

**Bristol Harbour Village Association  
February 24, 2011  
Board Meeting Minutes**

**Members Present:** Melanie Eisenberg, Candace Ryan, Bruce Hunt, Kathy Wydra, Dick Scott, Bob Pierce and Ellen Monagan

**Excused:** Mark Moretti and Jim Mroczek

**Others Present:** Kathy Scott, Mattie Bicknell, Kristie Braun, Dave Eldon, Gail Hewson, Michelle Alvaro and Dick Aikens

**1. Call to order:** Meeting was called to order at 7:00 pm

**2. Opening Remarks:**

Candace Ryan provided the following opening remarks:

- We will try to get the draft of the Board minutes on the web site sooner so that residents have an opportunity to review them.
- The ad-hoc committee has met two times. The first goal was to distribute the Resident Satisfaction Survey. This was distributed to 270 residents via e-mail and 65 hard copies were mailed to residents. To date, 106 residents have responded via e-mail. Some responses have been received via the U.S. mail as well.
- Candace thanked Mattie Bicknell for all her assistance. She is a great historian and has been helpful in providing information. She was involved in a similar process in choosing a managing agent in 2003. Candace also thanked Dick Johnson for assistance in gathering information and providing history. He was also involved in the process of choosing a managing agent in 2003. Kathy Wydra will be providing further information later in the meeting.

**3. Privilege of the floor:**

- Mattie Bicknell-Congratulated Candace Ryan on her new position with Gatehouse Media.
- Gail Hewson-Commended Dan Stephens and Andy Morey for doing a great job of snow removal.
- Fred Sarkis-Michelle Alvaro read the following e-mail from Fred Sarkis that he requested be read during privilege of the floor:

*I request that the following be read at tonight's 2/24/11 meeting under Privilege of the Floor.  
Thank you.*

*Dear Board Members:*

*Thank you for the effort the BHVA Board and residents have directed toward the marina expansion and sewer cost issue.*

*Please allow me to outline facts of interest to BHVA Board deliberations.*

*1. In 2005, during the holiday season, the Town Board unfairly determined the manner in which sewer charges should be allocated.*

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2. On December 27, 2010, the Town Board, in a five-year review, again during the holiday season, deliberated on the sewer issue in an unannounced special meeting.

3. A month later, on January 27, 2011, Herman Arndt outlined the Town's 12/27/10 sewer charge adjustments. At this BHVA Board meeting, a Board member responsibly asked the Town for full financial disclosure, and the Town agreed they would be provided.

In the past, due to my reminder of the Town Resolution of 2005, BHVA has been providing the annual Income Statements but without essential balance sheets.

I raise this "red flag" for tonight's BHVA Board Meeting.

1. Close to 95% of the operating expense and the \$860,000 loan costs have been paid for and will continue to be paid for by our residents regardless of the restructuring of the sewer loan outlined by Mr. Arndt.

(Of note: On our website, Mr. Arndt's report was not substantiated by written statements from the town attorney, town auditor or a qualified engineer who would state that the \$860,000 2005 plant was constructed for modernization alone, as SBR has repeatedly stated. In fact, BHVA records show that the qualified engineer that I retained, as well as the 2005 NYS DEC report, submitted to them by SBR, clearly confirm that "modernization as well as expansion" was required to handle the build out of BHVA as well as the lands beyond the BHVA umbrella - lodge, party house, cottages and another planned development on the east side of Seneca Point Road).

2. If the Town has provided the Sewer Corporation's Balance Sheets, as indicated at the 1/27/11 BHVA meeting, at little cost to BHVA, they can be reviewed by BHVA's highly qualified auditor to determine where the depreciation dollars recorded as an expense have flowed - to a capital reserve or to shareholders of the Sewer Corporation.

3. In the interest of all residents, I believe that this review should be made prior to the March 2011 BHVA Board meeting to protect the 90 day statute of limitation period from 12/27/10 when the Town Board made its decision. Possibly Mark Moretti has a recommendation in this regard?

Please understand that I am raising this red flag in the interest of all BHV residents. I thank you for allowing me the time to summarize and share these facts with you.

Fred Sarkis

Candace noted that since the Board has just received this e-mail from Fred, the members will review it and ask Mark Moretti for recommendations. Candace thanked Fred for his continued concern.

4. **Approval of January 27, 2011 Board Meeting Minutes:**  
*Motion for approval of the January 27, 2011 Board Meeting Minutes by Candace Ryan, seconded by Dick Scott, motion carried.*

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Candace noted that some residents have inquired if the financial information presented by Hermann Arndt at last month's presentation, would be placed on the web site. Because the information contains salary information and some of the information is preliminary, we have

contacted Hermann Arndt to ask for permission to place this information on the BHVA web site.

The financial information is in the office for residents to review. If a resident wants a copy, they can contact the Town clerk to request them.

**5. Reports:**

Bristol Harbour Resorts/Steering Committee Report-By Mark Moretti:

Michelle Alvaro provided an overview of the following from the Steering Committee Report submitted by Mark Moretti in his absence:

A meeting has been scheduled with Greg Mulhern on March 12, 2011 at 9:30 am at the Community Center to discuss the Lakewood Trail drainage issues.

Mark is still working with the Town of South Bristol attorney in regards to the tax assessment on the Community Center. The Town's position, separate from the legal analysis, is that they reduced the current assessment to the same percentage of value as the prior building had to its value so that things are in equilibrium and consistent with historical precedent. He would like to further detail the analysis in executive session with the Board since it impacts pending litigation.

Mark extended his apologies to the Board and the community for missing another Board meeting as he will be out of the country.

*Motion for approval of the Bristol Harbour Resorts/Steering Committee Report by Bob Pierce, seconded by Kathy Wydra, motion carried.*

Bristol Harbour Resorts-By Greg Mulhern:

No report at this time.

Property's Manager's/Site Manager's Report-By Dick Aikens and Michelle Alvaro:

The Manager's Report and Superintendent's Report were forwarded to the Board.

Michelle provided an overview of the following:

- Notices were forwarded to residents reminding them of the need to wear clean and dry shoes when using the fitness center equipment. Residents are taking an active role in assuring their neighbor's are following the rules.
- Notices were forwarded to the residents informing them that amendments #31 and #32 could be obtained from the site office.
- Bernie Caprini is going to follow-up in obtaining a smaller version of the property map highlighting the BHVA common areas.

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- There are links from our web site to the Town of South Bristol, South Bristol Resorts and the Town of Canandaigua web sites.
- Obtained the financial information that was utilized for the determination of the sewer rates.
- The elevator panel project has been scheduled for mid to late March. Thyssenkrupp will firm up the dates.
  
- Continuation of discussions regarding a snow fence along the upper half of Seneca point Road (across from Heron Hills) will resume in the spring. Jim Fletcher, Town of Canandaigua Highway Superintendent, is going to explore the possibility that the farmer leave rows of corn along this area in the fall. This process has been successful in other areas of the Town in reducing problem areas where snow is an issue.
- The security camera installation is scheduled for March. Doyle Security will be installing the cameras. Greg Radak will be digging the trench that will house the conduit for the system.
- The ping pong and foos ball tables have been ordered.
- Working on securing the room at the Lodge for the BHVA Annual Meeting scheduled for October 1, 2011.
- Working on obtaining waiver forms for all residents who utilize the fitness center.
- Property Project List has been updated. It is separate from the Capital Reserve List.
- The Reserve Study will be scheduled for the third week in April.
- It is Michelle's recommendation that individuals presenting at the Board meetings provide detailed information that can be utilized for the BHVA minutes.
- The maintenance staff is building containers that will be utilized for recycling purposes only.

**6. Standing Committee Reports:**

Environmental Committee (EC) Report- By Dick Scott:

Dick Scott provided an overview his report:

- The committee did not meet this month.
- The residents of 13 Spyglass Hill submitted an EC application (one year old) for work to be completed on their property that had been previously required. A letter will be forwarded to the residents once the Board has reviewed it. A walk through of the property will held on March 21, 2011 at 6:00 pm to evaluate action to be taken and what work needs to be completed on the property.
- An application was received for tree removal from BHVA. BHVA always completes an EC application for any work to be completed on the BHVA common areas. The staff follows the same process as the residents.
- The Lakewood Trail drainage issue is one that needs to be addressed. It is Dick's observation that water is intentionally being routed to go into the pond which crosses resident's back yards. The pond is not currently functioning. Dick would like to call-in for the March meeting so that he can participate.

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- It was recommended that an independent engineer should be invited to address the situation and inform us where the water is coming from and what should be done to correct the problem.
- One of the items that will need to be addressed at the March 12, 2011 meeting is whether construction/excavating, conducted by South Bristol Resorts, have exacerbated the problem on Lakewood Trail. There are several parties involved in this process. The parties need to be brought together to address what has happened, what has caused the problem, what needs to be corrected and how do we proceed. There are concerns that this problem could only extend further into the community. Discussion followed. Melanie thanked Dick for all his work he has done on this issue.

*Motion for approval of the Environmental Committee Report by Dick Scott, seconded by Melanie Eisenberg, motion carried.*

Facilities and Maintenance Committee Report-By Bruce Hunt:

Bruce Hunt highlighted the following:

- Many of the projects approved at last month's meeting are being scheduled i.e. elevator panel project, security camera installation, reserve study, and purchase of recreation center equipment.
- The barn lease has been negotiated. We are paying more in rent but have less lawn maintenance responsibility. We have a contract with the owner through April 2012. Because the owner may retire, he is not sure if he wants to continue renting the space to BHVA. We will have to explore options for a new barn.

*Motion for approval of the Facilities and Maintenance Committee Report by Bruce Hunt, seconded by Ellen Monagan, motion carried.*

Recreation Committee Report-By Melanie Eisenberg:

Melanie Eisenberg provided an overview of her report:

- The January 29, 2011 Neighbor's Night was at the Life Path Spa.
- On February 12, 2011 the Red Hot Lover's Chili Cook-Off was held at the Community Center. Over thirty people attended the event. Nine of whom entered chili contest. The People's Choice award winners were: Ellen Beck-gold, Jim McCarthy-silver and Tim Harrington-bronze. The celebrity chef (Brian Alvaro) award winners were: Sue Isgrigg-gold, Jim McCarthy-silver and Sue Larson-bronze.
- The February 26, 2011 Neighbor's Night will be hosted by Dave and Sharon Allen-46 Cliffside Drive.
- The March Neighbor's Night will be an "Irish Night" and will be hosted by Bob and Mary Murphy-7 Spyglass Hill.
- The April Neighbor's Night, with a theme of "Nawlins at Lakewood Trail" will be hosted by Melanie and Bob Eisenberg-5559 Lakewood Trail. John Beck and his group will be performing.
- Chet and Jan Starowitz will be hosting the second Annual Kentucky Derby Party the first Saturday in May.

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- The Memorial Day party will be held on the beach. Meyer and McGuire will be providing the entertainment. Either Roger Kessler or Van Bicknell or both of them will organize a bon fire.
- If anyone has ideas for recreation events/theme nights, please contact Melanie.

*Motion for approval of Recreation Committee Report by Melanie Eisenberg, seconded by Bob Pierce, motion carried.*

Treasurer's Report-By Jim Mroczek:

Dick Aikens provided the Treasurer's Report in Jim Mroczek's absence.

- Available cash as of January 31, 2011 was \$46,373.17.
- The accounts receivables balance was \$11,997.03.
- The accounts payable balance was \$0.00.
- The prepaid assessments balance was \$25,894.63.
- The maintenance reserve balance was -\$96,940.19 due to projects and loan balance.
  
- The Community Center fund balance was -\$344,083.12 due to loan balance.
- These are the first financials of the year and it is too early to track trends on the budget comparison.
- Collection information was distributed to the Board and if there are any questions it should be discussed in an Executive Session.
- Prior to the Board meeting the members received a request to waive a late fee. The approval was given in an e-mail vote.

*Motion to confirm the e-mail vote taken on February 16, 2011 to approve the waiver of a late fee by Candace Ryan, seconded by Kathy Wydra, motion carried.*

*Motion for approval of the Treasurer's Report by Dick Scott, seconded by Kathy Wydra, motion carried.*

**7. Special Committee Reports:**

Town Board/Planning Board/Zoning Board-By Ellen Monagan:

Ellen Monagan provided an overview of the following:

- There was not anything pertaining to BHVA at the Town meeting.
- Candace thanked Ellen for keeping the Board aware of what is going on in the Town and attending the meetings.
- Dan Marshall is aware of the reality that many original plans may need to be reviewed. The dates of the plans should be taken under consideration before approvals are given. Discussion followed.

*Motion for approval of the Town Board/Planning Board and Zoning Board Report by Kathy Wydra, seconded by Melanie Eisenberg, motion carried.*

Communications Committee-By Bob Pierce:

Bob Pierce provided an overview of the following:

- Bob has received comments that the web site is not user friendly.

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- We may need to start fresh with a new web site. We need to determine what we need. We need to identify ourselves so that individuals visiting the site know what Bristol Harbour Village is. The home page should say who we are and what we do.
- Bob would like to have another member for his committee to assist him.
- Dick Aikens stated that a free basic web site will be available through Kenrick in a couple of months and BHVA will have the option to upgrade. The web site is offered by a company named Association Voice who mainly provides web sites for community associations. Discussion followed.
- Michelle Alvaro did share a concern with the Board that there are residents who believe that in order to save money that she could maintain the web site. Michelle does not have the knowledge that is needed to maintain a web site. This is a specialized field for which she is not trained for.

*Motion for approval of the Communications Committee Report by Dick Scott, seconded by Melanie Eisenberg, motion carried.*

**8. Old Business:**

A. Ad-Hoc Committee: The committee has met two times. The first meeting was an organizational meeting to define what the purpose of the ad-hoc committee is, which was outlined in the letter that was attached to the Resident Satisfaction Survey. Because the Kenrick contract expires at the end of 2011, this is the time to review the current services provided and to develop new specifications for future contracts and negotiations/re-negotiations as per Community Association Institute recommendations. The survey was reviewed so that it could be forwarded to the residents as soon as possible and to have the surveys returned by February 28, 2011.

Also at the first meeting, the committee scheduled a meeting on March 20, 2011 with the presidents from the other associations in BHVA as means to clarify the process the BHVA Board is following and to receive input from them.

The second meeting focused on establishing the time line for the project. The final report will be presented at the October 1, 2011 Annual Meeting. In order to present this report at the Annual Meeting, the Board will need to take into account budget considerations and to interview potential candidates; the process will have to be completed by August 2011.

The next meeting will be to review the survey results.

**9. New Business:**

Villager: Candace commented that Chet Starowitz has contacted Michelle to inquire if he can find extra support and assistance with the Villager. He has been editor of the Villager for quite some time and is to be commended for his services and has done a good job with the publication. Because there are questions of what Chet needs for the Villager, Michelle has asked to meet with him to get a better understanding. In the meantime, a blurb could be placed on the web site inquiring if anyone is interested in assisting with the Villager.

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Mattie Bicknell: Informed Melanie that her son Van Bicknell will not be available for the Memorial Day.

Mattie recommended working with an independent engineer who could provide a fresh view of the Lakewood Trail drainage issue. Discussion followed.

Melanie Eisenberg: Recognized Kristie Braun for spearheading the community garage sale. Only residents can participate in selling items, but the garage sale is open to public to purchase items.

Kathy Scott: Inquired when the problem on Lakewood Trail occurred. The Board responded.

Dave Eldon: Informed the Board that Muriel Coleman's brother passed away last week.

He commended the ad-hoc committee for their work on the survey and thanked Kathy Wydra for the information she provided earlier in her report. The response received so far in regards to the survey shows that the residents are interested in what goes on in their community. Per conversations with three past presidents, some questions have been raised. Is there going to be, or is the Board considering, a public forum for the residents to present the results of the

survey prior to the Annual Meeting? Should this be a formal vote of all residents? Will the bid process take into account or evaluate the strengths of the current company, the staff's knowledge of the infrastructure of the community, their experience and the service they currently provide? Are these items going to be considered as a value to the community and not just considered in the terms of money? The Board responded that they had not considered a public forum at this time because the purpose of the survey process was to capture the input of the residents that will be used to formulate the bid specifications. This will also encompass what the Boards needs are (budget preparation, etc.) and any other needs that residents have identified in the surveys. This process is not excluding current services being provided. It is not based on what the bottom line is price wise, but what is needed for the community.

10. **Motion to Adjourn**: The meeting was adjourned at 8:55 pm.

*Motion for adjournment of the Board meeting by Bob Pierce, seconded by Dick Scott, motion carried.*

11. **Next Meeting**: March 24, 2011 at 7:00 pm at the Community Center.

Minutes approved-March 24, 2011

Michelle Alvaro; Recording Secretary-BHVA Board of Directors