



BHVA Community Meeting at Town of South Bristol
November 10, 2022
6:30 pm

Board Members in attendance: Gloria Harrington, Gina Sarkis Cushing, John Constance, Hannah Snyder, Dave Richardson, Ginny Lalka
OnLine: John Schultes Absent: Pat King,
Kenrick Reps: Anita Smith, Greg Dieter

Meeting called to order at 6:30 pm

1. Gloria as President acknowledged all the Veterans in the audience.
2. Counsel Tony Rupp of Rupp, Baase provided an update on FEI v BHVA primary litigation and the Tram case. Tram Case was decided in BHVA's favor. Mr. Rupp explained that as a result of Covid and the back up in the court system (including Odorisi's Court schedule) discovery deadlines were extended and trial date likely will push to late 2023 or early 2024.
Discovery phase for original FEI v BHVA case is still in process; that case is covered by insurance with Rupp as panel attorney. The Tram case is partly covered by insurance. FEI has appeals pending; those arguments to be heard at NY Appellate Court are upcoming.
3. Facilities Update – The Pedestrian Bridge to the Elevator. Contract has been signed. Materials have been ordered. Work may possibly begin next week. Cost of new bridge will be in excess of \$300,000.
Stairs to the beach are in the engineering phase. BHVA must determine if they can be fixed or completely redone.

4. Beach Fence – The Site Plan was approved by the TSB Planning Board on September 21st. BHVA will be engaging contractors for installation – approval expires in 6 months; one extension can be requested.

5. Fobs – Work began on new fob/card system to replace old one today, 11/10/22. Unfortunately, the network crashed. Dave Richardson will be working all weekend to restore the network.

Recycling center fobs still work. Community center fobs do not. We hope to remedy this situation by early next week.

6. Introduction of Mark Whitfield (and Corey Auerbach) with Barclay Damon: BHVA assessed certain elevator-repair-delay invoices to Fields, and filed a lien on Fields property for same. Fields sued to have the lien removed. Hearing Nov 15 th. Insurance covers this action; Barclay Damon is panel attorney for this action. Barclay Damon also advises BHVA concerning a hearing on violations at certain Fields/FEI – owned parcels. A violations hearing took place Oct. 20 before the BHVA Board of Directors. The Board is now deliberating.

7. Zoning Board of Appeals (ZBA) Hearing: BHVA engaged municipal counsel Underberg Kessler to assist BHVA’s ZBA Appeal of the town’s non-action re: enforcement of TSB Code. Ericka Elliot, Dave Fitch appeared for BHVA at the September 28 th ZBA hearing (where Town was represented by Town’s attorney). BHVA has not yet received from the ZBA a summary of their findings related to this hearing.

8. Financials – Board has discussed a preliminary budget and will meet again next week on this issue. The budget will be completed before the end of November.

9. Website – BHVA will have a website before the end of the year at a cost of \$2000.

10. The Board addressed and heard various questions from residents.

Motion to adjourn the meeting at 8:30 pm. Motion was seconded by Joe Charlton.

Respectfully submitted,

Ginny Lalka