

At 7:15 p.m. Deputy Supervisor Carges called to order a public hearing located at the Town Hall, 18 State Street, Brockport, New York on August 8, 2006. The hearing was called (a) to inform the public of the Town Board's proposal to take, by eminent domain, a portion of the property of Marilyn Dragani, Brockport, New York, Tax Parcel No. 084.01-1-19.2 and (b) to review (i) the public use to be served by the proposed public project and (ii) the impact on the environment and residents of the locality where such project will be constructed.

Town Board Members present were Deputy Supervisor/Councilperson Rob Carges, Councilperson Patricia Connors, and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel and Town Clerk Karen Sweeting. Supervisor Buddy Lester was present at the hearing but excused himself to attend a conference with M/M Dragani's attorney, James Grossman.

Visitors present were residents Jim Hamlin, Ralph Sisson, Timothy Bates, Bob and Monica Anderson, and Harold Mundy. Also present were Jim Grossman, Attorney and Taylor McDermott.

Deputy Supervisor Carges welcomed the visitors to the hearing and explained that he received notice that the public hearing is cancelled. Mr. Carges read a prepared statement:

We had scheduled for tonight a public hearing on the proposed acquisition of property for the purpose of installing and maintaining a sidewalk, bike path, turning lane and associated adequate drainage facilities along Route 31. We have since been informed that there was an error in the legal description in the published notices. The Town Board considers it essential that everyone be given full notice of all potential impacts. Accordingly we are going to adjourn the public hearing for tonight, and hold it at our first regularly scheduled meeting in September on September 12, 2006 at 7:00 p.m. Everyone will still have a full opportunity to be heard. In addition to that public hearing you should feel free to send me any written comments about the proposed road improvements for consideration by the Town Board. Thank you for your patience.

Deputy Supervisor Carges asked if any visitors would like to make any comments.

Resident Ralph Sisson asked for clarification as to why another turning lane would be constructed. Mr. Carges answered that the state is going to widen the road on the north side and that NYS Department of Transportation is requiring the construction of a sidewalk and turning lane in that location. Mr. Sisson asked if the Town would be paying for this eminent domain proceeding. Mr. Carges stated the developer would pay all costs of the proceeding. Mr. Carges added that the proceeding is not the route the Town wants to take, but must in order to make the intersection safer. Mr. Carges clarified that the Town does not intend to take the whole property, just the front portion approximately 150' by 33'. If the Town does not acquire this portion of land, the improvements cannot take place.

Resident Monica Anderson asked what the timeframe would be for the proceeding to be placed on the Supreme Court docket. Mr. Carges stated that was another issue and may not have to go that way.

Resident James "Mike" Kuster made comments relative to other resident situations in that area.

There were no further comments. Deputy Supervisor Carges closed the public hearing at 7:30 pm. The public hearing is adjourned until September 12, 2006 at 7:00 p.m.

Respectfully Submitted,

Karen M. Sweeting, Town Clerk