

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

## **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS**

**April 19, 2006**

**7:30 PM in the Plaza Room**

### **CALL TO ORDER**

The meeting was called to order at 7:35 PM by Robert Fisher.

### **ROLL CALL**

**Present: Robert Fisher, Max Silberman, Sy Kessler, Bob Ortiz, Johnny Pekats, Donald Pinkus, Herb Shamlian**

**Absent: Alan Goran, Emma Sardiña**

**Robert Fisher introduced Jose Sardiña, who is our new Maintenance Superintendent.**

### **READING OF THE MINUTES AND APPROVAL OF MINUTES**

**Sy Kessler read the minutes from the Board of Directors meeting of February 27, 2006. Boris Moroz asked that the actual amount of the special assessment, \$650,000.00, be included in the minutes. Donald Pinkus made a motion to approve the minutes with the correction as stated by Boris Moroz. The motion was seconded and unanimously approved.**

**Sy Kessler read the minutes from the Board of Directors meeting of March 8, 2006. Max Silberman made a motion to approve the minutes. The motion was seconded and unanimously approved.**

**Sy Kessler read the minutes from the Board of Directors meeting of March 14, 2006. Boris Moroz questioned whether we could take out another loan from wherever we want to pay off our loan in full. Robert Fisher said he wasn't sure and he thought we would pay a penalty if we borrowed money from another financial institution to pay off our loan. Herb Shamlian made a motion to approve the minutes. The motion was seconded and unanimously approved.**

**Robert Fisher thanked the unit owners for attending the meeting and being involved. He also thanked all of the unit owners for volunteering and helping and joining committees, with special thanks to Carmine Tufano who has been picking up plants in his own car to bring back to the building. The staff has been working harder and the unit owners have been caring more.**

### **CORRESPONDENCE**

**Robert Fisher read the letter of resignation from Emma Sardiña (Exhibit A) and thanked her for all of her help and expressed his hope that she will continue to contribute, but understands the potential for a conflict of interest and is happy that her husband, who is also a great asset to the building, is working for us.**

## REPORTS

### TREASURER'S REPORT

Bob Ortiz gave the Treasurer's Report. Our expenses as of March 1, 2006 to the present day are \$300,542.64, plus a \$214,000.00 loan that was past due in February, plus we inherited unpaid bills of about \$100,000.00, making a total of \$614,542.64. The summary of our current bank accounts; our Money Market has \$11,578.55, our Special Assessment Hurricane Wilma Account has \$158,417.40, our Operating Account has \$931,624.42, our Payroll Account has \$3,673.62, and our Escrow Account has \$31,548.48, making a total of \$1,136,842.47. These are sufficient funds that will carry us over till our next quarter. Also, we have contracted with Catarineau & Givens to be our accounting firm and they will be closing our 2004/2005 fiscal year and will be auditing our bookkeeping department.

Robert Fisher stated that it feels good to have a bank balance that is appropriate to where it should be, meaning that we have an annual budget of \$3.9 million dollars, so that every quarter we collect close to \$1 million dollars through assessments to fund our general operating account. We're into this quarter for two weeks and it's nice to have a balance close to one million dollars. When we came into office in February our bank balance was \$66,000.00. Our expenses for March and half of April are \$300,000.00, and we have some other expenses that are not included, but at this rate our expenses are about \$2.5 million a year, plus we have to add in our loan which is \$800,000.00, so that's about \$3.3 million, which seems that we're operating within our actual budget of \$3.9 million. There are expenses that are due this year that have not occurred during this month and a half, especially insurance, but we have been paying the insurance from last year as we go. We're going to have to get new and more costly insurance June 1st and we'll be talking about that. Some of our success, and not wanting to speak too soon because we may have to eat crow months down the road, but we have a group of people who have been working very hard every day, watching every penny and, instead of hiring someone, we are trying to do everything ourselves. It's not just our employees, but also the actual board members, literally doing the work themselves, especially Herb Shamlian. It's that kind of spirit that is making a difference and everyone is rising to the occasion. Also, we had around one hundred delinquencies from Hurricane Wilma and our January assessment. That number is down to two, and one of those people promised to send their check via certified mail. That leaves one person who we have been unable to reach by letter or phone. These are all our neighbors and we want to treat them as neighbors, but we may have to send this to the attorney for collection. Robert Fisher thanked everyone for their effort. Don Pinkus said that we owe special thanks to Sy Kessler and Robert Fisher for calling on the phone to collect all of this money.

### DECORATING COMMITTEE

Marilyn Perlman introduced the other committee members, Annette Deutsch and Ruth Steinberg. The committee was asked to find resources for carpeting for the Safari Room. The committee worked to find a quality carpet that would also be compatible with the existing furniture and wallcovering. Their selection has great serviceability, a ten year warranty, costs \$4,500.00, and will be installed within ten days. Tony Gonzalez asked if it has a Class A flame spread rating. Robert Fisher said he believes so. He also thanked Marilyn for coming forward and offering to help and encouraged others to join the committee, not that we have a current project, but things come up throughout the year and it's nice for everyone to help their own building.

**HURRICANE WINDOW AND DOOR PROTECTION COMMITTEE**

Robert Fisher introduced Tony Gonzalez, who is the head of the committee and a building official for the City of Hallandale. In addition to Tony Gonzalez, the committee is composed of structural engineers from our building and other unit owners and they have all worked quite hard gathering information. Robert Fisher explained why window and door protection is so important and that we have to start protecting our own building. If another hurricane occurs, the problem we'll have, besides living through the discomfort and all of the trouble of having a building that's been damaged or destroyed by a hurricane, is the expense and the cost of it. Right now unit owners are responsible for the repair, maintenance, preservation and replacement of their own windows and doors. When we have a hurricane or a catastrophe, insurance pays for damage to windows, doors, walls, the interior--not personal property or personal belongings, but also hallways, walls and public areas. The catch is we have a deductible. Last year we had a 2% deductible, or roughly \$1.2 million. Next year, we can not get insurance with a 2% deductible, so it can be a 3% deductible, or \$1.8 million. If we have any kind of extensive damage we're going to end up sharing that amount, which if you paid around \$2,400.00 for the last hurricane, with the 3% deductible it will now be \$3,600.00. This is a lot of money, and this kind of money can go to buying protection for our windows and doors. This is what makes this issue so important, plus the fact that no one wants their property destroyed.

Tony Gonzalez introduced himself and said that after several meetings that included Peter Hernandez and Jorge DuQuesne who are both structural engineers, plus a representative from PGT, as well as one of the vendors who we've been considering who has the most reasonable price and has accommodated most of our requests, that the consensus and recommendation of the committee is to go with impact glass windows and doors, but that we're also going to put this out to a vote to see how we all feel. The committee took into consideration what would happen to people who have shutters that are new and whether these people would be forced to remove brand new shutters. That wouldn't be fair. And also what happens to those who feel that their windows are intact and they're workable and they're good. We're not going to make them rip them out, but the recommendation is still that we would like impact windows throughout the entire building. We'll be surprised as to what was told to us before and what the prices are now. We are still negotiating the price and if a large percentage decides to go with impact windows that represents a cost savings, and if we go with impact glass throughout the entire building the price will be even less. However, we need to open this up for discussion and find out what the residents want and how they feel. Either way, everyone has to protect their openings because, if not, the building doesn't function. You can not protect some of the windows and not the others; the protection has to be there one way or the other, shutters or impact windows.

Some unit owners asked about the price. Robert Fisher said we're going to discuss price, manufacturers and how everyone feels about it. We need to get input from unit owners and make a good decision amongst all of us. Robert Fisher said he may not have every breakdown of every price with him, but unit owners can come into the office and get the price for any window.

A unit owner asked what happens if you have shutters in good condition, fairly new or new; how do they put windows and doors in without disturbing the shutters? Tony Gonzalez answered the question and first qualified what a "good" shutter is. Any shutter that is more than twelve years old will not be accepted; and the reason is that after Hurricane Andrew there became an approved

standard for impact resistance and any shutter installed before 1994, as far as impact, is useless. Any shutter installed after 1994 will be considered a “good” shutter as long as it’s in good condition. If the installation can be achieved without taking down the shutters that would be best, but if the shutters are in the way they will have to be removed and reinstalled by the person doing the work. We’ve discussed a lot of details and the one vendor we’re considering, Barbat Development, has accommodated almost every request with reasonable answers. They will take down and put back up shutters and drapery and repair drywall. Unit owners will have a form to fill out and will come to some agreement as to the existing conditions because they don’t want to be hit with a charge for something that wasn’t there. They may also take pictures to document the conditions. Maybe you don’t have replacement tile, and unfortunately, there has to be a consequence to doing something. However, the unit owner can supply their own tile that is satisfactory to them, and Barbat will install it. Bob Ortiz brought up the issue of permits for existing shutters and Tony Gonzalez stated that a shutter installed without a permit is not considered a valid shutter.

A unit owner asked if we all have to have the same and how will the building appear if some have shutters and some have windows? Tony Gonzalez answered the question and said that is why the recommendation from the committee is impact windows throughout the entire building because it will make the building look a lot nicer and uniform and beautiful. Tony Gonzalez repeated that we have to open this up to the people because not everyone is going to be in agreement, and as a family and as residents in one building we’ve got to come to some agreement. The two engineers are not only concerned about protecting the building--we all have to do something, that’s number one, either shutters or impact windows--and also price is part of the determining factor, but that hopefully, the building will be uniform. Barbat presented another solution and that is impact windows throughout the windows and shutters on the doors.

A unit owner asked if these are the same windows that blew out in the other buildings across the Intracoastal, and are we looking into only windows and not the shutters? Tony Gonzalez answered the question and said that we’re looking into everything. We want to open up all the options so we can decide properly how to protect the building. In downtown Miami where there were examples of failures with recently installed windows, the report came back later that the windows weren’t as new as they thought they were. The Beach Club has two towers with impact windows throughout and did not lose one window. If Mother Nature wants to take it, it doesn’t matter what you do. And also remember, the windows are rated for a certain amount of force and if it exceeds that force they will blow out no matter what you do. It would be unfair to say let’s just do away with all the impact windows because some of them blew out, but what about the buildings that didn’t blow out. There’s so much you can do, and if you go to impact that is the latest in technology and the best that you can do right now. The shutters would be your other alternative; and those are the two, right now, that we can live with. Tony Gonzalez heard the unit owner ask if there isn’t anybody who’s going to promise us (that they’re going to be in before hurricane season) and he said that no one will do that; not the manufacturer, not the engineers, no one.

Robert Fisher presented the prices. The previous board gave us a price on November 30, 2005 of \$14,300,000.00 for impact windows and sliding doors and that included concrete work. We have three prices that include the concrete work on the units that require it. The least expensive price

was from Barbat Development Company for \$6,112,720.00. General Bronze, who is in partnership with Continental Glass, bid \$8,470,000.00, including shop drawings and excluding permits and concrete work. Continental previously bid our job but Robert Fisher didn't recall the price or how they figured it. The final bid was from Marathon Construction for \$9,172,000.00, excluding permits, engineering, sanitation and storage. The \$6 million price is good, but was the cause of some concern, so a call was placed to PGT who is one of the biggest window manufacturers in this area. The regional sales representative knew our project and knew Barbat and only had good things to say about Barbat and said that Barbat was trying to help negotiate an even better price, perhaps when we were on the subject of what if we did all of the windows and doors. Everything checked out, but there are a lot of contractors who take deposits and then disappear so we asked Barbat if he had an attorney and we said we had an attorney and proposed that every unit owner who signs up for windows, doors, or shutters will pay their money in full to our attorney who will put the money in their escrow account so that Barbat is guaranteed payment. When the work is complete and the final inspection is done by the city and everything is approved, Barbat will be paid in full and they will be guaranteed payment because it will have been collected in full. Barbat thought this was reasonable. It may cost us an extra \$100 per unit to pay the attorney, but it would be well worth it to avoid the risk.

A unit owner asked if this company would be willing to post a performance bond and a completion bond? Robert Fisher answered the question and said that they don't need a bond if they don't have our money. If they get a bond they would have to take it out of their money or we would have to pay for the bond. Usually, construction companies post bonds when you're worried about getting completion of payment and they include it in the price of the product and you pay a little bit more; it's a form of insurance. Tony Gonzalez said that even in a worst case scenario, if the contractor disappears, he would not have any of our money and we would replace the contractor and continue on with the work. Robert Fisher said that any window or door that they take out that day goes in the same day so that there's never any opening left open. The unit owner is concerned that what is promised isn't necessarily delivered, and will respect our attorney's opinion about the escrow account, but is accustomed to getting performance and completion bonds. Robert Fisher said that he would look into this and hopes that we would be able to get this kind of insurance for those unit owners who require it.

A unit owner asked about the problem that some people have with water seeping down from the terraces inside the apartment and the ceiling and if this is what we mean about the concrete work that has to be done? Robert Fisher answered the question and said that there is a problem in our building from when it was originally constructed. When they pour concrete slabs they leave a 3/4-inch depression around the perimeter of the building where you set concrete block. The floor slab is 3/4-inch higher on the inside, and this protects from water going under the block and coming up into the apartment; it's like a water barrier, water doesn't run uphill. It's also where our doors are, and the way they accomplished this is that they put a 3/4-inch piece of plywood at the opening and held it up with pieces of wood. When the concrete's been poured they pull the wood out and they finish the concrete and you have the 3/4-inch depression. Unfortunately, in many spots, they took the plywood off, but the pieces of wood that were going vertically and holding up the plywood were left in our slab, so now thirty years later, this wood rotted out and we have these leaks at our doors. When the doors come out we will be repairing those areas and that's what we're talking about when we say repairing the sills. If the doors aren't changed it's very difficult

to adequately repair. The unit owner asked if that would be the responsibility of the contractor? Tony Gonzalez said that he spoke to the contractor about it and he would include in his price the removal of all that loose material and would repair that portion directly under the sill. He would make a straight cut to accommodate the new sill, which is wider, and within that area it would be possible to make the repair. He would not take responsibility for anything else happening beyond that.

A unit owner asked if anyone has looked into Lexan to protect the windows and doors? Tony Gonzalez answered the question and said that even though Lexan is a good product, the material itself won't do anything to give you an impact resistant window because these windows are assemblies, and the assembly works together with the window and the frame and the components and it's tested altogether in a lab.

A unit owner asked if any of the other quotes included concrete restoration work? Robert Fisher answered the question and said that only Barbat included the concrete restoration work in their price. The unit owner asked if it included any framework that is needed for windows and are all the windows up against sufficient concrete structure? Robert Fisher answered the question and said all of the openings facing north and south on this building are concrete columns or shear walls. Facing east and west, the doors, not the windows in the dining room, but the doors, are on block. It's \$800.00 per unit to pour the cells of the block walls and fill them with concrete and put #5 steel in it. Tony Gonzalez added that we're waiting for some loads, because according to the manufacturer, the jambs take very little of the load, most of it is being taken at the sill and the head. So we're going to get those forces that are being transferred to the jamb to see if we can avoid having to pour the jamb, but we have to follow the product approval, the way it was tested in the lab. They're going to provide the loads and we're going to share them with the two engineers on the committee and they'll decide what needs to be done on the jambs.

A unit owner asked if it's necessary to do a sliding door on the balcony, or if we can do an open door? Robert Fisher answered the question and said that what's existing in our building is sliding and if we're matching the existing it is what it is, but if we had a vote to change it, it's possible we could. A lot of people have thought about this. The reason we did not look into this, is if you have a swing door you would want a pair of French swing doors and then you have a terrace that is six feet wide and the doors would swing two or three feet and you would lose the space in front of your door to put furniture. The sliding door was designed for the purpose of being able to have more room for things on your terrace. The unit owner said that there's always a problem with the sliding doors and Robert Fisher said that our doors are thirty-five years old and with maintenance they can stay in good shape, but it's a legitimate thought. Bob Ortiz said that that's one of the reasons why the committee has recommended that we get new windows and sliding doors because some of these doors are loose and rattle and water gets into them and with new sliding glass doors and windows we won't have that problem. The unit owner thought that other doors might be cheaper and better and Robert Fisher said he wasn't sure it would be cheaper.

A unit owner asked with hurricane season coming very soon, are we going to have to go this year without windows or shutters or protection? Robert Fisher answered the question and said it's a maybe. We asked Barbat about that today and he said he could start installing windows and doors seven weeks from the date of order, but that would be door number one. Door number 520

would obviously not be in seven weeks so some would have protection for hurricane season and some wouldn't. He could install shutters in three weeks from ordering, but that would be the first one, not shutter number 520. We also asked Rolladen and their answer was between 40 and 50 weeks. It really depends on the company and it's who you talk to and when it gets ordered and how quickly we can get it done and decide ourselves. Some people may decide to order today, others may wait for a vote, and others may not want to do it until they're forced to do it, or not do it at all if we're not forced.

Robert Fisher said that shutters are roughly half the price of windows and doors and for each unit we're going to give the least expensive price. For shutters we got prices from Barbat Development and Rolladen and for windows and doors we got quotes from General Bronze, Marathon Construction and, again, Barbat Development who uses PGT. Robert Fisher gave the least expensive prices for each option (Exhibit B). Robert Fisher talked about roll-down shutters and how they cost more than impact windows. We would like to have the building look as much the same as possible and if we all have the same impact windows and doors that would look the best--it's the most expensive, but it would look the best. Some people have roll-down shutters and they're grandfathered in, but if we're going to have shutters going horizontal and vertical why have the additional expense of roll-down shutters, we may as well have the impact. That's why we made the choices we made and discussed it with the committee.

A unit owner asked how you close shutters that you can't get to or where you can't open the window? Robert Fisher answered the question and said that if your windows are bad you may need impact windows. If your window operates you reach out and close the shutter and for some windows where you have fixed glass on either side you are provided with a hook on a rod and you reach out and pull it across. The unit owner asked about people who have sealed their windows and can't open their windows to close their shutters? Robert Fisher said that one of the things about new windows that are hurricane strength is that you're always protected. You don't have to worry about opening, maintaining or lubricating your shutters. Your protection is there all the time and that's a point well taken.

Bob Ortiz said that if a lot of unit owners install shutters one of the problems will be closing the shutters and if you have deteriorating windows you still have an existing problem. If windows are sealed you obviously can't get to your shutters at all. We also have folks who go away for the winter or are out of the building and if they don't close their shutters who will close those shutters? You're going to have half the building in the same situation that we have now. If a hurricane comes it doesn't matter how much I protect my unit or he protects his, if two next to us are unprotected and cave in it's still going to damage our apartment. That's one of the reasons why the committee has recommended impact windows and doors. You install them once and you don't have to worry about them again, even if you go away. It's a small investment that will make the building uniform and the value of your unit will go up.

A unit owner asked if it is true that if everyone gets the impact windows we could change the design to make the windows more attractive? Robert Fisher answered the question and said that we could address that and change the design to some extent, that was the same point with the swinging doors, and there might be some cost savings if we remove the mullions and it might modernize it.

A unit owner said that accordions are difficult to close and would like to know about roll-down shutters? Robert Fisher said that roll-downs cost more than impact windows, particularly motorized roll-downs. If you want to have something that you don't have to open physically buy the impact windows, that's our recommendation. Accordions are difficult to close and that's why impact glass is recommended. Bob Ortiz said that if you get roll-downs, which are more expensive than impact windows, you still have your old windows. If you're going to replace your old windows with regular windows and then add roll-downs, the price is much higher than impact windows. The unit owner said she had water everywhere.

Robert Fisher asked by a show of hands how people feel. First he asked if we should all have some sort of window and door protection. Approximately 95% raised their hands, almost a unanimous decision. Then Robert Fisher asked how many people would be in favor of impact windows and quite a few raised their hands, and then he asked about shutters.

A unit owner said that the money is the issue and wondered if there was a way, without a loan, that we can make an accommodation and pay this off ourselves? A lot of people are on very fixed incomes and money is a very important thing. Can we pay this off rather than pay it in full? Robert Fisher answered the question and said that the cost for the average unit is around \$10,000.00 and that he would not want the building to take out a loan; maybe other people would, but we already have an \$11 million loan that we wish we didn't have. We could look into individual financing with Barbat Development, banks, or PGT and this is a legitimate option. Bob Ortiz said that he has looked into home equity loans and for a \$12,000.00 loan at 7% for ten years the payment is about \$157.00 per month; for 15 years it would be about \$117.00 per month. We have some options individually.

A unit owner said that he thinks it's terrific to have these options to discuss. The unit owner said he was concerned that Barbat was 50% less and are there examples in the general area of work in buildings similar to ours so that we can make a judgment on their track record? Tony Gonzalez answered the question and said that we haven't made a decision and given them the job, but that so far he is the most reasonable one. They have just finished a big job in Ft. Lauderdale with 500 units and did not lose any windows in the last hurricane. Before we award a contract Tony Gonzalez wants to personally review it. We need to visit his clients and Tony Gonzalez will look at his licensing and see if he has any complaints. Tony Gonzalez said we have not done our full investigation and we still need to see where we're going with all of this, is it shutters or impact. The unit owner said that he thinks glass is a great idea and that as far as aesthetic value, uniformity within the building is a premier issue.

A unit owner asked what is the guarantee on the windows? Robert Fisher answered the question and said that he has not seen the guarantee that PGT gives on the windows themselves. The unit owner asked if we have a guarantee that they're going to work and is there any recourse if we get hit by a hurricane and they don't function? Bob Ortiz said it depends on the strength of the hurricane. Robert Fisher said he didn't know what the legal recourse is for the building product itself, but they're tested up to a strength of 150 mph, but if it's 155 mph they are not tested for that. Tony Gonzalez contributed that we will be going to the highest floor and on the suction side or negative side where there is the highest impact, all of the windows in the entire building will be designed to that standard. We will go with the highest rating throughout the entire building.



Depending on the strength of the storm, there are a lot of factors we can't account for such as associated tornadoes and flying debris.

A unit owner asked if we are discussing three different manufacturers of three different windows? Robert Fisher answered the question and said that we have been, but we are mainly talking about PGT. The unit owner asked if we are comparing strength of materials, thickness, etc.? Tony Gonzalez said that what is applicable to the three is that they have the tested assembly with Miami-Dade County product approval and we would not accept anything that would not meet that standard. Robert Fisher said that whatever product or material that they use to meet that standard, meaning they met the 150 mph standard, but he didn't know specifically what product is in each assembly, like thickness of metal and glass, but they meet the standard. The unit owner said that we should be checking these things before we make a decision. Bob Ortiz said that we are.

A unit owner asked about the thickness of the glass because there are two different thicknesses for hurricane windows? Tony Gonzalez answered the question and said that all assemblies meet the 150 lb/sq ft. load. The unit owner wanted to know if the thickness of glass was different because one quote is \$8 million and the other is \$6 million? Tony Gonzalez said we can find that out, but if each one takes the same amount of impact and the same amount of force with wind loads, and they meet the standard for water infiltration, then they meet all the standards. Also, it's not just the glass, but the aluminum and the glazing beads and the frame design. It follows that the thicker the glass, the stronger the window. Also we're not talking about standard tempered glass; all the glass in all three assemblies is laminated.

A unit owner asked if the prices include the cost for the common areas? Robert Fisher answered the question and said that the prices were just for the units and did not include the common areas. The cost to take care of the common areas should be around \$200,000.00, but we haven't shopped it.

A unit owner asked if we get these windows and they break it's very expensive to replace and it takes a long time to repair? Tony Gonzalez answered the question and said that Barbat said that right after a hurricane it will be difficult to get any glass, no matter what you have, and that laminated glass is more expensive. Robert Fisher said that when we say "break," the glass will still be in place and there won't be water leakage. Tony Gonzalez said we will find out what it costs to replace one kind of glass over another. The unit owner asked for an agreement that shutters are missile-proof? Bob Ortiz said he has been through a hurricane and that is not true. Tony Gonzalez said that both the glazing and the shutters are tested to the same standard for both large-missile and small-missile impact.

A unit owner asked about the requirement for large-missile impact through the third floor and small-missile impact for the fourth floor and above and how that affects the cost? Robert Fisher answered the question and said that Barbat has agreed to absorb the cost. The unit owner wanted to know if we are meeting Miami-Dade standards or Broward standards? Tony Gonzalez answered the question and said that the Miami-Dade standard is higher than Broward, but that Miami-Dade is acceptable in Broward. You can go to the state or Miami-Dade for product approval and if you go to Miami-Dade it meets the Broward standard. The difference is we're

rated at 140 mph and Miami-Dade is at 146 mph. Robert Fisher confirmed that we're meeting the Miami-Dade County standard. Tony Gonzalez clarified that when they calculate the forces that are acting on our openings in our building in Broward County, they are being calculated to 140 mph. The Miami-Dade County approval doesn't imply a 146 mph calculation or load on that building. It means that Miami-Dade County is the agency that has been authorized to give those product approvals and do that testing. Having a Miami-Dade County product approval means that it's been accepted by that agency as a good assembly. But when they do the calculations for the building they will apply a 140 mph force to the calculation; not 146, not 150. Here we will be meeting 140 mph. The unit owner asked if we're getting glass equal to the 146 mph standard? Tony Gonzalez said we're meeting the Broward County standard of 140 mph which is all we have to do. There is engineering involved and they have to analyze the openings and come up with a calculation for the highest wind load, on the highest level, on the suction side, and once they determine that, based on 140 mph, that's the amount of force that that opening is subject to and those windows throughout the entire building will meet that force. At the third floor and below it will also meet the large-missile standard.

Robert Fisher thanked Tony Gonzalez, and Tony Gonzalez said we're lucky to have two structural engineers on the committee and a lot of people here who care. Tony Gonzalez also thanked Bob Ortiz and Robert Fisher and Wendy Rosen.

Robert Fisher asked if someone would be interested in making a motion so we could have a unit owner vote for the replacement of our windows and doors for new impact windows and doors. Keep in mind this vote requires a 75% majority to require every one to do it. If you don't vote, it's a "no" vote. Unit owners can order windows and doors tomorrow and we'll try to find out how if you're interested.

A unit owner asked how long it took to do 500 units? Robert Fisher answered the question and said that he didn't know at this moment. Tony Gonzalez said that he didn't know, but he can ask.

A unit owner asked if hurricane windows could blow out? Tony Gonzalez answered the question and said absolutely. It has to do with the amount of force and I can't determine that. If they're getting hit with a bigger force than what they're rated for they can blow out. A shutter can be impacted with a greater force than what it's rated for and it will go straight through the shutter and through your window. The unit owner asked what happened next door at 2080? Tony Gonzalez said you would have to go through a full structural analysis of what happened. Was it installed correctly? There was plywood on the openings but that doesn't mean that the window broke, maybe it was the glass that broke.

Robert Fisher called for a motion.

Donald Pinkus made a motion that we send out a letter out seeing if we can get 75% of all unit owners to approve impact windows. Bob Ortiz seconded the motion.

Robert Fisher said this is a vote as to whether you even want to do it or not and we'll include information with the package. The ideal protection is for everyone to have it, but if people don't vote for it they're not required to do it, but you can still do it on your own. There are some people

who may want it tomorrow and there are some people who may not want it ever, and if they're required, they will reluctantly put it in.

A unit owner asked what number of units are required by the company? Robert Fisher answered the question and said he hadn't discussed that yet.

A unit owner said that they're all for the windows, but we don't have enough information for a vote and that we need to find out more about Barbat.

Robert Fisher asked by a raise of hands if people would like to proceed to get it done and get a vote, or if we should wait and try to get more information. The raise of hands was fairly even. If you vote no you don't have to worry about it but a lot of people don't want to wait either. We want to do the right thing, but waiting isn't always the right thing and we don't have to pick this person. Doing nothing is just wrong for a lot of people.

A unit owner said it doesn't seem like this is going to happen for 520 units this year so what is the difference if we wait another week or two. Even if we order today they will not get it done before hurricane season. Robert Fisher said maybe they wouldn't get all of them, but they could get to some of them, and people could order them anyway. We'll make a motion and we can vote, people can vote no, but to deny them a right to vote seems silly. The unit owner asked about the common areas and if it was included in the \$6 million. Robert Fisher repeated that it was not and it will cost approximately \$200,000.00, and that we would probably end up putting that in our own budget or if we have the monies to do that, we would do that within the building.

A unit owner asked if the prices quoted are only applicable if everybody does the windows and if we do it individually will it be the same price? Robert Fisher answered the question and said that right now he believes we can all get that price individually. Barbat's not looking for one person; if we had groups of twenty, thirty, forty, fifty people we could get that price. If we have all 520, the price would probably be a little bit better.

Robert Fisher asked Donald Pinkus if he could proceed now, after the discussion, with his motion.

Donald Pinkus said he'd like to make a motion that we send out a letter to see if 75% of the people in the building want to put impact windows in. We can also add to that that we can send all the information we have as far as price, etc. when we make that inquiry. Robert Fisher asked does that mean we will do an investigation during this time trying to include all information that we find out about the contractor, time it takes to install it, type of glass, etc. Donald Pinkus said he thought that we should include that. That's a comparatively short period of time and we wouldn't expect Tony Gonzalez to run all around, but we could have a bunch of board members go interview people and look at buildings. Max Silberman seconded the motion. A vote was taken by roll call and all members voted yes. Boris Moroz said we need a time limit. Robert Fisher said that when we put out the ballot, if we don't get an answer, no answer is a "no." We will make a reasonable time limit, plus mailing time; we'll figure the time plus fourteen days.

A unit owner asked what about a vote on shutters? Donald Pinkus said how about either or and Robert Fisher asked if this is the direction we want to go. Earlier, by the raise of hands, it looked

like 75-80% of the people were interested in windows and doors. People are concerned about getting the correct information, but when we asked for shutters or windows or doors by the raise of hands it was overwhelmingly windows and doors. Sy Kessler said we could put both on the ballot. Robert Fisher said when we start dividing the vote it's hard to get 75%. I think we have to go for just hurricane protection with windows and doors and shutters, that's one vote yes or no, or it has to be windows and doors without shutters, yes or no. If you go three directions you'll never get the 75% majority, if we even want any of the above. Johnny Pekats suggested shutters alone. Robert Fisher called for another raise of hands to be clear and asked if people wanted impact windows and doors, shutters, or if they wanted to do nothing. By a raise of hands we are going to have a vote for windows and doors.

Tony Gonzalez confirmed that we need to find out how the clients reacted to the installation, the time of delivery or completion, how long did the project take, and to also make a physical examination. Bob Ortiz suggested that we may need volunteers and Tony Gonzalez said he was going to contact the committee first. Robert Fisher said we're preparing the ballots and we need to do this on a very timely basis because we'd like to get this out in a week or so. If we find out that there's bad information we'll call a special meeting to explain what we've been finding.

#### INFORMATION TECHNOLOGY COMMITTEE

Julie Fisher presented the report and introduced the other committee members: Albert Mizrahi, Boris Moroz, Veysel Naranjo, Bob Ortiz, Don Pinkus, Emma Sardiña and Howie Silston. We've been working to bring our office up to date and make things run a little more efficiently and to reach our ultimate goal which is to provide meaningful information to and for all the unit owners, our accountant and the maintenance department so that we can be more informed, be in compliance, track costs and try to save some money. We've installed two new workstations and our system has been networked. The information in Yardi, our property management software, is being brought up to date, cleaned up and corrected. This is an ongoing project. We are working to create some work order solutions so that we will be able to track our time and expenses and make things a little better for Jose and the residents by making sure that the repairs in your apartment are completed. We now have a website and an email established. Our website address is [www.parkerplaza.org](http://www.parkerplaza.org) and our email address is [office@parkerplaza.org](mailto:office@parkerplaza.org). Julie Fisher displayed a picture of the home page and gave an overview of the website. A unit owner asked about adding links to the hurricane window and shutter companies who we talked about tonight and Julie Fisher said she knew most had websites and she would be happy to include that. Julie Fisher thanked Franklin Bastidas and Ronnie Bastidas, who work here in the building, for all of their tremendous help getting everything connected. A unit owner asked about Channel 95 and Julie Fisher said it would be a goal for the coming week to find out what's wrong and get it running. A unit owner asked about the building setting up a wireless hotspot and Robert Fisher said that we haven't considered it at this time.

#### LANDSCAPE COMMITTEE

Robert Fisher said that neither Manny Lagonikos or Carmine Tufano were here, but they've been working very hard around the pool deck and all over the property getting our sprinklers fixed and getting timers for them. We're talking with the landscaper about taking care of the area in front of the garage. They've been doing a great job and we thank them.

### SOCIAL CLUB

Ruth Steinberg thanked those who helped make the past two functions successful and thanked her board who worked really hard. The next function will be April 30, 2006 with Zippy and on May 7, 2006 we're going to Calder. We're planning a barbeque on July 4th for all of us. Donald Pinkus is our new treasurer. Future events include a trip to a culinary institute, including lunch, and we're also planning a dinner and show. We're looking into going to the Flagler Museum, a Key West trip is in the works, also the Aquarium and Butterfly Word. Other events include an overnight cruise for three or four days or maybe even seven days. We're sorry that the Atlantic City trip didn't work out but it was too close to the holidays. Linda Shamlian is giving Spanish lessons every Monday from 10:30 to 11:30 for \$2.00.

### WELCOMING COMMITTEE

Sy Kessler announced the following sales:

Apt. 2102 on 03-02-06 for \$240,000.00 from Schwartz to Mikhaylov

Apt. 724 on 03-02-06 for \$360,000.00 from Glass to Colosimo

Apt. 1203 on 03-09-06 from Sentmikhail rented to Grubman

Apt. 906 on 01-25-06 for \$350,000.00 from Weinstein to Hildemar

Apt. 302 on 04-16-06 for \$330,000.00 from Ulyanitskaya to Kurz

We have two more closings tomorrow, Apt. 523 (Haves) and Apt. 808 (Spritz).

### NEW BUSINESS

#### INTRODUCTION OF NEW MAINTENANCE SUPERINTENDENT

Robert Fisher introduced our new maintenance superintendent, Jose Sardiña. He worked for the City of Miami for 28 years. He started out as an Engineer Second, Technician 2, worked his way up to Engineer Technician 4, and in 1999 he became the Superintendent of Property Management for the City of Miami General Services Administration. We were lucky that he was in his retirement drop period and that he was interested in coming to help us. Since 1999 he has been a licensed General Contractor. One of the good things about having Jose with us is that he lives in our building which is an advantage because we have someone 24 hours a day who could be there in case of an emergency, not that we're calling him! Jose's wife is a former board member who is also an asset to the building and we're really happy and glad to introduce Jose as our new Maintenance Superintendent. He's well-organized and efficient and an asset to our building. He took control of the office and brought all the men in and told them what he required and provided them with everything that they need to do their job. Robert Fisher thanked Jose and Herb Shamlian, who is always right there.

### LITIGATION

Robert Fisher said we have three items. We have one Class Action Complaint that has been filed. It is the Unit Owners of Parker Plaza, as the plaintiffs. The defendant is the Condominium Association of Parker Plaza, Inc., a non profit corporation; Robert Hittner, individually; Valerie Davis, individually; Angel Ramos, individually; Joseph Greenberg, individually; Milton Beer, individually; Mickie Wohl, individually; Arline Vordermeier, individually; Bruce Kirsch, individually; Dave Thomas, individually; Maxine Paris, individually; Albert Rotches, individually; and we're going to have a moment of silence for him later, but he was named in the suit. Even though he was part of this he was someone we all respected very much. And Hugo

MacFarlane, individually. The complaint itself has 136 paragraphs with ten counts. We were asked by our attorney not to comment on any on-going litigation specifically, but we want you to know that it is going on. In addition, we have two other lawsuits; one is with Blessing Construction for breach of contract. That complaint has been filed. Another one is with U.S. Contracting and Plumbing for breach of contract, and that complaint has been filed. They are ongoing and we are hoping to have a resolution, obviously as soon as possible. Just one last mention is that Blessing Construction is for a roof contract where a deposit was paid for \$330,000.00, and U.S. Contracting and Plumbing was for a contract for new storm wells for \$635,000.00, where a \$320,000.00 deposit was paid.

#### INSURANCE RENEWAL

Robert Fisher said our insurance expires on June 1. QBE is our carrier and In-Source is our agent. QBE will not be renewing our hurricane damage and windstorm. We need to get a new company for our \$65,000,000.00 casualty coverage. Our other insurance, and there many parts like Worker's Comp, will still be in place. We're looking at other companies. The Mack Group and Smith Watson Parker insure other condos in our area and they told us they're all going to be about the same, it's just a question of who you like more. The two points we need to understand is that our deductible for damage will not be 2% like last year, it will be 3%, and that's why we're trying to protect ourselves with windows and doors. Secondly, there will be an increase in our insurance. It could be 20-30% overall and the actual casualty, which was \$535,000.00 this year, could go up 50%. We have to protect ourselves and we'll try to get the best price that we can. Sy Kessler said we have no choice but to go with Citizen's, the state run insurance, for the windstorm, and whatever the price schedule is we have to live with it. They are the only ones who will take us on. A unit owner asked if hurricane windows would help us with the insurance. Robert Fisher said he's heard two things. QBE is trying to limit the amount of policies that they write and they're only taking on new buildings with impact windows and doors and I've been told that even though we're an older building, if we had 100% impact windows and doors, QBE would be willing to cover us, but we're not sure. We don't know what the savings would be.

#### STATUS OF INSURANCE SETTLEMENT - HURRICANE WILMA

Robert Fisher said he hopes the last step in getting any kind of payment is the meeting between our insurance adjuster's engineer with our insurance company's engineer to discuss the cost of the two proposals. Our adjuster and their engineer gave a claim of \$2,369,670.00, they're saying that is the damage in our building. We have a \$1,217,000.00 deductible which leaves a potential balance of \$1,152,530.00 of money we could collect on our claim. However, we've received an email from our insurance agent, In-Source, because we were trying to get some money or even an initial payment because we thought there was that much amount of money that we were entitled to. He informed me that Norman Lesser, who is our adjuster, his scope of damage includes \$720,000.00 worth of items that are not covered by our insurance, such as parking lot, paving, curbs and landscaping. That still leaves a balance of \$432,000.00 as part of our claim that Norman Lesser is making. However, on the other side, the insurance company's agent and engineer say that they don't agree with the amount of damage. They're saying we have \$1,290,000.00 worth of damage, and of that, they say \$750,000.00 is the roof. I don't want to comment too much on the roof, but if we subtract our \$1,217,000.00 deductible from the \$1,290,000.00 worth of damage we're left with \$73,000.00. So we have the \$432,000.00 that our company says, the \$73,000.00 that their company says and then they question the value of the roof

and other items. They will be meeting May 9th, and hopefully we'll get a resolution at that time. We should just know where our expectations should be at. We don't see it as the millions, we're hoping that it's somewhere in the thousands or hundreds of thousands, but we have no guarantees until it's gone over by them.

#### **ELEVATOR OPERATION DURING EMERGENCIES**

Robert Fisher said that he wants everyone to know that our elevators are now hooked up to our emergency generator and it has been tested and is functioning and working. If the power goes out, when our emergency generator goes on, one elevator on each side will work. If that one elevator fails it shifts over to the next elevator so the system automatically works running one elevator on each side, going through all three elevators, so it has an emergency back up for each elevator. People were always asking why it broke down; they heard it was the wiring or just a part. The reason is several years ago they changed the whole operating component, the whole controller panel of the elevator with the electronics that control the elevators. When they put these new controls in, it had no emergency service in it at all. There was no emergency panel. There was nothing there to make the emergency elevators work. They were never hooked up. It was never tested, it was just something that was done and must have been overlooked. Now they have put in all the components and rewired it and put it together. This was started by the previous board so I don't know about the cost. I did see that we had a bill for the wiring of it. It was started before us and it is complete now. This is something that a lot of us had a real problem with during the hurricane. A unit owner asked why we have no cameras in the elevator any more. Robert Fisher said he doesn't know why they're not there any more, but he'll see about getting them put in. A unit owner asked why there are no lights on in the lobby at four o'clock in the afternoon. Herb Shamlian said when the sun comes in during the day we turn the lights down.

#### **USE OF PAVILION AREA ON THE POOL DECK**

Robert Fisher asked for suggestions about how best to utilize the pavilion area on the pool deck.

#### **ESTABLISHMENT OF HURRICANE READINESS COMMITTEE**

Robert Fisher encouraged the unit owners to join this committee, because with a little preparation we can save ourselves a lot of money and a lot of damage.

#### **GOOD AND WELFARE**

Sy Kessler asked everyone to stand to observe a moment of silence for the untimely deaths of Robert Hirsh, Apt. 1111, and Albert Rotches, Apt. 1512.

#### **ADJOURNMENT**

Robert Fisher asked if there was any other business to bring up at this time. A unit owner asked about the criminal investigations. Robert Fisher said the State Attorney is doing the investigation and we have no further information about anything that they are doing. A unit owner was concerned that people have left the building for the season without bringing in the things from their patio. Robert Fisher said that notices were posted on the bulletin board and on the website and that will be part of the Hurricane Readiness Committee. The unit owner suggested that unit owners be fined if they leave things on their patio, because that's the only way to get people to do it. Sy Kessler asked for unit owners to be aware of everything around them and contact the office

**Minutes 04-19-06**

**Page 16 of 16**

**if they see anything left out on the terrace of any vacant apartments so that we can call the unit owner.**

**A motion to close the meeting was made by Johnny Pekats, seconded by Max Silberman, and approved by all.**

**Respectfully submitted,**

**Sy Kessler, Secretary**