

SOUTH BRISTOL TOWN BOARD MEETING

August 10, 2015

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order August 10, 2015 at 6:06pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

Barbara Welch, Supervisor
James Bachman, Councilman
Scott Wohlschlegel, Councilman
Robert Cone, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

EXECUIVE SESSION

On a motion made by Councilman Cone and seconded by Councilman Bachman, the Board convened into Executive Session to discuss the employment history of a particular person, to discuss current litigation and to discuss collective bargaining pursuant to Article 14 of the Civil Service Law was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

The Town Board convened into Executive Session at 6:07pm.

The Town Board exited the Executive Session at 7:00pm

On a motion made by Councilman Cone and seconded by Councilman Bachman, the Board came out of Executive Session was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

OTHERS

Kathy & Kevin McWilliams, Bub Seymour, Gail & David Hewson, Bernice Caprini, Wade & Jocelyn Sarkis, Fred Sarkis, Greg Sarkis, Alan & Kristie Braun, Howie Jacobson, Shelly & Peter Rees, Ralph Endres, Todd & Laura Cook, Frank Sciramammano, Ashley Champion, Stephen Cowley, Maryann Bachman, Jim Wight, Al & Nancy Wilcox, Brian & Delores Perkins, Joe Kohler, Richard Johnson, and 70+ others

APPROVAL OF MINUTES

On a motion made by Councilman Bachman and seconded by Councilman Cone the minutes of the June 8, 2015 Town Board minutes were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

On a motion made by Supr. Welch to not accept the July 13, 2015 Town Board minutes until they are corrected by the Town Clerk and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Supr. Welch said she had a comment on the July 13th minutes have serious omissions of the official record of the Town Board, 2 resolutions, one pertaining to Bristol Sewerage and the other the health care premium refunds and also missing is Joe Kohler's discussion during privilege of the floor where he questioned Town Highway Supt. regarding the fact that he had witnessed 2 highway trucks with our employees removing mulch from private property on

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Seneca Point Road and the Board's subsequent discussion to seek legal council to address this matter.

CORRESPONDENCE RECEIVED

- Town Of Naples, Resolution 16-2015: Pertaining to snow & ice control on county highways
- Ontario County Public Works: Expansion of Snow/Ice contract work
- Letter of Support from Supervisor Welch: Cummings Nature Center grant application for additional 2.5 miles of hiking/cross country ski trails
- Letter of Support from Ontario County Board of Supervisor Chairman Jack Marren: Bristol Mountain grant application for an Inn and Lodging.
- Bristol Sewerage financial statement and loan reconciliation

EVERWILDE INN & SPA

KATHY SPENCER, PRINCIPAL ENVIRONMENTAL ANALYST, LABELLA ASSOCIATES (TOWN CONSULTANT: DISCUSS AND DETERMINE THE TOWN BOARD'S PROCESS FOR REVIEWING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Supr. Welch noted that Kathy Spencer, the principal environmental analyst from LaBella Associates; LaBella has been retained by the Town of South Bristol to serve as our consultant on the Everwilde Project. Reimbursement of LaBella services are covered under an escrow agreement with the project developer and she is here tonight to discuss and determine the Town Board's process for reviewing the Draft Environmental Impact Statement.

Ms. Spencer noted that the Town Board did receive the Draft Environmental Impact Statement from the Project Sponsor. The document is not a public document and that is part of what we are doing here tonight; go over that process. The document was received just slightly after the close of business on July 31st and we are regarding it as submitted as August 3rd. The reason those dates are important; the Town Board now has 45 days to make the next decision which is, is the document adequate for review. The next question before the Town Board is whether to accept the document as adequate for public review. (6.05) This acceptance does not mean we endorse the project; it doesn't mean you agree with everything in the document, it just means you, as a Town Board, have determined that based on any review that you've done and that I have done as your consultant that all the issues have been addressed to some basic level of detail and the public can now get involved and review the document and we are going to go back over that again. Ms. Spencer printed out 3-pages for our use; the first two pages talk about 4 steps in the process. The first step is receipt; the document has been received, the second step is the determination of adequacy and that determination is made following the SEQR regulations and we are going to go through some guidance on what the standards are to determine whether or not the document is adequate or not; basically there is 45 days for that process and that brings us up to September 17th. On the first page where it starts to say *Adequacy Standards*; we will get back to that so we can go through the process. You have received the document and the decision before the Town Board in the next couple weeks is whether it is adequate to go out to the public. Once that determination is made, on the second page, #3, the comment period begins and we have titled that *Written Comment Period* because there is the option for the Town Board just have a written comment period without a public hearing. The written comment period is required to be at least 30 days. That comment period will start once the notice of completion of the

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document is filed and published. We will be helping you through that process. (8.23) The fourth step on this list is the public hearing. When the Environmental Impact Statement (EIS) is determined to be adequate, we set a written comment period. There is a decision before you as the lead agency as to whether you will hold a public hearing. There is some guidance in the regulations as to how you make that decision. Ms. Spencer read the 4 regulations:

The regulations require the lead agency to consider the following in making the determination of whether a public hearing be held or not:

- 1. The degree of interest in the action shown by the public or involved agencies.*
- 2. Whether substantive or significant adverse environmental impacts have been identified.*
- 3. The adequacy for mitigation measures and alternatives proposed.*
- 4. The extent to which a public hearing can aid in the Town Board's decision making processes by providing a forum or an efficient mechanism for the collection of public comment.*

Ms. Spencer continued, saying these are things that would occur to you anyway; how much interest is there, there is a lot. What the impact statement is saying about the amount of impact, whether mitigation is an efficient mechanism to collect public comment. Those are the next 4 steps for us and is the next phase of the process. (10.10) As soon as we decide that the impact statement is adequate for public review it gets sent out to the public, to the involved agencies and at the same time, Labella, as your consultant will do a technical and more substantive review than we are going to do right now for adequacy. The heavy-duty review happens once the document is out to the public. Ms. Spencer read some guidance from the SEQR Handbook just to see why that is. Here are a few things about determining adequacy. *The Lead Agency should ensure that all relevant information has been presented and analyzed but should not expect nor require a perfect or exhaustive document.* You just have to make sure that all the relevant information has been presented and analyzed. *The degree of detail should reflect the complexity of the action and the magnitude and importance of likely impacts.* If this was a smaller or minor action, or if some of the impacts are less important than others; that is the degree for which we are looking for analysis. *The draft Environmental Impact Statement will not necessarily provide a final resolution of any issues since one of the major purposes of the draft EIS is to give the public an opportunity on the environmental issues raised as well as possible alternatives and mitigation settling on one or more prior to public review would actually be counter to the intent of SEQR.* Ms. Spencer said she wanted to give to the Board a sense that the document should be comprehensive; it should hit all the relevant data, you won't necessarily agree or disagree with parts of it. There might be parts where you want to (12.36) a little bit more balance but as soon as you feel all the substantial issues have been addressed and declare it adequate, then we go into a more technical review along with the public.

Ms. Spencer continued with page 3 of her handout to the Town Board. This summarizes the process in a series of steps. Step A is the Project Sponsor submits the draft EIS and we have that. Step B is where we are right now. Members of the Town Board, as the Lead Agency, review the submitted draft EIS and identify any potential deficiencies found in your review. Consultants (meaning LaBella) also reviews the submission, the draft EIS, prepare a letter to the Town identifying any potential deficiencies. At the next meeting, when we are all ready, you will have my letter saying that I have done an adequacy review and here are some deficiencies that I feel are in the document, if in fact there are any. At that meeting, we will go over that letter, we will go over concerns that you have identified in your review and then the Town Board, as Lead Agency, will decide is the document adequate for public review. It is not Ms. Spencer's decision

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and she is not going to recommend; we are going to go through my comments and we are going to go through yours and the decision rests with you as the Town Board. After those logical 4 steps, Ms. Spencer did write about an optional process which she is submitting for the Town Board's consideration. This process has to be authorized by you, the Town Board, and agreed to by the Project Sponsor. Basically it is a process which will speed up or make more efficient the back and forth on comments. If I identify deficiencies I have to bring them to you (Town Board) to discuss and we have to give them to the Project Sponsor, they have to address them and then I go through them again and I have to give it back to you. With this optional (15.25) process there is more of an informal step where as I go through and by the end of this week or next week I have completed my review. At that point, if the Town Board is on board, and the Project Sponsor, Ms. Spencer can communicate directly with the Project Sponsor, Mr. Sciramammano, and say that she is finding these issues, do you want to address them before she puts them in her letter and give them to the Town Board. It cuts off some of the waiting for the next meeting and the formal back and forth. If you are comfortable with that, that's a decision we can talk about tonight; whether you want to give the Project Sponsor the chance to address any deficiencies that come about as a result of her review. If so, we would work (16.30) back and forth and I would say here is what I am coming up with and they would say that they would address all of them or some of them or none of them and would give me back a revised document. I would go through that document and say okay it looks like I have checked off all of these things they look fine now, I have 1 or 2 left or I have none left. Then we would have that meeting where you would have my letter and we go through what I have left on my list and whatever you have on your list. You are not involved in that optional back and forth. We have done this in the past, we have used this process and we have used it quite successfully. It cuts off a couple weeks and it also gets you to the point, as the Town Board, where when you receive my letter instead of maybe having 8 deficiencies, maybe there is more, maybe there is none, so there is less to focus on there is less to discuss because some of them have all ready been resolved. At the time we get together and re-group, if we have done that optional back and forth, the Project Sponsor would submit track changes document so you could see what changes were made. As you are going through your comments you can see if your concerns are addressed. Ms. Spencer said that is the optional process inserted between our meeting and this review we are undergoing now. Then the last 2 steps are again when the Draft EIS is found to be adequate for public review we start setting the comment period, we decide about a public hearing at that point and we go on with that part of the more intensive review.

Councilman Bachman asked about how to make these documents available for the public; will Labella be putting the documents on their website?

Ms. Spencer said there is an outlined process in the regulations; it has to be posted to a website and the Town's website, not Labella's. There is requirements where copies are supposed to be at the Town Hall, public libraries, there is a list and we send them out to all the involved agencies, electronic or print copy. Hard copies are required to be at certain locations. Whenever we have that meeting when you decide it is adequate for public review, the next day it is not out on the street. There will need to be some filing done with the environmental notice bulletin, we have to send it out, we have to write letters, we have to write notices and LaBella can lead you through all that but it is not instantaneous, it might take a couple days. 20.40

Councilman Bachman asked if the reproduction of our copy, you will facilitate? Ms. Spencer answered that she would probably ask the project sponsor to do the copies while she is doing the filing and notice.

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Councilman Bachman said between you and the sponsor they will get distributed with your guidance and the only thing I need to look for is what you provide in terms of a file for posting to the Town's website. Ms. Spencer agreed.

Ms. Spencer said one more point about the public hearing, if there is a public hearing held, the public comment period can still start once the document is filed and delivered but there has to be a notice in the newspaper 14 days ahead of the public hearing and the public hearing cannot close for at least 10 days following the public hearing. 21.26 The entire comment period, when we get to that point, is usually between 30 and 60 days. When there is a public hearing involved, it is usually 45 to 50 days depending on what we think is needed and how the dates fall.

Ms. Spencer said she wanted to go over one more thing; the adequacy standards. This is how you really decide if this document is ready for public review and how am I doing that. It is sort of a two handed process; one is there are standard included in the regulations, what needs to be in the draft EIS, basic stuff like a cover page, table of contents, certain dates shown, and you have to have a section describing the project, you have to have a section on impact, a section on mitigation. That is very much a checklist and would be shocked if none of those things are not in this document. It is the basics of preparing an EIS. What you are going to want to look at when you are doing your adequacy review of the document is that Part 3 of the Environmental Assessment Form that we went over in May and wrote that narrative attachment in Part 3 and as you recall there was a description of each section and some information needs. First we talked about what we thought the potential impacts may be and then we talked about some missing information we would like to see in the document. That, if you can go step by step, through that Part 3, which Ms. Spencer said she has been doing all day and last week, and checking off. Do I see a section that talks about disturbance to the cliff? If I see it and it is basically there, whether I think I wish they would have said this or that, if they address the disturbance to the cliff in a basic evaluation, again it doesn't have to be exhaustive or perfect; then I check that off. The adequacy review is not technical and not substantive; we are just looking to see whether it has been addressed because the public gets a say, we don't finish this off before the public gets a say. Secondly, this is the Project Sponsor's document; it is not the Town Board's document.

Ms. Spencer continued; so you are looking to go through and say do I see a section that addresses this thing that is in my Part 3 EAF narrative attachment, this issue, and is it a basic solid evaluation there. If it is completely one-sided, that is grounds for saying that is a deficiency; it is completely not objective. If it is not at all comprehensive, only a line or two, and the issue deserves more than a line or two because it is one of the major issues; that is a deficiency.

Ms. Spencer said it is a difficult thing to explain and knows it is confusing and everyone who deals with SEQR finds this confusing; the adequacy review versus the substantive technical review that comes later. It is important for the public to understand that when the document is finally released it doesn't mean it is completely perfect it just means it is complete enough for them to start reviewing it.

Ms. Spencer said the only two things that need to be decided tonight is whether or not the Town Board feels comfortable with the optional back and forth process between consultants or whether you'd like to have it all funneled through the Town Board in a more formal matter? Councilman Wohlschlegel said he is comfortable with the back and forth between the consultants. Councilman Cone agreed and said if anything can get addressed early in the process. Ms. Spencer agreed and said the funnel will address any important issues if there are any left.

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On a motion made by Councilman Wohlschlegel follow the optional process relayed by Kathy Spencer of Labella Assoc. during this evening s meeting and let the record show that the Project Sponsor agrees to this optional process as well and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Ms. Spencer continued, and looking at the schedule to determine when we could possibly get to the point where I could come back to the Town Board, you would have my letter, you would have sufficient time to go through draft EIS yourself, and maybe setting a target date for that meeting. There is a little bit of play because I have not finished my review and didn't know how much time it will take if there are deficiencies that we are going back and forth on. We want to keep the process moving and if we can set that time frame or not. Ms. Spencer said she could be done with her review by Thursday or Friday of this week. She has to be ahead of the Town Board because she has to go to the Project Sponsor with any issues. Ms. Spencer suggested August 24th. 29.00

Supr. Welch asked Mr. Sciramammano if he needed 2 weeks after Ms. Spencer writes to you? Mr. Sciramammano said no, we would request that you hold a special meeting in 2 weeks; there is not going to be a whole lot of new information and we will be responding immediately to Ms. Spencer.

Ashley Champion said that given the seasonal nature of a lot of the residents we would like to get back together as soon as possible.

Ms. Spencer agreed and said if the meeting is August 24th, if at that point you decide it is adequate we do the notice, filing, the copying and distributing and then can decide on a meeting date which has to be at least 15 days from when it is accepted.

Mr. Sciramammano said 14 days for the Public Notice and 15 days from when it is filed before hearing.

Ms. Spencer said August 24th would work for her. 31.11

Supr. Welch asked if that date would work for the Project Sponsor and both parties feel confident that we would be in position to have your concerns relayed to the Project Sponsor and the Project Sponsor will be certain that the responses and appropriate documents are furnished to Ms. Spencer?

Mr. Sciramammano said it is all electronic and is fairly straight forward.

Supr. Welch asked the Board for any comments. Councilman Wohlschlegel and Councilman Cone said they are available.

Councilman Wohlschlegel asked how long will the meeting take, a couple of hours?

Ms. Spencer said it would just be going over whatever issues are left on her letter, if any; again this is just adequacy. You do not have to have your comments ready for the content of the document.

On a motion made by Supr. Welch to schedule a Special Meeting of the Town Board to be held on August 24, 2015 at 6:00pm the purpose of this meeting will be to determine the adequacy of the Draft Environmental Impact Statement on behalf of the Everwilde Inn and Spa project and any other business that might come before the Town Board and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone. 34.00

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Supr. Welch asked Ms. Spencer is she had anything else? Ms. Spencer said she didn't have anything else unless they wanted her to stay for the comment period. Ms. Spencer said she would be happy to say.

Supr. Welch said we don't have to make the decision tonight on whether or not there is going to be a public hearing or public comment. Ms. Spencer answered no, that will happen at the next meeting on the 24th assuming the document is decided to be adequate for public review. At that point if it is accepted complete then the public hearing would be established at that time.

MONTHLY REPORTS

ASSESSOR

On a motion made by Councilman Bachman and seconded by Councilman Wohlschlegel the Assessor's report for July, 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

CEO

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone the CEO's report for July 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Supr. Welch asked the CEO to add the Iverson project to his report to show what he has accomplished there and will notice that on his report.

TOWN CLERK

On a motion made by Councilman Bachman and seconded by Councilman Wohlschlegel the Town Clerk's report for July 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone. 36.47

HIGHWAY

Supt. Wight said 1.7 miles of Gulick Road has been resurfaced, Powell Hill Road has been resurfaced, Gannett Hill Road has been resurfaced. The majority of Mosher Road has been resurfaced and some additional work still has to be done on the back side of Mosher Road. Supt. Wight said he has not forgotten about the big pothole at the top of Bopple Hill Road and plans on the highway dept. will have that fixed by the end of the week. Supt. Wight said he spoke with the DOT and they are busy working on cleaning out the gully's on Route 21. The highway dept. continues to work on the roadside mowing.

Supr. Welch asked if Supt. Wight had ready her email regarding the financials for this year and the need for a new Highway Agreement. Supt. Wight said no his computer is not booting up due to the power going out.

Supr. Welch said she has driven every road the highway dept. resurfaced and they are quite nice.

Supt. Wight said the resurfaced roads still need to be chip-sealed which will hold it for the next 5 years.

Supr. Welch thanked Supt. Wight and thanked his men on behalf of the town.

LIAISON REPORTS

BUILDINGS & GROUNDS

Councilman Wohlschlegel said he talked with Supt. Wight about tearing the fence out at Coye Cemetery and they will have time in September. Councilman Wohlschlegel said he would contact the fencing company.

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Councilman Wohlschlegel asked about if the pavers at the Overlook were repaired? Supr. Welch said no, that the Workforce Development team came out last week and are coming out again at the end of this week to work on cleaning up the Overlook. They have not worked on the pavers. There are some repairs that need to be made at the Overlook. One of the guardrails that is supposed to be covered with a wooden fascia is torn off in places. It seems that the tables and chairs are getting old and wonders if it needs to be replaced. Supr. Welch asked if Supt. Wight asked the highway dept. was going to pave the Overlook at any time?

Supt. Wight said that is not roadwork and didn't have any plans on doing this until the Town Board says there is money in the budget for improvements. 42.06 Supr. Welch said there is \$4,000 in the budget for Overlook improvements and asked for an estimate to pave the Overlook.

Councilman Wohlschlegel asked about the pavers at the Overlook and if they could be restacked? Supt. Wight agreed. Councilman Wohlschlegel will take a look at it.

Supr. Welch asked if Supt. Wight was asked to get the culvert work done at Coyo Cemetery. Supt. Wight said probably before winter.

HIGHWAY DEPARTMENT

Councilman Bachman had nothing to report for Highway.

IT

Councilman Bachman reported that the said the RPS, Real Property Tax software, was moved to the server for the Zoning office can access. There are no Time Warner expenses for highway dept. we drove those costs to zero for wireless; try and put \$200 into the budget and redirected to the Court and Town Hall.

PUBLIC SAFETY

Councilman Cone reported that the he received correspondence from a resident with an issue with some signage that had been removed; apparently it was a theft. As far as Everwilde pro versus against signs that people putting up in Town, to date at least 20 signs have been illegally removed. In the name of free speech and poor taste this is considered a theft. If you see anybody removing signs that are not on their property to please report it.

Councilman Cone said on another issue and issue that has been on the books for a while. The Town of South Bristol has contact NYS on our permit process for fireworks and point of contention has been the public versus the private aspect. To date, Jim Young from Young Explosives had indicated to him in July that his insurance that he supplies only covers public displays and to date Mr. Young indicated that he does not have any other experience other than the Town of South Bristol doing any private displays. He has found out that his insurance does not have adequate coverage for fireworks. He indicated to Councilman Cone to increase the coverage; even with liability insurance if he drops one in the crowd; not his fault, not his insurance. Until that aspect gets covered we just have to address the fireworks issue and we are working on it right now. All the displays that he did on New Year's Eve and Fourth of July and anything he has done independently had been paid for by public dollars; the Town, County or the City. We are the exception to the rule and looking for a solution.

Supr. Welch said she did want to let the Board know that they all got a letter from Mr. Young on this topic. Supr. Welch said she did speak to an attorney at NYS Dept. of Financial Services asking for some guidance on Penal Law, insurance requirements. The reason we

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contacted this department is because this law changed July 28, 2015; Chapter 552 of the Laws of 2014, Chapter 8 of the Laws of 2015, amended insurance law by adding a new article 5 entitled Certificates of Insurance. Article 5 takes effect July 28, 2015. That law goes on to talk about certificates of insurance; certificate of insurance gives evidence of insurance. When we were looking at Young Explosives situation, it would require us to have specialized language in the certificate of insurance. This law prohibits any entity in NYS to add any specialized language on certificate of insurance because the policy rules. That is no longer permitted in New York; if you want specialized certificates of insurance you have to have them approved by NYS Dept. of Financial Services. Supr. Welch was told that the type of insurance needed for fireworks is Surplus Lines market and is not certain what that means. Supr. Welch was told that many municipalities struggle with this because as a general rule fireworks displays have been covered under public policies. The Town of South Bristol insurance policy does not exclude fireworks displays; the assumption has been that we are a public entity we had the right under the Penal Code to have fireworks. The assumption is that every municipality might have fireworks so it was a covered expense. On the private sector it has been an exclusion under the policies for fireworks displays. 51.44 Supr. Welch was told that it is a surplus lines market that provides this type of insurance and the only way that the Town would make certain that there is no exclusion of any policy, the fireworks company, the property owner or sponsor, we would need to review their policies in their entirety. Or we could go the NYS Dept. of Financial Services develop an insurance certificate that once it was completed that would have to go through the rigors of NYS. There is still more work to determine if anything can be done. We will continue to work with our attorney and the State of New York on this.

RESOLUTIONS

STANDARD WORK DAY RESOLUTION

On a motion made by Councilman Bachman and seconded by Councilman Wohlschlegel Resolution No. -2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

(INSERT RESOLUTION PDF)

OLD BUSINESS

BRISTOL SEWERAGE DISPOSAL CORPORATION

1979-80 EXTENSION

Supr. Welch said she has given to the Board the Stock Escrow agreement and the resolution to extend Bristol Sewerage Disposal Corp. service area per petition dated 1979 as shown on map 2122.02-28. Supr. Welch said the Stock Escrow agreement has been sent to the attorney last week and have not heard back on whether or not this meets with his approval. The resolution was drawn up by the Sewer Corporation's attorney; a certificate attached to the Articles of Incorporation sent on to the Dept. of State and a description of Bristol Sewerage Disposal Corp. extension of sewer district. Supr. Welch said that the town attorney has yet to weigh in on these documents and as they will have lasting impact recommended that we hold this over for the meeting on August 24th. The Board agreed.

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Supr. Welch continued with the Bristol Sewerage Disposal Corp. 1998 extension of sewer service area. 58.11 Supr. Welch noted that they thought it was originally in 2001 and today had the CEO pull the building permit for the clubhouse that was dated October 28, 1998 and since that is the first building in what remains outside the town approved sewer district and we are calling it the 1998 extension.

Councilman Bachman said that also included residents and 4 cottages and the lodge.

Supr. Welch agreed and said Steve Metzger, works for LaBella, and had a conference call last Friday with the sewer company; Steve Metzger and myself, Mark Tayrien from LaBella and a gentleman representing Larson Engineers on behalf of the sewer corporation. Before us tonight we have a letter dated August 10th, a letter of recommendation to the Town Board and this relative to the Bristol Sewerage Disposal Corporation rate review. There are really 2 pieces at play at the moment with the sewer corporation. There is the 1998 extension and the rate increase request that was made October 31, 2014. We continue to have a stay on the rate increase request because we cannot do it until we have resolved the 1998 district expansion. At the end of the day they will be done simultaneous. They won't be done separately; we will approve the district, approve the rates and do SEQR following the flowchart. In the meantime, since we are getting closer to the time of looking at the rate increase Supr. Welch had asked Mr. Metzger for a recommendation on who the CPA firm would be that would work on our behalf and report to LaBella their findings relative to the rate increase. We have before us tonight LaBella's recommendation to retain Mengel, Metzger, Barr, CPA to assist us with examining the books, records and underlying documentation of the Bristol Sewerage Disposal Corporation as allowed for under Section 118 of the NYS Transportation Law. Note the engineering costs incurred including those of Mengel, Metzger and Barr are reimbursable by the sewer company under Section 118. The sewer company has been reimbursing us all along for engineering costs. Mengel, Metzger and Barr have been providing comprehensive financial service since 1975. They are familiar with investigation, forensic accounting practices of working with municipal clients and provided a list of their municipal clientele. 1.01:40 LaBella has a long standing working relationship with Mengel, Metzger and Barr as a result we are confident that they possess the expertise and ability to provide the services required by the Town of South Bristol for this assignment. The billing rates are attached and if you approve this recommendation Supr. Welch will make certain that we get it over the sewer corporation so they are aware of the fact that this will be the firm handling the investigation. Supr. Welch said Mr. Metzger did speak to another company but felt this company would do the job for us.

On a motion made by Councilman Cone to accept the letter of recommendation and that we allow LaBella to engage Mengel, Metzger and Barr for the Bristol Sewerage Disposal Corporation rate review and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

Supr. Welch said that last month a member of the public had pointed out the fact that they had seen the highway dept. entering private property on Seneca Point Road to remove debris and mulch from that location and subsequently learned from the Highway Supt. that was placed at the Town Barns for use by the public along with dirty stone at no cost to the public. We have an answer from the Town attorney. The Board had approved contacting the attorney for his opinion and in this letter he states that he was aware of the issues that had gone on during the July 13th meeting and issues where town forces and equipment to remove debris from private property and

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the giving away of mulch and stone to the public at no charge. The attorney wrote that this would have been done clearly for the benefit of the private property owner as the private property owner did not have to pay anyone to clear its property. This is akin to town forces plowing private driveways or mowing the lawns of private properties. Supr. Welch said the attorney also consulted with the Association of Towns and is saying that this practice needs to stop and at no time should our employees be entering private property other than for emergencies. Also the dirty stone, which Supr. Welch said is the Town's property, there should be an effort to sell the material or use it on one of our sites rather than allowing the public to take it away at no charge. We have the attorney's letter and contacted the attorney to take a look at the Town policy for scrap material in March 2014 in light of this situation and what needs to be placed there if anything to address and prevent this from happening in the future. Supr. Welch will make sure the Highway Supt. gets a copy of the attorney's letter.

Councilman Cone said the Town buys a lot of stone and it doesn't matter if it is dirty or not, we should be using it as a resource and shouldn't be giving it away. Councilman Cone said a lot of towns give away the mulch and the opinion is if the mulch is done on a public job using public vehicles, the Town surroundings get this mulch at the Town's expense and make it available to residents. They are not buying this; this is something they are generating as a by-product of their day to day work.

Supr. Welch agreed, and the other thing is done and let the public know these resources are available? Councilman Cone said it is usually put on a website and is publicized and the Town knows what they can get and guidelines. The Town of Victor had certain days and it was located on town property and marked that it is free for disposal. They don't give away the stone.

CAROLOABARB PARK

Supr. Welch noted that last month the Planning Board had requested that the Town Board to look into the property on County Road 12 and Longview into a trail system. We had some discussion and passed a motion to engage the services of LaBella up the a cost of \$3000 to develop a concept plan and assist the Town with the Consolidated Funding Application which is a grant application for the State of NY. Supr. Welch said she met with Ontario County Planning, Canandaigua Watershed Kevin Olvaney, Jim Ely our Planning Board Chair and Kathy Spencer was there. We had a brief discussion about getting the grant application done in 2 weeks. It became apparent that it was not doable and that the grant money would not be available for another year. Supr. Welch said that Kevin Olvaney discussed with us the fact that he teaches at FLCC and many times the GIS mapping class and would talk to the professor about having the students work on developing a concept map for us. SUNY over in Syracuse there is a landscape degree program and Mr. Olvaney would approach them as well to see if a student would want to take this on as a project. That he would work on our behalf to see if there were local low cost resources available to the Town to get this job done; develop a concept plan that would make our opportunity to get a grant in the future more successful. Supr. Welch said that given the kind of discussion we had at the Town Board level last month; given the fact the successful completion of Consolidated Funding application would involve people not being very happy with one another given the timetable Supr. Welch decided to not pursue the grant application process with LaBella and did notify them as well on our behalf and hope you will support that decision.

Councilman Bachman said there are cost saving opportunities and we should embrace that. 1.11 Supr. Welch agreed and as well as local resources that will be available to assist us and a great solution.

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Councilman Cone said a while back the Town of Victor and the Town of East and West Bloomfield had the opportunity to buy Boughton Hill Park. When they did that NYS offered them a \$500,000 grant to develop the park and saw that a very appealing opportunity. After they went through the layers of the grant they found had to have a paid park ranger and that pay would be forever and the Town's responsibility. They were also going to offer swimming and that would require paid lifeguard staff and ongoing burden of finances on the park. They developed the park on their own and used boy scouts and FLCC to work on the trails. The only money they put into it was a barn they built and stoned the roads and hired a caretaker and found the Town could do it cheaper.

ACCEPTANCE OF FIVE STAR BANK LOCKBOX SERVICE EFFECTIVE JANUARY 2015

Supr. Welch said back in May Five Star Bank had given us a proposal for lockbox services effective January 2016 and have yet to accept their proposal. Supr. Welch said that we did look into Canandaigua National Bank but since we moved all of our accounts to Five Star there is no lockbox available at CNB at this time. 1.14

On a motion made by Councilman Cone to enter into an agreement for lockbox services with Five Star Bank and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

Supr. Welch said the Board discussed at the June meeting and did not get a motion for that we were going to engage Mike Vest again to do Town Hall maintenance and is working 3 hours week at \$13.12 per hour.

On a motion by Councilman Bachman approving Mike Vest work on the Town Hall grounds June 3rd through October 3rd at the stated rate of \$13.12 an hour and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

Councilman Bachman said he could use Mike for work involved inside the Town Hall. Supr. Welch Mike works Mondays 8:30am – 11:30am and said he can work inside on rain days.

Supr. Welch said next on the agenda is increasing the pay of the bookkeeper to the Town Supervisor to an hourly rate of \$18.50 per hour. Supr. Welch said she would accept a motion to increase an hourly rate of the Bookkeeper to the Town Supervisor to \$18.50 per hour effective the beginning of the next pay period.

On a motion by Councilman Bachman that the we approve the new hourly rate for the bookkeeper of \$18.50 effective the first and new pay period and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

Councilman Cone said she has been doing a really good job and brought us into the 21st century.

ACCOUNTING APPROVAL OF VOUCHERS

Supr. Welch said the voucher numbers tonight are #369-400, #402-416, and let the record note that Voucher #401 has been voided and will not be used in any subsequent abstract and the claims on the Abstract are \$200,834.36.

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On a motion made by Councilman Wohlschlegel to approve Abstract No. 8, Voucher #369-400, #402-416 for \$200,834.36 and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

Councilman Bachman said that we are no longer paying Time Warner charges at the Highway Dept. so for today and future billing; they need to be distributed to Court and Town Hall.

Councilman Cone said the Time Warner savings we had is just one of many savings where we actually found we found we could avoid paying for things that we have been paying for forever and save the Town money. 1.21

SUPERVISOR'S REPORT

Supr. Welch said the Board has the Supervisor Reports forwarded to you today the months of March, April, May, June 2015. The record has been forwarded to you electronically for March, April and May and the hard copy of June of the full Supervisor's Report before you and would accept a motion to accept the Supervisor Reports for March through June, 2015.

On a motion made by Councilman Bachman to accept the Supervisor Reports March through June 2015 and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 1. Voting AYE: Welch, Bachman and Cone. Voting NAY: Wohlschlegel.

Supr. Welch said she spoke to the Town's Accountant today and he, Supr. Welch and Bookkeeper Korbin were going to meet to clean up some areas that were identified during the State Comptroller's audit, particularly relative to Escrow Accounts, how to make the proper accounting for them and a grant that was received for the Justice Court. We still have work to do on pension hour reporting; there is a pension audit that we have to complete. There are quite a few items and there is going to be some adjustments being made in the accounting to reflect the grant being received. It wasn't in the budget because we weren't certain we were going to get it nor were we certain of the amount. Supr. Welch said the accountant would meet with us before the end of the next month. 1.24

Supr. Welch said the motion is to increase the current work week through the end of 2015 from 27 to 35 hours per week for the Assessor for the purpose of Lake Frontage assessments and finishing the land table work for the reval. There will be no increase in vacation or time earned. Supr. Welch asked for a motion to accept this change.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Bachman to approve the additional 8 hours for the Assessor was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel. 1.28

Councilman Cone said the correspondence received are coming in steadily. The correspondence is predominately Everwilde letters either for or against.

PRIVILEGE OF THE FLOOR

John York, of Bristol Harbor read from his notes. *Madam Supervisor, members of the Board and attendees. My name is John York and I am proud to identify my name in any correspondence of any issue of concern to my community.*

My wife and I have had the privilege and opportunity to call South Bristol home for 17 years. Because of a visionary who against great opposition and controversy made his dream

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come true and because of Fred Sarkis gave hundreds of us an opportunity to affordably live in one of the most beautifully places in our country.

When the dream began to diminish 3 other visionaries, Phil Saunders, David Flaum and Doug Weins saw an opportunity and continued Mr. Sarkis' vision with an enhanced vision that brought a beautiful resort hotel, restaurant and golf club to an area that needed an economic boost that has now spurred new economic life to the area. From Winter Sports, wineries, breweries, restaurants and provided jobs, taxes that support all of our economy from road repair, public education and public safety. We are fortunate to have the great Wegman's stores, Constellation Brands world headquarters and a \$2 billion tourism industry and the chosen spot of New York.

While many of us have invested significantly in this area it was by our choice and dream. Each of us bringing our own vision of happiness. I am sure many of us have enjoyed the Bristol skiing and the latest zip line at Bristol Mountain. South Bristol Resorts, Brown Hound Bistro, Brews & Brats, Lock, Stock & Barrel and the many wineries.

We now have a very unique opportunity to significantly enhance all of this not by our investments but because of another visionaries dream who have chosen to invest their money and time into their resort for they and we as a community. We have record numbers of people and businesses leaving NY every year and we now have a proven successful family wanting to invest their money, not the States or government money, into a project for all of us to enjoy. And visit from another upscale restaurant and resort to a much needed lodging facility spa and bakery by someone willing and desirous to address the concerns of their neighbors and community and make this an even more desired location as the Napa Valley has done for California.

While I respect the opinions of those who have littered our road side with their signs reflecting their opinions I also ask them why they choose to build here are we did because it was the right location for all of us. Just as it is right for the Cooks to choose their location of choice and I like many others are totally indebted that they have chosen here; it will not only help them and our community grow. I ask our neighbors to rethink their opposition and speak your voice with your name and lets all get back to our great community that has brought all of us and the Cook family here for many years to come.

Lastly I ask this Board to move forward and approve Everwilde Resorts application as soon as possible and end this unreasonable and unnecessary controversy.

Keith Wrisley from Seneca Point Road, said he could reiterate everything the previous gentleman said and wanted to say to the Board that the Finger Lakes has drawn a great level of tourism. The State has supported the great level of tourism. The State has put funds into new dockage, new launch sites on the lake so other people can participate with that. Mr. Wrisley said he lives on Seneca Point Road. There has been a lot of controversy about a lot of traffic on the road. There all ready is traffic that travels down Seneca Point Road to go to Bristol Harbor, to go to the lake. The amount of traffic that is going to be generated by this small facility with the number of beds and occupancy isn't going to make any difference to any of the homes along Seneca Point Road. That isn't of any concern to him whatsoever. Most of the homes along Seneca Point Road are built off the road just for that. The traffic going by now doesn't disturb him or disturb his neighbors. Mr. Wrisley said he moved in 2011 and knew where I was moving into, knew the facilities that were down the road, and knew what the traffic situation was and we moved in anyways because of the view of the lake and the least amount of trouble that traffic caused to us. Mr. Wrisley asked the Board to really seriously look at the residence that live along

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there. This affords a huge opportunity for great dining, a spa, a local family with community ties trying to do the right thing with a green facility versus land clearing to put a housing development. As a person that lives down that road and participates in the community I would ask that you approve the Everwilde project. 1.36

Alan Braun, living at Bristol Harbor for well over 30 years and does thank Fred Sarkis for his vision and for living there and consider him a close friend of mine. As some people know is that you may not always agree on everything. Mr. Braun wanted to make a point of it, this Board, what you are doing here, not just with the Everwilde project, but by finding money, by discovering things and by going through this process, the way you are going through it, I am very proud to say you are a Board of mine in South Bristol. On top of that, it does come to the vision of the Cook family and what Everwilde is trying to bring to us. Years ago, 50 – 60 years ago, Bristol Harbor probably would not have gone through the process if this process is going through. It will be an enhancement to our community. If you look at the website for Everwilde you will notice the difference of the whole footage; what will be taken care of and what won't be if the 20 homes are there. There is a big difference on what we are doing for the environment and how we are taking care of. Mr. Braun is proud to say that he knows the Cook family and what they are doing here and trying to maintain the lake's purity which is very important to all of us. Mr. Braun encouraged the Board to consider approving the Everwilde project.

Shelley Rees said her parents own property on Seneca Point Road and built over 30 years ago. Mrs. Rees said she would ask the Board to consider whether this project makes sense. Does it make sense to put a competing business across the road from a business that is all ready ongoing and all ready offering the same advantages. They are both talking about having 50 rooms, there is all ready of places for people to stay at Bristol Harbor; there is a wide variety of bed and breakfasts in Town. There is a huge, new development at the end of the lake that is going to include "restaurant, 12,000 premium waterfront meeting and banquet facilities, 5,250 square foot destination spa featuring wellness lifestyle programs, fitness center wine tasting facility and outdoor pool." Mrs. Rees said she heard recently that the occupancy rate at the Inn on the Lake is only 23% versus nationally 62%. It seems like we have a lot of the advantages in the area of what Everwilde is talking about adding. Mrs. Rees continued and asked the Board to go back to the Addendum of the Comprehensive Plan that really answers specifically what the townspeople were looking for at that point. When the Comprehensive Plan was through 319 out of 389 people wanted South Bristol to stay much as it is today. Mrs. Rees asked the Board to say No to rezoning and doesn't think it is a necessary facility for the area and will produce unnecessary competition. 1.41

Susan DeVito is in favor of Everwilde and spent her entire career in hotel and hospitality industry. Ms. DeVito said there is plenty of room for competition in South Bristol. It would be good for Bristol Harbor to have competition. What Bristol Harbor offers is very different what Laura Cook is looking to offer with Everwilde. Bristol Harbor has a golf course, Everwilde will not. Everwilde will have a spa, Bristol Harbor couldn't make a go of a spa. Ms. DeVito encouraged all of you if you haven't taken the time to know Laura and share with her directly your concerns give her that respect. Everybody that I know that has spoken to her and shared a concern she has come back with a solution. Ms. DeVito said she thinks as residents of this community we all owe her that respect.

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Fred Sarkis of Bristol Harbor said he wasn't here to talk about controversy. Mr. Sarkis said he was here to talk about the fact that \$860,000 was paid for a sewer plant about 9 years ago. The residents of Bristol Harbor Village are paying \$30.00 a month for the expansion aspect of it; not the operating costs just the capital improvement costs. Next year is the 10th year so that \$30.00 a month times 330 people is approximately \$100,000 a year. Thus far we are hearing geography has an issue in resolving these cost factors. When we get the financials; financials can be misunderstood. There is a Balance sheet, income statement and bank reconciliation statement. We only received the income statement and requesting that South Bristol Resorts to provide the 2014 financial statements complete. Mr. Sarkis said he has been on this issue for the last 9 years and supported by many residents; Joe Kohler and Ted Russell has spent a lot of time on this. The Village president, Bruce Hunt has also supported the program. Mr. Sarkis asked the Town to keep this on their front burner and consider making some kind of a decision. It is ironic to Mr. Sarkis that they are asking for a 30% increase when the financial statements show it is a business anybody would envy having.

Cathy McWilliams read from her notes: *My name is Cathy McWilliams. My husband and I own a property on Coye Road. I also own a property with my sisters and brother. These properties have been in my family since 1926. I am a real estate broker with 23 years' experience selling homes in Canandaiga and the surrounding areas. The property under review on Seneca Point Road was owned by Ann and Morrie Storm for many years. They kept the property undeveloped and loved the country setting. Morrie passed away first and then Ann. They did not have children. The heirs put the property up for sale in May 2004: 37 acres, 546 feet of waterfront for \$999,000.00. The property drew immediate interest. Several purchase offers were submitted. I was aware of 2 potential buyers that wanted the property to build one single family home for themselves. I had others interested after the offer was accepted. The accepted purchase offer was a cash offer above the asking price...\$1.2 million from Marie Wegman Kenton. Marie and her husband Charlie own Ketmar Development Corporation. Ketmar received approvals to build 20 luxury homes on Seneca Point Road. They built a beautiful model and marketed the property for approximately 10 years. The project was not a success. No homes were built and the model did not sell. Ketmar is well known as an excellent top quality builder. Another builder could not match Ketmar's marketing or ability to build a custom home. It is not likely another builder would try this "20 home building model" again after seeing a very successful builder not have even one sale. The property was transferred to Wegman's Corporation in 2010. The property has not been publicly listed for sale since 2004. My professional opinion is the best use of the property is one or two single family homes. If this property was marketed to the public I feel it would draw buyers that want it for a single family home. My personal option would be to keep the property undeveloped. I understand a verbal offer was made to Danny Wegman for the same price as the offer from the Cooks. I understand this buyer would not develop the land. The potential zoning change has a big impact on the waterfront for this property; more than just the surrounding properties. I was not able to find a single waterfront property on Canandaigua Lake that was zoned for single family homes and was approved to change their zoning to allow a business, a commercial project or a Marina. If the zoning is changed to allow a business the public will be able to come by boat, tie up, go to the restaurant for food and drinks and use the proposed bathroom. There is no limit to the number of boats that are allowed to tie up during the day. I encourage the board to go to the*

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Sand Bar at the Inn on the Lake on a sunny weekend day and see the amount of people who come by boat. If the town board approves to change the zoning on this property with Canandaigua waterfront, who can stop the next request from another business? I thought zoning was in place to protect us in a residential and agricultural area from business and commercial development. I thought zoning was in place to protect our lake. I feel the Everwilde business plan will be very successful if it is built in Ontario County. I would like to see the Everwilde business project built on a site that will not impact our lake shore, is zoned for their business model and has a public sewer hook-up.

Here are some concerns:

- If the zoning is changed to allow this business and a marina the market value of the neighborhood will go down possibly as much as 30%. When 10-20 properties have a lower assessment who is going to take that tax burden?*
- The South Bristol residents should know what is the dollar amount of tax for one year that would go to South Bristol directly if this project is built?*
- What does the town of Canandaigua say about the extra traffic on the roads leading to Seneca Point?*
- Will the Town of Canandaigua residents have to pay more to take care of the roads?*
- This property is in the high bank steep slope area. I would like the Board to take note of the wash outs around the lake from severe weather we have been having.*
- If this is approved there will be 2 businesses that have their primary stream of income from weddings very close to each other. Bristol Harbor can accommodate 3 weddings at one time. Would Everwilde be allowed to have patios and tents outside so they could have 3 weddings at one time as well?*

I am looking to the Board to make the right decision for our neighborhood, our waterfront and our lake now and for our next generation. 1.50

Joe Kohler of Bristol Harbor thanked Mr. Sarkis for his 10 year battle for the sewer. Mr. Kohler said with all due respect, Ann and Morrie Storm were very close friends. There is a daughter, Paige Blazak, and Morrie Storm was the first marketing director of Bristol Harbor when building one was being built. He went on to build the very successful Holiday Harbor, Towne Harbor Island, Yacht Club Cove and went on to build the airport at Mount Snow. He had a very successful advertising business. If Morrie and Annie were not over on Bopple Hill and were at this meeting, I think they would be voting for the Everwilde, for the Cook family for the phenomenal gold-edge, guild edge world class team that Laura and Todd Cook have assembled. That is his opinion and shared that sentiment with the Storm family. Mr. Kohler said he has worked for 50 years in this state in tourism from Erie County, Green County, Cortland County to Ontario County. Everwilde is a project that is not only good for tourism, it is good for jobs. If you go a little south of here in Ontario County it is not, with all due respect, Seneca Point. The unemployment and poverty in this State is a serious matter particularly in the rural areas. Mr. Kohler said he also worked off shore in the Commonwealth of the Bahamas in tourism and said that the type of project that the Cook family and her team are bringing and affording this State, this County, this community is world class by any standard. Mr. Kohler said he joined Sheriff York and his sentiments and does not speak tonight for the Bristol Harbor Village community and can tell you this with all certainty, Mr. Kohler said he does walk the golf course, the road,

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Seneca Point. The majority of the Bristol Harbor residents are in support of Everwilde as it should be now and forevermore.

Skip Uhlen of Seneca Point Road and is in front of the Board tonight on a slightly different issue from Hicks Road to the top of Bopple Hill. Mr. Uhlen proposed and we should look into a *No Through Traffic* signs at each end of the road and explore how we can talk with Google Maps and Bing which is circling the Town right now to have that removed as a choice for out of towners which would reduce the traffic by 50% by the tourism side of the situation. 1.56

Beth Uhlen of Seneca Point Road and in the paper last weekend she happen to read an advertisement for Everwilde. In the first paragraph the women that wrote it said *as a resident of Canandaigua Lake for over 45 years I've watched the north end of the lake be transformed from a quiet retreat to a weekend destination for the greater Rochester area and beyond. Whether it be for the beach or boating, public access to the lake has been limited and crowded as more and more people come to enjoy Kershaw Park.* Mrs. Uhlen said the ad goes on to say that she would like to see this development here in South Bristol in an area that zoned residential. Mrs. Uhlen asked the Board to not rezone, to comply with the zoning in South Bristol. It is done to protect us and to protect our rural environment. Mrs. Uhlen said she has lived her for 20 years and the reason she lives in this community is because of the rural environment. Mrs. Uhlen hoped that we don't change these zoning laws so that we protect this rural environment and also to protect the quality of the lake. We don't have sewers in this area and if a development of this size is built on a shale bank there is going to be a lot of sewage that will leech into our lake and impact our lake quality. This is our environment; this is what we hold dear. Zoning is put in place in South Bristol to protect us and thinks we are setting a dangerous precedence if we change that from residential to commercial. If you love South Bristol I hope you protect the rural environment and water quality that is so important to all of us and not rezone this property. This is important for ourselves and our children, our grandchildren and great-grand children. 1.58

Laura Cook said she is the visionary as Fred Sarkis was to Bristol Harbor for Everwilde Inn and Spa. Mrs. Cook said she is privileged to come before the Board and before her supporters and opposers. First of all to thank the Town Board for doing the due diligence and the hard work that you have done to allow her application to go this wonderful process. Mrs. Cook said she respects it greatly and appreciates your hard work. Mrs. Cook said what she would like to share with you all tonight is that she is proud to stand here tonight as our team presents an update on our DEIS (Draft Environmental Impact Statement) and also pleased the overwhelming support she is receiving as the community learns about the facts of Everwilde Inn and Spa. Mrs. Cook is more confident than ever that Everwilde will enhance the South Bristol community and Canandaigua resources as well as those throughout the Finger Lakes region. Our formal and informal meetings with hundreds of local residents have provided us with good input and suggestions as we focus remaining on the task to be completed. As we move forward with our planning, our team remains dedicated and committed to protecting and enhancing the natural setting on the site. A design that reflects a thoughtful approach to the natural beauty of the property and lake; as such with a green roof to being thoughtful in design for particularly the Perkins family. Creating job opportunities for local residents, providing major tax benefits to South Bristol, a better fit for this property than previously approved. Mrs. Cook continued, our Environmental Impact Statement was just submitted and addressed the pertinent requirements.

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As a leader of this team, part of her job is to stay focused on the core issues and eliminate the distractions and bring Everwilde to life. Today, Mrs. Cook is proud to announce that she and her family now own the Seneca Point property. We are looking forward to clearing up many of the issues that have been raised. It is important to us to move forward with this process and to listen to those that are in opposition and figure out a way we can work together as a community. For anyone that might have doubted our commitment to moving forward, the purchase of this property should put any such doubt to rest. Mrs. Cook said she and her team recognize from the beginning that a project such as Everwilde does not exist in a vacuum. We are part of the community and we need to resolve issues in a way that benefit this community of South Bristol as well as the project itself. We have been doing that and will continue to do so. For example by working closely with local parties, the team is assisting and bringing clarity to the sewer and water issues that impact all of us. We have been doing our homework on the engineering, economic and legal issues relating to these services and are confident that the addition of Everwilde as a customer will benefit the community. The benefit will include existing customers and companies providing these services as well as Everwilde. There are community issues and she and the team will be glad to work cooperatively alongside the residents and the Town to bring appropriate solutions to these important questions. Obviously it is her goal to build Everwilde Inn and Spa and it is her passion; to have a legacy business here one day. A place that has been a home to her family for 14 years. It is also her goal as well as her family and her team, her wonderful team that she respects greatly, to participate in making our South Bristol community a great place to live and visit. We want to contribute in a meaningful way to our local community and Finger Lakes region and to do so in such a way to make everyone proud of the accomplishments and feels that the steps just described will assist all of us to get closer to that goal. In conclusion, Mrs. Cook is grateful to the Wegman family because they believed in her vision for this area. They sought me out and showed me that this land on Seneca Point Road could be a great opportunity for the South Bristol community. Danny believes in jobs and this will bring good jobs to this area. Mrs. Cook believes in jobs and she and her husband have had a business here in the Rochester community for 18 years. It is a privilege to bring jobs to New York State in which, Mr. York said, so many people are leaving New York State. Mrs. Cook has fallen in love with this community and the people who believe in her and is here to stay. By the purchase of this property it is showing her commitment to you, South Bristol and Canandaigua area that she is here to stay, her family is here to do the best by a hopeful project that we are privilege and takes that word seriously privilege to be approved. Mrs. Cook understands the importance to listening to the opposition. By listening to the opposition and finding a good compromise in which we could work this out, it will build a better business plan for Everwilde Inn and Spa. Mrs. Cook said she hopeful in the long run that along with the supporters, the patrons that will enjoy Everwilde Inn and Spa will be the same people that have also opposed her much as Mr. Sarkis once shared with her. He is grateful at opposition at his time in building the wonderful Bristol Harbor resort now also enjoys his Bristol Harbor resort.

Supr. Welch noted that she would need a motion to authorize her to work with our attorney on the certuary for the recommendations that she and the Assessor has made.

On a motion made by Councilman Bachman and seconded by Councilman Wohlschlegel the motion was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Cone and Wohlschlegel.

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ADJOURN 9:15pm

Respectfully submitted:

Judy Voss

Town Clerk