

BAL HARBOUR VILLAGE
GATED RESIDENTIAL SECTION ADVISORY COMMITTEE
REGULAR MEETING MINUTES – MARCH 12, 2013

A Regular Meeting of the Bal Harbour Village Gated Residential Section Advisory Committee was held on Tuesday, March 12, 2013, in the Council Chamber at Bal Harbour Village Hall (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 7:01 p.m. by Assistant Mayor Blachar, Chair. The following members were present:

Assistant Mayor Joni D. Blachar
Daniel Gold
Daniel S. Holder
Ira S. Lelchuk
Stuart Sobel

Others Present: Councilman Martin Packer
Jay R. Smith, Interim Village Manager
Ellisa Horvath, MMC, Village Clerk

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge was led by Village resident Anthony Riso.

3. APPROVAL OF MINUTES: *A motion was offered by Dr. Lelchuk and seconded by Mr. Holder to approve the November 13, 2012 Regular Meeting Minutes. The motion carried (5-0).*

4. FINANCIAL UPDATE – CHRISTOPHER WALLACE, FINANCE DIRECTOR: Mr. Wallace reviewed the update provided in the agenda.

Mr. Holder questioned if the contingency money used for cash flow would be reimbursed. Mr. Wallace advised that it would be.

Assistant Mayor Blachar questioned what a healthy amount would be for a contingency fund. Mr. Wallace suggested at least \$400,000.00 (\$250,000.00 for hurricanes plus expenditures).

Dina Cellini, 211 Bal Cross Drive, questioned the amount in the security enhancement line item and what it was for. Mr. Sobel noted that \$95,000.00 had been budgeted, but nothing had been used to date. Mr. Wallace explained that the line item was for traffic calming devices, etc. Assistant Mayor Blachar didn't think there was a need for traffic calming devices any longer. Dr. Lelchuk questioned if the money could be used for improvements to the guardhouse. Mr. Wallace advised that it could be.

Nina Rudolph, 212 Bal Bay Drive, suggested better training or equipment for the guards,
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since the line at the guardhouse seemed to get backed up. Assistant Mayor Blachar suggested that be discussed with Kent Security, at the next meeting.

5. RECOMMENDATION OF GUARDHOUSE BATHROOM RENOVATIONS: Mr. Smith explained the need for bathroom renovations at the guardhouse. He reviewed the quotes from Professional Contracting (\$6,810.00) and Construction Depot (\$6,280.00). He noted that the Public Works Director had requested proposals from five contractors, to perform the work.

The Committee discussed the bathroom not being ADA compliant, as well as the public using the restroom in the guardhouse. Assistant Mayor Blachar spoke against the guard allowing other people to use the bathroom. Mr. Sobel questioned how the mold remediation would be handled. Mr. Smith explained that he was told that the window replacement would correct the leak.

A motion was offered by Mr. Sobel and seconded by Dr. Lelchuk to approve up to \$6,280.00, with Mr. Smith trying to obtain additional bids. The motion carried (5-0).

6. RECOMMENDATION OF RENEWAL OF MAINTENANCE AGREEMENT WITH TEM SYSTEMS: Mr. Smith requested approval of \$6,480.00 for the renewal of the service agreement with TEM Systems, for the gates.

Mr. Sobel discussed receiving input from TEM for security enhancements. Mr. Smith will request TEM to attend the next meeting.

Doug Rudolph, 212 Bal Bay Drive, requested confirmation that the same terms would apply, for the renewed service agreement. Mr. Smith confirmed that they would.

A motion was offered by Mr. Sobel and seconded by Dr. Lelchuk to approve \$6,480.00 to renew the service agreement with TEM Systems. The motion carried (5-0).

7. APPROVAL OF LANDSCAPING WORK: Mr. Smith reviewed the following landscaping issues identified by the Village's Landscape Architect, Bill O'Leary, for the Committee's consideration:

Park Drive/Harbour Way (south of Harbour Way next to the wall) (for plantings to fill in a section from a large tree that was removed)	\$4,690.00
Park Drive/Harbour Way (north of the guardhouse) (to replace thinning Ficus hedges with Clusias, which are resistant to white fly)	\$1,475.00
Park Drive Area (to remove and replace several sick trees)	\$5,549.00

Dr. Lelchuk questioned why Mr. O'Leary hadn't identified those problem areas, when the proposal was provided for the major project. Mr. Sobel questioned if all of the work from the major project had been completed. Assistant Mayor Blachar advised that it had been completed. Mr. Sobel requested that Mr. O'Leary attend the next meeting. He noted that he hadn't seen a major difference in the landscaping, after the project was done. Assistant Mayor Blachar disagreed and noted that she did see a difference.

Mr. Sobel questioned if the landscaping around the guardhouse was enhanced. Dr. Lelchuk advised that it was.

Mr. Holder thought that all of the landscaping infected with white fly had been treated and questioned why the Ficus hedges that needed to be replaced hadn't been treated. Mr. Smith thought that the hedges had been treated, but had died.

Nina Rudolph, 212 Bal Bay Drive, thought that the trees that were being removed needed to be discussed with Mr. O'Leary. Mr. Smith explained that Mr. O'Leary had reported that the tree that was removed was dead and was infested with bees. Mrs. Rudolph suggested that approval be delayed, until Mr. O'Leary attended a meeting to discuss the items. She also requested that the poor condition of the landscaping in the white pots, at the back gate, be looked at.

Steve Scheinman, 234 Bal Cross Drive, spoke in favor of improved landscaping, but thought that the prices seemed a little high.

Tara Schuchts, 57 Camden Court, discussed the large tree in the cul-de-sac on Camden Court that was removed. She noted that another landscaper had looked at the tree and told her that it wasn't dead. She also discussed the small trees that were planted in place of the other flowering trees that were removed. She reported that the residents were not happy about the expenses and the landscaping on Park Drive. Assistant Mayor Blachar clarified that the trees were removed, because they were dead and full of termites. Mrs. Schuchts disagreed. Assistant Mayor Blachar agreed that the new trees were little, but Mr. O'Leary had advised that they would grow. Mrs. Schuchts voiced concern about the increased maintenance fees, compared to other neighborhoods. Assistant Mayor Blachar noted that the Village's fees were lower than most other communities

A motion was offered by Mr. Gold and seconded by Dr. Lelchuk to defer the item, until the next meeting. The motion carried (5-0).

8. DISCUSSION OF WHITE FLY SPRAYING IN GATED AREA: Mr. Smith requested ratification by the Committee for \$3,456.20, for pesticide injection in the trees by Spray Pro, for white fly treatments. Due to time sensitivity, Council approval was received on February 19, 2013, pending approval by the Committee.

Mr. Holder spoke in favor of approval and discussed the white fly treatment as an investment, to maintain the landscaping.

A motion was offered by Mr. Sobel and seconded by Mr. Holder to approve \$3,456.20 for additional white fly treatments.

Dr. Lewis Elias, 255 Bal Bay Drive, discussed the problem with some residents treating the white fly and others not. He questioned if residents were required to treat their Ficus hedges, since he did but other residents hadn't. Assistant Mayor Blachar explained that the Village couldn't force people to do that. Mr. Holder noted that code enforcement could require that dead hedges be removed.

Lori Mobley, Code Enforcement Officer, explained that residents with dead or decaying hedges would be cited, whether or not it was due to white fly, and the hedges would have

to be removed.

Doug Rudolph, 212 Bal Bay Drive, requested clarification on the process. Mr. Smith explained that injections were done once a year and spraying was done more often. Mr. Rudolph spoke in favor of approval.

Dina Cellini, 211 Bal Cross Drive, questioned which trees were injected. Mr. Smith explained that the palm trees were injected. Ms. Cellini questioned what the spraying was done for. Mr. Smith explained that the other trees, in the common areas, that couldn't be injected were sprayed. Ms. Cellini questioned if an aerial community spraying could be done, of all the properties in the gated area. Mr. Smith clarified that the spraying was not aerial, but was done by a bucket truck. Mr. Sobel advised that couldn't be done. Assistant Mayor Blachar didn't know if people would want spraying on their property that had pets, kids, etc.

The motion carried (5-0).

9. UPDATE ON HOLIDAY BONUS FOR SECURITY GUARDS:

Mr. Smith explained that a holiday bonus for the security guards could not be paid out of assessment funds and Village staff could not be used to send out letters, etc. He clarified that there wasn't a way that the Village could assist or for RAC funds to be used.

Dr. Lelchuk clarified that it had to be done by a private collection. He questioned if the Civic Association still existed. Mr. Sobel explained that the Civic Association was about to cease to exist. Assistant Mayor Blachar thought that the guards should get a bonus and requested suggestions.

Dina Cellini, 211 Bal Cross Drive, suggested that the Civic Association send out the letter. Mr. Sobel explained that he was the only one left on the Board and there wasn't enough money in the bank to retain its existence, pay for postage, or to insure those acting on its behalf, etc. He clarified that the Civic Association could not raise money and was not a viable solution.

Ms. Cellini suggested distributing letters by hand, with everyone's help, and offered to write the letter.

Assistant Mayor Blachar clarified that it could not be a function of the Committee. Mr. Sobel agreed.

Ms. Cellini suggested that the Village newsletter include a message from the Committee regarding a bonus for the guards. Mr. Sobel questioned where the money would be sent. He suggested that residents personally thank the guards individually. Ms. Cellini pointed out that the residents wouldn't know to do that, since there had always been a collection in the past. Mr. Smith suggested that the newsletter report that an individual resident could be contacted for contributions. Mr. Sobel suggested that the newsletter clarify that due to the limitations of the Committee and the discontinuance of the Civic Association, the Village was unable to collect for the guards and urged residents to make a personal contribution to the guards. Ms. Cellini pointed out that the newsletters were now only provided online and no longer mailed. She questioned when the next newsletter would be online.

Mr. Gold noted that the same problem would exist in following years. He suggested sending an email blast asking people to contribute. Ms. Cellini agreed to send out an email. The Committee discussed different ideas.

Tony Riso, 139 Bal Bay Drive, reported that he gave money directly to two of the guards, but spoke in favor of someone collecting for all of the guards. Mr. Sobel clarified that it would have to be a private citizen. Assistant Mayor Blachar suggested that several residents get together.

Jose Biton, 168 Park Drive, offered to help and discussed sites that could be used to collect money, for an administrative fee.

Mr. Sobel explained how the Civic Association provided the bonuses in the past, based on seniority and length service, etc. He reported that the Civic Association didn't have a comprehensive email list.

Mr. Biton suggested that the neighborhood kids deliver cards, with a web site address for the collection of contributions. He volunteered his wife to help and will speak to Ms. Cellini.

Mr. Gold noted that those types of web sites normally showed the amount each person had given. Mr. Biton thought that there was a way to remove that feature.

Assistant Mayor Blachar read the Guard Bonus Past Fact Sheet.

Mr. Biton and Ms. Cellini offered to work together on the item.

Anthony Riso, 139 Bal Bay Drive, spoke in favor of the kids distributing the information, which would be better than an email.

Doug Rudolph, 212 Bal Bay Drive, suggested that the contract with Kent Security be revised, to include a provision for a bonus.

Mr. Sobel suggested that an addendum to the current Kent contract be done now. Mr. Gold suggested that an average amount of the bonus over the past years be used. The Committee discussed looking at the contract again.

Anthony Riso, 139 Bal Bay Drive, suggested that people determine on their assessment bill, whether or not they want to contribute to a bonus. Mr. Sobel noted that the assessment bill was now part of the tax bill.

Mr. Sobel noted that the only problem in dealing with it through the Kent contract is that it would require for residents to contribute to something that they may not want to contribute to. Mr. Smith will look into it.

Dina Cellini, 211 Bal Cross Drive, noted that the Village Attorney had advised that the bonus could not be automatically added to the contract, but questioned if an addendum to provide for an annual performance bonus, to be handled by Kent, could be done.

Mr. Sobel didn't think that it should be determined by Kent. Mr. Smith will discuss the item with the Village Attorney.

Mr. Sobel suggested that the contract with Kent pay the guards more money, to make up for the bonus. Mr. Gold spoke against doing that.

Mr. Smith noted that the Village could encourage Kent to provide a bonus for their employees and plan accordingly.

Mr. Holder discussed Kent serving as the recipient of voluntary contribution checks, to be distributed to the guards.

10. SELECTION OF NEXT MEETING DATE: *It was the consensus of the Committee to schedule the next meeting for April 3, 2013, at 7:00 p.m.*

11. OTHER BUSINESS:

Jose Biton, 168 Park Drive, complained of speeders in the neighborhood and voiced safety concerns for the kids. He questioned the amount of speeding tickets that had been given, in the Gated Area.

Captain Greg Roye didn't know but would provide an amount at the next meeting.

Mr. Gold agreed that speeders needed to be ticketed. Mr. Sobel noted that drivers should at least be pulled over and warned. Mr. Smith will speak to the Police Chief.

Mr. Biton discussed the installation of speeding cameras. Mr. Sobel thought that would be too expensive.

Assistant Mayor Blachar discussed the use of the police flashing sign, stop signs, etc. to deter speeders. Mr. Smith will ask the Police Chief to attend the next meeting.

Mr. Biton thought that ticketing would be the best prevention.

Mr. Gold questioned if the problem was due to the police moving to the Shops, since they didn't go through the neighborhood as much.

Mr. Smith will speak to the Acting Police Chief, review the number of tickets given, and have the police flashing sign placed in the area.

Doug Rudolph, 212 Bal Bay Drive, suggested that a report be provided from the police for the meetings on the number of tickets issued, etc. He agreed that the police presence is not what it used to be. He discussed areas of concern for the Gated Area including the number of eGO passes people had, issuing traffic tickets, code enforcement, Kent Security, etc.

Mr. Gold suggested that the police run radar in the gated area.

Dina Cellini, 211 Bal Cross Drive, thought that an officer had always been assigned to the Gated Area. Captain Roye agreed that there was. Ms. Cellini questioned where they were and why they hadn't been seen. Captain Roye explained that there was a police vehicle on every shift in the Gated Area, which was one of the zones. He agreed that the

department needed to refocus on writing tickets, in the Gated Area again.

Assistant Mayor Blachar requested that a report be provided on the number of traffic tickets given, for the past 30 days.

Assistant Mayor Blachar introduced David Hebert, Assistant City Manager with the City of Homestead.

Nina Rudolph, 212 Bal Bay Drive, spoke in favor of more code enforcement. She requested focus on ensuring that construction vehicles were out of the neighborhood at 5:30 p.m., the large Ficus hedge that was hanging over a street was trimmed, and vacant lots were maintained properly, etc. Mrs. Rudolph will meet with Lori Mobley, Code Enforcement Officer, to discuss her concerns.

Mrs. Rudolph discussed the problem with cars and trucks parking on both sides of the streets, due to increased construction projects. Captain Roye explained that the police could ask the drivers to move the vehicles, or parking citations could be issued.

Mr. Holder reported that the Village's contractor was removing the ramp in front of the police trailer until 8:30 p.m., which shouldn't have been allowed.

Dina Cellini, 211 Bal Cross Drive, reported that the new contemporary street signs did not match the prior ones that had charm and suggested that the signs that didn't blend or match be replaced (such as at Balfour and Bal Bay). Mr. Smith will look into that.

Assistant Mayor Blachar questioned if some of the stop signs were replaced. Mr. Smith advised that they were.

Mr. Holder noted that an agent had placed a post, with a container of flyers on the real estate sign, on Bal Bay Drive and Park Drive. Ms. Mobley thought that was allowed, but will look into it. Assistant Mayor Blachar didn't think that a plastic tube containing flyers was allowed.

12. ADJOURN: There being no further business, a motion was offered by Mr. Holder and seconded by Assistant Mayor Blachar to adjourn. The motion carried (5-0) and the meeting was adjourned at 8:46 p.m.

Attest:


Ellisa L. Horvath, MMC, Village Clerk


Stuart Sobel, Acting Chair