

**WHITTIER OAKS HOMEOWNER'S ASSOCIATION, INC.**  
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**MINUTES OF THE BOARD OF DIRECTORS MEETING OF WHITTIER OAKS HOMEOWNER'S ASSOCIATION HELD ON MONDAY, APRIL 19, 2010 AT THE PUBLIC WORKS BUILDING AT 7:00 P. M.**

**The minutes of the Board of Directors meeting of Whittier Oaks HOA held on Monday, April 19, 2010.**

**Dominick Peri called the meeting to order at 7:27 P. M.**

**Those present were Dominick Peri, President, Lisa DePace, Vice President; Kevin Burger, Secretary, Larry Jaffe, and Joe Rusinowski, Directors and Mario Bick, Director. Melissa Heller was absent with prior notice. Also present from Residential Management were Mark McKnight, Gary Palombi and Anne Reyes.**

**Prior to beginning the meeting, Chief O'Connell from BSO was in and gave out a newsletter from the Sheriff and the Chief. Important dates were the Healthy Kids, Safe kids which was last week and on April 24 the Passport to Parkland. There will also be a Shred a thon from 9 to 12 Noon, up to five boxes could be shredded. There will also be a BSO operation medicine cabinet – many kids are taking the prescription drugs of their parents and grandparents, or outdated drugs. If you turn them into BSO, they would destroy them and the resident gets a \$5.00 gift card for a local vendor.**

**National TV turn off week is to encourage parents to talk to the children instead of watching TV. In 2009, Parkland had the lowest crime rate making it two years in a row.**

**Commissioner Weissman was in attendance and thanked the Chief for enforcing parking in Parkland. Parking is an ongoing issue. On May 5<sup>th</sup> there will be a commission meeting. They want some people to attend for support and to thank the commission for allowing the no parking signs to stay. Also signage will be an issue at the front entrance to Terramar (Baker Zimm building) has two signs, which were allowed, at first only one was to be on the building. Now a tenant wants a third sign on the building. The reason is because of the economy and they want more visibility but the Commissioner feels residents should come out to voice their opinion on the signage. The meeting is May 5<sup>th</sup> at City Hall and there would be a Good and Welfare for Public input on non-agenda items. He also stated that there would be only one more trash bill this year. As of next year the bill will go into the tax bill, and the fire assessment would most likely be increased. He stated that the contract was renewed with the fire rescue.**

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**The Commissioner also stated that University Drive would not go through to Palm Beach. He also discussed the preserves and the possibility of the Community taking over an area of the buffer.**

**The meeting continued:**

**MINUTES:**

**Kevin Burger moved to waive the reading of the minutes of the Board of Directors meeting of March 8, 2010 and to approve as corrected; seconded by Lisa DePace. All in favor. Motion carried.**

**FINANCIALS**

**Gary Palombi stated that the past due list went up as it is the first part of the new quarter.**

**Gary Palombi stated that Kaye Bender has not done anything on delinquent accounts. They responded to some foreclosures and sent a bill for \$440.00 plus \$114.00 for copies of the files that needs to be turned over. Gary Palombi had two checks drafted to pay Kaye Bender and he will have the files picked up.**

**He continued to state that one home is scheduled to be sold on April 21, 2010. Possibly the bank would take over and then the Association only gets a certain amount, 1% of the mortgage balance or six months maintenance, whichever is lower.**

**Guy Shir filed motions to compel with five units. The Association would file foreclosure on a home and then go back to the bank.**

**The Budget has a surplus of about \$10,000.00 because the Association is holding back on expenses due to the maintenance deficiency.**

**Gary Palombi stated that as of April 19, 2010 the Cash operating account had a balance of \$109,913.41 and in the cash replacement account the balance was \$77,172.08. This makes an Unaudited total as of April 19, 2010 of \$187,085.49.**

**Dominick Peri stated it was unfortunate that Kaye Bender charged additional fees for records that were the Associations. With the excessive fees, Dominick Peri would like to look into filing a claim against them. A discussion about what fees could be charged ensued.**

**Ira Goldman asked the amount of the delinquent accounts.**

**Gary Palombi replied that \$25,612.70 was just this quarter, which should be collected and late letters went out. There was \$58,070.97 in the over ninety days of uncollected.**

**OLD BUSINESS**

**Gate Incident – Gary Palombi met with the Chabarek and they would not accept the \$1,200.00 offered. They took the three estimates average and a rental and finally settled for \$1,600.00. Gary Palombi received signed papers for the release from them as well as from the court.**

Gary Palombi stated that there was another incident and that a cap was put on the bar as it was missing.

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**Gate Camera Proposals – Proposals were requested in order to see the incidents that may happen at the gates.**

**Access Masters and Gate Masters gave quotes. They say that possibly four cameras are needed in order to see the gate and the license of the cars.**

**A discussion as to the number of cameras that may be needed ensued. Larry Jaffe feels that the extra camera at the entrance is not needed if the bar code system is put in as it could register who came in and the guards would register the guests. A discussion about the money that is needed to pay for the cameras, and the delinquency list as well as how to make up for the shortage of the money continued.**

**Dominick Peri feels that installing the system is an expense but it would limit the liability of the Association.**

**It was asked that those who don't pay the assessments how would they get in.**

**Dominick Peri stated that first the Board needs to decide whether or not to put in a camera system or a bar code system.**

**At the present, the Board decided to table the quotes and to get another bid and to get the equivalent quotes.**

**Dominick Peri stated to ask the other bids to be for four cameras and to get one from Access Masters for four cameras also.**

**The bar code issue was tabled for now as well.**

**Mario Bick stated that he likes the idea of the camera to show what happens at the gate. The other proposal for the bar code system he feels is too expensive for now.**

**Larry Jaffe stated that possibly an AV company would be better to hire and do their work.**

**Dominick Peri checked a discount site to purchase the equipment and it is possibly less expensive but he is not sure what the warranty would be or if there would be a service contract on them whereas the gate company bids would service the cameras.**

**COMCAST**

**Kevin Burger looked at the contract and stated that when it was executed the terms were changed from fifteen years to five years.**

**Gary Palombi stated that the original was signed in 2001 and expired in 2006 but it automatically renewed if there was no cancellation notice, therefore it now expires in July 2011.**

**Gary Palombi stated that Guy Shir sent a letter that Comcast breached the 5% only increase and this may help with the breaking of the contract.**

**Gary Palombi stated there are options of other companies or the Association could not provide the cable and residents could get their own companies.**

**Gary Palombi also stated that he feels they should look at other options.**

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**Larry Jaffe spoke to other residents and some are getting discounts and others are not. He feels that Comcast are not consistent in the community.**

**A discussion about the contract and cable ensued and the cost of the contract. Also discussed were the cable lines in the community.**

**Kevin Burger stated that the Attorney said they (Comcast) were in breach of contract. He recommended to take legal counsel's advice and send the letter to Comcast. He stated that the letter gives them thirty days to respond.**

**It was stated to change that to "If they do not hear within thirty days, it would be understood that you agree with my client and the contract is voided".**

**A discussion about what residents pay and should be paying ensued and that the association pays only for the basic cable amount.**

**Kevin Burger moved to take the advice of the counsel and that he should prepare a letter with the change about ending the contract within thirty days informing them that they are in breach of contract, with the attorney's approval; seconded by Lisa DePace.**

**Joe Rusinowski amended that the Attorney should talk to Comcast and make arrangements. Not approved.**

**Larry Jaffe stated to send a letter to the community and see who has Comcast.**

**Gary Palombi stated that they should see what residents have; such as dish, or other cable companies.**

**The Board went back to Kevin Burgers motion of taking the advice of counsel. The vote was called. All in favor. Motion carried. Unanimously passed.**

**The Board requested to see the letter from the attorney with the changes prior to sending it out. The discussion continued about various options and the possibility to find out the cost of other systems from companies.**

**SPRINKLER CASE – There is an attorney hearing set for April 21 for a motion to dismiss and the Association would get the results then.**

**A discussion about the cost of the Attorney and what would be the better choice to take the settlement or to continue with the case.**

**WEEDS**

**Gary Palombi talked about the weeds and the company that came out and reviewed the community and gave a proposal to do a treatment and maintenance of the weeds. The Board continued to discuss the sod in the community and that the dollar weed should die out by the summer.**

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**Larry Jaffe asked what is being charged for the weed and feed program and what the pest control charges are. It was stated that the Association does not provide pest control, only fire ants in the lawn.**

**Larry Jaffe also stated that he has a private pest control company and he feels a community wide pest control program would be good.**

**Dominick Peri stated that some residents have complained about the excessive weeds and he asked Gary Palombi's opinion.**

**Gary Palombi stated that the only solution is to put in a system of spray and it involves sod replacement as well. Over the years the property was not taken care of and now the weeds are overgrown.**

**Joe Rusinowski stated that recommendations should be given to the residents on what should be done and that they should go to Home Depot and get what is necessary for the treatments.**

**Lisa DePace stated that the front light timers are on two separate lines and with the fluctuation of power, the lights are not going on together. The clocks need to be readjusted.**

**Mario Bick moved to put a sign up asking to email to the HOA residents email addresses for valuable information that would be going their way, as well as this would help going green with the community; seconded by Larry Jaffe. All in favor. Motion carried.**

**NEW BUSINESS**

**Dominick Peri discussed raising the capital contributions to two-quarterly payments. Currently there is a capital contribution to pay one-quarter dues when a property is sold. Dominick Peri would like to have it raised to two quarterly payments (six months dues), which would help the Association.**

**It was asked by Joe Rusinowski how the management company keeps track of the capital contribution.**

**Gary Palombi stated that it is in the estoppel letter when requested.**

**It was also stated that it should be listed in the Real Estate listing.**

**Gary Palombi stated it would most likely take a community vote to have the capital contribution changed. He stated that there may be a limit also as to what could be charged.**

**For the next meeting, Gary Palombi would have a report on what could be charged.**

**Kevin Burger asked if the Association is limited to charge the buyer or can it be charged to the owners also.**

**Gary Palombi said it is negotiable with owners and buyers but usually the owner does not pay.**

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**Larry Jaffe stated that a resident asked if the maintenance is paid one year in advance would there be a discount. It was stated that this is not allowed.**

**Gary Palombi stated that Rita Barrett is getting information on the line of credit and what needs to be done.**

**Lisa DePace stated that there is a tree that looks dead by the sign. Gary Palombi feels it is in shock but he would have Todd look at it.**

**It was also stated that potholes should be done again. It was stated to get a proposal to have the potholes cut out and repair them by cutting them out and filling them with asphalt.**

**On the next agenda for the May meeting, the board would like to discuss cleaning out the French drains and have tree bids for trimming the hardwoods and palms. The last trimming was done on select hardwoods only.**

**There being no further business before the Board, Kevin Burger moved to adjourn the meeting; seconded by Larry Jaffe. All in favor. Motion carried.**

**The meeting was adjourned at 8:50 P.M.**

**Respectfully submitted on behalf of the Secretary of Whittier Oaks HOA**