

Town of Malta, NY
Tuesday, September 23, 2014

Chapter 139. STREETS AND SIDEWALKS

Article IV. Dedications to Town

§ 139-14. Dedications of highways to Town.

All highways to be dedicated to the Town must be accepted by the Town Board no earlier than the first Town Board meeting in May and no later than the first Town Board meeting in November.

- A. The following items are required for dedication of a highway to the Town of Malta, and shall constitute the application:
- (1) An offer of cession, which may be in the form of a letter, said offer to be signed by the owner of the highway proposed to be ceded.
 - (2) A proposed deed. The deed should state that the Town of Malta is a "municipal corporation, organized and existing by virtue of the laws of the State of New York." The deed shall state not only the date and title of the preparer of the survey, but also the date of filing thereof in the Saratoga County Clerk's office and the drawer or instrument number assigned thereto. Provided the proffered highway has been accepted by the Town, the deed shall be filed prior to March 1 of the following year.
 - (3) An up-to-date abstract showing marketable title to the Town of Malta and title insurance in the amount of \$10 per lineal foot, together with a market-value rider.
 - (4) One set of digital and two paper copies of as-built drawings of the highway and utilities with and proximate thereto. Upon receipt by the Highway Department, one paper copy shall be retained and one paper copy shall be provided to the Town-designated engineer. Once the as-built drawings have been revised as directed by the Town Highway Department and the engineer, and the highway accepted by the Town, the digital form of the finalized as-built drawings shall be provided by the Highway Department to the Town Clerk and the Town Planning Department, and a copy shall be retained by the Highway Department.
 - (5)

Certification from the Town-designated engineer that all construction has been performed in accordance with the final plans and approved field changes.

- (6) Proof that the highway as actually constructed has been duly monumented, and a survey map certified to the Town showing the locations of the highway and the location of the monuments.
 - (7) A maintenance bond or letter of credit in an amount determined by the Town-designated engineer, to be automatically renewed until released by the Highway Superintendent in consultation with the engineer.
 - (8) Written consent of a member of the staff of the Planning Department, Town Stormwater Officer, the Highway Superintendent and the Town-designated engineer.
- B. The application shall be delivered to the Town Highway Superintendent on or before the first day of September. The Town Highway Superintendent may not accept any application which does not include all of the items set forth above, except that the bond or letter of credit may be provided at a later date as determined by the Highway Superintendent. The Town Highway Superintendent shall coordinate the reviews required by the Planning Department, the Town-designated engineer and the Town Attorney. When the Town Highway Superintendent believes that the application is ready for Town Board review, he shall present to same to the Town Board for acceptance or rejection pursuant to New York State's Highway Law § 171.
- C. If the application and offer of cession is accepted by the Town Board, the deed shall be filed at the donor's expense upon order of the Town Highway Superintendent pursuant to New York State's Highway Law § 171.
- D. The Town Board may, for cause and by resolution, set aside any of the provisions of the procedures or substantive requirements set forth above if it deems the same to be in the public interest.