



Department of
Transportation

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ANDREW M. CUOMO
Governor

JOAN McDONALD
Commissioner

DARRELL F. KAMINSKI, P.E.
Regional Director

June 19, 2015

Honorable Maria Whyte, Deputy County Executive
Erie County
Edward A. Rath County Office Building
95 Franklin Street
Buffalo, NY 14202

Honorable Norman L. Marsh, Chairman
Cattaraugus County Legislature
303 Court Street
Little Valley, NY 14755

**RE: SOUTH CASCADE DRIVE/MILLER ROAD (FORMERLY US ROUTE 219)
BRIDGE OVER CATTARAUGUS CREEK
TOWNS OF CONCORD AND ASHFORD
COUNTIES OF ERIE AND CATTARAUGUS
PIN 5101.82.122**

Dear Deputy County Executive Whyte and Chairman Marsh:

I am writing in response to your letter dated April 23, 2015 to the Commissioner of the New York State Department of Transportation (NYSDOT) regarding the South Cascade Drive/Miller Road (formerly US Route 219) over Cattaraugus Creek bridge replacement project.

As you are aware, since the receipt of your letter, negotiations resulted in an agreement regarding the transfer of the ownership and maintenance jurisdiction for the subject bridge from New York State to Erie and Cattaraugus Counties.

In regards to the issue of indemnification and legal liability, mentioned in your letter, the General Liability exposures of the State of New York, as well as those of the State Agencies, are self retained. As a general practice, New York State does not indemnify other parties.

If you have any further concerns, please feel free to contact me at (716) 847-3238 or David Christopher, Regional Design Engineer, at (716) 847-3214.

Sincerely,

"Original Signed by Darrell F. Kaminski"

Darrell F. Kaminski, P.E.
Regional Director

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