. Blidy Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "SP4 Richard F.** Walton, Jr. Memorial Highway". All that portion of the state highway system constituting state route fifty-one within the town of Butternuts, county of Otsego, shall be designated and known as the "SP4 Richard F. Walton, Jr. Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Trooper Thomas J.** Consorte Memorial Bridge". All that portion of the state highway system constituting the state route twenty-five overpass at the Long Island expressway in the town of Riverhead, county of Suffolk, shall be designated and known as the "Trooper Thomas J. Consorte Memorial Bridge".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Medal of Honor Recipient Francis S.** Currey Memorial Highway". All that portion of the state highway system constituting state route thirty-two between its intersection with Bender Lane and its intersection with Elsmere Avenue in the town of Bethlehem, county of Albany, shall be designated and known as the "Medal of Honor Recipient Francis S. Currey Memorial Highway".

* NB There are 23 § 344-m's

*** § 344-m. Portion of the state highway system to be designated as the "Rensselaer County Purple Heart Highway".** All that portion of the state highway system constituting state route forty-three in the county of Rensselaer starting at the county's border with Massachusetts, continuing in a generally northwesterly direction and terminating at its intersection with Interstate 90 in the town of North Greenbush, county of Rensselaer, shall be designated and known as the "Rensselaer County Purple Heart Highway".

* NB There are 23 § 344-m's

*** § 344-n. Portion of the state highway system to be designated as the "Marylou Whitney Way".** All that portion of the state highway system constituting state route nine-p between I-87 and East Avenue in the city of Saratoga Springs, county of Saratoga, shall be designated and known as the "Marylou Whitney Way".

* NB There are 26 § 344-n's

*** § 344-n. Portion of state highway system to be designated as the "Trooper Martin J.** Kerins Memorial Bridge". The bridge on county route three, exits number thirty-five on the east and westbound southern state parkway in the town of Babylon, county of Suffolk shall be designated and known as the "Trooper Martin J. Kerins Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Firefighter Jared Lloyd Memorial Highway".** All that portion of the state highway system constituting state route forty-five between New Hempstead Road and East Eckerson Road in the town of Ramapo, county of Rockland, shall be designated and be known as the "Firefighter Jared Lloyd Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated and known as the "Police Officer Daniel J.** Greer Memorial Bridge". The bridges on Sunnyside Boulevard crossing the Long Island Expressway near exit 46 in the hamlet of Plainview, county of Nassau, shall each be designated and known as the "Police Officer Daniel J. Greer Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Patrolman David 'DW' Smith Memorial Highway".** All that portion of the state highway system constituting state route 17C within the village of Johnson City, county of Broome, shall be designated and known as the "Patrolman David 'DW' Smith Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Chief Samuel A.** Johnson, Sr. Memorial Bridge". All that portion of the state highway system constituting the bridge on state route one hundred eighty, crossing the Black river from the village of Dexter, town of Brownville, county of Jefferson, to the town of Hounsfield, county of Jefferson, shall be designated and known as the "Chief Samuel A. Johnson, Sr. Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Detective Anastasios Tsakos Memorial Bridge".** All that portion of the state highway system constituting the Francis Lewis Boulevard overpass at the Long Island Expressway in the city of New York, county of Queens, shall be designated and known as the "Detective Anastasios Tsakos Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of state highway system to be designated as "New York Medal of Honor Highway".** All that portion of United States route twenty beginning at its beginning at the New York-Pennsylvania border and continuing easterly across New York state until the western border of the village of Fredonia, county of Chautauqua, then continuing easterly from the eastern border of the village of Fredonia, county of Chautauqua to the community of Irving, where route five and route twenty merge with Old Lake Shore road shall be designated and known as the "New York Medal of Honor Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Trooper Brian S.** Falb Memorial Bridge". All that portion of the state highway system constituting the bridges on interstate eighty-seven, crossing the Saranac river in the town of Plattsburgh, county of Clinton, shall each be designated and known as the "Trooper Brian S. Falb Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Putnam Valley First Responders Bridge".** The bridge across the Taconic state parkway on Pudding Street, in the town of Putnam Valley, county of Putnam, shall be designated and known as the "Putnam Valley First Responders Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Firefighter Robert Fowler Memorial Highway".** All that portion of the state highway system constituting state route two hundred fifty-nine between Lyell Avenue and state route thirty-one in the village of Spencerport, town of Ogden, county of Monroe, shall be designated and known as the "Firefighter Robert Fowler Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Chief John 'Jody' Rossitz Memorial Bridge".** The bridge over Esopus Creek on state route twenty-eight between Creek Side Drive and Church Road in the town of Shandaken, county of Ulster, shall be designated and known as the "Chief John 'Jody' Rossitz Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system in Oneida county to be designated as the "Oneida County Korean War Veterans Memorial Highway".** All that portion of state route three hundred sixty-five beginning from the westerly Rome city line to Lawrence Street in the city of Rome, county of Oneida, shall be designated and known as the "Oneida County Korean War Veterans Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Petty Officer Robert Segool Memorial Highway".** The portion of State Route 16 between Emery Road and Darling Road, in the town of Wales, county of Erie, shall be designated and known as the "Petty Officer Robert Segool Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Staff Sergeant Shawn M.** Clemens Memorial Highway". All that portion of the state highway system constituting state route 417 in the town of Allegany, county of Cattaraugus, shall be designated and known as the "Staff Sergeant Shawn M. Clemens Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Port Authority Police Officer James W.** Kennelly Memorial Highway". All that portion of the state highway system constituting Old Sunrise Highway from its intersection with Carman Mill Road to its intersection with County Line Road within the hamlet of Massapequa, town of Oyster Bay, county of Nassau, shall be designated and known as the "Port Authority Police Officer James W. Kennelly Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Kalinowski Brothers Memorial Bridge".** The bridge on state route 16, designated as bridge number 1011830, crossing over the east branch of the Cazenovia Creek in the town of Holland, county of Erie, shall be designated and known as the "Kalinowski Brothers Memorial Bridge".

* NB There are 26 344-n's

*** § 344-n. Portion of the state highway system to be designated and known as the "MSgt Thomas P.** Madison Memorial Highway". All that portion of the state highway system constituting state route 19, from its

intersection with Maple Avenue to its intersection with state route 39 and Griffith Road in the town of Pike, county of Wyoming, shall be designated and known as the "MSgt Thomas P. Madison Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Staff Sergeant David Textor Memorial Highway".** All that portion of the state highway system constituting state route three hundred ninety-four in the town of Randolph, county of Cattaraugus, shall be designated and known as the "Staff Sergeant David Textor Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "1LT Stephen H.** Doane Memorial Bridge". The bridge over the West Branch Delaware River on state route two hundred six between Delaware Street and Stockton Avenue in the town of Walton, county of Delaware, shall be designated and known as the "1LT Stephen H. Doane Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Ralph Calabrese Memorial Highway".** All that portion of the state highway system constituting state route 21 (E. Gibson Street), from its intersection with state route 332 (North Main Street) in the city of Canandaigua, county of Ontario, traveling in a northeasterly direction to its intersection with state route 488 in the town of Hopewell, county of Ontario, shall be designated and known as the "Ralph Calabrese Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "WWII Rapone Brothers Memorial Highway".** All that portion of the state highway system constituting state route thirty-six from its intersection with Graney road to its intersection with state route five in the

village of Caledonia, town of Caledonia, county of Livingston, shall be designated and known as the "WWII Rapone Brothers Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Specialist Jason Hasenauer Memorial Highway".** All that portion of the state highway system constituting state route two hundred fifty-nine in the town of Parma, county of Monroe, between Lake Ontario State Parkway and Dunbar Road shall be designated and known as the "Specialist Jason Hasenauer Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Trooper John J.** Lane Memorial Bridge". All that portion of the state highway system constituting the bridge on Merritts Road, between Langdon Road and Northwest Drive, crossing over the Bethpage state parkway in the town of Oyster Bay, county of Nassau, shall be designated and known as the "Trooper John J. Lane Memorial Bridge".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Colonel Michael Plummer Memorial Highway".** All that portion of the state highway system constituting state route 283, beginning in the town of Pamelia, county of Jefferson at the Watertown city line, continuing in a generally northeasterly direction and terminating at its intersection with state route 342 in the town of Le Ray, county of Jefferson, shall be designated and known as the "Colonel Michael Plummer Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-n. Portion of the state highway system to be designated as the "Sergeant Gary Beikirch Memorial Highway".** All that portion of the state highway system constituting Latta Road, also known as state route

eighteen, between Long Pond Road, also known as county highway one hundred thirty-six, and state route three hundred ninety in the town of Greece, county of Monroe, shall be designated and known as the "Sergeant Gary Beikirch Memorial Highway".

* NB There are 26 § 344-n's

*** § 344-o. Portion of the state highway system to be designated as the "Zone Sergeant James G.** Sweeney Memorial Bridge". All that portion of the state highway system constituting the bridge on Lime Kiln Road, crossing interstate route eighty-four in the town of East Fishkill, county of Dutchess, shall be designated and known as the "Zone Sergeant James G. Sweeney Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Port Authority Police Officer Pavlos D.** Pallas Memorial Bridge". All that portion of the state highway system constituting the bridge on 94th Street, between the 82nd Street overpass and the 102nd Street overpass, crossing over the Grand Central Parkway in the neighborhood of East Elmhurst, county of Queens, shall be designated and known as the "Port Authority Police Officer Pavlos D. Pallas Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Port Authority Police Officer Steven J.** Tursellino Memorial Highway". All that portion of the state highway system constituting state route 111 between state route 454 and state route 347 in the towns of Islip and Smithtown, county of Suffolk, shall be designated and known as the "Port Authority Police Officer Steven J. Tursellino Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Trooper Lawrence P.** Gleason Memorial Bridge". The bridge on the portion

of Charley Hill Road, which crosses over interstate route eighty-seven in the town of Schroon, county of Essex, shall be designated and known as the "Trooper Lawrence P. Gleason Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Deputy Chief Brian Buell Memorial Bridge".** The bridge over the Battenkill River on state route three hundred seventy-two between Barber Avenue and Mill Street in the village of Greenwich, county of Washington, shall be designated and known as the "Deputy Chief Brian Buell Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Captain Kenneth Sgroi Memorial Highway".** All that portion of the state highway system constituting state route two hundred two between Elizabeth Road and Baldwin Road in the Town of Yorktown, county of Westchester, shall be designated and known as the "Captain Kenneth Sgroi Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Trooper James R.** Gohery Memorial Bridge". All that portion of the state highway system constituting the Jerusalem Avenue overpass crossing the Wantagh State Parkway in the town of Hempstead, county of Nassau, shall be designated and known as the "Trooper James R. Gohery Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Trooper William P.** Keane Memorial Bridge". The bridge on state route one hundred seventy-nine, crossing over interstate route ninety in the town of Hamburg, county of Erie, shall be designated and known as the

"Trooper William P. Keane Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Trooper Theodore A.** Dobbs Memorial Bridge". All that portion of the state highway system constituting the Carle Road overpass at the Northern State Parkway in the village of Westbury, town of North Hempstead, county of Nassau, shall be designated and known as the "Trooper Theodore A. Dobbs Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Firefighter Peyton L.** S. Morse Memorial Highway". All that portion of the state highway system constituting state route one hundred eighty within the hamlet of La Fargeville, in the town of Orleans, county of Jefferson, shall be designated and known as the "Firefighter Peyton L. S. Morse Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Trooper Fabio Buttitta Memorial Bridge".** The bridge over the northbound and southbound lanes of the Sagtikos Parkway on G Road between F Road and Crooked Hill Road in the town of Islip, county of Suffolk, shall be designated and known as the "Trooper Fabio Buttitta Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Lance Cpl.** Scott Lee Schultz Memorial Bridge". The bridge on state route 22, crossing over interstate eighty-seven in the town of Chesterfield, county of Essex, Bridge Identification Number 1054220, shall be designated and known as the "Lance Cpl. Scott Lee Schultz Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Major General Norbert J.** Rappl Memorial Highway". All that portion of the state highway system constituting state route five hundred ninety between Ridge Road in the Town of Irondequoit and the overpass carrying Tryon Park over state route five hundred ninety in the city of Rochester, County of Monroe, shall be known and designated as the "Major General Norbert J. Rappl Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "Catholic War Veterans Memorial Highway".** All that portion of the state highway system constituting state route 32, from its intersection with Quaker Avenue in the town of Cornwall, county of Orange, and continuing north to its intersection with state routes 300 and 94, also known as "Five Corners", in the hamlet of Vails Gate, county of Orange, shall be designated and known as the "Catholic War Veterans Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of state highway system to be designated as the "John Jay High School Veterans Memorial Highway".** All that portion of the state highway system constituting state route 121 beginning with its intersection at Route 35 Old Post Road and ending with its intersection at Gideon Reynolds Road in the town of Lewisboro, county of Westchester, shall be designated and known as the "John Jay High School Veterans Memorial Highway".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated and known as the "Specialist Gerald B.** Penn Memorial Bridge". All that portion of the state highway system constituting the southbound bridge on state route two hundred nineteen, designated bridge number 1071050, which crosses over Shero Road, in the town of Boston, county of Erie,

shall be known as the "Specialist Gerald B. Penn Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated and known as the "Specialist Peter J.** Loretto, Jr. Memorial Bridge". The bridge located on state route 75, designated as bridge number 1029890, which crosses Eighteen Mile Creek, in the town of Eden, county of Erie, shall be designated and known as the "Specialist Peter J. Loretto, Jr. Memorial Bridge".

* NB There are 18 § 344-o's

*** § 344-o. Portion of the state highway system to be designated as the "SP4 George Harold Fry Memorial Highway".** All that portion of New York state route sixty-three from route two hundred forty-six north to Starr Road in the Town of Pavilion, county of Genesee, shall be designated and known as the "SP4 George Harold Fry Memorial Highway".

* NB There are 18 344-o's

*** § 344-p. Portion of the state highway system to be designated as the "Sgt Terry James Garigen Memorial Highway".** All that portion of the state highway system constituting state route 77 between Broadway Road and Sumner Road in the town of Darien, county of Genesee, shall be designated and known as the "Sgt Terry James Garigen Memorial Highway".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Peter Wheeler Memorial Bridge".** All that portion of the state highway system constituting the bridge on state route thirty-four-B crossing Salmon Creek in the town of Lansing, county of Tompkins, shall be designated and known as the "Peter Wheeler Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "NYPD Detective Brian P.** Simonsen Memorial Bridge". All that portion of the state highway system constituting the Halsey Manor Road overpass at the Long Island Expressway in the town of Brookhaven, county of Suffolk, shall be designated and known as the "NYPD Detective Brian P. Simonsen Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Medford FD Commissioner Niel Marturiello Memorial Bridge".** All that portion of the state highway system constituting the bridge on Horseblock Road, also known as County Road 16, crossing interstate route 495 in the town of Brookhaven, county of Suffolk, shall be designated and known as the "Medford FD Commissioner Niel Marturiello Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Michael J.** Finerson Memorial Bridge". All that portion of the state highway system constituting the bridge over the Chaumont River on state route 12E in the village of Chaumont, county of Jefferson, shall be designated and known as the "Michael J. Finerson Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Senior Investigator Thomas M.** O'Neill Memorial Bridge". All that portion of the state highway system constituting the Crooked Hill Road Overpass crossing over the Sagtikos Parkway in the town of Islip, county of Suffolk, shall be designated and known as the "Senior Investigator Thomas M. O'Neill Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the**

"Captain Christopher J. Garrow Memorial Bridge". All that portion of the state highway system constituting the bridge on state route nine, otherwise known as "Carpenter's Flats Bridge", crossing the Ausable river from the town of Peru, county of Clinton, to the town of Ausable, county of Clinton, shall be designated and known as the "Captain Christopher J. Garrow Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Steve Nicoli Memorial Highway".** All that portion of the state highway system constituting state route seven hundred forty-seven from its intersection with state route two hundred seven to its intersection with state route seventeen-K, in the town of Montgomery, county of Orange, shall be designated and known as "Steve Nicoli Memorial Highway".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "SP4 Herman Emil Anders, Jr.** Memorial Bridge". All that portion of the state highway system constituting the bridge on state route 79, crossing over the Chenango river and connecting the town of Greene, county of Chenango, with the town of Fenton, county of Broome, shall be designated and known as the "SP4 Herman Emil Anders, Jr. Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Lieutenant Commander Phillip Wayne Johnson Memorial Bridge".** All that portion of the state highway system constituting New York state route 109 bridge over the southern state parkway in the town of Babylon, county of Suffolk, shall be known as the "Lieutenant Commander Phillip Wayne Johnson Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the**

"Private First Class Richard Cleveland Dunn Memorial Highway". All that portion of the state highway system constituting state route 17M in the town of Wallkill shall be designated and known as the "Private First Class Richard Cleveland Dunn Memorial Highway".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "T Sgt Walter Shearing Memorial Highway".** All that portion of the state highway system constituting state route nineteen from Eddy Road in the town of Gainesville, county of Wyoming, to East Mill Street in the village of Gainesville, county of Wyoming, shall be designated and known as the "T Sgt Walter Shearing Memorial Highway".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "CW2 Casey N.** Frankoski Memorial Bridge". The bridge located on Washington Avenue, designated as bridge number 1092600, which crosses over interstate ninety, in the city of Rensselaer, county of Rensselaer, shall be designated and known as the "CW2 Casey N. Frankoski Memorial Bridge".

* NB There are 14 § 344-p's

*** § 344-p. Portion of the state highway system to be designated as the "Fort Hamilton Veterans Memorial Highway".** All that portion of the state highway system constituting interstate route 278 in the county of Kings, beginning at the Verrazano-Narrows bridge, continuing in a generally northerly direction, and terminating where such route crosses over 6th avenue, shall be designated and known as the "Fort Hamilton Veterans Memorial Highway".

* NB There are 14 § 344-p's

§ 344-q. Portion of the state highway system to be designated as the "Detective Sergeant Frank Gualdino Memorial Bridge". All that portion of

the state highway system constituting the Tuckahoe Road overpass crossing the Sprain Brook Parkway in the city of Yonkers, county of Westchester, shall be designated and known as the "Detective Sergeant Frank Gualdino Memorial Bridge".

*** § 344-r. Portion of the state highway system to be dedicated to Sergeant James S.** Hayes. All that portion of the state highway system constituting state route 14 beginning at its intersection with Plum Point Road in the town of Milo, county of Yates, continuing in a generally northerly direction, and terminating at its intersection with state route 54, also known as Main Street, in the village of Dresden, county of Yates, shall be dedicated to Sergeant James S. Hayes.

* NB There are 12 § 344-r's

*** § 344-r. Portion of state highway system to be dedicated to Charlie Bunger Sr.** All that portion of the state highway system constituting state route twenty-seven-a, also known as Montauk Highway, from its intersection with Deer Park Avenue to its intersection with Totten Place in the village of Babylon, county of Suffolk, shall be dedicated to Charlie Bunger Sr.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Jake Arcara.** All that portion of the state highway system constituting state route one hundred eighteen from its intersection with Underhill Avenue to its intersection with Old Country Way in the town of Yorktown, county of Westchester, shall be dedicated to Jake Arcara.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Trooper Jill E.** Mattice. All that portion of the state highway system constituting state route 23 in the town of Morris, county of Otsego, from its intersection with county route 49 to its intersection with

Potato Farm Road, known as Patrick Hill Road, shall be dedicated to Trooper Jill E. Mattice.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to 9-11 Fallen Firefighters.** All that portion of the state highway system constituting the Long Island Expressway between exit 59 and exit 61 in the town of Brookhaven, county of Suffolk, shall be dedicated to 9-11 Fallen Firefighters.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Specialist Jason Johnston.** All that portion of the state highway system constituting state route thirty-one-A from its intersection with Powerline Road to its intersection with state route ninety-eight in the town of Albion, county of Orleans, shall be dedicated to Specialist Jason Johnston.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Maintenance Supervisor Stephen C.** Ebling. The bridge on Eden Evans Center Road, in the town of Evans, county of Erie, crossing over the New York state thruway, shall be dedicated to Maintenance Supervisor Stephen C. Ebling.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Lieutenant Donald R.** Hill. All that portion of the state highway system constituting state route one hundred four from its intersection with City Line Road to its intersection with Jim Shampine Drive in the city of Oswego, county of Oswego, shall be dedicated to Lieutenant Donald R. Hill.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to John F.** McArdle. All that portion of the state highway system constituting state route three hundred one from its intersection with Belden Road to its intersection with Gipsy Trail Road in the town of Carmel, county of Putnam, shall be dedicated to John F. McArdle.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Detective Thomas M.** Inman. The bridge over the eastbound and westbound lanes of the Southern State Parkway on state route two hundred thirty-one in the town of Babylon, county of Suffolk, shall be dedicated to Detective Thomas M. Inman.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system in Oneida county to be dedicated to Officer Michael E.** Jensen. All that portion of the state highway system constituting state route forty-six in the city of Rome, county of Oneida, beginning at its intersection with Prospect Street, continuing in a generally northerly direction, and terminating at its intersection with Dixon Drive in the town of Western, county of Oneida, shall be dedicated to Officer Michael E. Jensen.

* NB There are 12 § 344-r's

*** § 344-r. Portion of the state highway system to be dedicated to Trooper James M.** MacLarnon. All that portion of the state highway system constituting the southbound Wantagh State Parkway overpass crossing the Southern State Parkway in the town of Hempstead, county of Nassau, shall be dedicated to Trooper James M. MacLarnon.

* NB There are 12 § 344-r's

§ 344-s. Portion of the state highway system to be dedicated to Lt.

Gary A. Scott. All that portion of the state highway system constituting state route 19 within the town of LeRoy, county of Genesee, shall be dedicated to Lt. Gary A. Scott.

*** § 344-s. Portion of the state highway system to be dedicated to Port Authority Police Officer Arthur M.** Ansert Jr. All that portion of the state highway system constituting the bridge on the South Service Road, between Federal Circle and the Perimeter Road Overpass, crossing over the Van Wyck Expressway in the neighborhood of Jamaica, county of Queens, shall be dedicated to Port Authority Police Officer Arthur M. Ansert Jr.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to Assembly Member Bobby D'Andrea.** All that portion of the state highway system constituting bridge number 1007069, located on Union Avenue, state route 9P, crossing interstate 87 in the city of Saratoga Springs, county of Saratoga, shall be dedicated to Assembly Member Bobby D'Andrea.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to Nathaniel Reynolds.** All that portion of the state highway system constituting state route thirty-five, beginning at its intersection with state route one hundred twenty-one and continuing in a generally northeasterly direction to its intersection with North Salem road, in the town of Lewisboro, county of Westchester, shall be dedicated to Nathaniel Reynolds.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to War Dogs.** All that portion of the state highway system constituting state route 28 in the village of Herkimer, county of Herkimer, beginning at

its intersection with Canal Access Road, continuing in a generally northerly direction, and terminating at its intersection with state route 5, shall be dedicated to War Dogs.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to Police Officer Frederick G.** Maley. All that portion of the state highway system constituting state route one hundred six, also known as Newbridge Road, from its intersection with North Jerusalem Road to its intersection with East Meadow Avenue within the hamlet of North Bellmore, town of Hempstead, county of Nassau, shall be dedicated to Police Officer Frederick G. Maley.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to PFC Travis C.** Krege. All that portion of the state highway system constituting the bridge on Cleveland Drive crossing interstate route 90 in the town of Cheektowaga, county of Erie, shall be dedicated to PFC Travis C. Krege.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to Patrick LaFortune Jr.** All that portion of the state highway system constituting state route nine-W beginning where such state route crosses the town line from the city of Albany into the town of Bethlehem, county of Albany, and extending until the intersection of such state route and Moriah road in the town of Bethlehem, county of Albany, shall be dedicated to Patrick LaFortune Jr.

* NB There are 9 § 344-s's

*** § 344-s. Portion of the state highway system to be dedicated to Trooper Gerard B.** Kane. The bridge over the Southern State Parkway on Udall Road in the town of Islip, county of Suffolk, shall be dedicated

to Trooper Gerard B. Kane.

* NB There are 9 § 344-s's

§ 345-a. Abandonment and transfer of state highways. The abandonment or transfer of any state highway to a county, town, city or village shall be deemed a transfer of all right, title and interest of the state of New York to and in such highway to such county, town, city or village respectively unless expressly provided to the contrary.

*** § 345-b. Portion of the state highway system to be designated as the "Doc Schelin Memorial Highway".** All that portion of the state highway system constituting state route three hundred forty between Thorpe Drive and state route three hundred three in the town of Orangetown, county of Rockland, shall be designated and known as the "Doc Schelin Memorial Highway".

* NB There are 4 § 345-b's

*** § 345-b. Portion of the state highway system to be designated as the "Sergeant Elijah A.** Briggs Memorial Highway". All that portion of state route nine in the town of Fishkill, county of Dutchess, shall be designated and known as the "Sergeant Elijah A. Briggs Memorial Highway".

* NB There are 4 § 345-b's

*** § 345-b. Portion of the state highway system to be designated as the "Corporal Derick Franklin Brinckerhoff Memorial Highway".** All that portion of state route eighty-two in the town of Fishkill, county of Dutchess, shall be designated and known as the "Corporal Derick Franklin Brinckerhoff Memorial Highway".

* NB There are 4 § 345-b's

*** § 345-b. Portion of the state highway system to be designated as the**

"Chief Daniel Nimham Memorial Highway". All that portion of state route fifty-two in the town of Fishkill, county of Dutchess, shall be designated and known as the "Chief Daniel Nimham Memorial Highway".

* NB There are 4 § 345-b's

§ 345-c. Portion of the state highway system to be designated as the "Assemblyman Pat M. Casale Memorial Highway". All that portion of the state highway system constituting state route forty beginning at the intersection of state route forty and Carvers Lane, continuing in a generally northerly direction, and terminating at the intersection of state route forty and Warren Lane in the town of Schaghticoke, county of Rensselaer, shall be designated and known as the "Assemblyman Pat M. Casale Memorial Highway".

*** § 345-d. Portion of the state highway system to be dedicated to Hector L.** Soto. All that portion of the state highway system constituting United States route two hundred two from its intersection with Rosman Road to its intersection with state route forty-five in the town of Haverstraw, county of Rockland, shall be dedicated to Hector L. Soto.

* NB There are 4 § 345-d's

*** § 345-d. Portion of the state highway system to be dedicated to TSgt Kory Wade.** All that portion of the state highway system constituting state route twenty-one from its intersection with state route ninety-six to its intersection with Latting Road and Standpipe Road, in the town of Manchester, county of Ontario, shall be dedicated to TSgt Kory Wade.

* NB There are 4 § 345-d's

*** § 345-d. Portion of the state highway system to be dedicated to Major Andrew D.** Byers. All that portion of the state highway system constituting state route three hundred twenty-four beginning at its intersection with Transit Road, continuing in a generally easterly

direction, and terminating at its intersection with Main Street in the town of Clarence, county of Erie, shall be dedicated to Major Andrew D. Byers.

* NB There are 4 § 345-d's

*** § 345-d. Portion of the state highway system to be dedicated to Jack Barletta.** All that portion of the state highway system constituting state route two hundred eight, beginning at its intersection with Schipps Lane in the town of Montgomery, county of Orange, and continuing in a generally southerly direction to its intersection with Otter Road in the town of Hamptonburgh, county of Orange, shall be dedicated to Jack Barletta.

* NB There are 4 § 345-d's

*** § 345-e. Portion of the state highway system to be dedicated to East Fishkill veterans.** All that portion of the state highway system constituting state route three hundred seventy-six, beginning at its intersection with state route eighty-two in the town of East Fishkill, county of Dutchess, and continuing to its intersection with state route fifty-two in the town of East Fishkill, county of Dutchess, shall be dedicated to East Fishkill veterans.

* NB There are 7 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated to Jomani Wright.** All that portion of the state highway system constituting state route one hundred two in the hamlet of Uniondale, county of Nassau, beginning at the intersection of Uniondale Avenue and Front Street and ending at the intersection of Chester Street and Front Street shall be dedicated to Jomani Wright.

* NB There are 7 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated to Robert Bornt.** The bridge located on state route two, designated as

bridge number 1000250, which crosses over state route twenty-two in the town of Petersburg, county of Rensselaer, shall be dedicated to Robert Bornt.

* NB There are 3 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated to Officer Stephen L.** Raymond. The bridge located on Diamond Point road at exit twenty-three of interstate eighty-seven, designated as bridge number 1033550, in the town of Lake George, county of Warren, shall be dedicated to Officer Stephen L. Raymond.

* NB There are 4 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated to Sergeant Gregory L.** Wahl. The bridge over the eastbound and westbound lanes of the Southern State Parkway on state route one hundred eleven in the town of Islip, county of Suffolk, shall be dedicated to Sergeant Gregory L. Wahl.

* NB There are 7 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated as the Donald Roy McAnn Memorial Highway.** All that portion of the state highway system constituting state route nine hundred forty-one-A in the town of Greece, county of Monroe, known as Latta Road, beginning at its intersection with Dewey Avenue, continuing in a generally easterly direction, and terminating at its intersection with Fairway Drive, shall be dedicated to Donald Roy McAnn.

* NB There are 6 § 345-e's

*** § 345-e. Portion of the state highway system to be dedicated to Detective Stephen J.** Mullen. All that portion of the state highway system constituting the bridge on state route one hundred ten, designated as bridge number 1019119, which crosses over state route twenty-seven, in the town of Babylon, county of Suffolk, shall be

dedicated to Detective Stephen J. Mullen.

* NB There are 7 § 345-e's

ARTICLE 12-A

STATE THRUWAYS

Section 346. Distinctive requirements of state thruways.
346-a. System of state thruways to be designated as a section of a national network of Blue Star memorial highways.
347. Property for state thruways, bridges thereon, and other thruway uses and purposes to be acquired by appropriation.
348. Payment of cost of state thruways.
349. Application of chapter.
349-a. State thruway routes.

§ 346. Distinctive requirements of state thruways. Highways constructed, improved or reconstructed, and maintained as prescribed in this article, shall be designated "state thruways" and bridges thereon shall be deemed a part thereof. Each state thruway, except the Niagara thruway and the New England thruway, shall be constructed, improved or reconstructed on a right of way of such width as the commissioner of transportation may determine, provided, however, that such width shall be not less than two hundred feet, except in any location where, in the judgment of the commissioner of transportation, such minimum width shall be deemed to be impracticable. The commissioner of transportation shall set monuments on the boundaries thereof, and he may cause fences to be erected along or adjacent to such boundaries and he is authorized to install suitable lighting, directional and protective facilities, devices, and appurtenances, if he deems it necessary in the interest of public safety.

Notwithstanding the provisions of any general, special or local law or of any inconsistent provision of this chapter, the maintenance of state thruways shall include the control of snow and ice. Such maintenance shall be done by the method or methods provided in this chapter for the

maintenance of improved state highways in towns and incorporated villages. Whenever funds are provided therefor, the commissioner of transportation shall have power to acquire for the state, by purchase or by appropriation through the procedure specified in section thirty of this chapter property for the purpose of providing, erecting and maintaining thereon storehouses and repair shops for the storing of supplies and material and for the storing, repairing and maintaining of equipment, machinery, tools and implements; and of constructing and maintaining such storehouses and repair shops.

Pursuant to any statutes in such cases made and provided, the superintendent of state police shall exercise jurisdiction and control over the user and the vehicular traffic upon state thruways in accordance with generally established as well as special traffic regulations, which shall be invoked immediately upon the opening to the public of any state thruway or section thereof by the issuance of an official order for such opening by the commissioner of transportation and the delivery of a certified copy thereof by him to the superintendent of state police.

The commissioner of transportation shall have power to acquire by appropriation by the method contained in this article, property for the purpose of providing, and also to construct or reconstruct thereon suitable housing and other facilities and appurtenances for members of the division of the state police who shall be engaged in exercising such jurisdiction and control. Upon approval by the director of the budget, the cost of such property and of such construction or reconstruction shall be paid from funds available for construction, reconstruction or improvement of state highways and thruways as part of the cost thereof.

The commissioner of transportation is authorized to classify any part of a state thruway as a controlled access highway pursuant to this chapter, when the construction thereof is done on a location where no public highway theretofore existed. Highway and railroad grade crossings shall be eliminated generally by structures to be determined by the commissioner of transportation, who is hereby given authority to combine or relocate intersecting highways, streets, or roads to adjust traffic

to such grade separation structures, except that the grade crossing elimination structures involved in public service commission cases number fifty-four hundred seventy-two and nine thousand fifty-eight shall remain under the jurisdiction of such commission or its successor. The entire cost of such structure as so determined by the commissioner of transportation shall be included in the cost of the thruway. Telephone and telegraph wires, power transmission and gas, oil and water lines, conduits, cables of every kind and nature, that cross any thruway may, in the discretion of the commissioner of transportation, be relocated in suitable facilities to be installed under or over and across any such thruway. The expense of such relocation and of installing such facilities shall be deemed to be part of the cost of the thruway. The work of such relocation may be done by the owner of such wires, lines, conduits and cables, and the commissioner of transportation is hereby empowered to enter into an agreement with such owner for the performance of all or any part of the work of such relocation at the expense of the state. Access from one traffic direction to the other shall be provided only at such points and in such manner as the commissioner of transportation shall determine. Access or branch connections from any thruway or section thereof to any highway that is authorized by this chapter, shall, in the discretion of the commissioner of transportation, be included in the plans, specifications, and estimates and shall be constructed according to such design and type as the commissioner of transportation shall deem to be suitable for the purposes thereof notwithstanding the distinctive requirements of this section. Each state thruway shall provide for not less than two lanes of traffic in each direction. Opposing traffic on every completed state thruway shall be separated by a mall generally or, the commissioner of transportation may separate such opposing traffic by such other alignment of the respective lanes of traffic which, in the judgment of the commissioner of transportation is practicable because of topographic conditions and is beneficial to the public interest. Rights of way for state thruways shall be acquired by the state as provided in section three hundred forty-seven of this chapter. Any state highway or portion thereof may be utilized and become a part of any state thruway when authorized by the commissioner of transportation, provided such highway or portion thereof either meets the prescribed requirements of a

state thruway or is appropriately altered so as to come within such requirements before its incorporation into the thruway. Similarly, any portion of a state thruway may be constructed in whole or in part and utilized as a part of the state highway system pending the completion of the thruway when so determined by the commissioner of transportation and funds are provided for such construction.

§ 346-a. System of state thruways to be designated as a section of a national network of Blue Star memorial highways. The state thruways, collectively, provided for by this article, shall be designated as the New York state section of a national network of Blue Star memorial highways, as a living memorial and tribute to those men and women who served in the nation's armed forces in world wars I and II, the Korean conflict, the Vietnam conflict, the Grenadan conflict, the Lebanese conflicts, the Panamanian conflict and the Persian Gulf War known as Operation Desert Shield - Operation Desert Storm. Such designation shall not be considered as an official name for said thruways.

§ 347. Property for state thruways, bridges thereon, and other thruway uses and purposes to be acquired by appropriation. 1. Notwithstanding any inconsistent provisions of this chapter or any other law, general or special, any and all property necessary for the construction, reconstruction and maintenance of state thruways and bridges thereon, shall be acquired pursuant to the eminent domain procedure law.

2. The commissioner of transportation, for the people of the state of New York, shall acquire pursuant to the eminent domain procedure law any property or interest therein, necessary for any and all purposes connected with the construction, reconstruction and maintenance of the thruway system of the state of New York, including the acquisition of property for drains, ditches, spoil banks, gravel pits, stone quarries; also for the removal of obstructions, improvement of sight distances; also for acquisition of property for the reconstruction of existing highway-railroad separation structures upon incorporation into a state thruway of an existing highway or portion thereof of which they form a

part, and for the separation of thruway-railroad grades on newly laid-out thruways; and for other purposes to improve safety conditions on the thruway routes.

3. The commissioner of transportation shall cause to be prepared an accurate acquisition map of any property which he may deem necessary for purposes connected with such thruway projects or of any property in and to which he may deem the acquisition or exercise of an easement, interest or right to be necessary for such purposes, indicating and describing in each case the particular easement, interest or right. On the approval of such acquisition map by the commissioner of transportation, he shall acquire such property, easements, interests or rights pursuant to the eminent domain procedure law.

4. If the commissioner shall determine, prior to the filing of such copy of the acquisition map in the office of the county clerk as aforesaid, that changes, alterations or modifications of such description and map as filed in the main office of the New York state thruway authority should be made, he or she shall, subject to the provisions in article two of the eminent domain procedure law if applicable, direct the preparation of an amended acquisition map, either by preparing a new map or by making changes on the original tracing of such map, with a notation indicating such changes. On the approval of such amended map by the commissioner, it shall be filed in the main office of the New York state thruway authority in the same manner as the original map was filed and the amended map shall thereupon in all respects and for all purposes supersede the map previously filed.

5. If the commissioner shall determine prior to filing a copy of the map in the office of the county clerk or register as provided in section four hundred two of the eminent domain procedure law, that such map should be withdrawn, he or she shall file a certificate of withdrawal in the offices of the New York state thruway authority and department of law. Upon the filing of such certificate of withdrawal, the map to which it refers shall be cancelled and all rights thereunder shall cease and determine.

6. The commissioner of transportation shall deliver to the attorney general a copy of such acquisition map whereupon it shall be the duty of the attorney general to advise and certify to the commissioner of transportation the names of the owners of the property, easements, interests or rights described in the said acquisition map, including the owners of any right, title or interest therein pursuant to the requirements of section four hundred three of the eminent domain procedure law.

7. If, at or after the vesting of title to such property in the people of the state of New York in the manner provided in the eminent domain procedure law, the commissioner of transportation, or such duly authorized representative or agency which has succeeded him in the jurisdiction of the property so acquired, shall deem it necessary to cause the removal of an owner or other occupant from such property, he may cause such owner or other occupant to be removed therefrom by proceeding in accordance with section four hundred five of such law. The proceedings shall in all instances be brought in the name of the commissioner of transportation as agent of the state. If any person proceeded against shall contest the petition by an answer raising any material issue, the attorney general shall be notified, and he thereafter shall represent the petitioner in the proceedings. No execution shall issue for costs, if any, awarded against the state or the commissioner of transportation, but they shall be part of the costs of the acquisition and be paid in like manner. Proceedings may be brought separately against one or more of the owners or other occupants of a property, or one proceeding may be brought against all or several of the owners or other occupants of any or all property within the territorial jurisdiction of the same justice or judge; judgment shall effect or be made for immediate removal of persons defaulting in appearance or in answering, or withdrawing their answers, if any, without awaiting the trial or decision of issues raised by contestants, if any.

9. The commissioner of transportation upon making any agreement provided for in section three hundred four of the eminent domain procedure law shall deliver to the comptroller such agreement and a

certificate stating the amount due such owner or owners thereunder on account of such appropriation of his or their property and the amount so fixed shall be paid out of the state treasury from moneys appropriated for the construction, reconstruction and maintenance of state thruways and bridges thereon, but not until there shall have been filed with the comptroller a certificate of the attorney general showing the person or persons claiming the amount so agreed upon to be legally entitled thereto.

10. Application for reimbursement of incidental expenses as provided in section seven hundred two of the eminent domain procedure law shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereof, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from monies appropriated for the acquisition of property under this section.

11. The commissioner of transportation, with the approval of the director of the budget, shall establish and may from time to time amend rules and regulations authorizing the payment of actual reasonable and necessary moving expenses of occupants of property acquired pursuant to this section; of actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not exceeding an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the commissioner; and actual reasonable expenses in searching for a replacement business or farm; or in hardship cases for the advance payment of such expenses and losses. For the purposes of making payment of such expenses and losses only the term "business" means any lawful activity conducted primarily for assisting in the purchase, sale, resale, manufacture, processing or marketing of products, commodities, personal property or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted. Such rules and regulations may further define

the terms used in this subdivision. In lieu of such actual reasonable and necessary moving expenses, any such displaced owner or tenant of residential property may elect to accept a moving expense allowance, plus a dislocation allowance, determined in accordance with a schedule prepared by the commissioner and made a part of such rules and regulations. In lieu of such actual reasonable and necessary moving expenses, any such displaced owner or tenant of commercial property who relocates or discontinues his business or farm operation may elect to accept a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than two thousand five hundred dollars nor more than ten thousand dollars. In the case of a business, no such fixed relocation payment shall be made unless the commissioner finds and determines that the business cannot be relocated without a substantial loss of its existing patronage, and that the business is not part of a commercial enterprise having at least one other establishment, which is not being acquired by the state or the United States, which is engaged in the same or similar business. In the case of a business which is to be discontinued but for which the findings and determinations set forth above cannot be made, the commissioner may prepare an estimate of what the actual reasonable and necessary moving expenses, exclusive of any storage charges, would be if the business were to be relocated and enter into an agreed settlement with the owner of such business for an amount not to exceed such estimate in lieu of such actual reasonable and necessary moving expenses. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section. As used in this subdivision the term "commercial property" shall include property owned by an individual, family, partnership, corporation, association or a nonprofit organization and includes a farm operation. As used in this subdivision the term "business" means any lawful activity, except a farm operation, conducted

primarily for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property; for the sale of services to the public; or by a nonprofit organization.

12. The commissioner of transportation pursuant to section three hundred five of the eminent domain procedure law may make agreements on such terms, conditions and consideration as he deems beneficial to the state with respect to any property heretofore or hereafter acquired whereby such property may be used and occupied by the former owner, tenant or by any other party from a date specified in said agreement, until such time as the state requires and obtains actual physical possession. The agreements for the use and occupancy of such property may be managed, supervised and enforced (1) by the staff, forces and equipment of the department of transportation; or (2) by the commissioner of transportation contracting for the management, supervision and enforcement thereof with any person, firm or corporation; or (3) by a combination of such methods.

The use and occupancy of such property under the provisions of this section and the right of the state or its duly authorized agent to recover possession thereof shall not be subject to the emergency housing rent control law.

Expenses which are determined by the commissioner of transportation to have been incurred in connection with the use and occupancy of such property may be paid out of the state treasury after audit by the comptroller from moneys appropriated for the duly authorized project for which the property was acquired. However, such expenses incurred under a contract for management and supervision of such property may be paid out of the gross revenue therefrom. All moneys received by the commissioner of transportation for such use or occupancy shall be paid into the treasury of the state to the credit of the capital construction fund.

13. Authorization is hereby given to the commissioner of transportation to make supplemental relocation payments, separately computed and stated, to displaced owners and tenants of residential

property acquired pursuant to this section who are entitled thereto, as determined by him. The commissioner with the approval of the director of the budget, may establish and from time to time amend rules and regulations providing for such supplemental relocation payments. Such rules and regulations may further define the terms used in this subdivision. In the case of property acquired pursuant to this section which is improved by a dwelling actually owned and occupied by the displaced owner for not less than one hundred eighty days immediately prior to initiation of negotiations for the acquisition of such property, such payment to such owner shall not exceed fifteen thousand dollars. Such payment shall be the amount, if any, which when added to the acquisition payments equals the average price, established by the commissioner on a class, group or individual basis, required to obtain a comparable replacement dwelling that is decent, safe and sanitary to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market, but in no event shall such payment exceed the difference between acquisition payment and the actual purchase price of the replacement dwelling. Such payment shall include an amount which will compensate such displaced owner for any increased interest costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired pursuant to this section was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located. Any such mortgage interest differential payment shall, notwithstanding the provisions of section twenty-six-b of the general construction law, be in lieu of and in full satisfaction of the requirements of such action. Such payment shall include reasonable expenses incurred by such

displaced owner for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses. Such payment shall be made only to a displaced owner who purchases and occupies a replacement dwelling which is decent, safe and sanitary within one year subsequent to the date on which he is required to move from the dwelling acquired pursuant to this section or the date on which he receives from the state final payment of all costs of the acquired dwelling, whichever occurs later, except advance payment of such amount may be made in hardship cases. In the case of property acquired pursuant to this section from which an individual or family, not otherwise eligible to receive a payment pursuant to the above provisions of this subdivision, is displaced from any dwelling thereon which has been actually and lawfully occupied by such individual or family for not less than ninety days immediately prior to the initiation of negotiations for the acquisition of such property, such payment to such individual or family shall not exceed four thousand dollars. Such payment shall be the amount which is necessary to enable such individual or family to lease or rent for a period not to exceed four years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities and reasonably accessible to his place of employment, but shall not exceed four thousand dollars, or to make the down payment, including reasonable expenses incurred by such individual or family for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses, on the purchase of a decent, safe and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities, but shall not exceed four thousand dollars, except if such amount exceeds two thousand dollars, such person must equally match any such amount in excess of two thousand dollars, in making the down payment. Such payments may be made in installments as determined by the commissioner. Application for payment under this subdivision shall be made to the commissioner upon forms prescribed by him and shall be accompanied by such information and evidence as the commissioner may require. Upon approval of such application, the

commissioner shall deliver a copy thereof to the comptroller together with a certificate stating the amount due thereunder, and the amount so fixed shall be paid out of the state treasury after audit by the comptroller from moneys appropriated for the acquisition of property under this section.

14. Any owner may pursuant to section five hundred three of the eminent domain procedure law present to the court of claims a claim for the value of such property acquired and for legal damages, as provided by law for the filing of claims with the court of claims. Awards and judgments of the court of claims shall be paid in the same manner as awards and judgments of that court for the acquisition of lands generally and shall be paid out of the state treasury from moneys appropriated for the construction, reconstruction and maintenance of state thruways and bridges thereon.

15. If the work of constructing, reconstructing and maintaining such state thruways and bridges thereon causes damage to property not acquired as above provided, the state shall be liable therefor, but this provision shall not be deemed to create any liability not already existing by statute. Claims for such damage may be adjusted by the department of transportation, if the amounts thereof can be agreed upon with the persons making such claims, and any amount so agreed upon shall be paid as a part of the cost of such improvement as prescribed by this section. If the amount of any such claim is not agreed upon, such claim may be presented to the court of claims which is hereby authorized to hear such claim and determine if the amount of such claim or any part thereof is a legal claim against the state and if it so determines, to make an award and enter judgment thereon against the state, provided, however, that such claim is filed with the court of claims within three years after the final acceptance of the work of the improvement by the commissioner of transportation.

16. Notwithstanding any other provision of this section, the commissioner of transportation shall have the power to acquire by grant or purchase, in the name of the people of the state of New York, any property which he deems necessary for any of the purposes provided for

in this section and may also acquire for such purposes from the Palisades interstate park commission, in the name of the people of the state of New York, such lands and such easements, licenses, permits or other rights over lands as the said commission is authorized to grant, sell, exchange or convey. When the acquisition by appropriation, grant or purchase of property deemed necessary for thruway purposes would result in substantial consequential damages to the owner's remaining property, due to loss of access, severance or control of access, the commissioner of transportation, for and in behalf of the people of the state of New York, may acquire by purchase or grant all or any portion of such remaining property. Payment therefor, if any, shall be made in the manner prescribed in this section for the payment of adjusted acquisition claims, provided, however, that no real property shall be so acquired unless the title thereto shall be approved by the attorney general.

17. The expense of the acquisition of property including the cost of making surveys and preparing descriptions and maps of property to be acquired, and of administrative duties in connection therewith, serving notices of appropriation, making title searches, appraisals and agreements, and examinations and readings of title made by the attorney general, and expenses incurred by the commissioner of transportation or the attorney general in proceedings for removal of owners or occupants, shall be deemed part of the cost of such improvement. The comptroller is hereby authorized to charge against any moneys available for the construction, reconstruction and maintenance of state thruways and bridges thereon and to reserve therefrom such sums as may be sufficient to defray the necessary expenses to be incurred by the attorney general for examination, readings, and approval of titles, upon the filing with him by the attorney general from time to time of a certificate or certificates approved by the commissioner of transportation setting forth such estimated expenses. Such expenses shall be paid from the funds so reserved.

18. Notwithstanding the provisions of any general, special or local law, the commissioner of transportation, his officers or agents when engaged on work connected with the thruway system of the state of New

York, as described in this chapter may pursuant to the eminent domain procedure law enter upon any property for the purpose of making surveys, test pits, test borings, or other investigations and also for temporary occupancy during construction. Claims for any damage caused by such work and not exceeding two thousand five hundred dollars may, without appropriating such property, be adjusted by agreement by the commissioner of transportation with the owner of the property affected as determined by him by reasonable investigation, and the amount so agreed upon shall be paid out of the state treasury, after audit by the comptroller, from monies appropriated for the construction, reconstruction and maintenance of state thruways and bridges thereon, but not until there shall have been filed with the comptroller a certificate of the attorney general approving, as to form and manner of execution, such agreement and any release given in consideration of such payment.

19. The commissioner of transportation may determine whether any property acquired for any of the purposes connected with the thruway system of the state of New York pursuant to this section may, while under his jurisdiction, and subject to compliance with section four hundred six of the eminent domain procedure law, be sold or exchanged, in whole or in part, on terms beneficial to the state, and in all cases of such determination he may sell or exchange such property; in order to carry any such sale or exchange into effect, the commissioner of transportation is hereby authorized to execute and deliver, in the name of the people of the state, a quitclaim of such property.

20. If the commissioner of transportation, or such duly authorized representative or agency which has succeeded him in the jurisdiction of the property affected, shall determine subsequent to the acquisition of a temporary easement right in property and subsequent to the filing of a map of such property in the office of the county clerk or register, as aforesaid, that the purposes for which such easement right was acquired have been accomplished and that the use and occupancy of said property for state thruway purposes are no longer necessary, and that, therefore, the term of such easement should then be terminated, or if the appropriation of such easement was for an indefinite period, that the

end of such period should be fixed and determined, or that the period of such easement has by its terms expired, he shall make his certificate to that effect and, in case he certifies that the use and occupancy of such property for such thruway purposes are no longer necessary, he shall further certify that the property in which such easement right was acquired is surrendered back to the affected owner of said property and that such easement right is thereupon terminated, released and extinguished. The commissioner of transportation, or his said successor, shall cause a copy of such certificate to be filed in the office of the department of state. Upon the filing of such certificate in the office of the department of state, the term of such easement, or all the easement rights acquired by the state in such property, shall, by virtue of such filing and in accordance with the determination expressed in such certificate, be fixed and determined, or terminated, released and extinguished. The commissioner of transportation, or his said successor, shall cause a copy of such certificate together with notice of the filing thereof in the office of the department of state to be mailed to the current owner of the property affected, so far as such owner and his place of residence can be ascertained by him by reasonable investigation. A further copy of such certificate and notice of filing shall be filed in the office of the recording officer of each county wherein the property affected is situated. Upon the filing with said officer of such certificate, in the form aforementioned, and of such notice, it shall be his duty, without further requirement, to record the same in the books used for recording deeds in his office.

§ 348. Payment of cost of state thruways. The state shall construct or improve and maintain, at its own cost and expense, or with federal aid, state thruways, and shall acquire at its own cost and expense, or with federal aid or by gift, the rights of way necessary for such thruways. Such cost to the state shall, except for the preparation of plans and specifications and for engineering and other services incidental to the preparation of plans and specifications including field surveys and sub-surface investigations, be paid only from moneys specifically appropriated for such purpose, subject to the provisions of this chapter relating to federal aid; provided, however, that where any state highway

or part thereof specified in section three hundred forty-one of this chapter or any improvement or reconstruction thereof shall be utilized by the commissioner of transportation as a part of any state thruway, moneys appropriated for the construction and reconstruction of state highways may be expended therefor and rights of way therefor shall be acquired as provided in article three of this chapter.

§ 349. Application of chapter. All the provisions of this chapter relating to state highways and not inconsistent with the provisions of this article shall apply to the construction or improvement and the control and maintenance of state thruways in the same manner as though they were designated as state highways.

§ 349-a. State thruway routes. State thruway routes are hereby set forth and generally described as follows:

1. Southern Westchester connection. Beginning at the northerly terminus of the Major Deegan expressway in the vicinity of Jerome avenue at the New York city corporate line, thence extending in a general northerly direction through the city of Yonkers to connect with the southerly end of the Hudson section at a point in the vicinity of Tuckahoe road to be determined by the commissioner. No fees or other charges may be imposed for vehicular use of this connection.

2. The Hudson section. Beginning at the northerly end of the southern Westchester connection at or near Tuckahoe road, thence in a general northerly and westerly direction crossing the Hudson river at a point south of Highland Falls, which crossing shall be known as "The Governor Mario M. Cuomo Bridge", thence in a general westerly direction to intersect with existing route number seventeen or to a connection with that route, including a thruway connection from that portion of the section west of the Hudson river, generally southerly to a point to be determined by the authority on the New York-New Jersey boundary line.

3. The Catskill section. Beginning at the northerly end of the Hudson

section, extending in a general northerly direction in the vicinity of Central Valley, Highland Mills, Woodbury Falls, Vails Gate, thence through or passing Newburgh on the west, thence northerly past Plattekill and New Paltz, thence passing through or near the city of Kingston and continuing northerly to the west of Saugerties and Catskill, continuing northerly passing in the vicinity of West Coxsackie and Ravena, thence northerly passing the Feura Bush railroad yards in the vicinity of either their easterly or westerly extremities, thence continuing northerly passing to the west or through the westerly part of the city of Albany, and intersecting United States route number twenty in the vicinity of McKownville.

4. The Mohawk section. Starting at the northerly end of the Catskill section on United States route number twenty in the vicinity of McKownville, continuing in a northwesterly direction toward the city of Schenectady, and thence around the southerly side of Schenectady, continuing through or along the Mohawk Valley by-passing or passing through the city of Utica, thence westerly passing in the vicinity of Whitesboro and continuing to the north of the city of Oneida, thence westerly to the south of the Cicero swamp to a point on United States route number eleven north of the village of Liverpool.

Notwithstanding the provisions of any general, special or local law, the commissioner of transportation is authorized and empowered to enter into an agreement with any railroad corporation or corporations for the relocation or removal of a portion of the railway with appurtenances and facilities, as he may deem necessary to accommodate the construction and use of the Mohawk section in Schenectady, Montgomery and Herkimer counties. Each such railroad corporation, subject to the rules of the commissioner of transportation, or the commissioner of transportation may let the necessary contracts therefor. The agreement may direct that the work be done by contract or by direct employment of labor and purchase of material, or partly by contract and partly by direct employment of labor and purchase of material. The entire cost of the work, as herein provided, shall be included in the cost of the Mohawk section.

5. The Ontario section. Starting at the westerly end of the Mohawk section at a point on United States route number eleven north of the village of Liverpool, thence westerly north of Onondaga lake, thence in a westerly direction passing in the vicinity of Warners, Memphis, Jordan and Weedsport, crossing the New York Central and West Shore railroads in the vicinity of the village of Port Byron, thence southwesterly crossing the Seneca river in the vicinity of May's Point, thence westerly north of the villages of Seneca Falls and Waterloo and passing in the vicinity of West Junius, Phelps, Clifton Springs and Manchester, passing north of Victor and in the vicinity of Fisher and Severance, continuing westerly to a point in the vicinity of the city of Batavia, thence westerly to a point in the vicinity of Williamsville, including a spur to Main street, in the vicinity of Kensington avenue in the town of Amherst, thence southerly generally parallel to and west of Union road to a point south of the Lehigh Valley railroad tracks, thence southwesterly to a point at the junction of the Erie and Niagara sections in the vicinity of the crossing of Dingens street and the Lehigh Valley railroad in the town of Cheektowaga.

6. The Erie section. Starting at its junction with the Niagara section at a point in the vicinity of the crossing of Dingens street and the Lehigh Valley railroad in the town of Cheektowaga, thence southerly generally paralleling the Lehigh Valley railroad to Cazenovia creek and extending southerly and southwesterly to a point north of the village of Hamburg, thence in a southwesterly direction generally paralleling the existing Southwestern boulevard to a point near the village of Irving, thence bypassing the village of Silver Creek to the south, thence extending in a general southwesterly direction to the Pennsylvania state line on a location lying in the vicinity of United States route number twenty and state touring route number five.

7. The New England section. Beginning at or near the point of intersection of the Bronx and Pelham parkway and the extension of Bruckner boulevard in New York city, extending in a generally northerly direction to a point on or near east two hundred twenty-second street, thence generally in an easterly direction to the New York city-Westchester county line north of Pelham Bay park, thence generally

in a northeasterly direction through the town of Pelham, the city of New Rochelle, the town of Mamaroneck, the village of Mamaroneck, the town of Harrison, the city of Rye, the town of Rye and the village of Port Chester, to a point on the New York-Connecticut state line.

8. The Niagara section. Starting at the junction of the Erie and the Ontario sections at a point in the vicinity of the crossing of Dingens street and the Lehigh Valley railroad in the town of Cheektowaga, thence generally in a westerly direction to Erie street in the city of Buffalo, thence continuing in a general northwesterly direction to the Front, thence through the Front and north between Niagara street and the ship canal to the right of way of the abandoned Erie canal near the northern end of such ship canal, thence generally along such right of way, deviating therefrom to make a connection with the easterly approach of the South Grand Island bridge, thence across the Niagara river, utilizing the existing South Grand Island bridge or constructing another bridge parallel to such bridge, or both, thence along or parallel to existing Grand Island boulevard, across the Niagara river, utilizing the existing North Grand Island bridge, or constructing another bridge parallel to such bridge, or both.

9. The Berkshire section. Starting at a point or points on the Catskill section northeast of Becker's Corners, thence easterly to a point on the west bank of the Hudson river, which point shall be more than fifteen miles north of the Rip Van Winkle bridge, thence across a bridge to be constructed by the authority and which crossing shall be known as "The Castleton-on-Hudson Bridge"; and thence generally in a southeasterly direction and passing in the vicinity of the hamlets of Brookview, North Chatham, Old Chatham, and East Chatham to a point on the New York-Massachusetts boundary line near the hamlet of State Line.

ARTICLE XII-B

STATE ARTERIAL HIGHWAYS PASSING THROUGH CITIES

Section 349-b. Declaration of policy.
349-c. Design, construction, and payment of costs.
349-d. Application of law, rules, conditions and regulations.

349-e. Cities named; streets designated.
349-f. New York city routes.
349-g. Airport access mass transit for LaGuardia airport.

§ 349-b. Declaration of policy. The modernization and the construction of arterial highways which are to pass through cities, will contribute greatly to post-war reemployment and to the stimulation of industrial recovery. The resources and the technical skills that are available to the state for these purposes, should be used for the benefit of the cities upon the principle that the construction of such arterial highways is a matter of state concern. However, it is the manifest intention of the state to recognize and to preserve the powers or rights heretofore conferred upon or delegated to any city to regulate the property, affairs or government thereof, in the modernization and the construction of such arterial highways. The integration of such arterial highways in the system of state highways throughout the state contemplates an expenditure of public funds to pay the costs that are attendant upon the fulfilment of a program of the work of modernization and construction as herein mentioned, as well as of the maintenance of such public ways. It is hereby declared to be the purpose of this act to initiate the procedure that is prerequisite to any project of the magnitude herein provided, to the end that orderly progress and equitable distribution of effort and moneys may be observed in the administration of this article, and, from time to time, when expressly authorized by the legislature, any section of such arterial highways may be constituted, constructed, reconstructed, improved and maintained as a part of the state highway system.

§ 349-c. Design, construction, and payment of costs. 1. Notwithstanding the provisions of any general, special or local law, the commissioner of transportation is authorized and empowered to prepare designs, plans, specifications and estimates for the construction, reconstruction or improvement (1) of any extension or continuation of any highway or route which is now or which shall hereafter be authorized by section three hundred forty-one of this chapter, upon any public

street or streets in any city outside of the city of New York, which are now or which shall hereafter be designated in this article, and (2) of any existing or proposed main routes or thoroughfares in the city of New York; all of which are designated in this article. Such designs, plans, specifications and estimates may be prepared (a) by the department of transportation; (b) by any city herein named, if the preparation of such designs, plans, specifications and estimates are authorized in advance by the commissioner of transportation and then upon such terms and conditions as may be agreed by and between such city and the commissioner of transportation; (c) subject to the approval of the director of the budget, by the employment of private engineers or engineering firms; or (d) by a combination of such methods. The commissioner of transportation may, in his discretion, provide or direct that there be provided in such designs, plans, specifications and estimates, such roadside and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to accommodate the public; provided however that such development is within the bounds of any property acquired for purposes connected with the highway system of the state of New York pursuant to this chapter, and any adjacent publicly owned or controlled recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic. All references hereinafter contained in this article to the construction of facilities and appurtenances of state highways, or to a section or sections of the arterial system, may be deemed to include the development and facilities mentioned in this paragraph.

2. With relation to any city named in this article, but not including the city of New York:

2.1. The commissioner is authorized to provide in such designs, plans, specifications and estimates, for bridges, culverts, drainage, shoulders, gutters, curbs, sidewalks and any other facilities and appurtenances as he may determine.

2.2. The commissioner shall construct, reconstruct or improve such extensions or continuations, including said facilities and

appurtenances, in the same manner as other state highways, facilities and appurtenances are constructed, reconstructed and improved pursuant to this chapter. After designs, plans and specifications thereof have been completed and approved by the city and the commissioner, the city may, however, elect to construct such section or sections and acquire property therefor at its own expense in the manner provided by the city charter or otherwise. For all the purposes of this section, the jurisdiction of the commissioner shall extend over the entire property affected by the provisions hereof, as such jurisdiction has been obtained, or as such jurisdiction may hereafter be obtained pursuant to the provisions of this chapter. Such sidewalks, facilities and appurtenances shall be maintained or shall be continued to be maintained, as the case may be, by the city in which they are located, or by the agency or unit owning or having control and jurisdiction thereof.

2.3. The governing body of any city named in section three hundred forty-nine-e of this article may apply to the commissioner for a change in such designation of a public street or streets within the boundaries of such city, and the commissioner may grant such application, and in case such application is granted, the additional costs and expenses of the acquisition of property and legal damages caused thereby, and the additional costs and expenses of construction, reconstruction or improvement of the public street or streets as requested in such application shall, pursuant to written agreement, be paid by such city to the state. The monies so required shall be raised by tax or pursuant to the local finance law or in accordance with any local charter or law, as the case may be, and such funds shall be deposited and be subject to requisition in the manner as herein provided in case a greater width or different type of construction is desired by such city.

2.4. A state highway may be constructed or reconstructed through any such city, of such width and type of construction as the commissioner of transportation shall deem proper, unless a greater width or different type of construction is desired by such city, in which case the governing body of such city may apply to the commissioner to provide the width and type of construction desired. The commissioner may grant such

application, if he deems the filing of such application to be timely, and the additional costs and expenses of such width and type of construction, or either of them, shall, pursuant to written agreement, be paid by such city to the state. Whenever the commissioner shall have granted such an application the designs, plans, specifications and estimates of cost, together with an estimate showing the additional costs and expenses to be borne by such city, to provide for the greater width or different type of construction or both, shall be submitted to the governing body of such city which, if it approves such designs, plans, specifications and estimate of cost, shall by resolution appropriate the funds necessary to provide for the portion of the costs and expenses of construction to be borne by such city. Such funds shall, prior to the advertisement for bids for or including the said greater width or different type of construction, be deposited by such city with the state comptroller subject to the draft or requisition of the commissioner, and a certified copy of such resolution shall be filed with the state comptroller and with the commissioner. The monies so required shall be raised by tax or pursuant to the local finance law or in accordance with any local charter or law, as the case may be. Upon the completion of a highway within such city where a portion of the costs and expenses are borne by the city the commissioner shall transmit to the governing body of such city a statement showing the actual costs and expenses of the additional width or changed construction including a proportionate charge for engineering, and shall notify the city clerk that he will accept the work within twenty days from the date of such notice, unless protest in writing against the acceptance shall be filed by such clerk with the commissioner. In case a protest is filed the commissioner shall hear the same and if it is sustained the commissioner shall delay the acceptance of the highway or section thereof until the same be properly completed. If no protest is filed the highway or section thereof shall at the expiration of the said twenty days be deemed finally completed and accepted on behalf of such city and the state. The provisions of any general or special laws relative to the pavement or improvement of streets and the assessment and payment of the cost thereof shall apply, as far as may be, to such additional construction and the assessment and payment of the cost thereof, except that the provisions of any general or local act affecting the pavement

or improvement of streets or avenues in any such city and requiring the owners, or any of the owners, of the frontage on a street to consent to the improvement or pavement thereof, or requiring a hearing to be given to the persons whose premises are subject to assessment, upon the question of doing such paving or making such improvement shall not apply to the portion of the improvement or pavement of a state highway the expense for which is required to be paid by such city to the state.

2.5. Whenever the commissioner deems it necessary to acquire property for the purpose of widening any such designated street, he shall, transmit the plans generally describing the proposed location for said street to the governing body of such city in which such designated street or any portion thereof is located. The governing body of such city, after the receipt of such plans may conduct a public hearing or hearings upon such notice as such governing body shall deem reasonable, but not less than ten days, to the commissioner and to such other party or parties deemed by said governing body to be interested in the project. In any event and within sixty days or within such other period of time as may be provided by the provisions of the charter of such city, after the receipt of such plans, the said governing body shall, by resolution, duly adopted by its members, approve, disapprove or recommend modifications in such plans as the public interest shall require. Within ten days after the adoption of the resolution, the clerk of such governing body shall mail a certified copy thereof to the commissioner. The commissioner shall not proceed with the designs, plans and specifications unless such city in which such designated street or portion thereof is located approves the plans generally describing the proposed location. Before filing the description and the original tracing of any map, or proceeding with the acquisition of such property or the work of construction, reconstruction or improvement, the commissioner shall transmit the designs, plans and specifications for the construction, reconstruction or improvement of the extension or continuation upon said street to the governing body of such city in which such designated street or any portion thereof is located. The governing body of such city, after the receipt of such designs, plans and specifications, may conduct a public hearing or hearings upon such notice as such governing body shall deem reasonable, but not less than

ten days, to the commissioner and to such other party or parties deemed by said governing body to be interested in the project. In any event and within sixty days or within such other period of time as may be provided by the provisions of the charter of such city, after the receipt of the designs, plans, and specifications, the said governing body shall, by resolution, duly adopted by its members, approve, disapprove or recommend modifications in such designs, plans and specifications as the public interest shall require. Within ten days after the adoption of the resolution, the clerk of such governing body shall mail a certified copy thereof to the commissioner. The form of the resolution shall be prescribed by the commissioner. In case such governing body shall disapprove the designs, plans and specifications, without proposing modifications, the commissioner may, in his discretion, prepare and submit to such governing body for approval other designs, plans and specifications, for the construction, reconstruction or improvement of the extension or continuation within the bounds of such city, or in his discretion he may proceed with the work of construction, reconstruction or improvement within and confined to the existing width of the pavement of said designated street in the affected location. In case such governing body shall disapprove the designs, plans and specifications, and shall recommend modifications, the commissioner may approve the designs, plans and specifications, so modified, or recommend other modifications for approval, and said extension or continuation shall be constructed, reconstructed or improved in accordance with such designs, plans and specifications, as finally approved. When the designs, plans and specifications for construction, reconstruction or improvement of an extension or continuation as aforesaid have finally been approved as hereunder provided, no resolution thereafter adopted by the governing body of such city shall rescind, annul or modify such prior resolution either directly or indirectly, excepting upon the advice and with the consent of the commissioner. Upon the failure or omission of the governing body of any such city to act within the time and manner herein required the said designs, plans and specifications shall be deemed to be approved so far as such governing body is concerned.

2.6. Any property which is deemed by the commissioner to be necessary to carry out the provisions of this section, shall be acquired by him

pursuant to the eminent domain procedure law and applicable provisions of section thirty of this chapter, except that the function of the board of supervisors as to approval of controlled access shall be exercised by the governing body of the city. The costs and expenses of such acquisition of property and any liability incurred by reason thereof, including legal damages caused by such acquisition and by the work of constructing, reconstructing or improving such extensions and continuations, including legal damages caused by such work of construction, reconstruction or improving, all as provided in section thirty of this chapter, shall be paid by the state, provided however, that with respect to any such acquisition made on or before March thirty-first, nineteen hundred sixty-five only, such costs and expenses shall be paid by the state in the first instance and shall be borne as follows: fifty per centum by the state and fifty per centum by such city affected thereby.

2.6-a. Whenever the commissioner determines that any property heretofore or hereafter acquired pursuant to the provisions of this section is no longer necessary for any of the purposes for which it was acquired, he may, subject to compliance with section four hundred six of the eminent domain procedure law and notwithstanding the provisions of any general, special, or local law, dispose of such property by sale or exchange upon terms beneficial to the state; provided, however, that on highways where access is not controlled, such disposal of such property shall not thereby deprive an abutting owner of frontage on such highway immediately in front of his abutting land. If any such sale or exchange be made to or with a person who was the owner of property appropriated for such highway, the consideration therefor may be, in whole or in part, a release by such former owner of any claim he may have against the state by reason of such appropriation of his property. In order to carry any such sale or exchange into effect the commissioner is hereby authorized to execute and deliver for and on behalf and in the name of the people of the state of New York and under his official seal a quitclaim deed of such property. Such deed shall be prepared by the attorney general and before delivery thereof shall be approved by him as to form and manner of execution. The total amount of the consideration passing to the state for any such conveyance shall be apportioned

between the state and the city in which such highway is located in the same ratio in which the costs and expenses of the acquisition of such property was borne by the state and such city and the amount thereof apportioned to such city and exceeding any amount owing from such city to the state pursuant to the provisions of this section shall be paid to such city out of monies appropriated for the construction, reconstruction or improvement of state highways. The amount of consideration paid in cash for any conveyance hereinabove authorized shall be paid into the state treasury and credited to the capital construction funds.

2.7. If any such property shall be so acquired on or before March thirty-first, nineteen hundred sixty-five, in any such city for the purpose of this section, before such property shall be so acquired in such city for the purpose of this section, the commissioner shall transmit to the governing body of such city an estimate showing the proportionate costs and expenses of such acquisition as such costs and expenses are specified in section thirty of this chapter, whereupon and within ninety days after the transmittal of said estimate such city shall (a) by resolution, appropriate the funds shown in said estimate, (b) deposit such funds with the state comptroller subject to the draft or requisition of the commissioner, and (c) file a copy of the resolution with the state comptroller and with the commissioner. Upon the completion of a highway within such city where a portion of the costs and expenses of the acquisition of the property are borne by the city, the commissioner shall transmit to the governing body of such city a statement showing the actual costs and expenses of such acquisition as hereinbefore mentioned, and shall notify the city clerk of the amount due from or to be returned to the city, as the case may be. Any sum due the state shall be paid by such city within sixty days after the date of the transmittal of said statement and the funds therefor shall be raised by tax or pursuant to the local finance law, or in accordance with any local charter or law, as the case may be. If it is determined by resolution of the governing body of such city that the financial condition of such city would be adversely affected by the payment in one lump sum of the full amount of its share of the costs and expenses of right of way acquisition, the commissioner, subject to the approval of

the director of the budget, and such city acting through the mayor or other administrative head thereof, pursuant to the aforesaid resolution of the governing body of such city, are authorized to enter into a written agreement extending the repayment by the city of its share of such right of way costs and expenses advanced by the state in the first instance, by providing for such repayment to be made by equal annual installments without interest, payable by such city to the state comptroller on or before April first of each year and in no event shall such period of repayment to the state exceed the term of ten years provided however, that during the term of repayment any such city may elect to pay the balance owing to the state in full or make such additional payment or payments and at such time or times as it may so propose. The director of the budget shall not approve the extension of repayment to the state by such city of its share of any additional right of way costs and expenses advanced by the state in the first instance until such time as the state comptroller shall certify to the director of the budget that all monies previously owed to the state by such city in accordance with the provisions of this article have been paid in full. Whenever such city shall fail to make an installment payment due in accordance with the provisions of such repayment agreement, the state comptroller thereupon shall cause to be withheld from state-collected, locally-shared taxes or state aid whichever he shall determine and to which such city would otherwise be entitled, a sum sufficient to reimburse the state for the amount due and owing the state in accordance with such repayment agreement. Such monies so withheld shall be credited by the state comptroller against the amount payable to the state by such city in accordance with the provision of such repayment agreement.

3. With relation to the city of New York:

3.1. For convenience of design, acquisition of property and for purposes of construction, reconstruction or improvement, such state arterial system in the city of New York (hereinafter called "city") shall be divided into such sections as may be agreed by and between the commissioner and the city planning commission. Funds that are now or that shall hereafter be made available to pay the costs and expenses of design, acquisition of property, and construction of the uncompleted

portions of such system, may be used to pay the said costs and expenses in connection with a section or sections of such system as agreed from time to time by the city and the commissioner. The city may elect in advance to prepare designs, plans, specifications and estimates of cost for any such section or sections of such system, as hereinafter provided.

3.2. Notwithstanding the provisions of any general, special or local law, designs, plans, specifications and estimates of cost for the uncompleted portions of the system may be prepared wholly or partly by the commissioner or by the appropriate city agency if the said commissioner shall approve or, subject to the approval of the director of the budget, by private architectural or engineering firms selected by the said commissioner. The preparation of any such designs, plans, specifications and estimates of cost by the city shall be undertaken only when specifically authorized in advance by the commissioner. The costs and expenses thereof shall be paid out of funds now or hereafter available for such purposes. Such designs, plans, specifications and estimates of costs shall require the approval of the city in the manner provided by the city charter and administrative code. The appropriate city department or agency may prepare designs, plans, specifications and estimates of cost at the cost and expense of the city for any part of such system which such city elects to construct at its own expense.

3.3. Any property which is deemed by the commissioner of transportation to be necessary to carry out the provisions of this article shall be acquired and may be disposed of by him pursuant to applicable provisions of the eminent domain procedure law and section thirty of this chapter, except that the function of the county legislative body as to approval of controlled access shall be exercised by the governing body of the city. Nothing in this section shall, however, preclude the city from acquiring, subject to the city charter and administrative code, all or any part of the property needed for the system in the event that sufficient state funds are not available and it is deemed desirable by the city to acquire title promptly to expedite completion of all or parts of the system, but no liability shall be created thereby or deemed to have been assumed by the state in such

event.

3.4. The state shall proceed with the construction of a section or sections of said system after designs, plans, specifications and estimates of cost thereof have been completed and approved by the city and the commissioner of transportation, and the necessary property has been acquired. The city may, however, elect to construct such section or sections at its own expense in the manner provided by the city charter or otherwise. Upon the completion by the state of a section or sections of parkways constructed by the state in the city of New York, the commissioner of transportation shall by official order transfer jurisdiction over the central express artery and adjacent landscape areas and over adjacent service roads to the city of New York. All such parkways, excepting such service roads shall be maintained by the city department of transportation as parkways restricted to pleasure vehicles and without access except at designated points, except that the city department of transportation may adopt a rule permitting the use of a portion of the Grand Central parkway between the Robert F. Kennedy bridge and the western leg of the Brooklyn-Queens expressway by single unit commercial vehicles having no more than three axles and ten tires. Parkway service roads shall be open to mixed traffic. Upon the completion of a section or sections of expressways including incidental service roads constructed by the state in the city of New York, the commissioner of transportation shall transfer jurisdiction to the city of New York. The provisions of this article in regard to design and construction shall apply also to reconstruction of a section or sections of the state arterial system.

3.5. No change shall be made in the basic plans of the state arterial system in the city which will affect adversely the integrity of the said expressways and parkways in such system by abandoning or relocating a section or sections or by adding new entrances or exits, or by providing crossings at grade or traffic lights, other than on service roads, without approval in writing by the commissioner.

3.6. Nothing herein contained shall affect the powers and duties of the mayor, the city planning commission and other city departments and

agencies with respect to the acquisition, construction, reconstruction and control of such state arterial system in the city, except as herein otherwise specifically provided, and nothing contained in this article shall be deemed to supersede, change or postpone arrangements by the federal and state governments with the city of New York to expedite the post-war arterial improvements within the city with federal, state and city funds made available for this purpose. Nothing herein contained shall be construed to alter or in any way change the character and use of marginal streets and the rights of the city therein.

4. Unless otherwise expressly provided, nothing contained in this section shall be deemed to be a modification, limitation or exclusion of any existing, amendatory or supplemental provisions of this chapter or of any other statute now or hereafter to be enacted, relating to the improvement, construction, reconstruction or maintenance of any state highway with necessary facilities and appurtenances, with federal aid.

5. The costs and expenses of (a) all preliminary work including the preparation of designs, maps, plans, specifications and estimates of cost; (b) construction, reconstruction or improvement including resurfacing or the construction, reconstruction or improvement of any sidewalk because of a change of grade; (c) the acquisition of property as defined and authorized in section thirty of this chapter; (d) reconstruction that is undertaken subsequent to the construction or improvement herein provided, shall all be deemed to be a part of the cost of construction and reconstruction of state highways, and shall be paid from funds available therefor; and the cost of maintenance and repair as hereinafter provided, shall be paid from funds available for maintenance and repair of highways; all on the audit and warrant of the state comptroller on vouchers approved by the commissioner of transportation. The costs and expenses of reconstruction of any structure that separates highway-railroad grades and, in the discretion of the commissioner of transportation, the costs and expenses of the elimination of an existing highway-railroad crossing at grade shall, pursuant to a certificate of availability of funds therefor which shall have been approved by the director of the budget, be deemed to be a part of the cost of construction, reconstruction or improvement of state

highways and shall, in cases provided in this subdivision, be paid by the state as part of the cost thereof. Any property that may be required in connection with such work of construction or reconstruction, shall be acquired by the procedure provided in section thirty of this chapter, and the cost and expenses of such acquisition of property as defined in this article shall be paid as provided in this article. The commissioner of transportation may make an agreement with a railroad corporation for the performance by such railroad corporation of any work of construction or reconstruction of such grade separation structure and necessary facilities and appurtenances and for reimbursement by the state to such railroad corporation for the cost and expense of such work. Such agreement may provide that such work may be done by (1) the forces and with the equipment of such railroad corporation, or (2) by such other method as such commissioner of transportation shall approve, or (3) by a combination of such methods, as such commissioner of transportation may deem to be for the best interests of the state. When a structure which carries a railroad over an arterial highway, or which carries an arterial highway over a railroad, is completed, the bridge and its supports shall be maintained and repaired by the agency responsible for the maintenance of the highway.

6. The costs of all such work of preparing designs, plans, specifications and estimates shall be paid out of funds that are now or that shall hereafter be made available for the construction, reconstruction or improvement of state highways, subject to the provisions of this chapter relating to federal aid or to any grants or contributions relating to federal aid, as such provisions, grants or contributions are now or shall hereafter be enacted or be made available; and payment shall be made on the audit and warrant of the comptroller on vouchers approved by the commissioner.

7. The commissioner of transportation and any city named in this article, acting through the mayor or other administrative head thereof, pursuant to a resolution of the governing body of such city except the city of New York, are authorized to enter into a written agreement for the maintenance and repair, under the supervision and subject to the approval of the commissioner, of any public street, main route or

thoroughfare or portion thereof, exclusive of service roads and pavement on intersecting street bridges, which is within the boundaries of such city and which is now or which shall hereafter be designated in this article and which has been constructed or which shall have been constructed as authorized by articles four and twelve-B of this chapter and with grants made available by the federal government pursuant to the federal aid highway act of nineteen hundred forty-four, being public law five hundred twenty-one of the seventy-eighth congress, chapter six hundred twenty-six, second session, as approved on the twentieth day of December, nineteen hundred forty-four. Such agreement may provide that the state shall pay annually to such city a sum to be computed at the rate of (a) not more than eighty-five cents per square yard of the pavement area that is included in the state highway system according to the provisions of this section, and (b) an additional ten cents per square yard of such pavement area where such pavement area is located on any elevated bridge.

The maintenance and repair, as provided in this section, shall be done either by the forces of such city and with its equipment, or by its contractor, or by a combination of these two methods.

8. Such agreement for maintenance and repair as authorized by this section, shall include the procedure and method for regulation of street openings, and appropriate provisions for the care, protection and patching of the pavement or pavements, and curbs, the care and protection of drainage facilities and structures, the maintenance of adjacent roadside and landscaped areas to include the care of trees, shrubs and groundcovers and the cutting of grass at specified locations and to the extent as shall be deemed by such commissioner of transportation to be for the best interest of the public, control of snow and ice on any such public street, main route or thoroughfare or portion thereof included in such agreement, the performance of repairs and alterations, and the operation and care of traffic lights, directional guides and controls, and parking controls. Such maintenance and repair, whether done by a city pursuant to an agreement therefor as authorized by this section, or by the state because of the absence of such agreement, as the case may be, shall not include (a) services of

lighting, cleaning, sweeping and sprinkling of any such public street, main route or thoroughfare or portion thereof, all of which services are deemed to be the normal maintenance of streets by such city in which they are located, or (b) any work on or in connection with subsurface installations and structures that are owned and operated by any city, including sanitary sewers, gas mains, water lines and conduits and appurtenances thereto.

8-a. (a) Except as provided hereafter the state shall indemnify and hold harmless such city for any and all liability for damages for personal injury, injury to property or wrongful death for losses arising from or occasioned by the manner of performance of the functions under any agreement with a city for the maintenance and repair of state arterial highways pursuant to this section.

(b) In no event shall the state be obligated to defend or indemnify such city, in any action, proceeding, claim or demand arising out of the actual operation of a vehicle or other equipment while engaged in the operation of repair and maintenance under any such agreement, nor any action, proceeding, claim or demand arising out of services of lighting, cleaning, sweeping and sprinkling any such public street, main route or thoroughfare or portions thereof nor any work on or in connection with subsurface installations and structures that are owned and operated by any city, including sanitary sewers, gas mains, water lines, and conduits, and appurtenances thereto.

(c) The city shall be entitled to representation by the attorney general in any claim described in paragraph (a) of this subdivision, provided, however, that the city shall be entitled to itself defend any such action, proceeding, claim or demand whenever the attorney general determines, based upon his investigation and review of the facts and circumstances of the case that representation by the attorney general would be inappropriate, or whenever a court of competent jurisdiction determines that a conflict of interest exists and that the city is entitled to be separately represented. Whenever the municipality is entitled to defend the action itself, the state shall reimburse the municipality for any and all costs and expenses, including, but not limited to, counsel fees and disbursements.

(d) The state shall indemnify and save harmless such city in the

amount of any judgment obtained against such city in any state or federal court in any claim described in paragraph (a) of this subdivision, or in the amount of any settlement of such claim, or shall pay such judgment or settlement; provided, however, that the act or omission from which such judgment or settlement arose occurred while the city was acting within the scope of its functions for maintenance and repair of state arterial highways; provided, further, that no stipulation of settlement of any such action, proceeding, claim or demand shall be made or executed without approval of the attorney general and of the commissioner of transportation or his designee. Payment of any claim made pursuant to settlement shall not exceed the sum of fifty thousand dollars. Nothing herein shall authorize the state to indemnify or save harmless with respect to punitive or exemplary damages.

(e) The duty to defend or indemnify and save harmless prescribed by this subdivision shall be conditioned upon (i) delivery to the attorney general or an assistant attorney general at an office of the department of law in Albany or New York city and by delivery to the commissioner of transportation or his designee of a copy of any claim, summons, complaint, process, notice, demand or other pleading within ten days after such city is served with such document and (ii) the full cooperation of the city in the defense of such action, proceeding, claim or demand and in the defense of any action, proceeding, claim or demand against the state based upon the same act or omission, and in the prosecution of any appeal.

(f) The benefits of this subdivision shall inure only to such city and shall not enlarge or diminish the rights of any other party nor shall any provision of this subdivision be construed to effect, alter, or repeal any provision of the workers' compensation law.

(g) This subdivision shall not in any way affect the obligation of any claimant to give notice to the state under section ten of the court of claims act or any other provision of law.

(h) The provisions of this subdivision shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any insurance agreement.

(i) Except as otherwise specifically provided in this subdivision, the provisions of this subdivision shall not be construed in any way to

impair, alter, limit, modify, abrogate, or restrict any immunity available to or conferred upon any unit, entity, officer, or employee of the state or city of any other level of government, or any right to defense and indemnification provided for any governmental officer or employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

9. Whenever the commissioner of transportation shall deem such maintenance and repair by any such city to be inadequate or unsatisfactory according to the terms of such agreement, he may, by official order to be filed in his office, and by filing a certified copy thereof in the office of the department of state, cancel said agreement, and the payments thereunder provided by the state shall cease and determine; whereupon the commissioner may carry out such maintenance and repair in the same manner as other state highways are maintained by the state. The official order provided in this subdivision shall become effective at the expiration of five days after the commissioner shall mail a certified copy thereof to the city clerk or other official who performs related duties in such city. Thereupon, the street, main route or thoroughfare or portion thereof described in said official order shall be maintained and repaired as provided in this section.

§ 349-d. Application of law, rules, conditions and regulations. All provisions of this chapter and all rules, conditions and regulations by the commissioner of transportation that are consistent with the provisions of this article, shall be applicable to the performance of the acts herein specified, and, notwithstanding any inconsistent provisions of this chapter, or any other laws, general or special, the commissioner is authorized and empowered to carry out the provisions of this article and to perform and do such other and further acts not hereby specifically provided in this article as may be necessary hereunder, provided however that no public street, main route or thoroughfare or any portion thereof, that is designated in this article, shall be deemed to be a part of the system of highways of the state of New York for purposes of maintenance and repair, until (1) such public street, main route or thoroughfare or any portion thereof shall have

been constructed, reconstructed or improved as provided in this article, and (2) such commissioner shall have issued an official order declaring such public street, main route or thoroughfare or any portion thereof, exclusive of service roads and intersecting street bridges, to be a part of such system of highways for such purposes of maintenance and repair. Such official order shall specify the date when the provisions thereof shall become effective, and shall be filed in the office of the department of transportation of the state of New York, and a certified copy thereof shall be filed (1) in the office of the department of state and (2) in the office of the clerk or of the official who performs the related functions of the city in which such public street, main route or thoroughfare or any portion thereof is located. Upon completion of such filing, all such provisions of this chapter and all such rules, conditions and regulations shall be applicable as stated in this section.

§ 349-e. Cities named; streets designated. The cities, outside of New York city, affected by this article, and the public streets designated herein, as aforesaid, are as follows, viz:

CITY OF ALBANY

Southside Route, beginning at the Albany city line west of Krumkill road, thence southeasterly to the Albany city line east of Krumkill road -- also from a point on the Albany city line east of the Slingerlands by-pass, southeasterly crossing Delaware avenue in the vicinity of the New York State thruway in the city of Albany, thence southeasterly generally paralleling the New York thruway to an intersection with the Mid-Crosstown Arterial in the vicinity of McCarthy avenue, continuing generally easterly crossing South Pearl street near McCarthy avenue and generally northeasterly through the Delaware and Hudson railroad yards to and on or near Green street to a traffic interchange with the South Mall expressway. Approximate length 4.8 miles.

Riverfront Route, beginning at a traffic interchange with the South Mall expressway, thence northerly along or in the vicinity of the west shore of the Hudson river to the northerly city line of Albany.

Approximate length 2.6 miles.

Fuller Road Alternate, beginning at the southerly city line of Albany, west of Fuller road, thence on new location northerly to the north city line of Albany. Approximate length 0.9 mile.

Washington Avenue-Northside Route, beginning at a traffic interchange with the Fuller Road Alternate, thence southeasterly along or in the vicinity of Washington avenue to a point west of Tudor road, thence on new location easterly and southeasterly, generally paralleling the New York Central Railroad to the vicinity of Northern boulevard, continuing easterly and southeasterly to the Albany city line, on a new bridge over the Hudson river in the vicinity of Lower Patroon island, including traffic interchanges with the Crosstown Route, Mid-Crosstown Arterial and the Riverfront Route. Approximate length 6.3 miles.

Crosstown Route, beginning at the southerly city line near Krumkill road, thence northeasterly in the vicinity of Seminole avenue extended, Seminole avenue and Brevator street to Washington avenue, thence northwesterly to an intersection with the Washington Avenue-Northside Route. Approximate length 2.2 miles.

Mid-Crosstown Arterial, beginning at the southerly city line, state highway nine thousand one hundred one, thence northerly along Southern boulevard to a traffic interchange with the Southside Route near McCarty avenue, thence continuing northerly on new location to Second avenue near Frisbie avenue, thence northerly and northeasterly on new location crossing Delaware and Holland avenues to a point on Myrtle avenue west of Lark street, thence northerly and northeasterly on new location through Washington park, thence northeasterly on new location generally paralleling Northern boulevard to a traffic interchange with the Washington Avenue-Northside Route and continuing northeasterly and northerly on or in the vicinity of Loudonville road to the northerly city line, state highway twenty-two, including connections with certain existing streets and/or relocations of certain existing streets as determined by the commissioner; also from the intersection of Loudonville road at or near Northern boulevard, thence northeasterly on

or along Northern boulevard and northerly on or along Van Rensselaer boulevard to the city line, at state highway one thousand five hundred eighteen. Portions of this arterial route within and in the vicinity of Washington park may be built as a depressed highway as determined by the commissioner. Approximate length 4.9 miles.

Sheridan Valley Arterial, beginning at an intersection with the Riverfront Route in the vicinity of Livingston avenue, as determined by the commissioner, thence generally westerly and northwesterly in the vicinity of Clinton avenue to the vicinity of the Mid-Crosstown Arterial, as determined by the commissioner, including connections with existing streets and/or relocations of such existing streets. Approximate length 1.0 mile.

Mall Arterial, beginning at an interchange with the Riverfront Route in the vicinity of Madison avenue, thence generally northwesterly on new location in the vicinity of Hudson avenue to a traffic interchange with the Mid-Crosstown Arterial, as determined by the commissioner, including connections with existing streets and/or relocations of such existing streets. Approximate length 1.1 miles.

Notwithstanding the provisions of section three hundred forty-nine-c of this article, the commissioner of transportation may acquire at state expense, at anytime prior to April first, nineteen hundred sixty-nine, for state highway purposes, pursuant to section thirty of this chapter, property within three hundred fifty feet of right of way acquired for arterial highways or interstate highways in the city of Albany, for the purpose of controlling access to such highways.

CITY OF AMSTERDAM

Beginning at a point on the northwesterly city line of Amsterdam, at state highway one hundred eight thence on or along West Main street to the vicinity of Caroline street, thence on new location south of and generally parallel to West Main street and East Main street to a point on the southeasterly city line of Amsterdam, at state highway one hundred eighty, including necessary connections to East Main street in the vicinity of Railroad street; also from a point on this route in the

vicinity of Schuyler street, returning northwesterly on new location to a point in the vicinity of the intersection of Liberty street and Grove street, thence on or along Grove street to Market street, thence generally westerly to a connection with the arterial route in the vicinity of Wall street. Approximate length 4.4 miles.

Beginning at the southwesterly city line of Amsterdam, at state highway thirty-two, thence northeasterly along Minaville street to the vicinity of DeStefano avenue, thence northeasterly on new location to River street, including a connection to Bridge street in the vicinity of River street, continuing northeasterly on The New Amsterdam Bridge crossing the Mohawk river and the N. Y. C. R. R. (Main Line) to Church street at East Main street, including a connection from the northerly end of said new bridge southeasterly to a point on the arterial route on new location south of and generally parallel to East Main Street, continuing along Church street to the vicinity of Gardiner lane, including any necessary connections between Church street and Guy Park avenue in the vicinity of High street, thence on new location northerly to Market street in the vicinity of Prospect street, including a connection between Church street and Market street, continuing northerly on or in the vicinity of Market street to the northerly city line of Amsterdam, at state highway nine thousand forty-three; also from a point on this route in the vicinity of Prospect street southwesterly along Market street to a point in the vicinity of Greene street, thence on new location to Pearl street at Division street, thence on or along Pearl street to the intersection of West Main street in the vicinity of Pearl street, also continuing from a point near this intersection and on new location southeasterly to the approach of said new bridge crossing the Mohawk river. Approximate length 3.5 miles.

Beginning at a point to be determined by the commissioner of transportation on the westerly city line of Amsterdam south of Broadway, thence on new location easterly to the vicinity of and on or along DeStefano avenue to the vicinity of Saint John street, thence on new location easterly to a point to be determined by the commissioner of transportation on the southerly city line of Amsterdam, in the vicinity of state highway five hundred thirteen. Approximate length 1.6 miles.

Beginning on Church street in the vicinity of Gardiner lane, thence northeasterly, easterly and northeasterly along Church street to the easterly city line of Amsterdam, at state highway two hundred ninety-eight. Approximate length 1.5 miles.

CITY OF AUBURN

1. Beginning at the westerly Auburn city line, south of Clark street, thence easterly on new location to Washington street, easterly on or in the vicinity of Clark and Dill streets and new location to Franklin street, Franklin street to Grant avenue and northeasterly along Grant avenue to the northerly Auburn city line, state highway five hundred ninety-two; also returning from Franklin street in the vicinity of John street westerly on new location to Jefferson street. Approximate length 4.4 miles.

2. Beginning at the intersection of North street in the vicinity of Water street, thence northerly along North street to the northerly Auburn city line, state highway one thousand three hundred seventeen. Approximate length 1.4 miles.

3. Beginning at the intersection of East Genesee and John streets, thence easterly along East Genesee street to the easterly Auburn city line, state highway nine thousand thirty-seven. Approximate length 1.2 miles.

4. Beginning at the southerly Auburn city line, state highway three hundred eighty-three, thence northwesterly and northerly on or in the vicinity of Owasco and Fulton streets to an intersection with Franklin street, including a connection from Fulton street along Grant avenue to Franklin street; also from the intersection of Walnut and Owasco streets northwesterly on or in the vicinity of Owasco and John streets to Franklin street. Approximate length 1.4 miles.

5. Beginning at a point on the westerly Auburn city line in the vicinity of West Genesee street, as determined by the commissioner of transportation, thence generally southerly and southeasterly on new

location to the southerly Auburn city line. Approximate length 0.9 mile.

CITY OF BATAVIA

Beginning at a point on the westerly Batavia city line, at State Highway five hundred eighty-six, thence easterly along West and East Main Streets to the easterly city line at state highway fifty-one hundred forty-five-A. Approximate length 2.7 miles.

Beginning at a point on the southwesterly Batavia city line, at state highway eighty-two hundred eighty-three, thence northeasterly along Pearl Street to a point between Brooklyn Avenue and Franklin Street, thence northeasterly, over new location, crossing South Main Street and Tonawanda Creek to West Main Street in the vicinity of Oak Street. Approximate length 1.0 mile.

Beginning at a point on Oak Street on the northerly Batavia city line, as state highway eight hundred fifty-three, thence southerly along Oak Street to its intersection with West Main Street. Approximate length 1.2 miles.

Beginning at a point on Clinton Street on the easterly Batavia city line, at state highway eighty-one hundred seventy-nine, thence southwesterly along Clinton Street to its intersection with East Main Street. Approximate length 0.7 mile.

Beginning at a point on Walnut Street on the southerly Batavia city line, at state highway eighty-one hundred seventy-seven, thence northeasterly along Walnut Street to its intersection with West Main Street. Approximate length 0.7 mile.

Beginning at a point on Ellicott Street on the southerly Batavia city line, at state highway eighty hundred eighty-two, thence northwesterly along Ellicott Street to its intersection with East Main Street. Approximate length 1.6 miles.

City of Beacon

North-South route, beginning at the southerly city line, at a state

highway as determined by the commissioner of transportation, thence generally northerly on new location to be determined by the commissioner of transportation, to Bank Square, thence through Bank Square to Main street, thence generally northeasterly on or in the vicinity of North avenue to be determined by the commissioner of transportation, to a state highway at the northerly city line. Approximate length 2.4 miles.

CITY OF BINGHAMTON

Beginning on Court street at the eastern city line of Binghamton, state highway one hundred twenty-seven, extending westerly along Court street to the Brandywine interchange, including a new bridge over the Susquehanna river in the vicinity of Tompkins street, thence southwesterly on new right of way along the north bank of the Susquehanna river to the State street bridge interchange including a connection from this interchange to the Memorial bridge over the Chenango river, a new bridge over the Susquehanna river in the vicinity of the confluence of the Chenango river and the Susquehanna river, and necessary connections and separations of intersecting streets, thence southerly on the State street bridge over the Susquehanna river to an interchange, thence westerly along an arterial highway to the western city line of Binghamton, state highway one thousand six hundred thirteen. Approximate length 6.5 miles.

Beginning at the Brandywine interchange and extending northerly on new location to Robinson street, including grade separations of the Erie-Lackawanna railroad, the Delaware and Hudson railroad, thence along a new location generally parallel to the Erie-Lackawanna railroad to the northern city line. The total cost of highway-railroad separations, of the two railroads described in this paragraph, shall be borne by the state and be paid for from any state or federal moneys available for the construction and reconstruction of highways, and such separations shall be progressed in accordance with the provisions of subdivision five of section three hundred forty-nine-c of this article. Approximate length 1.7 miles.

CITY OF BUFFALO

Beginning at Fuhrmann boulevard and the south city line of Buffalo,

thence northerly on or in the vicinity of Fuhrmann boulevard to the Buffalo river, thence northerly across the Buffalo river to the vicinity of Church Street and the Upper and Lower Terrace to Court Street and in a general northwesterly direction to the Virginia-Carolina Arterial Route, including connections with the Niagara Section of the New York State Thruway on Church Street, Genesee Street and Court Street. Approximate length 4.6 miles. The elevated portion of said route shall be designated and known as "The Buffalo Skyway" and the high level bridge thereon, over the Union Ship canal, shall be designated and known as "The Father Baker Memorial Bridge" in honor of the Right Reverend Monsignor Nelson H. Baker, P.A., V. G., who devoted sixty years of his life in ministering to the poor of Erie county and western New York.

Beginning at Broadway and the east city line of Buffalo (State Highway No. 914), thence westerly along Broadway to Oak Street Approximately length 3.5 miles.

Beginning at or in the vicinity of Walden avenue and the east city line of Buffalo, thence westerly on location to be determined by the commissioner of transportation to an interchange with the Kensington expressway in the vicinity of the intersection of Best street and Herman street. Approximate length 2.6 miles.

Beginning at a point to be determined by the commissioner of transportation on the east city line of Buffalo, thence westerly on new location south of and generally paralleling Roosevelt avenue and Andover avenue, crossing the Erie Lackawanna railway to the vicinity of Kensington avenue as established by the commissioner of transportation, thence southwesterly on or in the vicinity of Kensington avenue to an intersection with Humboldt parkway at East Delavan avenue, thence southerly along Humboldt parkway and an extension to Best street, continuing southerly in the vicinity of Herman street to the vicinity of Cherry street extended, thence southwesterly on or in the vicinity of Cherry street and its extension, to Goodell street as determined by the commissioner of transportation, thence westerly in the vicinity of Goodell street to the vicinity of Main street, thence westerly in the vicinity of Edward street to the vicinity of Delaware avenue, as

determined by the commissioner of transportation. Approximate length 6.5 miles.

Beginning at Main street at the north city line of Buffalo state highway sixty-nine, thence southwesterly on or along Main street to an arterial route in the vicinity of Goodell street as determined by the commissioner of transportation; also from such arterial route in the vicinity of Goodell street southerly along Elm and Oak streets to a connection with an interchange on the Niagara thruway. Approximate length 6.7 miles.

Beginning at Delaware avenue and the north city line of Buffalo (State Highway No. 9220), thence southerly along Delaware avenue to West Tupper street. Approximate length 5.0 miles.

Beginning at Delaware avenue and the Delaware park roads crossing an intersection just south of Nottingham terrace, thence easterly and southeasterly along the southerly side of Delaware park to and along Humboldt parkway, and continuing to East Delavan avenue. Approximate length 1.3 miles.

Beginning at a point on the Niagara thruway north of Forest avenue and south of the north city line, thence generally northeasterly and easterly to Delaware avenue, as determined by the commissioner of transportation. Approximate length 2.6 miles.

Beginning at the intersection of Delaware avenue and the Delaware Park roads, thence generally westerly, following the course of Scajaquada creek, to a connection with the Niagara Thruway.

Beginning at the Church street connection with the New York State Thruway, easterly on or along Church street to Main street, thence from the intersection at Main street near South Division street southeasterly on new location to Washington street, continuing easterly on or along South Division street to Elm street; also from the intersection of North Division street and Elm street westerly on or along North Division street to Washington street, and continuing on new location

southwesterly to Church street. Approximate length 0.9 mile.

CITY OF CANANDAIGUA

Beginning at the northerly Canandaigua city line at state highway four hundred eighty-four, thence southerly along North Main Street and continuing along South Main Street to Henry and Moran Streets. Approximate length 2.0 miles.

Beginning at South Main street in the vicinity of Henry and Moran streets, thence easterly and southeasterly, on new location to a point on the easterly Canandaigua city line to be determined by the commissioner of transportation. Approximate length 1.2 miles.

Beginning at the westerly Canandaigua city line on state highway fifty-five hundred seventy-six, thence easterly on new location, south of West Avenue to Thadchapin Street, thence along West Avenue to South Main Street. Approximate length 0.9 mile.

Beginning at the easterly Canandaigua city line on state highway twelve hundred seventy-eight, thence westerly along Gibson Street to North Main Street. Approximate length 1.0 mile.

Beginning at the westerly Canandaigua city line south of Parrish Street, thence easterly on new location to South Main Street, in the vicinity of Henry and Moran Streets. Approximate length 1.0 mile.

Beginning at or near the intersection of state highway two hundred seven and state highway one hundred eighty-nine at or near the south city line, thence northerly, on new location, to a point on the easterly city line to be determined by the commissioner of transportation. Approximate length 0.13 mile.

City of Cohoes

Beginning at the southerly city line of Cohoes, thence northwesterly on or near Dyke avenue to Saratoga street, thence northerly on or near Saratoga street to the northerly line of the city of Cohoes. Approximate length 1.3 miles.

CITY OF CORNING

Beginning at the new bridge across the Chemung River, at the easterly city line, thence in a northwesterly direction through Denison Park to Erie Avenue, thence continuing westerly on Erie Avenue to State Street, thence continuing in a westerly direction on new location crossing the New York Central Railroad and the Chemung River by a new bridge henceforth to be known as the "Benjamin Patterson bridge," to the westerly city line of Corning. Approximate length 3.04 miles.

Beginning at the northerly city line of Corning, at state highway number one thousand seven hundred forty-five, continuing southerly on Baker Street or a new location to East Pulteney Street, thence southerly on Centerway or a new location, crossing the Chemung river on a new structure, thence along Cedar Street to a junction with state highway fifty-three nineteen. Approximate length 1.3 miles.

Beginning at or near the intersection of Erie Avenue and Conhocton Street, thence southerly along Park Avenue to the southerly city line of Corning State Highway No. 850. Approximate length 0.45 miles.

CITY OF CORTLAND

Beginning at a point on the north city line of Cortland, east of the west branch of the Tioughnioga River, thence southeasterly, easterly and generally paralleling the west branch of the Tioughnioga River to a point on the easterly line of the city of Cortland, Approximate length 1.4 miles.

Beginning at the southwest city line of Cortland, State Highway No. 215, thence northeasterly along Tompkins Street to South Main Street and easterly along Port Watson Street to the easterly city line, State Highway No. 378. Approximate length 2.3 miles.

Beginning at the intersection of Port Watson and Church Streets, thence northerly along North Church Street to Grant Street, continuing northerly and northwesterly on new location to the northerly line of the city of Cortland, east of Homer Avenue. Approximate length 1. miles.

Beginning at the westerly city line, State Highway No. 8522, thence northeasterly along West Street to the northerly city line, State Highway No. 8522. Approximate length 0.7 miles.

Beginning at the intersection of Church Street and Clinton Avenue in the city of Cortland, thence northeasterly along Clinton Avenue to the northerly line of the city of Cortland, State Highway No. 738. Approximate length 1.2 miles.

CITY OF DUNKIRK

Beginning at the Dunkirk city line, state highway eight thousand three hundred forty-four, thence northeasterly along Lake Shore drive to the city line of Dunkirk, state highway eight thousand three hundred four. Approximate length 3.1 miles.

Beginning at the southerly city line of Dunkirk, state highway FASH 65-14, thence northwesterly on or in the vicinity of Lamphere street to Maple avenue, continuing on or in the vicinity of Maple avenue, and on or in the vicinity of Main street to a connection with the Lake Shore Drive. Approximate length 1.0 miles.

City of Elmira

1. Beginning at the southerly city line of Elmira, state highway twenty-nine, thence northeasterly along Pennsylvania avenue and Sly street to and on Madison avenue, northerly to a point north of the D.L. & W.R.R. underpass as determined by the commissioner of transportation, thence generally northeasterly on new location to an intersection with the "Elmira-Horseheads Connection," described in section three hundred forty-one of this chapter, including necessary connections to local streets. Approximate length 3.5 miles.

2. Beginning at the westerly city line of Elmira, state highway nine hundred forty-six, thence easterly along West Church street and East Church street to an intersection with said "Elmira-Horseheads Connection". Approximate length 2.4 miles.

3. Beginning at the southwesterly or southerly city line of Elmira, at a state highway as determined by the commissioner of transportation, thence generally northeasterly or northerly on new location crossing the Chemung river on a new structure and continuing on a route to be determined by the commissioner of transportation to a point in the vicinity of state highway one thousand three hundred seventy-eight, at the north city line of Elmira, including necessary connections to local streets and other arterial routes. Approximate length 4.2 miles.

City of Fulton

1. Beginning at the southeasterly Fulton city line, to state highway five thousand two hundred fifty-one thence northwesterly along South First street to South Fourth street, thence northerly along South Fourth street to a point north of the former New York, Ontario and Western railway crossing, thence northwesterly on new location to South Second street in the vicinity of Division street, thence northerly along South Second street, North Second street and new location to the northerly city line of Fulton, state highway five thousand three hundred eighty-two. Approximate length 3.0 miles.

2. Beginning at a point on the westerly city line of Fulton, to be determined by the commissioner of transportation, in the vicinity of Phillips street, thence southeasterly, on new location, to a point on West Broadway in the vicinity of West Fifth street, thence easterly along West Broadway and East Broadway to the vicinity of Eighth street, thence northeasterly and northerly on new location to a point on Oneida street in the vicinity of Eleventh street, thence easterly along Oneida street to the easterly Fulton city line, state highway one thousand four hundred twenty-seven. Approximate length 2.7 miles.

CITY OF GENEVA

Beginning at the westerly Geneva city line, at state highway fifty-four hundred seventy-three, thence easterly along Hamilton Street to South Main Street, including a traffic interchange to South Main Street, thence easterly and northerly, on new location, along the Seneca Lake, crossing the Lake Road, thence easterly and generally parallel to and north of the Lake Road, on new location, to the easterly Geneva city

line, including a traffic interchange connection with an arterial route in the vicinity of Evans Street. Approximate length 2.5 miles.

City of Glen Cove

Beginning at a point to be determined by the commissioner of transportation on the southerly city line of Glen Cove, west of Cedar Swamp road, thence northerly and northwesterly on new location to Pratt boulevard. Approximate length 1.1 miles.

City of Glens Falls

1. Beginning at the southerly city line at state highway five thousand five hundred ninety-eight, thence northwesterly along Glen street to the northerly city line, state highway four hundred seventeen. Approximate length 1.7 miles.

2. Beginning at the intersection of Chester and Glen streets, thence easterly along Chester street, Grand street and Dix avenue to a point near the east city line as established by the commissioner of transportation, thence on new location southerly to connect with Warren street at the east city line, state highway six hundred fifty-six. Approximate length 2.0 miles.

City of Gloversville

Beginning at a point on the westerly city line of Gloversville to be determined by the commissioner of transportation, thence easterly and northeasterly generally paralleling the southerly city line of Gloversville to a point to be determined by the commissioner of transportation on the southerly city line of Gloversville south of Steele avenue, including connections to Harrison street and South Kingsboro avenue; also at the intersection of Harrison street and the above described arterial route southerly along Harrison street to the southerly city line of Gloversville, state highway five hundred forty-four. Approximate length 1.5 miles.

CITY OF HORNELL

Beginning at a point on the southerly city line, in the vicinity of state highway five thousand two hundred twelve, thence northerly on or

along Canisteo street and continuing northerly on new location, as determined by the commissioner of transportation, to the north city line, in the vicinity of state highway five thousand one hundred thirty. Notwithstanding any provision of law to the contrary, the commissioner of transportation shall, pending completion of the portion of the above route on new location between Canisteo street and the north city line, take over, for purposes of maintenance and repair as a part of the system of highways of the state, Seneca street, including the bridge over Canacadea Creek, between Main street and the north city line. The commissioner of transportation, as he determines is necessary, shall repair, alter or reconstruct said highway and bridge in order to provide a safe highway and bridge for use as a part of state touring route thirty-six and as a haul road for the construction of the portion of the above route on new location. Upon completion of the above route, the commissioner of transportation shall by an official order abandon the state's rights in said Seneca street, including the bridge over Canacadea Creek, to the city of Hornell; said street to be maintained thereafter as a part of the street system of such city. Approximate length 2.1 miles.

Beginning at the western city line, state highway five thousand three hundred forty-two, thence southeasterly along West Main street and Main street, to an intersection with the arterial route described in the above paragraph. Approximate length 0.6 mile.

CITY OF HUDSON

Beginning at the Hudson city line, State Highway No. 5073, (Touring Route No. 9), thence northerly along Worth Avenue to Warren Street, thence northwesterly along Warren Street to Park Place, thence northeasterly along Park Place to Columbia Street, thence easterly along Columbia Street to Green Street, thence northeasterly and easterly along Green Street to Fairview Avenue, thence northerly along Fairview Avenue to the Hudson city line, (Touring Route No. 9), connecting with State Highway No. 341. Approximate length 1.3 miles.

Beginning at the Hudson city line, State Highway No. 8341, (Touring Route No. 9-G), thence northerly along South Third Street to North Third

Street, thence northerly along North Third Street to Columbia Street, thence southeasterly along Columbia Street to Park Place, in the city of Hudson, (Touring Route No. 9-G connecting with Touring Route No. 9). Approximate length 1.5 miles.

Beginning at the intersection of Green Street and Fairview Avenue, in the city of Hudson, (Touring Route No. 23 connecting with Touring Route No. 9), thence southeasterly along Green Street to the Hudson city line, (Touring Route No. 23), connecting with State Highway No. 650. Approximate length 0.1 mile.

City of Ithaca

1. Beginning at a point on the northerly Ithaca city line, east of Cliff street, to be determined by the commissioner of transportation, thence southerly and southeasterly, on new location, crossing over the Lehigh Valley railroad tracks, Taughannock boulevard and Cayuga Inlet to North Meadow street, as determined by the commissioner of transportation, including a connection with Taughannock boulevard, thence southerly along North Meadow street and South Meadow street to Elmira road and southwesterly along Elmira road to the southerly Ithaca city line, state highway four hundred fifty-four. Approximate length 3.1 miles.

2. Beginning at the southerly Ithaca city line, state highway seventy-two, thence northwesterly and westerly along East State street to a point on East State street, west of Schuyler Place, to be determined by the commissioner of transportation, thence northwesterly on new location, to East Seneca street, east of North Aurora street, thence westerly along East Seneca street and West Seneca street to North Meadow street. Approximate length 1.9 miles.

3. Beginning at the intersection of South Meadow street and Green street, thence easterly along Green street to South Tioga street, thence easterly and northeasterly, on new location, crossing South Aurora street, to a point on East State street, west of Schuyler Place, to be determined by the commissioner of transportation. Approximate length 0.8 mile.

4. Beginning at a connection with an arterial route on North Meadow street, thence northeasterly and northerly over new location west of Lake road to a point on the easterly Ithaca city line to be determined by the commissioner of transportation. Approximate length 1.3 miles.

CITY OF JAMESTOWN

1. Beginning at a point on the westerly city line of Jamestown, state highway one thousand three hundred eighty-A, thence easterly on or near Fairmount avenue to or near its intersection with West Sixth street, thence easterly along West Sixth street and East Sixth street to Prendergast avenue, thence southerly on or in the vicinity of Prendergast avenue to East Fourth street, also from a point on Fairmount avenue on or near its intersection with West Sixth street, thence generally easterly to West Fifth street, thence easterly along West Fifth street and East Fifth street to Prendergast avenue, with a connection from East Sixth street southerly on or in the vicinity of Spring street to East Fourth street, thence easterly along East Fourth street to East Second street, thence northeasterly on or near East Second street to the easterly city line of Jamestown, state highway five thousand sixty-seven. Approximate length 4.4 miles.

2. Beginning at a point on state highway one thousand twenty-six near the northern city line of Jamestown, thence westerly and southerly on new location to the intersection of Fluvanna avenue and Washington street. Approximate length 0.6 miles.

3. Beginning at the westerly city line of Jamestown, state highway five thousand two hundred seventeen, thence southeasterly along Fluvanna avenue to Washington street, thence southerly along Washington street to West Second street, thence southerly on new location passing over the tracks of the Erie Railroad and the Chadakoin river, on a new structure over Steele street and Barrett avenue including connections to both thoroughfares, thence easterly on new location to South Main street at or near its intersection with Allen street, continuing easterly on or in the vicinity of Allen street to Foote avenue, thence southerly along Foote avenue to the southerly city line of Jamestown, state highway nine

hundred forty. Approximate length 3.6 miles.

4. Beginning at a point on the southern city line of Jamestown thence running northeasterly along Forest avenue to a point on a state arterial 62-5. Approximate length 1.1 miles.

5. Notwithstanding the provisions of section three hundred forty-nine-d, the arterial highway described in paragraph four above shall, as of April first, nineteen hundred eighty, be deemed a portion of the system of state arterial highways.

6. Beginning at the intersection of McDaniel avenue and Fairmont avenue near the western city line of Jamestown, thence southerly along McDaniel avenue and easterly along Third street to Washington street. Approximate length 1.4 miles.

City of Johnstown

1. Beginning at a point, to be determined by the commissioner of transportation, on the southerly city line of Johnstown, thence northeasterly and northerly to East State street, thence northerly and northeasterly to a point, to be determined by the commissioner of transportation, on the easterly city line of Johnstown, including connections to South Melcher street, South Pearl street, Glebe street, Fonclair street, East State street, state highway three hundred sixty-one, Main street and Briggs street. Approximate length 3.2 miles.

2. Beginning at a point, to be determined by the commissioner of transportation, on the westerly city line of Johnstown, thence easterly on new location to Pleasant avenue between Hoffman and Mason streets, continuing easterly on new location to Baker street, continuing easterly on Baker and Briggs streets to an intersection with an arterial highway, thence northeasterly on new location to North East avenue near St. Anthony's Cemetery, continuing northeasterly on North East avenue to the easterly city line of Johnstown, state highway five hundred forty-four. Approximate length 1.6 miles.

CITY OF KINGSTON

Beginning at the Kingston city line, state highway five thousand one hundred seventy-three, thence southerly along Washington avenue to North Front street in the city of Kingston. Approximate length 0.4 mile.

Beginning at a point on the south city line of Kingston, state highway five thousand five hundred ninety-nine-D, on a new bridge over Rondout creek east of Broadway, thence generally northerly on new location crossing Delaware avenue and continuing east of East Chester street to the northerly city line of Kingston, state highway nine thousand three hundred sixty. Approximate length 1.9 miles. The entire length of which shall be designated and known as "The Frank Koenig Boulevard".

Beginning at a point on the arterial route in the vicinity of Delaware avenue, thence on or along Delaware avenue to Broadway, thence northwesterly along Broadway to the vicinity of Saint James street to a connection with interstate route connection 530, including thereat an intersection with Albany avenue. Approximate length 1.3 miles.

Beginning at the intersection of Broadway, East Saint James street and Albany avenue, in the city of Kingston, thence northeasterly along Albany avenue to the northerly city line of Kingston, state highway five thousand. Approximate length 1.2 miles.

City of Lackawanna

1. Beginning at the southerly line of the city of Lackawanna, state highway five thousand seventy-one, thence northerly along Hamburg turnpike to the Lackawanna-Buffalo city line. Approximate length 2.0 miles.

2. Beginning at the southerly line of the city of Lackawanna, McKinley parkway, thence northerly on new location to a point to be determined by the commissioner of transportation on the Lackawanna-Buffalo city line. Approximate length 2.0 miles.

3. Beginning at Hamburg turnpike north of Smokes creek, thence easterly on new location to a connection with a north-south arterial route in the vicinity of Martin road and the B. & O.R.R. Approximate

length 1.8 miles.

4. Beginning at a connection with an arterial route in the city of Lackawanna, thence easterly along Ridge road to the easterly line of the city of Lackawanna. Approximate length 1.1 miles.

City of Little Falls

1. Beginning at the westerly Little Falls city line, state highway four hundred fifty-seven, thence northeasterly along West Main street to the vicinity of West John street, easterly on and along West John and East John streets to South Second street, and continuing on new location to a point, to be determined by the commissioner of transportation, on High Level road, thence easterly and southeasterly along High Level road to the easterly Little Falls city line, state highway eight thousand four hundred ninety-eight-A; also from the intersection of East and West John streets with South Ann street, thence northerly along South Ann street to Albany street, thence westerly along Albany street and new location to a connection with the arterial route on and along West John street in the vicinity of Fifth street, including necessary connections to local streets. Approximate length 3.1 miles.

2. Beginning at a point, to be determined by the commissioner of transportation, on the southerly Little Falls city line east of the Mohawk river, thence northeasterly and northerly on new location crossing the Barge canal and the Mohawk river to the bridge over the Penn Central railroad, continuing northerly to Albany street, including connections to local streets. Approximate length 1.0 mile.

3. Beginning at a point, to be determined by the commissioner of transportation, on High Level road, thence easterly on new location to a point, to be determined by the commissioner of transportation, on the easterly Little Falls city line south of Loomis street. Approximate length 0.4 mile.

4. Beginning at a point, in the vicinity of East Main and Ward streets, on an arterial highway, thence southeasterly on new location to a point on the Little Falls city line, resuming on new location from a

point on the city line, southeasterly to a point on the Little Falls city line, continuing from a point on the Little Falls city line southerly and southeasterly on new location, crossing the Mohawk river and the Barge canal to a point on the easterly city line between the Barge canal and the West Shore branch of the Penn Central railroad. Approximate length 1.1 miles.

City of Lockport

1. Beginning at the westerly city line from state highway nine thousand ninety-four, thence easterly along West avenue, West Genesee street and West Genesee street extended on to a new structure over the Barge canal to Walnut street, thence northeasterly along Walnut street and Walnut street extended to a point to be determined by the commissioner of transportation on the easterly city line of Lockport. Approximate length 3.3 miles.

2. Beginning at a point on the south side of the westerly "City Line Extension", west of Upper Mountain road, to be determined by the commissioner of transportation, thence northerly on new location to a point to be determined by the commissioner of transportation on the north side of the said City Line Extension, west of Upper Mountain road. Approximate length 0.05 mile.

3. Beginning at a point on the southerly city line from state highway five hundred seven, thence northerly along South Transit street to its intersection with the West Genesee street--Walnut street arterial. Approximate length 1.1 miles.

4. Beginning at the intersection with the West Genesee street-Walnut street arterial, thence northerly along North Transit street to West avenue, thence generally northeasterly on new location to Gooding street in the vicinity of Clinton street as determined by the commissioner of transportation, continuing generally northeasterly on new location or along Clinton street and Lake avenue, as determined by the commissioner of transportation, to the northerly city line, at state highway seven hundred fifty-nine. Approximate length 2.0 miles.

5. Beginning at the southerly city line of Lockport, thence running generally northwesterly across the New York State Barge Canal, thence continuing generally northwesterly to the westerly city line of Lockport. Approximate length 1.06 miles.

City of Long Beach

Beginning at the westerly Long Beach city line, Park avenue, thence easterly along Park avenue to the easterly Long Beach city line, connecting with Long Beach expressway as projected in subdivision twenty-nine of section three hundred forty-one of the highway law. Approximate length three miles.

City of Mechanicville

1. Beginning at a point on the southerly Mechanicville city line west of the Delaware and Hudson railway, to be determined by the commissioner of transportation, thence northerly, on new location, westerly of the Delaware and Hudson railway to a point on Central avenue, to be determined by the commissioner of transportation, thence continuing northerly along Central avenue to Saratoga avenue, thence northerly on new location, westerly of the Boston and Maine railroad to a point on the northerly Mechanicville city line, in the vicinity of Mulberry avenue, to be determined by the commissioner of transportation. Approximate length 1.5 miles.

2. Beginning at a point to be determined by the commissioner of transportation south of Warsaw avenue, thence westerly, on new location, north of and generally parallel to Saratoga avenue to a point on the westerly Mechanicville city line, to be determined by the commissioner of transportation. Approximate length 0.4 mile.

3. Notwithstanding the provisions of section three hundred forty-nine-d of this article, the commissioner is hereby authorized and directed to assume jurisdiction for state arterial highway purposes over the bridge described as follows: "all of that bridge structure spanning the Hudson river lying within the city limits of Mechanicville, and known as the Mechanicville-Hemstreet Park bridge".

City of Middletown

1. Beginning at the southerly Middletown city line, state highway ninety-five, thence northeasterly on new location to Genung street, continuing generally northerly on new location on or in the vicinity of the abandoned right of way of the New York, Ontario and Western railway to the northerly Middletown city line, as determined by the commissioner, including a connection to state highway five thousand two hundred ten at the northerly Middletown city line. Approximate length 2.3 miles.

2. Beginning at a point to be determined by the commissioner on the easterly Middletown city/Wallkill town line, thence westerly along Wickam avenue to a point to be determined by the commissioner just west of Wisner avenue. Approximate length 0.3 miles.

City of Mt. Vernon

1. Cross-Westchester arterial, from a point, to be determined by the commissioner of transportation, on the westerly city line of Mt. Vernon, south on Mount Vernon avenue, thence southeasterly, on new location crossing the Bronx river to the vicinity of the Penn Central railroad, thence easterly on or in the vicinity of the Penn Central railroad to the abandoned right of way of the New York, Westchester and Boston railroad, east of North Columbus avenue, continuing generally easterly on or in the vicinity of the abandoned railroad right of way to the vicinity of Lincoln avenue, thence southeasterly on new location to a point, to be determined by the commissioner of transportation, on the easterly city line of Mt. Vernon, south of Lincoln avenue. Approximate length 2.1 miles.

2. Beginning at a point on the southerly city line of Mt. Vernon, thence northeasterly and northerly on or in the vicinity of the abandoned right of way of the New York, Westchester and Boston railroad to the vicinity of Fourth street, continuing northerly on new location to a connection with the Cross-Westchester arterial north of the Penn Central railroad in the vicinity of North Fulton avenue. Approximate length 2.0 miles.

3. Beginning at an interchange with the Cross-Westchester arterial in the vicinity of Wilson Woods park, thence northeasterly on or in the vicinity of the abandoned right of way of the New York, Westchester and Boston railroad to the north city line of Mt. Vernon, east of Cross County parkway. Approximate length 0.9 mile.

CITY OF NEWBURGH

Route 9W alternate, beginning at a point, to be determined by the commissioner, on the southerly city line of Newburgh, west of Lake street, thence northwesterly and northerly to a connection with interstate route 503 in the vicinity of the northerly city line of Newburgh, including traffic interchanges at Broadway and South street. Approximate length 1.7 miles.

South street arterial, beginning at the westerly city line of Newburgh, state highway eight thousand four hundred eight, thence southeasterly and easterly along DuPont avenue and South street to Downing park, continuing easterly through Downing park to and along South street to Liberty street in the city of Newburgh. Approximate length 2.1 miles.

Broadway connection, beginning at the westerly city line of Newburgh, state highway one hundred thirteen, thence easterly along Broadway to Route 9W alternate, and continuing to a connection to West street. Approximate length 0.8 mile.

Riverfront route, beginning at a point, to be determined by the commissioner, on the southerly city line of Newburgh, at a state highway, thence generally northerly on or parallel to Water street and on new location as determined by the commissioner, to the northerly city line. Approximate length 2.1 miles.

CITY OF NEW ROCHELLE

1. Post Road Arterial, beginning at the westerly city line, State Highway No. 5374, thence easterly along Main Street to the easterly city line, State Highway No. 5372; also beginning at the easterly intersection of Huguenot Street and Main Street, thence westerly along

Huguenot Street to its westerly intersection with Main Street near Webster Avenue. Approximate length 3.4 miles.

2. Memorial Highway, beginning at the intersection of Mechanic and Main Streets, thence northerly along Mechanic Street to its junction with Division Street, thence southerly along Division Street to an intersection with Main Street, resuming from the junction of Mechanic and Division Streets, northerly along Division Street and a new location to Cross-Westchester Arterial, including a connection to Lincoln Avenue. Approximate length 1.0 mile.

3. Cross-Westchester Arterial, beginning at the westerly city line, at a point on or in the vicinity of the abandoned right of way of the New York, Westchester and Boston Railroad, thence easterly along the said abandoned railroad right of way to North Avenue, including a connection with the New England Thruway Interchange. Approximate length 1.0 mile.

4. Pine Brook Arterial, beginning at a point on State Highway No. 19, to be determined by the commissioner of transportation, thence southerly and westerly along Pine Brook Boulevard and new location to an intersection with Palmer Avenue, thence westerly along Palmer Avenue Extension, to Cedar Street. Approximate length 4.4 miles.

5. Cedar Street Arterial, beginning at a point on the New England Thruway Interchange, thence southerly along Cedar Street to Huguenot Street, and southerly on new location to an intersection with Main Street at Franklin Avenue, with a connection along Harrison Street to Main Street, thence from a point at the intersection of Harrison Street and Main Street in a general southwesterly direction to Locust Avenue; also from the intersection of Main Street and Echo Avenue northerly along Echo Avenue and River Street across Palmer Avenue Extension to a point on the New England Thruway Interchange in the vicinity of Cedar Street. Approximate length 1.10 miles.

CITY OF NIAGARA FALLS

1. Beginning at a traffic interchange with Niagara section of the New York State Thruway, in the vicinity of sixty-fifth street, thence

easterly along the right of way of the Penn Central railroad to a point on the easterly city line of Niagara Falls, north of Buffalo avenue. Approximate length 2.3 miles.

2. Beginning in the vicinity of the intersection of Niagara street and Main street, thence along Main street to Ferry avenue, thence easterly along Ferry avenue and its continuations to an intersection with Packard road and Pine avenue, continuing easterly along Pine avenue to the easterly city line of Niagara Falls. Also from an intersection with Packard road and Pine avenue westerly along Walnut avenue to Main street, thence along Main street to Ferry avenue. Approximate length 8.8 miles.

3. Beginning at the intersection of Main street and First street, thence southerly on or near First street to Jefferson avenue, thence on or near Jefferson avenue to a connection with an arterial route in the vicinity of Buffalo avenue, including necessary connections, as determined by the commissioner of transportation. Approximate length 1.0 mile.

4. Beginning at an interchange with the Robert Moses parkway in the vicinity of Porter park, thence generally northerly to Walnut avenue between eighth and ninth streets, thence northeasterly to eleventh street in the vicinity of Portage road, thence generally northerly on or along eleventh street to Garden avenue, thence northeasterly on or in the vicinity of Highland avenue to an intersection with Hyde park boulevard, including connections to Whirlpool street via Cleveland and Niagara avenues. Approximate length 4.3 miles.

5. Beginning at an interchange with an east-west arterial route in the vicinity of Buffalo avenue, thence northwesterly along Hyde Park boulevard to the northerly city line of Niagara Falls, including necessary connections to Buffalo avenue. Approximate length 3.8 miles.

6. Beginning at an interchange with interstate route 506, at or near the North Grand Island bridge, thence generally in a westerly direction to a point at or near the southerly approach of Rainbow bridge in the

city of Niagara Falls.

7. Beginning at the intersection of Pine avenue and Military road, thence northwesterly on or along Military road to the northerly city line, state highway nine thousand two hundred ninety. Approximate length 0.15 mile.

CITY OF NORTH TONAWANDA

1. Beginning at a point on the southerly North Tonawanda city line, on a new bridge to be constructed over the Tonawanda creek, to be determined by the commissioner of transportation, in the vicinity of Division street extended, thence northerly on new location, to Division street, thence northerly along Division street to Erie avenue, including a connection to Sweeney street and Nash road, also Wheatfield street, thence northeasterly along Erie avenue to Niagara Falls boulevard, thence southeasterly along Niagara Falls boulevard to Shawnee road, thence northerly along Shawnee road to the northerly North Tonawanda city line, state highway seven hundred thirteen. Approximate length 3.0 miles.

2. Beginning at a point on the southerly North Tonawanda city line, on a new bridge to be constructed over the Tonawanda creek, west of Main street, to be determined by the commissioner of transportation, thence northerly, on new location, to a point on River road between Thompson street and Robinson street, to be determined by the commissioner of transportation, including connections to Goundry street and Thompson street, thence northerly and northwesterly along River road to the westerly North Tonawanda city line, state highway sixteen hundred thirty-five. Approximate length 3.0 miles.

3. Beginning at the intersection of Division street and Erie avenue, thence northwesterly on or along the old international railway right-of-way to an intersection with Payne avenue, thence northwesterly on or along Payne avenue to Warner avenue and westerly on or along Warner avenue to the west city line, state highway one thousand six hundred thirty-five; also from Warner avenue northerly on or along Ward road to the north city line, state highway six hundred forty-three.

Approximate length 3.0 miles.

4. Beginning at the intersection of River Road and Wheatfield street, thence easterly on or along Wheatfield street to Nash road. Approximate length 0.92 mile.

City of Norwich

1. Beginning at the southerly Norwich city line, state highway five thousand four hundred fourteen, thence northerly along South Broad and North Broad streets to the northerly city line, state highway five hundred five. Approximate length 1.7 miles.

2. Beginning at the intersection of Broad and East Main streets in the city of Norwich, thence easterly along East Main street to the vicinity of Olendorf Place, thence on new location northeasterly to a point, as determined by the commissioner of transportation, on the easterly city line. Approximate length 0.9 mile.

City of Ogdensburg

1. Beginning at a point on the southwesterly Ogdensburg city line, as determined by the commissioner of transportation, thence easterly on new location to a point on the south city line, west of the Oswegatchie river; also farther east on the south city line from a point in the vicinity of Rosseel street, thence northeasterly on new location to Proctor avenue, including connections therefrom to Ford street in the vicinity of Proctor avenue and to Proctor avenue at the approach to the bridge to Canada, thence continuing easterly on or near Proctor avenue to a point on the east city line as determined by the commissioner of transportation. Approximate length 3.9 miles.

2. Beginning at the southerly Ogdensburg city line, state highway one thousand three hundred eighty-eight, thence northerly along State street to Washington street. Approximate length 1.0 mile.

3. Beginning from a state highway on the westerly city line, thence easterly on or in the vicinity of Main street to Adams avenue, continuing on new location crossing the Oswegatchie river to a

connection with Green and Washington streets, thence on or along Green street to Ford street approach, returning westerly on Ford street and on new location and on or along Washington street to the Oswegatchie river crossing approach. Approximate length 4.5 miles.

CITY OF OLEAN

Beginning at the westerly Olean city line, state highway six hundred one, thence easterly along West State street to and along East State street to the easterly Olean city line, state highway seven hundred seven hundred thirty-one. Approximate length 3.3 miles.

Beginning at the southerly Olean city line, state highway nine thousand ninety-two, thence northeasterly and northerly along South Union street and North Union street to Main street, thence on new location northerly and northeasterly to a point, to be determined by the commissioner, on Main street and continuing northerly on Main street to the northerly Olean city line, state highway five thousand sixty-six. Approximate length 3.1 miles.

Beginning at the intersection of Front street and East State street in the city of Olean, thence northerly and northwesterly along Front street to Main street, thence on new location northwesterly to an intersection with the north-south arterial route in the city of Olean. Approximate length 1.0 mile.

Beginning at a traffic interchange with the Southern Tier expressway, in the vicinity of Buffalo street, thence generally southeasterly on or in the vicinity of Buffalo street, and continuing to the Penn-Central railroad tracks, thence generally southerly to a connection with West State street, as determined by the commissioner. Approximate length 1.0 mile.

City of Oneida

1. Beginning at the southerly Oneida city line, Main street, thence northwesterly along Main street and North Main street to the vicinity of Monahan street, continuing northwesterly on new location to a point on the northerly Oneida city line, east of North Main street as determined

by the commissioner of transportation, including a connection to Williams street in the vicinity of Gladwell avenue. Approximate length 2.5 miles.

2. Beginning at the westerly Oneida city line, state highway one thousand eight hundred twenty-one, thence easterly along Lenox avenue to Main street, continuing easterly on new location to Lexington avenue in the vicinity of Pearl street, continuing easterly along or in the vicinity of Pearl street and across the former N.Y.O. & W. Ry. to Walnut street in the vicinity of Prospect street, continuing easterly on or in the vicinity of Prospect street to a point on the easterly Oneida city line, as determined by the commissioner of transportation. Approximate length 1.7 miles.

CITY OF ONEONTA

Beginning at a point to be determined by the commissioner on the southwesterly city line in the vicinity of the Delaware and Hudson railroad, thence generally easterly on new location north of and generally parallel to the Susquehanna river to the city line east of Grand Street extended, this route also includes the following: a connection northerly to the north city line, as determined by the commissioner, in the vicinity near the southwesterly city line; also a connection northerly along Grand street extended and northerly on or near Grand street to Main street; also from a point on the city line in the vicinity of Factory street generally easterly to a point on the northerly city line as determined by the commissioner. Approximate length 4.9 miles.

Beginning at the southerly city line at state highway five thousand four hundred fifty-five, thence northerly and northeasterly along Main street to a point near Grand street. Approximate length 0.9 mile.

City of Oswego

1. Beginning at the westerly Oswego city line from state highway two hundred eighty northeasterly along West Seneca street to West Bridge street, thence easterly along West Bridge street to East Bridge street, continuing easterly along East Bridge street to a point, to be

determined by the commissioner of transportation, on East Bridge street between Duer street and East 10th street, thence southeasterly on new location to a point, to be determined by the commissioner of transportation, on State road between East 11th street and East 12th street, thence easterly along State road to the city line at state highway five hundred nine. Approximate length 3.5 miles.

2. Beginning at the southerly city line from state highway five thousand three hundred eighty-two, thence northerly along East River road to a point, to be determined by the commissioner of transportation, south of the intersection of East River road and Syracuse avenue, thence northwesterly on new location along the east shore of the Oswego river to an intersection with East First street south of East Albany street, thence northerly along East First street to the East Bridge street arterial. Approximate length 2.5 miles.

3. Beginning at the southerly city line from state highway two hundred seventy-nine northerly and northwesterly along West River road to West First street, thence northerly along West First street to the West Bridge street arterial. Approximate length 2.3 miles.

CITY OF PEEKSKILL

Beginning at the southerly city line at Peekskill, state highway six hundred fifty-seven, thence northerly along the Briarcliff-Peekskill parkway (Route 9 By-pass) to and across the Peekskill Bay bridge to the northerly city line of Peekskill, state highway nine thousand two hundred ninety-seven. Approximate length 2.6 miles.

Beginning at a point, to be determined by the commissioner of transportation, on Main street, west of Spring street, thence easterly on new location to Central avenue, west of Depew street, thence northeasterly along Central avenue, Park street, East Park street and new location to and along Main street in the vicinity of the easterly city line of Peekskill connecting with state highway one thousand three hundred nine, including a spur easterly to a point, to be determined by the commissioner of transportation, on the city line in the vicinity of McGregory brook, also returning from a point on this route westerly to

Main street, east of Husted avenue and continuing westerly along Main street to a traffic interchange with the Briarcliff-Peekskill parkway (Route 9 By-pass) in the city of Peekskill. Approximate length 4.0 miles.

Beginning at the intersection of the Briarcliff-Peekskill parkway (Route 9 By-pass) and the Peekskill Bay bridge, thence generally northeasterly and easterly along the Bear Mountain state parkway in the city of Peekskill to the northeasterly city line. Approximate length 2.2 miles.

City of Plattsburgh

1. Beginning at a point on the westerly line of the city of Plattsburgh, south of Rugar street, as determined by the commissioner of transportation, thence northeasterly on new location to Rugar street, south of Broad street, continuing northeasterly along Rugar street to Broad street, and easterly along Broad street to Oak street northerly along Oak street and new location to the northerly city line, and returning southerly along North Catherine street extended, to and along North Catherine street to Broad street. Approximate length 4.3 miles.

2. Beginning at the westerly city line, state highway seven hundred seventy-seven, thence easterly along Cornelia street to Broad street, and southeasterly along Broad street to Rugar street. Approximate length 0.8 mile.

3. Beginning at the westerly city line, south of Miller road, thence northeasterly on new location to the north city line west of Prospect avenue. Approximate length 0.4 mile.

City of Port Jervis

1. Beginning at the northwesterly Port Jervis city line at a point to be determined by the commissioner of transportation, thence on new location southeasterly and northeasterly to Canal street, and on or near Canal street to the vicinity of Hamilton street, thence on new location northeasterly to a point on the northeast city line to be determined by the commissioner of transportation. Approximate length 2.4 miles.

2. Beginning at a point on the arterial route in the vicinity of Canal street, thence on new location, southwesterly, including an addition to the existing separation of grades with the Erie Lackawanna railway, to King street and on or near King street to a point to be determined by the commissioner of transportation in the vicinity of Fourth street, continuing southeasterly on new location to a point on the Port Jervis southeasterly city line to be determined by the commissioner of transportation. Approximate length 1.5 miles.

3. Beginning at the Delaware River bridge in the city of Port Jervis, thence northeasterly along Pike street to another arterial on or in the vicinity of King street. Approximate length 0.1 mile.

City of Poughkeepsie

1. Beginning at the southerly Poughkeepsie city line, state highway two hundred twenty-three, thence northerly along South avenue to Phoenix street, and northerly and northwesterly on new location to Prospect street in the vicinity of Livingston street, thence northerly on or in the vicinity of Prospect and Tulip streets to an interchange with the easterly approach of the Franklin Delano Roosevelt Mid-Hudson bridge, continuing northerly on new location to North Water street, thence northeasterly on or in the vicinity of North Water street and its extension to a point on the northerly city line, to be determined by the commissioner of transportation, west of Delafield street. Approximate length 2.5 miles.

2. Beginning at the easterly approach of the Franklin Delano Roosevelt Mid-Hudson bridge, thence easterly on or in the vicinity of Church street to a point at or near the junction of Main and Church streets, thence continuing easterly on new location to the easterly city line in the vicinity of state highway five hundred forty-nine;

ALSO, BEGINNING at the easterly city line in the vicinity of Maple street, thence westerly along Maple street to Pershing avenue, thence on new location to Winnikee avenue and continuing on or in the vicinity of Winnikee avenue and Mill street to Washington street. Thence southerly

on or along Washington street and Washington street extended to Church street.

CITY OF RENSSELAER

Beginning at the east approach of the South Mall Expressway bridge near the intersection of Columbia street and Broadway, thence southerly on or along Columbia street to the easterly Rensselaer city line, connecting with state highway two hundred two. Approximate length 0.6 mile.

Beginning at the southerly Rensselaer city line, state highway one thousand one hundred fifteen, thence running generally northerly on or in the vicinity of South street to a connection with the Columbia street arterial highway. Approximate length 1.0 mile.

CITY OF ROCHESTER

Beginning at the westerly Rochester city line, state highway two hundred fifty-four, thence northeasterly on or in the vicinity of Chili avenue to a point near Rugby avenue to be determined by the commissioner of transportation, thence easterly on new location to a point on Genesee street south of Clifton street to be determined by the commissioner, thence continuing easterly on new location generally parallel to Tremont street to a crossing of the Penn Central railroad, thence northeasterly on new location crossing Clarissa street south of Atkinson street and continuing to an intersection in the vicinity of Troup street and Plymouth avenue south, thence easterly on or in the vicinity of Troup street to Exchange street, thence easterly on new location crossing the Genesee river to South avenue near Howell street, thence easterly on or in the vicinity of Howell street to Monroe avenue, thence easterly over new location to intersect Union street at a point between George street and Monroe avenue, thence northerly on or in the vicinity of Union street to Main street East, thence northwesterly on or in the vicinity of Joslyn Place and Delevan street to North street, thence westerly on or in the vicinity of Cumberland street to intersect North Water street in the vicinity of Central avenue, thence westerly on or in the vicinity of Central avenue crossing the Genesee river to State street, thence westerly on or in the vicinity of Allen street to intersect Plymouth

avenue North, thence southerly on or in the vicinity of Plymouth avenue North to intersect Main street West, thence continuing southerly on or in the vicinity of Plymouth avenue South to Broad street, thence continuing southerly on or in the vicinity of School Alley to an intersection in the vicinity of School Alley and Troup street. Approximate length 5.52 miles.

Beginning at the westerly Rochester city line, state highway eighty-three, thence easterly and northeasterly on or in the vicinity of Buffalo road to a point west of Mt. Read boulevard to be determined by the commissioner of transportation, thence northeasterly over new location to an intersection near Independence street and Handy street. Approximate length 0.7 mile.

Beginning at the westerly Rochester city line, state highway two hundred fifty-three, thence easterly on or in the vicinity of Lyell avenue to an intersection at Mt. Read boulevard. Approximate length 0.84 mile.

Beginning at the westerly Rochester city line, state highway six, thence easterly and southeasterly along Ridge road to and crossing the Genesee river on the Veterans Memorial bridge to Keeler street, thence easterly on or in the vicinity of Keeler street and Keeler street extended to a point to be determined by the commissioner of transportation on the easterly Rochester city line. Approximate length 3.4 miles.

Beginning at Ridge road and Lake avenue intersection, thence southerly along Lake avenue to State street, thence southeasterly along State street to an intersection with Central avenue. Approximate length 2.86 miles.

Beginning at Keeler street and North Clinton avenue intersection, thence southerly on or in the vicinity of North Clinton avenue to Norton street, thence southeasterly and southerly over new location east of and generally parallel to North Clinton avenue to Kelley street at Joiner street, thence southerly on or in the vicinity of Joiner street to Ward

street, thence southerly on or near North Clinton avenue crossing the New York Central R. R. to Cumberland street, including a connection to Joseph avenue. Approximate length 2.49 miles.

Beginning at the easterly Rochester city line, state highway ninety-eight, thence westerly on or in the vicinity of Clifford avenue to the intersection of Clifford avenue and North Goodman street, thence southwesterly on or in the vicinity of North Goodman street to an intersection with Central Park, thence westerly on or in the vicinity of Central Park to Union street, thence southerly on or in the vicinity of Union street to the intersection of Union street with Main street east. Approximate length 1.9 miles.

Beginning at a point on the northerly Rochester city line to be determined by the commissioner of transportation, east of Winton road, thence southerly over new location generally paralleling Carlisle road to Winstead road, thence southerly on new location to the easterly Rochester city line at a point to be determined by the commissioner of transportation, north of Atlantic avenue. Approximate length 0.9 mile.

Beginning at the southerly Rochester city line, state highway ninety-four, thence northwesterly on or in the vicinity of Monroe avenue to a point between Highland avenue and Culver road, thence northerly and northwesterly on new location to a point in the right of way of the Rochester Rapid Transit and Industrial Railway, to be determined by the commissioner of transportation, near Culver road, thence westerly on new location in the right of way of the Rochester Rapid Transit and Industrial Railway to the inner loop at a point in the vicinity of South Clinton avenue and South avenue, including a spur connection on or in the vicinity of Union street to a point between Monroe avenue and George street to be determined by the commissioner of transportation. Approximate length 2.2 miles.

Beginning at a point on the easterly Rochester city line to be determined by the commissioner of transportation, north of East avenue, thence westerly on new location crossing East avenue near Rockwood street and continuing westerly in the right of way of the Rochester

Rapid Transit and Industrial Railway to an intersection to be determined by the commissioner of transportation, near Culver road. Approximate length 1.5 miles.

Beginning at the southerly Rochester city line, state highway sixty-two, thence northerly on or in the vicinity of Mt. Hope Avenue to South Avenue, thence northerly on or in the vicinity of South Avenue to the intersection of South Avenue and Interstate Route 580. Approximate length 2.9 miles.

Beginning at the southerly Rochester city line, state highway four hundred ninety-four, thence northerly on or in the vicinity of East Henrietta Road to an intersection with Mt. Hope Avenue near Crittenden Boulevard. Approximate length 0.7 mile.

Beginning at a point on the southerly city line of the city of Rochester in the vicinity of the Rochester subway, thence northerly along or in the vicinity of the Rochester subway to the vicinity of East avenue, thence northeasterly and easterly to the east city line of the city of Rochester to a point to be determined by the commissioner of transportation. Approximate length 0.8 mile.

Beginning at a point on the westerly city line north of Chili avenue, to be determined by the commissioner of transportation, thence northeasterly on new location to Mt. Read boulevard in the vicinity of Maple street, thence northerly on or in the vicinity of Mt. Read boulevard to an intersection with Ridge road and continuing northerly to a point on the northerly Rochester city line near Mt. Read boulevard to be determined by the commissioner of transportation. Approximate length 4.4 miles.

The total cost of highway-railroad separations, necessary in the construction of the last above described arterial highway from a point at an intersection of the Mt. Read boulevard in the vicinity of Maple street, thence northerly on or in the vicinity of Mt. Read boulevard to an intersection with Ridge road and continuing northerly to a point on the northerly Rochester city line near Mt. Read boulevard to be

determined by the commissioner of transportation, shall be borne by the state and be paid for from any state or federal moneys available for the construction and reconstruction of highways, and such separations shall be progressed in accordance with the provisions of subdivision five of section three hundred forty-nine-c of this article.

Beginning at the southerly Rochester city line, state highway sixty-three, thence northeasterly on or in the vicinity of Scottsville road to an intersection with Elmwood avenue at Genesee street. Approximate length 0.4 mile.

Beginning at a point on the westerly Rochester city line to be determined by the commissioner of transportation, near Brooks avenue, thence easterly on or in the vicinity of Brooks avenue to an intersection with Genesee Park boulevard near Brooks avenue. Approximate length 0.2 mile.

Beginning at the westerly Rochester city line, state highway three hundred ninety-nine, thence easterly on or in the vicinity of Latta road to a point west of Stutson street with a suitable connection to the Lake Ontario state parkway at the northerly Rochester city line, thence southeasterly in the vicinity of Stutson street to a point on Lake avenue, as determined by the commissioner, including a connection crossing the Genesee river to a point on the easterly Rochester city line as determined by the commissioner; also from a point near Stutson street on Lake avenue southerly on or in the vicinity of Lake avenue to an intersection with Ridge road west, including a connection from Lake avenue westerly on or in the vicinity of Stonewood avenue to a point on the westerly Rochester city line, said connection to be built with control of access. Approximate length 4.6 miles.

CITY OF ROME

Beginning at the intersection of East Dominick street and Black River boulevard, thence following Black River boulevard to an interchange circle on East Whitesboro street, thence continuing northwesterly and westerly along West Whitesboro street, Armstrong avenue, Armstrong avenue extension and on or near Erie boulevard to a junction with state

highway five hundred sixty-three at or near the northwest inner corporation line of the city of Rome, including a connection with state highway one thousand one hundred fifty-seven. Approximate length 2.6 miles.

Beginning at the intersection of East Dominick street and Black River boulevard and extending northeasterly on or near Black River boulevard and continuing on new location northerly to a junction with state highway five hundred sixty-two at or near the northerly inner corporation line of the city of Rome. Approximate length 3.2 miles.

Beginning at the interchange circle on East Whitesboro street and extending southerly along East Whitesboro street and thence on new location crossing the barge canal and the main line of the Penn-Central railroad to the southern inner corporation line of the city of Rome. Approximate length 1.0 mile.

Beginning at a point on the southerly inner corporation line of the city of Rome, in the general vicinity of Taft avenue extended, as determined by the commissioner, thence generally northeasterly on new location and continuing easterly on or near River road to the easterly inner corporation line of the city of Rome, state highway five hundred sixty including necessary connections with existing streets as determined by the commissioner. Approximate length 1.0 mile.

Beginning at a point to be determined by the commissioner, at the intersection of East Chestnut street and the eastern inner corporation line of the city of Rome, thence running generally northwesterly along East Chestnut street to a point, to be determined by the commissioner, at the intersection of East Chestnut street and state highway number nine thousand three hundred eighty-three. Approximate length .38 miles.

CITY OF RYE

Beginning at the south city line northeasterly along Post Road to a point about 0.1 mile south of New York, New Haven and Hartford Railroad Bridge. Approximate length 2.8 miles.

Beginning at a point south of Railroad Bridge northeasterly along Post Road and new location to north city line. 1-way northbound on new location and 1-way southbound on Post Road. Approximate length 1.0 miles.

That section of Midland Avenue from its intersection with Peck Avenue northeasterly to the city line of the city of Rye. Approximate length ..36 miles.

City of Salamanca

1. Beginning at the westerly city line of Salamanca state highway eight thousand three hundred eight, thence easterly along Front street to a point to be determined by the commissioner of transportation west of Center street, thence continuing easterly on new location to Center street at Broad street, thence southeasterly along Broad street and Clinton street to a point to be determined by the commissioner of transportation near Parkway drive, thence northeasterly on new location crossing the Allegheny river on a new bridge to Wildwood avenue, thence easterly along Wildwood avenue to the easterly city line of Salamanca, state highway five thousand two hundred sixty-five. Approximate length 4.5 miles.

2. Beginning at the intersection of Broad and Center streets in the city of Salamanca, thence northerly along Center street to the northerly city line of Salamanca, state highway five thousand two hundred sixty-five. Approximate length 0.9 mile.

3. Beginning at the intersection of Wildwood and Central avenues in the city of Salamanca, thence northerly along Central avenue to the northerly city line. Approximate length 1.0 mile.

4. Beginning at the intersection of Parkway drive and Clinton street in the city of Salamanca, southerly and westerly along the scenic highway to the boundary of the Allegany State Park at a point to be determined by the commissioner of transportation. Approximate length 1.1 miles.

City of Saratoga Springs

1. North-South arterial, beginning at the southerly Saratoga Springs corporation line, state highway six hundred eleven, thence northerly along or near South Broadway as determined by the commissioner of transportation, to Union street, continuing northerly along or near Union street as determined by the commissioner of transportation, to the Delaware and Hudson railway near Ash street, thence northerly and northeasterly on and adjacent to the abandoned right of way of the Delaware and Hudson railway to the northeasterly Saratoga Springs corporation line, including a connection on Marion avenue to the northerly Saratoga Springs corporation line. Approximate length 3.1 miles. Also that portion of South Broadway, Saratoga Springs, beginning at the southerly Saratoga Springs corporation line thence to its intersection with West Circular street, as determined by the commissioner of transportation, which portion is presently known as state route nine. Also a portion of West Circular street, to be determined by the commissioner of transportation, from South Broadway to the Delaware and Hudson railway bed.

2. Ballston arterial, beginning at the southerly or westerly Saratoga Springs corporation line, west of Ballston avenue, thence northeasterly on new location in the abandoned right of way of the Delaware and Hudson railway to a point north of Congress avenue, as determined by the commissioner of transportation, continuing easterly to Union street at Lincoln avenue. Approximate length 1.0 mile.

3. Church Street arterial, beginning at the westerly Saratoga Springs corporation line, state highway four hundred forty-three, thence easterly and southeasterly along Church street to a connection with the North-South arterial. Approximate length 0.6 mile.

City of Schenectady

Beginning at the westerly Schenectady city line in the vicinity of Fawn avenue, thence northeasterly on new location, crossing State street and continuing northeasterly on new location, generally parallel to Oregon avenue, to the easterly city line of Schenectady near the Parkview cemetery. Approximate length 1.7 miles.

Beginning at the westerly Schenectady city line on Broadway, state highway one hundred sixty-three, thence along Broadway, Millard street, Veeder avenue and Nott Terrace to Union street. Thence on new location through the Union College campus grounds to South avenue, thence northwesterly along South avenue and over new location to Erie boulevard in the vicinity of Jefferson street. Approximate length 2.9 miles.

Beginning at the traffic circle along the interstate route 550 connection, thence northeasterly along Erie boulevard crossing Jefferson street to the vicinity of Nott street. Thence on new location to the northwest Schenectady city line in the vicinity of Freeman's Bridge road. Approximate length 1.7 miles.

Beginning at the traffic circle along the interstate route 550 connection, thence northerly along Washington avenue to State street continuing westerly on State street over the Great Western Gateway bridge to the west city line of Schenectady. Approximate length 0.3 mile.

CITY OF SYRACUSE

Beginning at the intersection of Shonnard street and South West street, thence northerly along South West street to Erie boulevard, thence easterly along Erie boulevard, through the Clinton square urban renewal project to the easterly city line of Syracuse connecting with state highway four hundred twenty-nine. This route also includes a secondary section beginning at the intersection of South West street and Shonnard and Seymour streets, thence easterly along Shonnard and Seymour streets, Oneida and Adams streets to a point on interstate route 505 in the vicinity of Almond street as determined by the commissioner. Portions of this arterial route within and in the vicinity of the Clinton square urban renewal project may be built as a depressed highway as determined by the commissioner. Approximate length 4.3 miles.

Beginning at a point at the southerly city line to be determined by the commissioner of transportation and extending northerly on new location west of Lafayette road, generally parallel to Lafayette road

and the Erie Lackawanna railway to South Townsend street, thence northerly along South Townsend street to Canal street, thence westerly along Canal street to North State street, thence northerly along North State street connecting with Oswego boulevard at Ash street, thence northerly along Oswego boulevard to Court street, thence northeasterly along new location to Washington Square and Lemoyne avenue, thence northeasterly along Lemoyne avenue to the north city line. This route also includes the following: Beginning at the intersection of South Townsend street and Washington street, thence westerly along Washington street to Montgomery street, thence northerly along Montgomery street and Oswego boulevard to Ash street. Approximate length 8.0 miles.

Beginning at the intersection of Erie boulevard and West street, thence westerly along Erie boulevard to Plum street, thence northwesterly on new location to Leavenworth avenue, thence northerly along Leavenworth avenue to Belden avenue, thence northwesterly along new location under the Penn Central railroad, thence westerly along new location generally parallel to the Penn Central railroad to the State Fair boulevard at a point northwest of Hiawatha boulevard, thence northwesterly along the State Fair boulevard to the Syracuse city line connecting with state highway number one thousand three hundred fifty-three. This route also includes the following: Beginning at the intersection of Park avenue and North West street, thence westerly along Park avenue to Leavenworth avenue. Approximate length 2.4 miles.

Beginning at the intersection of West street and Erie boulevard, thence northerly along West street to Genesee street, thence easterly along new location and Herald Place to Franklin street, thence northerly along Franklin street to Laurel street, thence easterly along Laurel street to Oswego boulevard, thence northerly on Oswego boulevard and on new location to a point on the northerly city line and there connecting with state highway number five thousand two hundred seventy-four. Approximate length 2.1 miles. This route also includes a secondary section beginning at the easterly terminus of the spur extending from arterial route designated as "City of Syracuse: State Fair Boulevard" at Spencer street; thence northeasterly on new location to Bear street, thence northeasterly along Bear street to Oswego boulevard thereby

connecting State Fair arterial boulevard and Oswego arterial boulevard. Approximate length 0.8 mile.

Beginning at the easterly Syracuse city line, at a point on state highway four hundred twenty-nine, thence northerly along or near Thompson road, as determined by the commissioner of transportation, to the northerly Syracuse city line, connecting with state highway four hundred twenty-nine. Approximate length 0.9 mile.

City of Tonawanda

1. Beginning at the southerly Tonawanda city line, in the vicinity of Eggert road, as determined by the commissioner of transportation, thence northwesterly on or along Young street and on new location, to a point on the northerly Tonawanda city line, on a new bridge to be constructed over the Tonawanda creek, to be determined by the commissioner of transportation, in the vicinity of Division street extended. Approximate length 1.6 miles.

2. Beginning at the southerly Tonawanda city line, state highway nine thousand two hundred twenty-one, thence northerly along Main street to the vicinity of Seymour street, thence northwesterly along Seymour street to the vicinity of Niagara street, thence northerly, on new location, to a point on the northerly Tonawanda city line, on a new bridge to be constructed over the Tonawanda creek, to be determined by the commissioner of transportation, west of Main street. Approximate length 1.5 miles.

3. Beginning at the westerly Tonawanda city line, state highway one hundred twenty-nine, thence easterly on or along Niagara street to Seymour street. Approximate length 2.0 miles.

CITY OF TROY

1. Beginning at the easterly approach of the Troy-Menands bridge, thence northerly along Burden avenue to Fourth street, continuing on or east of Fourth street to the vicinity of Fifth avenue and on new location to Congress street, continuing northerly between Seventh avenue and Eighth street to the vicinity of Rensselaer street, crossing

northwesterly over River street and northerly on new location generally paralleling the Hudson river to Second avenue near One Hundred Second street, following along Second avenue to One Hundred Twenty-sixth street and thence on new location northeasterly to the north city line, including connections to the easterly approaches of One Hundred Twelfth street bridge and the Troy-Waterford bridge. Approximate length 6.2 miles.

2. Beginning on the southerly Troy city line west of Winter street, thence northwesterly on new location to Campbell's highway near Spring avenue, following on or near Spring avenue to and including a connection with the north-south arterial route. Approximate length 2.1 miles.

3. Beginning on the southerly Troy city line, thence northeasterly on new location passing to the east of the Troy airport to and including a connection with another arterial route and continuing northeasterly to and including a connection with Pawling avenue via Munro court. Approximate length 1.0 mile.

4. Beginning at the westerly city line, thence easterly on a new bridge over the Hudson river to and along Hoosick street to the easterly city line, state highway ten. Approximate length 1.6 miles.

5. Beginning at a point on the westerly Troy city line, on a new bridge to be constructed over the Hudson river south of Congress street, to be determined by the commissioner of transportation, thence easterly to and along Ferry street to Congress street; also from a point on Congress street near Thirteenth street northwesterly and westerly along Congress street to the easterly approach of said new bridge to be constructed over the Hudson river south of Congress street, including connections with existing streets as determined by the commissioner of transportation; this route also includes a connection from a point on Congress street to College avenue, at a point to be determined by the commissioner of transportation. Approximate length 1.1 miles.

City of Utica

1. Beginning at the westerly Utica city line, state highway eight

thousand four hundred eighty-four, including an interchange with Whitesboro street, thence easterly along Oriskany street West to Broadway, continuing along Oriskany street West and Liberty street to Genesee street, thence along Oriskany street East and Jay street to Park avenue, northeasterly along Park avenue to a point, to be determined by the commissioner of transportation, between Broad and Main streets, thence on new location easterly to a point to be determined by the commissioner on the east city line, including a traffic interchange at Broad street, Gilbert street and Culver avenue. Approximate length 5.2 miles.

2. Beginning at the west city line, state highway two hundred ninety-seven, thence easterly on new location generally parallel to the New York state thruway to a traffic interchange at the state arterial highway on or in the vicinity of Horatio street, thence easterly on new location generally parallel to the New York state thruway to North Genesee street, thence easterly on new location generally parallel to the New York state thruway to a point east of the thruway toll booth interchange, thence easterly along Herkimer road to the east city line, state highway four hundred fifty-nine; also from Herkimer road returning westerly at a point east of the thruway toll booth interchange, on new location generally parallel to the New York state thruway to an interchange with North Genesee street and Riverside drive, thence westerly on new location generally parallel to the New York state thruway to a traffic interchange at the state arterial highway in the vicinity of Horatio street, thence westerly on new location generally parallel to the New York state thruway to its connection with state highway two hundred ninety-seven at the west city line. Approximate length 3.7 miles.

3. Beginning at a point to be determined by the commissioner of transportation on the southwest Utica city line, south of the former N. Y. O. & W. Ry. right of way, thence northeasterly on new location crossing Burrstone road, including necessary connections to or from this route, continuing northeasterly on or in the vicinity of Wheeler avenue to Roberts street, thence on new location between Fay street and State street to a traffic interchange at Oriskany street West, continuing on

new location to traffic interchanges with the Mohawk thruway and Riverside drive at Horatio street, northeasterly on or in the vicinity of Horatio street to the northerly Utica city line. Approximate length 5.3 miles.

4. Beginning on the southwest city line of Utica in the vicinity north of Genesee street, as determined by the commissioner of transportation, thence generally northwesterly on new location to a traffic interchange with an arterial route in the vicinity of the northwesterly city line. Approximate length 0.4 mile.

5. Beginning at the intersection of Oriskany street west and east with Genesee street, thence northerly and northeasterly to and along North Genesee street to Herkimer road, including connections with existing streets, and/or relocations of such existing streets; also from Herkimer road returning southwesterly on new location westerly and generally parallel to North Genesee street to a connection to the last mentioned route in the vicinity of the New York State thruway. Approximate length 1.5 miles.

6. Beginning at the westerly Utica city line, state highway nineteen hundred forty-three, thence easterly on or along Burrstone road to a point as determined by the commissioner of transportation, thence continuing easterly and generally parallel to and north of Edith and Alder streets to a traffic interchange between the state arterial highway and Burrstone road in the vicinity of Lincoln avenue. Approximate length 0.7 mile.

7. Upon completion and acceptance of the portion of the aforementioned route in paragraph two of this subdivision which lies between a point on state highway two hundred ninety-seven at the west city line and a point on or near an interchange with North Genesee street, the commissioner is hereby authorized and directed to issue an official order of abandonment to the city of Utica of the road described as follows: beginning at the west city line, thence easterly on or in the vicinity of Riverside drive to a traffic interchange at the state arterial highway on or in the vicinity of Horatio street, thence southeasterly and easterly on new

location south of and generally parallel to Riverside drive to a point on or near an interchange with North Genesee street, including connections between Riverside drive and the new location. Upon the filing of certified copies of such official order with the city clerk, the state shall cease to maintain those portions specified for abandonment in such official order, and all the rights and obligations of the state therein shall revert to and become the responsibility of the city of Utica.

8. Upon completion and acceptance of the aforementioned route in paragraph five of this subdivision, the commissioner is hereby authorized and directed to issue an official order of abandonment to the city of Utica of the roads described as follows: that portion of the route described as "beginning at the intersection of Oriskany street west and east with Genesee street, thence northerly and northeasterly to and along North Genesee street to Coventry avenue including connections with existing streets, thence along Coventry avenue to the northerly Utica city line, state highway five thousand six hundred four" which lies along Coventry avenue between a point on Herkimer road and a point near Servis place; those portions of the route described as "also from a connection to the last mentioned route in the vicinity of Servis place, returning southwesterly on new location westerly and generally parallel to Coventry avenue and North Genesee street to a connection to the last mentioned route in the vicinity of the New York state thruway with all necessary connections to Trenton avenue" which lie between a point on Coventry avenue near Servis place and a point on Riverside drive west of Coventry avenue, and between a point on Trenton avenue southwest of Servis place and a point on Trenton avenue at or near its intersection with Coventry avenue. Upon the filing of certified copies of such official order with the city clerk, the state shall cease to maintain those portions specified for abandonment in such official order, and all the rights and obligations of the state therein shall revert to and become the responsibility of the city of Utica.

CITY OF WATERTOWN

1. Beginning at the easterly Watertown city line at State Highway No. 5005, thence westerly along Water Street to the vicinity of Spring

Street and northwesterly on new location across the New York Central Railroad, Watertown Branch, thence westerly to an intersection with an arterial route, continuing westerly across Pearl Street in the vicinity of Starbuck Avenue, to and along Moulton Street, to Mill Street, thence northwesterly on new location to Main Street west in the vicinity of Curtis Street, and continuing along Main Street west to Edmund Street. Approximate length 2.6 miles.

2. Beginning at the northerly Watertown city line at State Highway No. 5140, thence southwesterly along Bradley Street to Main Street west. Approximate length 0.9 mile.

3. Beginning at the westerly Watertown city line, State Highway No. 237, thence easterly along Arsenal Street to Massey Street north, thence northeasterly on Massey Street north to Court Street and along Court Street crossing the Black River to an arterial route on the north side of the Black River. Approximate length 2.1 miles.

4. Beginning at the southerly Watertown city line at State Highway No. 147, thence northerly along Gifford Street to State Street and northwesterly along State Street to a point between Pleasant Street and Hamilton Street, thence northeasterly on new location between Pleasant Street north and Hamilton Street north, crossing the New York Central Railroad, Carthage Branch, the Black River, Water Street, and the New York Central Railroad, Watertown Branch, to an intersection with an arterial route on the north side of the Black River. Approximate length 1.90 miles.

5. Beginning at an intersection with the above described arterial at State street and Eastern boulevard, thence northeasterly along Eastern boulevard to state highway five thousand five at the easterly Watertown city line. Approximate length 1.1 miles.

6. Notwithstanding the provisions of section three hundred forty-nine-d of this article, the commissioner is hereby authorized and directed to assume jurisdiction for state arterial highway purposes over the city streets described in paragraph five and as follows: beginning

at the southerly Watertown city line at state highway one hundred forty-seven, thence northerly along Gifford street to State street to an intersection with another arterial route at Eastern boulevard.

City of Watervliet

1. River Front route, beginning at a point to be determined by the commissioner of transportation on the southerly city line of Watervliet east of Broadway, thence northeasterly along the west bank of the Hudson river to the vicinity of Twenty-Second street and northerly to a point to be determined by the commissioner on the north city line of Watervliet, east of Cohoes road. Approximate length 2.0 miles.

2. Beginning at the westerly city line of Watervliet, state highway six hundred thirty, thence easterly along Nineteenth street to the west approach of the Congress street bridge, including connections to the above described River Front route. Approximate length 1.0 mile.

CITY OF WHITE PLAINS

1. Beginning at a point, to be determined by the commissioner, on the westerly line of the city of White Plains, south of Old Mamaroneck road, thence northerly on new location to and or along Bloomingdale road to Westchester avenue, thence easterly on or in the vicinity of Westchester avenue to the easterly line of the city of White Plains. Approximate length 1.5 miles.

2. Beginning at or near the intersection of Westchester avenue and Bloomingdale road in the city of White Plains, thence westerly on or in the vicinity of Westchester avenue to North Broadway, thence northwesterly on or in the vicinity of North Broadway to Hamilton avenue, thence generally westerly on or in the vicinity of Hamilton avenue to Central avenue, thence northwesterly on or in the vicinity of Central avenue to the northerly city line of White Plains, west of the Bronx River parkway; also returning from a point at or near Central avenue and Hamilton avenue southeasterly along or in the vicinity of Central avenue to Main street, thence generally easterly on or in the vicinity of Main street to North Broadway, thence southeasterly on or in the vicinity of North Broadway to Armory place, thence northeasterly on

or in the vicinity of Armory place to Westchester avenue. Approximate length 2.6 miles.

3. Beginning with an arterial route described in paragraph two above, thence northerly on or in the vicinity of Grove street to or in the vicinity of North Lexington avenue and northwesterly on new location to Central Park avenue, thence southwesterly on or in the vicinity of Central Park avenue to the westerly city line of White Plains, state highway one thousand three hundred seventy; also returning from a point near North Lexington avenue, thence southerly on or in the vicinity of North and South Lexington avenue to the arterial route described in paragraph two above, including connections from this arterial route on or in the vicinity of South Lexington avenue and Grove street with existing streets. Approximate length 1.9 miles.

CITY OF YONKERS

Nepperhan arterial, with that portion beginning at a connection to South Broadway thence continuing to the connection of the Pulaski crossway designated as a portion of the Pulaski crossway in the vicinity of Nepperhan avenue, thence continuing northerly on or in the vicinity of Nepperhan avenue, and new location to Saw Mill river road in the vicinity of Tuckahoe road, including a connection to Roberts avenue, thence northerly on or in the vicinity of Saw Mill river road to the northerly city line, state highway one thousand one hundred sixty-seven. Approximate length 4.1 miles.

Pulaski crossway arterial, from a point on the Nepperhan arterial to be determined by the commissioner of transportation, thence generally easterly on or in the vicinity of Yonkers avenue and new location to the east city line connecting to an arterial highway in Mt. Vernon. Approximate length 3.0 miles.

Central Park avenue arterial, from a point on Pulaski crossway arterial to be determined by the commissioner of transportation, thence generally northerly on or in the vicinity of Central Park avenue to state highway five thousand two hundred thirty-one. Approximate length 5.1 miles.

Tuckahoe road arterial, from a point on the Nepperhan arterial, to be determined by the commissioner of transportation, thence easterly on or in the vicinity of Tuckahoe road to a point on Central Park avenue arterial, to be determined by the commissioner of transportation. Approximate length 1.7 miles.

Riverdale arterial, beginning at the New York city-Yonkers city line, in the vicinity of Riverdale avenue, thence on or in the vicinity of Riverdale avenue to the vicinity of Main street, including a connection to the Nepperhan arterial. Approximate length 1.7 miles.

§ 349-f. New York city routes. The following existing or proposed main routes or thoroughfares, are designated herein, as aforesaid, viz.:

New England thruway from the Westchester county line to Bruckner expressway; Bruckner expressway from New England thruway to Robert F. Kennedy bridge approach; Hutchinson river parkway from the Westchester county line to the Bronx-Whitestone bridge approach; Bronx river parkway from the Westchester county line to Bruckner expressway; Henry Hudson parkway from the Westchester county line to Miller highway excepting the Henry Hudson bridge, provided that no portion of this route from West Seventy-second street to the Cross Bronx expressway shall be constructed or reconstructed so as to encroach in any way on or over any land mapped or used for park purposes except for such temporary encroachment of no more than ten feet in width from seventy-third street to seventy-sixth street as may be essential during and for the purpose of reconstruction or repair of the existing roadway following which there shall be full restoration of park land; Major Deegan expressway from the Robert F. Kennedy bridge to Central Park avenue at the Westchester county line together with a connection to Broadway and along Broadway to Manhattan college parkway; Cross Bronx expressway from George Washington bridge approach to Throgs Neck bridge; Throgs Neck expressway from Bruckner expressway to Throgs Neck bridge; Arthur V. Sheridan expressway from Cross-Bronx expressway to Bruckner expressway; Mosholu parkway from Henry Hudson parkway to Bronx river parkway; Bronx and Pelham parkway

from Bronx river parkway to New England thruway; Boston road from Bronx and Pelham parkway to New England thruway; Miller highway from Henry Hudson parkway to the Hugh L. Carey tunnel; and from Hugh L. Carey tunnel to Brooklyn-Queens expressway; Franklin D. Roosevelt drive from the Hugh L. Carey tunnel to Robert F. Kennedy bridge approach; Harlem river drive from Robert F. Kennedy bridge approach to George Washington bridge approach; Belt parkway including Gowanus parkway to Third avenue and Sixtieth street, Leif Erikson drive to Knapp street, Shore parkway, Belt parkway, Southern parkway and Cross Island parkway from Hugh L. Carey tunnel to Bronx-Whitestone bridge approach; Nassau expressway from Southern parkway to the Nassau county line; Brooklyn-Queens expressway from Gowanus expressway to Grand Central parkway; Prospect expressway from Gowanus expressway to Ocean parkway; Ocean parkway from Prospect expressway to Shore parkway; Interborough parkway from Grand Central Parkway to Belt parkway; Gowanus expressway from the Verrazzano-Narrows bridge to Third avenue at Gowanus parkway; Third Avenue from Gowanus expressway to Hamilton avenue; Hamilton Avenue from Third Avenue to Hugh L. Carey tunnel; Queens boulevard from Queensborough bridge approach to Van Wyck expressway; Van Wyck expressway from Whitestone expressway, including a connection to Grand Central parkway, to John F. Kennedy international airport; Woodhaven boulevard from Queens boulevard to Cross Bay parkway bridge northerly approach; Cross Bay parkway from Cross Bay bridge southerly approach to Short Front parkway; Shore Front parkway from Cross Bay parkway generally along the shore line of the Atlantic ocean to the Nassau expressway at the Nassau county line; Queens-Midtown expressway from Queens-Midtown tunnel approach to Queens Boulevard; Horace Harding expressway from Queens Boulevard to the Nassau county line; a connection between Brooklyn-Queens expressway and Northern boulevard in the vicinity of Grand Central parkway; Grand Central parkway from Robert F. Kennedy bridge approach to Nassau county line; Whitestone expressway from Bronx-Whitestone bridge approach to Van Wyck expressway and continuing to Grand Central parkway; Clearview expressway from Throgs Neck bridge to Nassau expressway; Richmond parkway from Staten Island expressway to Outerbridge crossing approach; Staten Island expressway from Goethals bridge to the Verrazzano-Narrows bridge with a connection to Bayonne bridge; Willowbrook parkway from Staten Island expressway to Great Kills park; West Shore expressway from

Staten Island expressway to Outerbridge crossing; Shore Front drive northerly from the terminus of West Shore expressway at Staten Island expressway, thence generally along the shore lines of Kill Van Kull, the Narrows, Lower New York bay and Raritan bay to the approach to Outerbridge crossing.

*** § 349-g. Airport access mass transit for LaGuardia airport.** (a) Notwithstanding any other provision of law, general, special, charter or local, and consistent with section fourteen-d of the transportation law, if a property acquisition pursuant to this section occurs by eminent domain, the commissioner of transportation shall have the authority to acquire any property, property rights, or property interests, including easements, air rights and subsurface rights whether or not now or previously designated as parkland or otherwise dedicated to a public use as parkland (hereinafter referred to as "property interests"), but only to the extent that such property interests are, in the judgment of the commissioner, necessary for the construction, use, occupancy, operation, and maintenance of an airport access mass transit facility via an elevated guideway for LaGuardia airport and related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas and air rights and subsurface rights related to an elevated guideway, including appropriate entry and exit points for users of the airport access mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, running along a route from LaGuardia airport on or near the Grand Central Parkway, thence along the edge of the Citi Field parking lot previously alienated for stadium use, next alongside the existing elevated track for the No. 7 subway and terminating at subway rail yards and other transportation staging and storage areas within a corridor more specifically defined pursuant to

subdivision (b) of this section; and to utilize or sell, lease, contract, or otherwise transfer the acquired property interests together with property interests the commissioner otherwise holds and/or grant easements, licenses, permits, concessions or other authorizations, to the Port Authority of New York and New Jersey, to facilitate the construction (including temporary laydown), and permanent use, occupancy, operation, and maintenance of the airport access mass transit facility and related ancillary facilities for airport access transit maintenance, parking for persons using the airport access transit facility and additional limited purposes directly related to operation of an airport access mass transit project, and additional limited purposes directly related to operation of an airport access mass transit project including appropriate entry and exit points for users of the mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, and temporary use for laydown and construction purposes; provided however, this section does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations.

(b) The corridor defined in subdivision (a) of this section, where the acquisition of such property, property rights, or property interests referred to in this section may occur, is more particularly described as follows:

(i) The following parcels shall be included within a corridor within which acquisition of permanent property interests may be acquired for purposes of this section and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Tract 1 - Grand Central Parkway

Beginning at a point in the easterly right of way line of Ditmars Boulevard at the southwest corner of Tax Map Lot 50 Block 1641, thence along a line North 15Á-10'-31" East, a distance of 493.53' to a point within the westerly line of Tax Map Lot 1 Block 926, and from said point

of beginning running thence:

1. Within the westbound lanes of the Grand Central Parkway South 07Á-53'-31" East, a distance of 114.46' to a point within the westbound lanes of the Grand Central Parkway

2. Within the westbound lanes of the Grand Central Parkway South 39Á-25'-56" East, a distance of 338.44' to a point in the westbound lanes of the Grand Central Parkway, thence;

3. Within said lands the following six courses; South 34Á-46'-30" East, a distance of 596.00' to a point in the westbound lanes of the Grand Central Parkway, thence;

4. South 32Á-52'-42" East, a distance of 284.58' to a point in the westbound lanes of the Grand Central Parkway, thence;

5. South 31Á-22'-20" East, a distance of 270.24' to a point in the westbound lanes of the Grand Central Parkway, thence;

6. South 31Á-20'-42" East, a distance of 561.27' to a point in the westbound lanes of the Grand Central Parkway, thence;

7. South 31Á-24'-15" East, a distance of 479.68' to a point in the westbound lanes of the Grand Central Parkway, thence;

8. South 34Á-12'-57" East, a distance of 122.82' to a point in the westbound lanes of the Grand Central Parkway, thence;

9. Within said lands and through the westbound lanes of the Grand Central Parkway South 47Á-22'-46" West, a distance of 81.54' to a point in the eastbound lanes of the Grand Central Parkway, thence;

10. Within the eastbound lanes of the Grand Central Parkway on a curve to the left, having a radius of 1795.88', an arc length of 814.04', a central angle of 25Á-58'-16", and whose chord bears South 49Á-41'-11" East, a distance of 807.08' to a point in the eastbound lanes of the

Grand Central Parkway, thence;

11. Within the eastbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 4175.45', an arc length of 369.28', a central angle of 05Á-04'-02", and whose chord bears South 60Á-46'-11" East, a distance of 369.16' to a point in the eastbound lanes of the Grand Central Parkway, thence;

12. Through the westbound lanes of Grand Central Parkway and waters of Flushing Bay North 18Á-38'-40" East, a distance of 1016.75' to a point in the waters of Flushing Bay, thence;

13. Within the waters of Flushing Bay North 45Á-38'-00" West, a distance of 2406.73' to a point in the waters of Flushing Bay said point also being in the southerly line of Tax Map Lot 1 Block 926, thence;

14. Along the southerly line of Tax Map Lot 1 Block 926 South 40Á-14'-47" West, a distance of 458.89' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

15. Along the westerly line of Tax Map Lot 1 Block 926 North 39Á-47'-03" West, a distance of 685.00' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

16. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to the left, having a radius of 9711.30', an arc length of 342.94', a central angle of 02Á-01'-24", and whose chord bears North 40Á-47'-45" West, a distance of 342.93' to a point in the westerly line of Tax Map Lot 1 Block 926 also the point and place of beginning and containing a calculated areas of 2,388,737.04 SF or 54.837 acres.

(B) Parcel B

All that certain tracts or parcels of land located in the Grand Central Parkway, Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 23Á-03'-48" East, a distance

of 575.33' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Through the westbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 1200', an arc length of 472.65', a central angle of 22Á-34'-02", and whose chord bears North 46Á-30'-24" West, a distance of 469.60' to a point in the median of the Grand Central Parkway, thence;

2. Within said lands the following three courses, North 07Á-32'-34" West, a distance of 806.64' to a point in the median of the Grand Central Parkway, thence;

3. On a curve to the left, having a radius of 956.60', an arc length of 1069.45', a central angle of 64Á-03'-18", and whose chord bears North 33Á-04'-05" West, a distance of 1014.62' to a point in the median of the Grand Central Parkway, thence;

4. North 61Á-01'-46" West, a distance of 279.45' to a point in the median of the Grand Central Parkway, said point also being the easterly line of lands owned by the New York State Department of Transportation, thence;

5. Along the easterly line of same, North 18Á-38'-40" East, a distance of 1016.75' to a point in the waters of Flushing Bay, thence;

6. Within the waters of Flushing Bay South 45Á-38'-00" East, a distance of 1092.05' to a point in the waters of Flushing Bay, said point also being the westerly line of Tax Map Lot 65 Block 1789, thence;

7. Along the westerly line of same South 05Á-02'-52" East, a distance of 456.35' to a point in the westerly line of Tax Map Lot 65 Block 1789, thence;

8. Within the Grand Central Parkway South 04Á-53'-32" West, a distance of 1348.61' to a point in the median of the Grand Central Parkway, thence;

9. Through the westbound lanes of the Grand Central Parkway South 28Á-11'-29" East, a distance of 427.88' to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

10. Along the westerly line of same, South 05Á-00'-28" East, a distance of 133.39 to the point and place of beginning and containing a calculated areas of 1,375,044.58 SF or 31.566 acres.

(C) Parcel C

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 23Á-03'-48" East, a distance of 575.33' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Along the westerly line of same, North 05Á-00'-28" West, a distance of 133.39 to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

2. Within Tax Map Lot 20 Block 1787, South 59Á-56'-38" East, a distance of 584.20' to a point in Lot 20 Block 1787, thence;

3. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South 86Á-10'-42" East, a distance of 420.78' to a point in Tax Map Lot 1500 Block 2018, thence;

4. Within said lands, North 68Á-23'-55" East, a distance of 607.27' to a point in Tax Map Lot 1500 Block 2018, thence;

5. Within said lands, North 21Á-35'-11" West, a distance of 16.75' to a point in the southerly right of way line of Roosevelt Avenue, thence;

6. Along the southerly line of same, North 68Á-25'-28" East, a distance of 1025.26' to a point formed by the intersection of the easterly right of way line of 126th Street and the southerly right of

way line of Roosevelt Avenue, thence;

7. Along the easterly right of way line of 126th Street, South 21Á-35'-11" East, a distance of 259.05' to a point in the easterly right of way line of 126th Street, thence;

8. Along the northerly line of Tax Map Lot 1000 Block 2018, South 68Á-25'-28" West, a distance of 610.51' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

9. Along the northerly line of same, South 68Á-30'-37" West, a distance of 230.61' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

10. Within Tax Map Lot 1500 Block 2018, North 72Á-41'-52" West, a distance of 207.77' to a point in Tax Map Lot 1500 Block 2018, thence;

11. Within Tax Map Lot 1500 Block 2018, South 68Á-23'-55" West, a distance of 917.78' to a point in Tax Map Lot 1500 Block 2018, thence;

12. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax Map Lot 20 Block 1787, North 59Á-56'-38" West, a distance of 793.76' to the point and place of beginning and containing a calculated areas of 458,276.64 SF or 10.520 acres.

(D) Parcel D

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, and from said point of beginning running thence:

1. Along the southerly right of way line of Roosevelt Avenue, North 68Á-30'-18" East, a distance of 420.90' to a point in the southerly right of way line of Roosevelt Avenue, thence;

2. Along the southerly right of way line of Roosevelt Avenue, North

62Á-00'-28" East, a distance of 263.59' to a point in the southerly right of way line of Roosevelt Avenue, thence;

3. Within Tax Map Lot 300 Block 2018 South 21Á-35'-11" East, a distance of 244.87' to a point in Lot 300 Block 2018, thence;

4. Through Tax Map Lot 300 Block 2018 and Tax Map Lot 75 Block 2018 South 68Á-30'-18" West, a distance of 682.85' to a point in the easterly right of way line of 126th Street, thence;

5. Along the easterly right of way line of 126th Street, North 21Á-35'-11" West, a distance of 215.05' to a point in the easterly right of way line of 126th Street to the point and place of beginning and containing a calculated areas of 150,750.81 SF or 3.46 acres.

(E) Parcel E

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the westerly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along the westerly right of way line of 126th Street South 21Á-35'-11" East, a distance of 259.05' to a point within the northerly line of Tax Map Lot 1000 Block 2018, thence along the northerly line of Tax Map Lot 1000 Block 2018 South 68Á-25'-28" West, a distance of 610.51' to a point within the northerly line of Lot 1000 Block 2018, and from said point of beginning running thence:

1. Within Tax Map Lot 1000 Block 2018, South 05Á-44'-59" West, a distance of 37.85' to a point in Tax Map Lot 1000 Block 2018, thence;

2. Within said lands the following two courses, South 21Á-02'-11" East, a distance of 96.44' to a point in Tax Map Lot 1000 Block 2018, thence;

3. South 47Á-44'-48" East, a distance of 127.09' to a point in Tax Map Lot 1000 Block 2018, thence;

4. Through Tax Map Lot 1000 Block 2018 and Tax Map Lot 350R Block 2018 South 38Á-51'-17" East, a distance of 330.15' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

5. Along the northerly line of Tax Map Lot 300R Block 2018 South 65Á-11'-49" West, a distance of 182.95' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

6. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018 North 38Á-51'-17" West, a distance of 556.87' to a point within Tax Map Lot 1000 Block 2018, thence;

7. Within Tax Map Lot 1000 Block 2018 North 47Á-13'-34" West, a distance of 42.46' to a point along the southerly line of Tax Map Lot 1500 Block 2018, thence;

8. Along the southerly line of Tax Map Lot 1500 Block 2018 North 68Á-30'-37" East, a distance of 230.61' to the point and place of beginning and containing a calculated areas of 104,235.19 SF or 2.392 acres.

(ii) The following parcels shall be included within a corridor within which acquisition of temporary property interests may be acquired for purposes of this section three hundred forty-nine-g and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point in the easterly right of way line of Ditmars Boulevard at the southwest corner of Tax Map Lot 50 Block 1641, thence along a line North 12Á-36'-04" East, a distance of 509.49' to a point within the westerly line of Tax Map Lot 1 Block 926, and from said point of beginning running thence:

1. Within the westbound lanes of the Grand Central Parkway South 07Á-53'-31" East, a distance of 141.88' to a point in the westbound lanes of the Grand Central Parkway, thence;

2. Within the westbound lanes of the Grand Central Parkway South 39Á-25'-56" East, a distance of 342.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

3. Within said lands the following six courses; South 34Á-46'-30" East, a distance of 595.14' to a point in the westbound lanes of the Grand Central Parkway, thence;

4. South 32Á-52'-42" East, a distance of 284.13' to a point in the westbound lanes of the Grand Central Parkway, thence;

5. South 31Á-22'-20" East, a distance of 270.04' to a point in the westbound lanes of the Grand Central Parkway, thence;

6. South 31Á-20'-42" East, a distance of 561.27' to a point in the westbound lanes of the Grand Central Parkway, thence;

7. South 31Á-24'-15" East, a distance of 480.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

8. South 34Á-13'-04" East, a distance of 110.24' to a point in the westbound lanes of the Grand Central Parkway, thence;

9. Through the westbound lanes of the Grand Central Parkway South 47Á-22'-46" West, a distance of 82.07", to a point in the eastbound lanes of the Grand Central Parkway, thence;

10. Within the eastbound lanes of the Grand Central Parkway on a curve to the left, having a radius of 1778.30', an arc length of 834.73', a central angle of 26Á-53'-40", and whose chord bears South 49Á-28'-25" East, a distance of 827.08' to a point in the eastbound lanes of the Grand Central Parkway, thence;

11. Within the eastbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 4238.74", an arc length of 371.50', a central angle of 05Á-01'-18", and whose chord bears South 60Á-46'-13" East, a distance of 371.38' to a point in the eastbound lanes of the

Grand Central Parkway, thence;

12. Through the westbound lanes of Grand Central Parkway and waters of Flushing Bay North 18Á-38'-40" East, a distance of 1054.19' to a point in the waters of Flushing Bay, thence;

13. Within the waters of Flushing Bay North 45Á-38'-00" West, a distance of 2330.21' to a point in the waters of Flushing Bay said point also being in the southerly line of Tax Map Lot 1 Block 926, thence;

14. Along the southerly line of Tax Map Lot 1 Block 926 North 62Á-16'-56" West, a distance of 69.81' to a point in the southerly line of Tax Map Lot 1 Block 926, thence;

15. Along the southerly line of Tax Map Lot 1 Block 926 South 40Á-14'-47" West, a distance of 458.89' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

16. Along the westerly line of Tax Map Lot 1 Block 926 North 39Á-47'-03" West, a distance of 685.00' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

17. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to the left, having a radius of 9711.30', an arc length of 342.94', a central angle of 02Á-01'-24", and whose chord bears North 40Á-47'-45" West, a distance of 342.93' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

18. Along the westerly line of Tax Map Lot 1 Block 926 North 40Á-47'-45" West, a distance of 27.61' to a point in the westerly line of Tax Map Lot 1 Block 926, also the point and place of beginning and containing a calculated areas of 2,497,386.76 SF or 57.332 acres.

(B) Parcel B

All that certain tracts or parcels of land located in the Grand Central Parkway, Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of

way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 24Á-39'-00" East, a distance of 547.13' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Through the westbound lanes of the Grand Central Parkway South 77Á-38'-22" West, a distance of 287.24', to a point within the median of the Grand Central Parkway, thence;

2. Within the median of the Grand Central Parkway the following two courses; North 10Á35'14" West, a distance of 1045.10', to a point in the median of the Grand Central Parkway, thence;

3. Within the Grand Central Parkway on a curve to the left, having a radius of 1993.67', an arc length of 1428.31', a central angle of 41Á02'53", and whose chord bears North 33Á54'06" West, a distance of 1397.96', to a point in the eastbound lanes of the Grand Central Parkway, said point also being the easterly line of lands owned by the New York State Department of Transportation, thence;

4. Along the easterly line of lands owned by the New York State Department of Transportation, North 18Á-38'-40" East, a distance of 1054.19' to a point within the waters of Flushing Bay, thence;

5. Within the waters of Flushing Bay South 45Á-38'-00" East, a distance of 1109.08', to a point in the waters of Flushing Bay, said point also being within Tax Map Lot 65 Block 1789, thence;

6. Within the waters of Flushing Bay South 05Á-02'-53" East, a distance of 465.40', to a point within Tax Map Lot 65 Block 1789, thence;

7. Within the Grand Central Parkway South 04Á-53'-30" West, a distance of 1336.32', to a point in the median of the Grand Central Parkway, thence;

8. Through the westbound lanes of the Grand Central Parkway, South

76Á-53'-58" East, a distance of 198.10', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

9. Along the westerly line of same, the following three courses; South 03Á-28'-07" West, a distance of 240.75', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

10. South 01Á-26'-38" East, a distance of 104.30', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

11. South 05Á-00'-28" East, a distance of 165.58', to the point and place of beginning and containing a calculated areas of 1,699,154.25 SF or 39.007 acres.

(C) Parcel C

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 24Á-39'-00" East, a distance of 547.13' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Along the westerly line of same the following two course; North 05Á-00'-28" West, a distance of 165.58', to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

2. North 01Á-26'-38" West, a distance of 104.30', to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

3. Within Tax Map Lot 20 Block 1787, South 59Á-56'-38" East, a distance of 163.06', to a point in Lot 20 Block 1787, thence;

4. Within Tax Map Lot 20 Block 1787, North 68Á-47'-17" East, a distance of 198.49', to a point in Lot 20 Block 1787, thence;

5. Within Tax Map Lot 20 Block 1787, South 22Á-21'-18" East, a distance of 381.93', to a point in Lot 20 Block 1787, thence;

6. Within Tax Map Lot 20 Block 1787, South 59Á-56'-38" East, a distance of 48.54', to a point in Lot 20 Block 1787, thence;

7. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South 86Á-10'-42" East, a distance of 398.17', to a point in the northerly line of Tax Map Lot 1500 Block 2018, said point also being in the southerly right of way line of Roosevelt Avenue, thence;

8. Along the southerly right of way line of Roosevelt Avenue North 68Á-23'-55" East, a distance of 609.39', to a point in the southerly right of way line of Roosevelt Avenue, thence;

9. Within Roosevelt Avenue, North 21Á-35'-11" West, a distance of 10.14', to a point within Roosevelt Avenue, thence;

10. Within Roosevelt Avenue North 68Á-25'-28" East, a distance of 1035.26', to a point within Roosevelt Avenue, thence;

11. Within Roosevelt Avenue and along the easterly right of way line of 126th Street, South 21Á-35'-11" East, a distance of 289.03', to a point within Tax Map Lot 1000 Block 2018, thence;

12. Within Tax Map Lot 1000 Block 2018, South 68Á-25'-28" West, a distance of 620.84', to a point in Tax Map Lot 1000 Block 2018, thence;

13. Within Tax Map Lot 1000 Block 2018 North 05Á-44'-59" East, a distance of 22.49', to a point in the southerly line of Tax Map Lot 1500 Block 2018, thence;

14. Along the southerly line of same, South 68Á-30'-37" West, a distance of 241.71', to a point in the southerly line of Tax Map Lot 1500 Block 2018, thence;

15. Within Tax Map Lot 1500 Block 2018, North 72Á-41'-52" West, a distance of 175.88', to a point in Tax Map Lot 1500 Block 2018, thence;

16. Within Tax Map Lot 1500 Block 2018, South 68Á-23'-55" West, a distance of 949.27', to a point in Tax Map Lot 1500 Block 2018, thence;

17. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax Map Lot 20 Block 1787, North 59Á-56'-38" West, a distance of 779.92', to the point and place of beginning and containing a calculated areas of 607,660.66 SF or 13.949 acres.

(D) Parcel D

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along a line North 21Á-35'-11" West, a distance of 10.00' to a point within Roosevelt Avenue and from said point of beginning running thence:

1. Within the right of way of Roosevelt Avenue, North 68Á-30'-18" East, a distance of 420.35' to a point in the right of way of Roosevelt Avenue, thence;

2. Within the right of way of Roosevelt Avenue, North 62Á-00'-28" East, a distance of 264.15' to a point in the right of way of Roosevelt Avenue, thence;

3. Through Roosevelt Avenue and Tax Map Lot 300 Block 2018 South 21Á-35'-11" East, a distance of 254.94' to a point in Lot 300 Block 2018, thence;

4. Through Tax Map Lot 300 Block 2018 South 58Á-00'-57" West, a distance of 386.69', to a point in the southeasterly line of Tax Map Lot 75 Block 2018, thence;

5. Within Tax Map Lot 75 Block 2018 South 77Á-57'-39" West, a distance of 162.28' to a point in Tax Map Lot 75 Block 2018, thence;

6. Within Tax Map Lot 75 Block 2018 South 68Á-23'-55" West, a distance of 142.47' to a point in Tax Map Lot 75 Block 2018, said point also

being along the easterly line of 126th Street, thence;

7. Along the easterly right of way line of 126th Street, North 21Á-35'-11" West, a distance of 269.04' to the point and place of beginning and containing a calculated areas of 186,365.46 SF or 4.278 acres.

(E) Parcel E

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the westerly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along the westerly right of way line of 126th Street South 21Á-35'-11" East, a distance of 259.05' to a point within the northerly line of Tax Map Lot 1000 Block 2018, thence along the northerly line of Tax Map Lot 1000 Block 2018 South 68Á-25'-28" West, a distance of 610.51' to a point within the northerly line of Lot 1000 Block 2018, and from said point of beginning running thence:

1. Within Tax Map Lot 1000 Block 2018, South 05Á-44'-59" West, a distance of 37.84', to a point in Tax Map Lot 1000 Block 2018, thence;

2. Within said lands the following three courses, South 21Á-02'-11" East, a distance of 96.44', to a point in Tax Map Lot 1000 Block 2018, thence;

3. South 47Á-44'-48" East, a distance of 71.01', to a point in Tax Map Lot 1000 Block 2018, thence;

4. North 68Á-23'-55" East, a distance of 489.48', to a point in the northerly line of Tax Map Lot 350R Block 2018, thence

5. Within Tax Map Lot 350R Block 2018 the following two courses, South 43Á-22'-54" East, a distance of 39.27', to a point in Lot 350R Block 2018, thence;

6. South 42Á-24'-34" West, a distance of 391.74', to a point in the

northerly line of Lot 350R Block 2018, thence;

7. Through Tax Map Lot 350R Block 2018, South 46Á-00'-42" East, a distance of 166.93', to a point in the southerly line of Lot 350R Block 2018, said point also being in the northerly line of Lot 300R Block 2018, thence;

8. Along the northerly line of Tax Map Lot 300R Block 2018 South 65Á-11'-49" West, a distance of 556.87', to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

9. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018, North 24Á-48'-11" West, a distance of 164.72', to a point within Tax Map Lot 1000 Block 2018, thence;

10. Within Tax Map Lot 1000 Block 2018 the following three courses; North 51Á-08'-46" East, a distance of 217.28', to a point within Tax Map Lot 1000 Block 2018, thence;

11. North 38Á-51'-17" West, a distance of 329.46', to a point within Tax Map Lot 1000 Block 2018, thence;

12. North 47Á-13'-34" West, a distance of 46.55' to a point along the southerly line of Tax Map Lot 1500 Block 2018, thence;

13. Along the southerly line of Tax Map Lot 1500 Block 2018 North 68Á-30'-37" East, a distance of 241.71' to the point and place of beginning and containing a calculated areas of 236,272.08 SF or 5.424 acres.

(F) Any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the above described corridor.

(c) Notwithstanding any other provision of law, general, special, charter or local, following acquisition, the commissioner of transportation may use such property interests together with property

interests already owned or held within the corridor described in subdivision (b) of this section or enter into contracts to sell, or lease to, contract with or otherwise transfer to, and/or exchange with, and/or grant easements, licenses, permits, concessions, or other authorizations to, the Port Authority of New York and New Jersey, to construct (including utilizing temporary laydown areas), and permanently use, occupy, operate, and maintain the airport access mass transit facility, related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project; provided however, this section does not authorize use of property interests for a self-standing facility constructed to house premises for automobile rental operations; and provided further that, the Port Authority of New York and New Jersey may, notwithstanding any other provision of law, general, special, charter or local, transfer any property interests to the city of New York, in accordance with the terms and conditions for the lease of airport premises by the city of New York to the Port Authority of New York and New Jersey and the city of New York may, following such transfer, leaseback the property interests under those terms and conditions.

(d) Upon completion of any modifications to the Grand Central Parkway, the commissioner of transportation shall by official order transfer jurisdiction over the central express artery and adjacent landscape areas and over adjacent service roads to the city of New York as set forth in subdivision 3.4 of section three hundred forty-nine-c of this article.

(e) Authorization is hereby given to the commissioner of transportation to do all things necessary, within the judgment of the commissioner, to carry out the purposes of this section.

(f) During the construction of any airport access mass transit facility for LaGuardia airport and related ancillary facilities on any property interests acquired pursuant to this section, section fourteen-d of the transportation law, or pursuant to any other section of law, the constructing party shall provide for the on-going monitoring of vibrations, noise and air quality during construction.

(g) The constructing party shall ensure the provision of just

compensation to a property owner of any property or building within the vicinity of the construction of any airport access mass transit facility for LaGuardia airport and related ancillary facilities that has been physically damaged as a result of action taken by the constructing party or its agent during such construction, however, nothing herein shall establish a cause of action for such damages.

* NB Repealed June 25, 2028 only if no property interests have been acquired pursuant to chapter 78 of 2018

ARTICLE XII-C
NEW YORK STATE SCENIC BYWAYS PROGRAM

Section 349-aa. Statement of intent.
349-bb. New York state scenic byways program.
349-cc. New York state scenic byways advisory board.
349-dd. Components.

§ 349-aa. Statement of intent. The legislature hereby finds that certain portions of the state highway system are notable for their scenic, historic, recreational, cultural and archeological value and worthy of designation as scenic byways to provide special consideration of their unique features and special role in the highway system.

The legislature further finds that the public interest would be served by the formation of a coordinated scenic byways program to enhance recreation, preserve and protect scenic, historic, recreational, cultural and archeological resources, encourage economic development through tourism, improve the transportation system, and educate residents and visitors of the history and culture of this state.

The legislature further finds that several programs administered by various agencies of state government exist to assess scenic quality of highway corridors, to maintain state highways and rights-of-way, and to plan for recreation to promote economic development through tourism.

The legislature further finds that several not-for-profit

organizations exist to encourage public participation in the enhancement of designated highway routes, and to coordinate and promote tourism along such designated highway routes.

It is therefore the intent of the legislature to establish a scenic byways program in the department of transportation to guide and coordinate the activities of state agencies, local governments and not-for-profit organizations in order to create a comprehensive program that will better serve the public interest.

§ 349-bb. New York state scenic byways program. 1. The commissioner shall establish within the department a program to be known as the New York state scenic byways program (hereinafter referred to as scenic byways program or program) to encourage and coordinate state actions and the activities of others which relate to the development, protection, promotion and management of scenic byways. For the purposes of this article, a "scenic byway" is a transportation route and adjacent area of particular scenic, historic, recreational, cultural or archeological characteristics which is managed to protect such characteristics and to encourage economic development through tourism and recreation.

2. To carry out the purposes of the scenic byways program, the commissioner is authorized:

(a) to plan, design, and develop the New York state scenic byways system;

(b) to make safety improvements to a highway designated as a scenic byway under this article to the extent such improvements are necessary to accommodate increased traffic, and changes in the types of vehicles using the highway due to such designation;

(c) to construct along the highway facilities for the use of pedestrians and bicyclists, rest areas, turnouts, highway shoulder improvements, passing lanes, overlooks, and interpretive facilities;

(d) to improve the highway to enhance access to an area for the purpose of recreation, including water-related recreation;

(e) to protect historical and cultural resources in areas adjacent to the highway; and

(f) to develop and provide tourist information to the public, including interpretive information about the scenic byway.

2. The commissioner is hereby authorized to apply for funding from any appropriate sources to further the purposes of the scenic byways program.

3. The commissioner is hereby authorized to enter into contracts with qualified, responsible not-for-profit organizations involved in scenic byways activities for services relating to the development of the New York state scenic byways program or services relating to the operation, development or promotion of a specific scenic byway.

4. The commissioner is authorized to promulgate such regulations as may be necessary or desirable to implement the New York state scenic byways program.

§ 349-cc. New York state scenic byways advisory board. 1. An advisory board of state agencies with responsibilities related to the designation and management of scenic byways and not-for-profit organizations related to the promotion and development of scenic byways is hereby formed to advise and assist the department in the operation of its scenic byways program. The advisory board shall consist of one member appointed by the temporary president of the senate, one member appointed by the speaker of the assembly, the secretary of state, and the commissioners of the department of agriculture and markets, the department of economic development, and the department of environmental conservation, and the office of parks, recreation and historic preservation or their duly designated representatives. The commissioner shall appoint as members of the advisory board the chief executive officer, or his or her duly authorized representative, of not-for-profit organizations related to the promotion and development of a scenic byway designated pursuant to this article and three representatives of organizations concerned with the preservation of scenic qualities, the motoring public and tourism development. The commissioner, or his or her duly designated representative, shall serve as chair. Members of the advisory board

shall receive no pay, but shall be eligible to receive actual and necessary expenses from their respective agencies, or for the expenses of representatives of organizations related to the promotion and development of a scenic byway, the preservation of scenic qualities, the motoring public and tourism development, from the department. The advisory board shall consult with the Adirondack Park Agency regarding scenic byways within the Adirondack Park. The advisory board shall also consult with the Hudson River Valley Communities Council regarding scenic byways within the Hudson River Valley Greenway as defined in article forty-four of the environmental conservation law. The advisory board shall consult with the Niagara River Greenway Commission regarding scenic byways within the Niagara River Greenway as defined in article thirty-nine of the parks, recreation and historic preservation law.

2. The New York state scenic byways advisory board shall have the following duties:

(a) To develop and make recommendations to the commissioner on the organization and operation of a scenic byways program. Such recommendations shall include recommendations on the following:

(i) consideration of the scenic beauty and historic significance of highways proposed for designation as scenic byways and the areas surrounding such highways;

(ii) operation and management standards for highways designated as scenic byways, including strategies for maintaining or improving the qualities for which a highway is designated as a scenic byway, for protecting and enhancing the landscape and view corridors surrounding such a highway, and for minimizing traffic congestion on such a highway;

(iii) standards for scenic byway related signs, including those which identify highways as scenic byways;

(iv) standards for maintaining highway safety on the scenic byway system;

(v) measures to safely accommodate the largest variety of scenic byway users including, but not limited to, persons travelling by automobile, recreation vehicle, motor coach, bicycle, snowmobile, watercraft, horse and by foot;

(vi) design review procedures for location of highway facilities, landscaping, and travellers facilities on the scenic byway system;

(vii) procedures for reviewing and terminating the designation of a highway designated as a scenic byway;

(viii) such other matters as may be necessary or desirable to further the purposes of this program.

(b) To evaluate and recommend to the commissioner and the legislature amendments of the statutes and regulations relevant to the furtherance of a cohesive system of scenic byways.

3. The advisory board shall report to the governor and the legislature within one year of the effective date of this article, and by January first each year thereafter on the implementation of this program. In the first report required by this subdivision, the advisory board shall provide a scenic byways program implementation plan identifying essential components for the New York state scenic byways system, and recommending actions by the legislature that may be necessary to implement a cohesive and coordinated scenic byways program that will serve the goals of preserving and protecting scenic, historic, recreational, cultural and archeological resources, enhancing recreation, economic development through tourism and education in the history and culture of New York state.

§ 349-dd. Components. 1. The New York state scenic byways system is comprised of the following components:

(a) Adirondack Trail as designated by section three hundred forty-two-b of this chapter;

(b) Roosevelt-Marcy Memorial Highway as designated by section three hundred forty-two-e of this chapter;

(c) Seaway Trail as designated by section three hundred forty-two-f of this chapter;

(d) Olympic Trail as designated by section three hundred forty-two-i of this chapter;

(e) Revolutionary Trail as designated by section three hundred forty-two-j of this chapter;

(f) Black River Trail as designated by section three hundred forty-two-k of this chapter;

(g) Military Trail as designated by section three hundred forty-two-l

of this chapter;

(h) Central Adirondack Trail as designated by section three hundred forty-two-m of this chapter;

(i) Dude Ranch Trail as designated by section three hundred forty-two-n of this chapter;

(j) Lakes to Locks Passage as designated by section three hundred forty-two-tt of this chapter;

(j-1) Route 90 Scenic Corridor which shall consist of all that portion of state route 90 beginning at Montezuma in Cayuga county, traveling south along Cayuga lake turning east in King Ferry to Homer in Cortland county.

(j-3) Upper Delaware byway which shall consist of all that portion of the highway system beginning at the intersection of United States route six and county route fifteen at the southeastern city boundary of the city of Port Jervis, Orange county along United States route six to the intersection of United States routes six/two hundred nine and state routes ninety-seven/forty-two and along state routes ninety-seven/forty-two to the end of the ninety-seven/forty-two overlap and continuing along state route ninety-seven westerly and then northerly in Sullivan county to the Delaware/Fremont town line; and all that portion of the highway system along state route ninety-seven beginning at the southeastern boundary of the village of Hancock in Delaware county continuing north and then west to its end at state route seventeen;

(j-4) Cayuga Lake byway which shall consist of all that portion of the state highway system beginning at the intersection of state route eighty-nine and the overlap of state route five and United States route twenty in the town of Tyre, Seneca county, and continuing southerly on state route eighty-nine to the intersection of state route eighty-nine and state route ninety-six in the city of Ithaca, Tompkins county, then continuing along the overlap of state routes ninety-six and eighty-nine to the intersections of state routes thirty-four and thirteen, continuing along the overlap of state routes thirty-four and thirteen in the city of Ithaca northerly to the vicinity of the interchange of state routes thirteen and thirty-four and state route thirty-four in the town of Ithaca, then northerly on state route thirty-four to its intersection with state route thirty-four-B in the town of Lansing, then north

northwesterly on state route thirty-four-B to its intersection with state route ninety in the town of Genoa, Cayuga county, northerly on state route ninety to its intersection with the overlap of state route five and United States route twenty in the town of Montezuma, Cayuga county, and then west on overlapping state route five and United States route twenty to the intersection of state route eighty-nine in the town of Tyre, Seneca county;

(j-5) Southern Adirondack Trail as designated by section three hundred forty-three-gg of this chapter;

(j-6) North Fork Trail byway which shall consist of all that portion of the state highway system known as state route twenty-five in the town of Southold, Suffolk county, beginning at the boundary between the town of Riverhead and the town of Southold, continuing northeasterly to Orient Point and to the end of state route twenty-five, and all that portion of the local highway system known as Sound avenue beginning at the boundary between the town of Riverhead and the town of Southold continuing easterly to the overlap of Sound avenue and county route forty-eight and continuing along county route forty-eight generally northeasterly to the intersection of county route forty-eight and state route twenty-five north of the village of Greenport, Suffolk county;

(j-7) Mohawk Towpath byway which shall consist of all that portion of the highway system beginning at the intersection of state route thirty-two on Broad street and Eighth street in the village of Waterford, Saratoga county, continuing southerly along state route thirty-two to the intersection of New Courtland street in the city of Cohoes, Albany county, continuing northwesterly along New Courtland street and then along North Mohawk street and then along Cohoes Crescent road to the intersection of United States route nine in the town of Colonie, and then northerly along United States route nine to the intersection of Crescent-Vischer Ferry road, continuing westerly along Crescent-Vischer Ferry road to the intersection of Canal road in the town of Halfmoon, southwesterly along Canal road to the intersection of Clamsteam road, northerly along Clamsteam road to the intersection of Riverview road, westerly along Riverview road to the intersection of state route one hundred forty-six in the hamlet of Rexford, town of Clifton Park, and continuing southerly along state route one hundred forty-six to the intersection of Aqueduct road in the town of Niskayuna,

Schenectady county, and continuing southwesterly along Aqueduct road to and then onto Maxon road in the city of Schenectady and then southwesterly along Maxon road to the intersection of Erie boulevard, continuing southerly to the intersection of state route five (State street) in the city of Schenectady and all that portion of the highway system beginning at the intersection of United States route nine and Crescent-Vischer Ferry road proceeding northerly along United States route nine to the intersection of United States route nine and county route ninety-nine (Church Hill road) in the hamlet of Crescent, town of Halfmoon, Saratoga county, and continuing along county route ninety-nine to the intersection of county route ninety-four and easterly along county route ninety-four to the intersection of county route ninety-six, continuing southeasterly along county route ninety-six to the intersection of county route ninety-seven, town of Waterford, continuing south and southeasterly along county route ninety-seven and then along Washington avenue, village of Waterford, to the intersection of Eighth street, and continuing southerly along Eighth street to the intersection of state route thirty-two (Broad street);

(j-8) Route twenty byway which shall consist of all that portion of the highway system beginning at the intersection of United States route twenty and interstate route eighty-eight in the town of Duanesburg, Schenectady county, continuing westerly along United States route twenty and terminating at the intersection of United States route twenty and interstate route eighty-one in the town of Lafayette, Onondaga county, and all that portion of county route fifty-four from its intersection with United States route twenty in the town of Cherry Valley and continuing westerly along county route fifty-four to its intersection with United States route twenty in the vicinity of East Springfield.

(j-9) Shawangunk mountains scenic byway which shall consist of all that portion of the highway system beginning at the intersection of state route two hundred ninety-nine and exit eighteen of the New York state thruway in the town of New Paltz, Ulster county, continuing westerly along state route two hundred ninety-nine to its junction with the overlap of United States route forty-four and state route fifty-five, in the town of Gardiner, Ulster county, continuing westerly along the United States route forty-four and state route fifty-five overlap to the intersection of United States route two hundred nine and

then southerly along the overlap United States route two hundred nine and state route fifty-five to the intersection with state route fifty-two in the village of Ellenville, Ulster county, and then generally southeasterly along state route fifty-two to the intersection with state route three hundred two in Pine Bush and continuing southerly along state route three hundred two to the junction of state route seventeen-K, and continuing easterly along state route fifty-two from the intersection of state route three hundred two and route fifty-two in Pine Bush to the intersection of the overlap Orange county route fourteen and Ulster county route nine, then northerly along Orange county route fourteen and Ulster county route nine to the intersection with Ulster county route eighteen, then generally easterly on county route eighteen into the hamlet of Wallkill, where it meets with state route two hundred eight and continuing in a generally northerly direction along state route two hundred eight to the intersection of state route two hundred eight and state route two hundred ninety-nine in the village of New Paltz, and continuing from the junction of state route two hundred ninety-nine and Ulster county route seven continuing northerly along Ulster county route seven to its junction with state route two hundred thirteen then generally westerly along state route two hundred thirteen to the intersection of Ulster county route one then generally southwesterly along Ulster county route one to the junction with United States route two hundred nine and along United States route two hundred nine to the intersection of two hundred nine and United States route forty-four and state route fifty-five in Kerhonkson. The alternate route of the Shawangunk mountains scenic byway shall consist of all that portion of the highway system beginning at the intersection of state route two hundred ninety-nine and overlapping United States route forty-four and state route fifty-five, continuing south and east along overlapping United States route forty-four and state route fifty-five to the intersection with state route two hundred eight in Ireland Corners, all in the town of Gardiner, Ulster county.

(j-10) The Western New York Southtowns scenic byway which shall consist of all that portion of the highway system beginning at the intersection of state route four hundred and United States route twenty-A (Quaker road) in the village of East Aurora, town of Aurora, Erie county, westerly along United States route twenty-A to the Big Tree

road and United States route twenty-A interchange with United States route two hundred nineteen in the town of Orchard Park, Erie county, then continuing southerly along United States route two hundred nineteen, through the towns of Boston and Concord and the village of Springville, Erie county, and the town of Ashford, Cattaraugus county, to the intersection with state route two hundred forty-two in the town of Ellicottville, Cattaraugus county, then continuing westerly along United States route two hundred nineteen and state route two hundred forty-two to the village of Ellicottville, then continuing southerly on United States route two hundred nineteen to the town of Ellicottville town line, which shall be the terminus of this portion of the byway; such byway shall also include all that portion of the highway system beginning at the intersection of United States route two hundred nineteen and state route two hundred forty-two in the town of Ellicottville, Cattaraugus county, northeasterly along state route two hundred forty-two to the intersection with state route two hundred forty in the town of Ellicottville, then northerly along state route two hundred forty, through the towns of Ashford and Ellicottville, Cattaragus county and the towns of Concord and Colden, Erie county, to the intersection with county road forty-seven (Mill road) in the town of Aurora, then northeasterly along county road forty-seven, reconnecting with United States route twenty-A in the town of Aurora, and an alternate route beginning at the state road one hundred seventy-nine (Mile Strip road) intersection with state road two hundred seventy-seven (Chestnut Ridge road, Boston Ridge road) in the town of Orchard Park, southerly along state road two hundred seventy-seven to the intersection with state road three hundred ninety-one and Boston State road, continuing southerly along the Boston State road through the town of Boston, continuing southerly along the Springville Boston road through the town of Concord, then continuing southerly on Buffalo street in the village of Springville where it reconnects with state route thirty-nine, and that portion of state route thirty-nine in the village of Springville between United States route two hundred nineteen and state route two hundred forty.

(j-11) The Seneca Lake scenic byway which shall consist of all that portion of the highway system beginning at the intersection of state route four hundred fourteen and Cass Road in the town of Hector,

Schuyler county, northerly along state route four hundred fourteen to the intersection with Ovid Townline Road in the village of Lodi, Seneca county.

* (j-12) Maple Traditions Scenic Byway which shall consist of all that portion of the highway system beginning at the intersection of state route eight hundred twelve, state route twelve and state route twenty-six in the Village of Lowville, Lewis County continuing northwesterly on state route eight hundred twelve/twenty-six overlap then continuing northerly on state route eight hundred twelve to the intersection with state route three, and then continuing northeasterly on state route three/eight hundred twelve overlap, and then continuing northerly on state route eight hundred twelve to the intersection of state route fifty-eight and eight hundred twelve, continuing northwesterly along the state route fifty-eight/eight hundred twelve overlap to the intersection of United States route eleven, state route eight hundred twelve and county route seventy-eight in the Village of Gouverneur, St. Lawrence County, and then northeasterly along United States route eleven/state route eight hundred twelve/county route seventy-eight overlap and then continuing on United States route eleven through the Village of DeKalb Junction to the intersection of United States route eleven and state route sixty-eight in the Village of Canton, St. Lawrence County. The alternate route of the Maple Traditions Scenic Byway shall consist of all that portion of highway beginning at the intersection of United States route eleven and state route sixty-eight in the Village of Canton, St. Lawrence County, continuing northwesterly on state route sixty-eight to the intersection of state routes sixty-eight, eight hundred twelve and thirty-seven, continuing southwesterly on the state routes eight hundred twelve/thirty-seven overlap, continuing south along state route eight hundred twelve to the intersection of United States route eleven and state route eight hundred twelve.

* NB There are 2 par (j-12)'s

* (j-12) Mountain Cloves scenic byway which shall consist of all that portion of the state highway system known as state route twenty-three-a in the town of Hunter, Greene County, beginning at the boundary between the town of Jewett and the town of Hunter, continuing easterly to the eastern boundary of the town of Hunter and the Town of Catskill; and all

that portion of the state highway system known as state route two hundred fourteen in the town of Hunter, Greene county, beginning at the boundary of the town of Hunter and the town of Shandaken, continuing northerly to its terminus at state route twenty-three-a; and all that portion of the local highway system known as county route eighteen in the town of Hunter, Greene county, beginning at the intersection of county route eighteen and state route twenty-three-a, continuing easterly to its terminus at the NYSDEC North-South Lake Campgrounds; and all that portion of the local highway system known as county route sixteen beginning at the intersection of county route sixteen and state route twenty-three-a and continuing southeasterly on county route sixteen and continuing on Platte Clove Road until the eastern boundary of the town of Hunter, Greene county and the town of Saugerties, Ulster county; and all that portion of the local highway system known as county route twenty-five in the town of Hunter, Greene county, beginning at the intersection of county route twenty-five and state route twenty-three-a, continuing northerly to its terminus at county route twenty-three-c; and all that portion of the local highway system known as county route twenty-three-c in the town of Hunter, Greene county, beginning at the intersection with county route twenty-five and continuing southerly to its terminus at state route twenty-three-a.

* NB There are 2 par (j-12)'s

(j-13) Catskill Mountains scenic byway which shall consist of all that portion of the highway system beginning at the eastern border of the town of Olive, Ulster county on state route twenty-eight, continuing westerly on state route twenty-eight to its western terminus at the intersection of Main street in the hamlet of Andes, Delaware county; and all that portion of the highway system beginning at the intersection of state route twenty-eight and state route forty-two in the hamlet of Shandaken, Ulster county, northwesterly along state route forty-two and terminating at the Ulster/Greene county line; and all the portion of the highway system beginning at the intersection of state route twenty-eight and state route two hundred fourteen in the hamlet of Phonicia, Ulster county, northeasterly along state route two hundred fourteen and terminating at the Ulster/Greene county line.

(j-14) Durham Valley scenic byway, which shall consist of all that portion of the local highway system beginning at the intersection of

Cornwallville Road and county road twenty in the town of Durham, Greene County, continuing southerly and southeasterly on Cornwallville Road to the intersection with state route twenty-three; and all that portion of the local highway system beginning at the intersection of county road twenty and county road twenty-b in the town of Durham, Greene County, continuing westerly and northwesterly on county road twenty to the Durham/Conesville town border; and all that portion of the local highway system known as Sutton Road in the town of Durham, Greene County, beginning at the intersection of Sutton Road and county road twenty continuing westerly to the intersection of Sutton Road and Cunningham Road; and all that portion of the local highway system known as Cunningham Road in the town of Durham, Greene County, beginning at the intersection of Cunningham Road and Sutton Road and continuing southwesterly to the intersection with county road ten; and all that portion of the local highway system known as county road ten in the town of Windham and Durham, Greene County, beginning at the intersection of Cunningham Road continuing northwesterly to county road twenty; and all that portion of the local highway system known as Stonebridge Road in the town of Durham, Greene County, beginning at the intersection of Stonebridge Road and Shady Glen Road continuing westerly to the intersection of Stonebridge Road with county road twenty; and all that portion of the local highway system known as Cochrane Road in the town of Durham, Greene County, beginning at the intersection of county road twenty continuing westerly to the intersection of county road twenty; and all that portion of the local highway system known as Prink Hill Lane in the town of Durham, Greene County, beginning at the intersection of Cochrane Road continuing northerly to the intersection of county road twenty.

(j-15) Harriet Tubman Underground Railroad scenic byway which shall consist of the portion of the highway system beginning on state route five at the city limits of Auburn, Cayuga county, to its intersection with state route thirty-eight then continuing northerly on state route thirty-eight to the city limits of Auburn; and also all that portion of the highway system beginning on state route five at the Seneca county line in the town of Tyre, continuing westerly on state route five to its intersection with Lake street in the city of Geneva, Ontario county, continuing westerly on Lake street to its intersection with state route

fourteen in the city of Geneva, Ontario county, continuing northerly along state route fourteen to its intersection with state route thirty-one in the town of Lyons, Wayne county, continuing westerly on state route thirty-one until its intersection with Chestnut street south in the city of Rochester, Monroe county, continuing northerly on Chestnut street south to its intersection with Broad street east in the city of Rochester, Monroe county, continuing westerly on Broad street east to its intersection with state route thirty-one in the city of Rochester, Monroe county, continuing westerly on state route thirty-one in the city of Rochester, Monroe county to its intersection with East avenue in the city of Lockport, Niagara county, continuing westerly on East avenue in the city of Lockport, Niagara county to Main street, continuing westerly on Main street in the city of Lockport, Niagara county to its intersection with West Main street in the city of Lockport, Niagara county, continuing on West Main street to its intersection with state route seventy-eight in the city of Lockport, Niagara county, continuing southerly on state route seventy-eight to its intersection with state route two hundred sixty-three in the town of Amherst, Erie county, continuing southerly along state route two hundred sixty-three to its intersection with United States route sixty-two in the town of Amherst, Erie county, continuing southerly along United States route sixty-two to its intersection with state route five in the town of Amherst, Erie county, continuing westerly on state route five to its intersection with Michigan avenue in the city of Buffalo, Erie county, continuing southerly on Michigan avenue to its intersection with Broadway in the city of Buffalo, Erie county, continuing westerly on Broadway to its intersection with Lafayette square in the city of Buffalo, Erie county, continuing westerly on Lafayette square to its intersection with Court street in the city of Buffalo, Erie county, continuing westerly on Court street to its intersection with Niagara square in the city of Buffalo, Erie county, continuing northerly on Niagara square to its intersection with state route three hundred eighty-four in the city of Buffalo, Erie county, continuing northerly on state route three hundred eighty-four to its intersection with state route two hundred sixty-five in the city of Niagara Falls, Niagara county, continuing northerly on state route two hundred sixty-five to its intersection with state route three hundred eighty-four in the city

of Niagara Falls, Niagara county, continuing westerly on state route three hundred eighty-four to its intersection with Niagara street in the city of Niagara Falls, Niagara county, continuing westerly along Niagara street until its intersection with Third street in the city of Niagara Falls, Niagara county, continuing northerly on Third street until its intersection with Whirlpool street in the city of Niagara Falls, Niagara county, and continuing northerly along Whirlpool street to its intersection with Depot avenue west in the city of Niagara Falls, Niagara county.

(k) highways designated as scenic roads pursuant to article forty-nine of the environmental conservation law;

(l) parkways as listed in the regulations of the commissioner of the office of parks, recreation and historic preservation pursuant to section 13.03 of the parks, recreation and historic preservation law and similar highways operated and maintained by other state agencies.

2. As part of its reports to the governor and the legislature, the scenic byways advisory board shall recommend amendments to this article adding, deleting or modifying components of the New York state scenic byways system.

ARTICLE XIII

SAVING CLAUSE; LAWS REPEALED; WHEN TO TAKE EFFECT

Section 350. Pending actions or proceedings.
351. Saving clause.
351-a. Effect of amendments to and repeals of provisions of the former highway law.
352. Construction.
353. Laws repealed.
354. When to take effect.

§ 350. Pending actions or proceedings. This chapter shall not affect pending actions or proceedings, civil or criminal, pertaining to the construction, improvement, maintenance, supervision or control of highways and bridges, brought by or against the commissioner of

transportation, or county engineer or a county superintendent of highways, or a town superintendent of highways, under the provisions of any statute hereby repealed, but the same may be prosecuted or defended in the same manner by the department of transportation or by the officer having jurisdiction in respect thereto. Any investigation, examination or proceeding undertaken, commenced or instituted by the commissioner of transportation, county engineer, county superintendent of highways, or town superintendent of highways or either of them relating to highways or bridges may be conducted or continued to a final determination by the proper officer hereunder, in the same manner, and under the same terms and conditions, and with the same effect as though this chapter had not been passed.

§ 351. Saving clause. The repeal of a law, as specified in section three hundred and fifty-three shall not affect or impair any contract, or any act done, or right accruing, accrued or acquired or any penalty, forfeiture, or punishment incurred prior to the time when this chapter or any section thereof takes effect, under or by virtue of the laws so repealed, but the same may be asserted, enforced, prosecuted, or inflicted, as fully and to the same extent, as if such laws had not been repealed.

§ 351-a. Effect of amendments to and repeals of provisions of the former highway law. 1. An act of the legislature of the year nineteen hundred thirty-six which, in form, amends or repeals or purports to amend or repeal any provision or provisions of the former highway law shall be legally effective notwithstanding the repeal of such former highway law by section three hundred fifty-three, and shall be construed as an amendment or repeal, as the case may be, of the corresponding provision or provisions of this chapter irrespective of whether such provision or provisions are contained in this chapter in one or more than one article, section, subdivision or other part thereof and such corresponding provision or provisions shall be deemed amended, modified, changed or repealed as though the same had been expressly and in terms so amended or repealed.

2. An act of the legislature of the year nineteen hundred thirty-six which adds or purports to add a new article, section, subdivision or other provision of law to the former highway law shall be legally effective notwithstanding the repeal of such former highway law by section three hundred fifty-three and shall be construed as having been added to this chapter and shall be given full effect according to its context as if the same had been added expressly and in terms to this chapter and shall be deemed to have been inserted in this chapter in juxtaposition to and as modifying the effect of the corresponding provision or provisions of this chapter.

3. The repeal of such former highway law by section three hundred fifty-three shall not be construed to impair or affect the validity of any act of the legislature of the year nineteen hundred thirty-six relating to highways, roads or bridges because of any reference to or dependency on such former law but such act shall be construed in connection with this chapter as though in terms and in effect such act referred to or dependent upon this chapter.

§ 352. Construction. The provisions of this chapter so far as they are substantially the same as those existing at the time they shall take effect, shall be construed as a continuation of such laws, modified or amended, according to the language employed in this chapter, and not as new elements. References in laws not repealed to provisions of law incorporated in this chapter and repealed, shall be construed as applying to the provisions so incorporated.

§ 353. Laws repealed. Chapter thirty of the laws of nineteen hundred and nine entitled "An act relating to highways, constituting chapter twenty-five of the consolidated laws," and all acts amendatory thereof and supplemental thereto, constituting the highway law as heretofore in force, are hereby repealed, except as otherwise provided herein.

§ 354. When to take effect. This chapter shall take effect immediately.