

**BAL HARBOUR VILLAGE**  
**GATED RESIDENTIAL SECTION ADVISORY COMMITTEE**  
**REGULAR MEETING MINUTES – JANUARY 28, 2014**

A Regular Meeting of the Bal Harbour Village Gated Residential Section Advisory Committee was held on January 28, 2014, in the Council Chamber at Bal Harbour Village Hall (655 – 96<sup>th</sup> Street, Bal Harbour, Florida).

**1. CALL TO ORDER/ROLL CALL:** The meeting was called to order at 7:02 p.m. by Assistant Mayor Blachar. The following members were present:

Assistant Mayor Joni D. Blachar, Chair  
Jose Biton  
Daniel S. Holder  
Ira S. Lelchuk  
Stuart Sobel<sup>1</sup>

Others Present: Councilman Martin Packer  
Jorge M. Gonzalez, Village Manager  
Ellisa Horvath, MMC, Village Clerk  
Jay Smith, Bal Harbour Village

**2. PLEDGE OF ALLEGIANCE:** The Pledge was led by Mr. Holder.

**3. APPROVAL OF MINUTES:** A motion was offered by Dr. Lelchuk and seconded by Mr. Biton to approve the October 29, 2013 Regular Meeting Minutes. The motion carried (4-0).

**4. QUARTERLY FINANCIAL UPDATE:** Mr. Wallace reviewed the report provided in the agenda.

Mr. Sobel arrived.

Mr. Wallace reviewed the process to move money from contingency, to a line item.

**5. DISCUSSION OF PARK DRIVE LANDSCAPING:** Bill O’Leary, Village Landscape Architect, reviewed and spoke in favor of approving the following proposals from The Brickman Group, Ltd.:

- \$3,564.00 to remove or trim 20 trees
- \$349.20 to replace flowers at the entrance by the guardhouse

Mr. O’Leary spoke in favor of the white fly prevention injections (Tab 4).

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<sup>1</sup> Mr. Sobel arrived during the Quarterly Financial Update.

Mr. O'Leary suggested receiving a proposal to replace a Royal Palm tree and discussed concerns for losing trees after a hurricane, if they weren't trimmed/removed properly.

The Committee discussed including those types of items in the Brickman annual contract. Mr. O'Leary wasn't sure they could be included as regular maintenance and spoke in favor of receiving approval for those items individually, in lieu of it being in the contract.

The following members of the public provided comments:

Dina Cellini – 211 Bal Cross Drive

**A motion was offered by Mr. Biton and seconded by Dr. Lelchuk to approve both of The Brickman Group proposals as presented. The motion carried (5-0).**

**6. APPROVAL OF RECOMMENDATIONS OF EXPENDITURES TO THE VILLAGE COUNCIL:** Mr. Smith reviewed recommendations for the following items:

- \$3,456.20 for SprayPro to provide White Fly prevention injections (for 247 Coconut Palms)
- \$6,480.00 for the TEM Systems Maintenance Agreement

**A motion was offered by Dr. Lelchuk and seconded by Mr. Sobel to approve the SprayPro White Fly injections and the TEM Systems Maintenance Agreement. The motion carried (5-0).**

**Pedestrian Gate:** Mr. Holder reported that the closer was still not working on the gate on Bal Bay Drive and suggested that be part of the TEM Systems contract. Mr. Smith will receive a proposal from TEM Systems. Residents were directed to contact the guard (to notify the Village), with any issues regarding the gate.

**Whitefly Injections:** Mr. Biton discussed SprayPro offering a special service rate to residents, for injections on their properties. Information will be provided in the next Village newsletter.

**Bal Bay Drive Landscaping:**

Mr. Holder discussed the bushes trampled at the Bal Bay Drive pedestrian gate, the broken sprinkler and the electrical box that needed to be repaired. He added that the trellises along the sidewalk, on the sides of that gate were impeding on the sidewalk. Mr. O'Leary will have Brickman trim those.

**Phase 2 Landscaping:** Mr. Sobel noted that money had been allocated for Phase 2 of the Landscape Improvements and suggested that Mr. O'Leary provide a recommendation for the next phase.

The Committee discussed a walking path along Park Drive under the trees, landscaping, improving the usability of the green spaces in the area, and the available funding in the budget and possibly the construction fund.

Mr. Gonzalez noted that options could be provided based on landscaping, a walkway path, increasing usage of the green space, and available funds. Mr. O'Leary will provide a proposal, including the consideration of future maintenance and liability costs.

Mr. Gonzalez suggested that the item be placed on a future agenda, for public input.

The following members of the public provided comments:

Richard Alman – 44 Bal Bay  
Dr. Steve Scheinman – 234 Bal Cross Drive  
Dina Cellini – 211 Bal Cross Drive

The Committee discussed the possibility of available funding, if the Village was officially considered a bird sanctuary. Mr. Alman offered to look into that.

Mr. Gonzalez suggested that Mr. O'Leary identify where to place material and provide a conceptual cost estimate of the path. He will find out if the construction fund money could be used. The item will be noticed on the agenda.

Mr. O'Leary will define the areas and provide a proposal, based on the comments received to better utilize the green space and enhance the community. He will provide his fee to Mr. Gonzalez and provide a conceptual plan.

**7. UPDATE ON KENT SECURITY AGREEMENT:** Mr. Smith reported that the contract had been delayed, due to the following issues: Kent Security could no longer agree that a supervisor could stop by once a shift and they did not want to include the requirement in the agreement to issue eGO passes. Mr. Gonzalez expected the agreement to be on the February Council agenda.

**8. REPORT FROM THE POLICE DEPARTMENT:** Chief Mark Overton provided a report for the Gated Area.

Detective Hector Gonzalez distributed informational pamphlets, on identity theft.

Assistant Mayor Blachar requested continued police presence, in the Gated Area.

Mr. Holder discussed an article regarding the allowance of the discharge of firearms in backyards. Chief Overton agreed that the Police were not in favor of residents doing that.

**A motion was offered by Mr. Holder and seconded by Mr. Biton to request that the Council include on its Legislative initiatives to seek a change in State law, to provide better protection to neighborhoods by not allowing gun ranges or the discharge of firearms in backyards. The motion carried (5-0).**

Mr. Biton discussed safety concerns with speeding in the neighborhood. Chief Overton will deploy radar enforcement in the Gated Area and write tickets, if necessary.

Chief Overton discussed skimmers at ATMs and income tax fraud.

Assistant Mayor Blachar thanked Captain Mike Daddario for his service as Interim Chief.

**9. SELECTION OF FUTURE MEETING DATES:** It was the consensus of the Committee to schedule meetings for March 6, 2014, at 7:00 p.m. and April 3, 2014, at 7:00 p.m.

**10. OTHER BUSINESS:**

The Committee discussed the issue of the ownership of the roads in the gated area and the possibility of the Committee hiring its own attorney or receiving a second opinion. It was reported that Village Attorney Richard Weiss was reviewing the possibility of creating a neighborhood improvement district, for the gated area.

Mr. Gonzalez noted that the Committee could not hire an attorney. He suggested that Mr. Weiss review the issue, before considering a second opinion.

The following members of the public provided comments on the Ownerships of the Roads:

Richard Alman – 44 Bal Bay Drive  
Tony Riso – 139 Bal Bay Drive  
Dina Cellini – 211 Bal Cross Drive

Mr. Gonzalez clarified that only a judge would answer the question of ownership of the streets and the creation of a district would only solve the management of the area.

**It was the consensus of the Committee, to wait for Mr. Weiss' opinion.**

The following members of the public provided comments under Other Business:

Tony Riso – 139 Bal Bay Drive  
Sybille Holder – 24 Bal Bay Drive

Mr. Smith will look into the possibility of a magnetic lock, at the Bal Bay Drive gate.

Dr. Lelchuk reported that discussion of the landscaping at the Bal Bay Drive gate was delayed, until the Shops expansion plan was discussed.

The Committee discussed the proposed Bal Harbour Shops expansion plans.

The following members of the public provided comments:

Richard Alman – 44 Bal Bay Drive

Mr. Gonzalez explained that there would be a series of opportunities for the public to review and comment on the plans. He noted that the Shops had done a traffic study, based

on the proposal they had, but the Village would engage its own traffic consultant to do its own study. He clarified that anything that involved Village property would require a referendum.

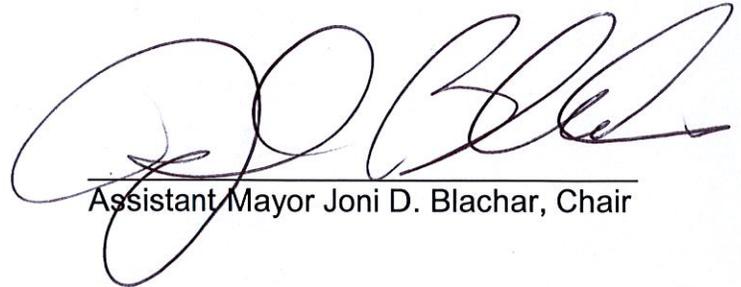
Assistant Mayor Blachar reported that members of the Council had met individually with the Shops to review the plans. She noted that the Shops were also willing to meet with residents to review the plans, but were not ready to make their formal presentation.

Mr. Gonzalez discussed the next step for the Shops to come before the Council, with a request, then the Village would develop a process.

**11. ADJOURN:** There being no further business, a motion was offered by Mr. Sobel and seconded by Dr. Lelchuk to adjourn. The motion carried (5-0) and the meeting was adjourned at 9:23 p.m.



Attest:



Assistant Mayor Joni D. Blachar, Chair



Ellisa L. Horvath, MMC, Village Clerk