

# **Condominium Association of Parker Plaza Estates, Inc.**

## **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS WEDNESDAY, MARCH 21, 2007 7:30 PM IN THE PLAZA ROOM**

### **CALL TO ORDER:**

Donald Pinkus, president, called the meeting to order at 7:30 PM.

### **ROLL CALL:**

Present: John Flores, Max Silberman, Sy Kessler, Donald Pinkus, Bob Ortiz, Rosamunde Finkelstein, Paul Lucia, Johnny Pekats.

Absent: Veysel Naranjo.

### **READING OF MINUTES:**

Sy Kessler moved to waive the reading of the minutes of the last meeting since it would take too much time. The motion was seconded by John Flores and unanimously approved. The minutes are available for review at the office and on our website, [www.parkerplaza.org](http://www.parkerplaza.org).

### **UPDATE ON INVESTIGATION OF WRONGDOING:**

Donald Pinkus introduced Lisa Hermann, the attorney who has been involved since November of 2005 in investigating wrongdoing at Parker Plaza. So far the investigation has uncovered inflated contracts indicating payoffs, multiple checks cashed at check cashing stores, bank statements showing suspicious activity, and other items she could not elaborate upon since this investigation is ongoing. The March 17th article in the Miami Herald outlined some of what has been uncovered at Parker Plaza thanks to the efforts of dedicated board members, assisted by hard working unit owners, who delved through documents and financial statements. The investigation has thus far resulted in one person being detained by the police. The Hallandale Beach Police Department and Broward County State Attorney's Office are vigorously investigating all allegations and arrests could follow. Our \$11 million obligation remains outstanding. Certain renovations have already been made which may or may not reflect the actual cost of the contracts. The Hallandale police and the State Attorney's Office are continuing to subpoena the necessary documents to further pursue these matters. On the civil side there is our pending cause of action against previous managers, our previous engineer, and previous board members for similar violations. Ms. Hermann discussed two additional lawsuits against contractors of which there is a judgment against one contractor and another where through mediation we have recouped some monies from the contractor. She urged the owners to keep their eyes and ears open and at the same time to be patient since this investigation is a tedious and time consuming task. There was applause for Ms. Hermann's report and Mr. Pinkus expressed his gratitude to her for her work on our behalf. He also thanked Julie Fisher for her hard and diligent work in assisting the board.

At this point in the proceedings Mr. Pinkus changed the agenda to accommodate an irate unit owner who needed to leave early. Unit owner Rick Oklin voiced his anger and annoyance at having items stolen from his apartment while the windows were being installed. Although there were two workers and two security people in his unit, two laptops were stolen along with other items. To add insult to injury, workers left dust everywhere and he deemed that the work performed was shoddy. He complained that the manager and board members were not as helpful

as he had hoped. He has informed his attorney of this situation and warns all unit owners to be especially careful when their windows and doors are being replaced.

**REPORTS:**

**TREASURER'S REPORT:**

Bob Ortiz presented the Treasurer's Report as of January 31, 2007.

**General Ledger:**

January Expenses	\$520,622.96
January Income	\$1,130,143.34
Outstanding Maintenance and Assessments	\$1,359,594.66

**Bank Account Balances:**

Banco Popular Operating Account - INTEREST	\$526,256.24
Banco Popular Operating Checking Account - NO INTEREST	\$842.08
Banco Popular Payroll Account - NO INTEREST	\$2,275.84
Banco Popular Escrow Money Market Account (Rentals) - CLOSING	\$0.15
Banco Popular Escrow Account (Rentals) - INTEREST	\$47,331.99
SunTrust Wilma Account - INTEREST	\$354,772.17
SunTrust Windows and Doors - INTEREST	\$3,061,894.94

**TOTAL** **\$3,993,373.41**

A discussion ensued regarding the receivables and Mr. Pinkus explained how the figures are derived and that they are affected by how people pay their assessments; there are some who pay immediately and completely and there are others who do not.

**MAINTENANCE AND SPECIAL ASSESSMENT:**

Sy Kessler reported the overall picture is very good. He thanked the owners who paid as required and told those who haven't that the attorney will issue collection letters.

**WELCOMING COMMITTEE:**

There were no rentals or sales for this period so no changes in the building have occurred.

**POOL COMMITTEE:**

Johnny Pekats reported that the broken chairs have been fixed and look new! People have requested that the Jacuzzi be kept on and it was decided to keep it on until midnight. A "NO SMOKING" sign is missing and has not been replaced, but people must still adhere to the rules and not smoke on the pool deck except in designated areas.

There were comments regarding the fountain and everyone was assured that there are good plans and that it will be fixed shortly.

**SOCIAL CLUB:**

Ruth Steinberg, president, reported that the club is looking into hosting a monthly bingo night. To this end they may purchase new cards since the old cards are "missing." She went on to invite

everyone to the July 4th festivities, which will include music and dancing, and of course there will be fireworks on the beach for all to enjoy. She wished everyone a Happy Passover and a Happy Easter!

**WINDOWS AND DOORS:**

Robert Fisher reported that the lines on the south side (Lines 07, 08, 09, 10, 11, 12) and east side (Lines 14, 15, 16, 17, 18, 19) are complete. Lines 20, 21, 22, 23, 24 and 25 are now being worked on simultaneously. At the finish of these lines the contractor will take a week off to complete the caulking. The lines on the west side (Lines 26, 27, 01, 02, 03, 04, 05, 06) should be installed by June 1st. By June 15th all caulking should be finalized; the contract states the work should be complete by December 15, 2007 so we are six months ahead of schedule. The lobby level glass has already been measured and we are working with the building department to re-do the lobby level doors in such a manner as to alleviate leakage. We have already sold \$32,000.00 of aluminum to salvage and there is approximately \$7,500.00 of salvage yet to be realized from the current load. The special assessment account earns interest and we pay the contractor only for material received and for what is installed. Mr. Fisher felt badly about the complaints of Rick Oklin and believes this is an isolated case since security has been tripled. At the end of this job the carpets will be cleaned. Mr. Fisher has found a window cleaning service which will come in at the completion of the job and clean the windows. The cost of the cleaning is approximately \$3,500.00, which equates to \$7.00 per unit. At this price perhaps we should consider having a professional window cleaning service come in twice a year. With regard to painting, this is being done as we go along. Mr. Fisher is confident that the well-trained painters on staff can do the touch-ups and this can be an in-house project at a very small cost to owners. Mr. Pinkus thanked Mr. Fisher for his assistance with this and other matters.

Mr. Pinkus took the floor to add to attorney Lisa Hermann's comments of earlier this evening. He said now that the criminal case has begun he is putting his full attention upon the \$11 million loan. Letters have been written to the bank requesting all documentation relative to the loan since complete documentation pertaining to the loan could not be found. He requested all letters of opinion from the attorneys and all letters describing what the money was to be used for. The bank replied that the previous attorney has all of this pertinent information. Ms. Hermann wrote the previous attorney requesting this information and has also called two or three times, but to no avail. To date, the previous attorney has not responded. Mr. Pinkus will go to the banking department in Washington, D.C. and to the Chicago area where the loan was made and we will file with the proper authorities all the paperwork in order for them to look into this and see if in fact any wrongdoing was committed. Again, thanks to Julie Fisher for assembling all the necessary paperwork and Mr. Pinkus will keep us updated.

**NEW BUSINESS:**

Mr. Pinkus introduced Emil Marcu, our new manager who comes to us with excellent credentials and who is working closely with Jose Sardiña. Mr. Pinkus believes this is a great team and we will fare very well with these people in their positions at Parker Plaza. Emil is a good listener and problem solver and therefore it was surprising that Mr. Oklin had a problem when he spoke to Emil. When asked for advice, Mr. Pinkus told Mr. Marcu, "Be fair, be honest and be open." Welcome aboard Emil!

**BEACH DUNES PROJECT:**

Robert Fisher described the beach dunes project wherein wood poles were placed into the sand and dunes were to be created and planted with sea oats and other grasses in an attempt to prevent beach erosion. In a previous meeting at Parker Plaza arranged by unit owner Shelley Portnoy, Mayor Joy Cooper of Hallandale Beach explained that originally two sets of dunes were planned upon which the sea grasses were to be planted. However, the placement of the poles and the arrangement of the dunes would decrease the size of the beach proper and would obstruct the view of the ocean. Our beach is already very narrow and dunes planted to the east would not survive salt water intrusion. The condo owners who received no prior notice of this plan and who suddenly found the beach divided with poles considered this a poor design. The environmentalists have stopped the project and will study this problem further in order to devise a better plan to save and preserve our beach. Planting sea grasses close to the building is a good idea, but dividing the beach with poles is not.

**OPEN DISCUSSION:**

A unit owner questioned how much money is past due on the assessment and was told that only 30 units are in arrears on the assessment. The plan is to allow a grace period of 10 days; if payment is not made by then a demand letter will be issued, and if there still is no response a lien will be placed on the property. Mr. Pinkus said the books are always available for review and invited the unit owner into the office to see for himself.

A unit owner wanted to know who is responsible for the mess left by the workers, and the answer is all common areas are the responsibility of the building and the unit proper is the responsibility of the owner/renter.

A unit owner complained that a window is broken in the unit and was told new glass has been ordered by Continental and will be installed as soon as it arrives.

A unit owner felt it would be a good idea in the future to factor into the cost of the project the expense of preparing apartments for work and clean up after the work is complete.

A unit owner inquired about collecting from the insurance company for hurricane damage and wanted to know about the adjuster. Both Mr. Pinkus and Mr. Kessler explained that the amount of damage done did not exceed the deductible and therefore we cannot legally make a claim. With regard to the dissatisfaction with the adjuster, Mr. Kessler sent a letter to the company advising them we wish to cancel but so far there has been no response. Mr. Pinkus went on to say that dollar for dollar we have the best insurance coverage possible and once the impact windows are installed we could possibly receive a reduction in our insurance of hundreds of thousands of dollars per year.

A unit owner had positive comments with regard to the window installers saying they did a neat job. They advised her of a broken sill which she never would have noticed. She went on to say Emil is patient and she appreciated his assistance.

As the discussion period continued several unit owners spoke of the window and door installation process and voiced concern regarding where to park during the installation period since glass was being stored in their spots, concern about what if they're not present when they want to do my

windows, etc. Mr. Pinkus clearly explained that all possible consideration is being given to the owners during this installation period where everything is disrupted and difficult. He explained that it is imperative to go with the flow and although he would bend over backwards to accommodate unit owners' needs he can not in good conscience move scaffolding at \$1,000.00 per pop if suddenly the owner could be present. As much advance notice as possible is being given to all. He invited people to check with Emil, who is the manager and go-to person on this project. Emil is patient and a good problem solver so give him an opportunity to serve you. Regarding parking, Sheila Fischgrund, a unit owner, has volunteered and is walking around the garage and checking on parking stickers to see if people are parking in their proper spaces. If you are being displaced from your parking spot because glass is being stored there, then give valet your car and it will be parked for you free of charge. Mr. Pinkus urges all to cooperate at this difficult time and to please not use parking spaces assigned to other people. Since much of this portion of the meeting was difficult for everyone to hear, Mr. Pinkus said we would have hand mikes to pass around at the next meeting. Mr. Pinkus went on to explain that the security cart should be roaming the garage from dusk until dawn and if that is not the case he will discuss it with security and make sure that this happens.

Sy Kessler made a motion to adjourn the meeting. The motion was seconded and unanimously approved and the meeting was adjourned at 8:45 PM.

Respectfully submitted,

Sy Kessler, Secretary