

Winston Towers 600 Board of Directors Meeting

April 26, 2020

11:05 AM, Virtual Skype Meeting

Mr. Samuel Golberg called the meeting to order on Sunday, April 26, 2020, at 11:05 am, and presented a motion to continue with yesterday's agenda, Mrs. Yolanda Ruiz seconded the motion.

Roll was called Mr. Samuel Golberg, Mr. Semyon Peltz, Mr. Eugene Kotlyar, Ms. Virginia Santoni, Mrs. Patricia Samudio, Mrs. Dolores Bolano, Mrs. Yolanda Ruiz, and Mrs. Sophia David, were present via Skype Video Conference Call; Mrs. Rosana Rodriguez was present via mobile phone.

Mr. Golberg moved a motion to approve the minutes of the 4/24/20, and 4/25/20 meetings, Mrs. Sophia Davis seconded the motion. Mr. Kotlyar, Mr. Peltz, Ms. Santoni, Mr. Golberg, Mrs. David, Mrs. Rodriguez, Mrs. Ruiz and Mrs. Samudio voted in favor of approving the minutes; the motion carried and the minutes were approved.

Mr. Golberg moved a motion to vote on Mrs. Samudio proposal regarding investigating the permits for the barbecues, and surrounding areas, since there is no mention of such areas in the declaration of condominium, before discussing the issue any further or trying to find alternative solutions, Mr. Kotlyar seconded the motion. Mr. Golberg, Mrs. Ruiz, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, Mr. Kotlyar, Mrs. David, and Mrs. Santoni voted in favor: Mr. Peltz voted against. The motion carried.

Mr. Golberg proposed that we limit discussion to 2 minutes per item, if discussion runs more than two minutes, then that item will be tabled for later discussion. All present, except Mr. Kotlyar, were in agreement.

Mr. Golberg presented a motion to begin the discussion and vote of the additional proposed changes to the Rules and Regulations, Mr. Kotlyar seconded the motion and the following were presented:

I. ELEVATORS

Remove, because of redundancy, since all common areas are smoke free, and elevator use prohibit smoking anyways: 1. **Smoking on the elevators is strictly prohibited.**

J. LOCKERS AND STORAGES

5. Any items stored in unauthorized areas, such as, but not limited to, hallways, foyers, lobby, mailroom, recreational rooms, and utility spaces, will be confiscated and discarded and the owner could be subject to fines, and liable for the cost of removal.

M. SECURITY

2. Unit owners and other residents shall not give building entry key FOBS or vehicle barcodes to tradesmen, real estate brokers, or other non-resident persons seeking casual or occasional entry. Any resident in violation of this rule will be liable for reprogramming the key FOBS and vehicle barcodes for all building residents.

O. GENERAL

1. Units may be used for **RESIDENTIAL PURPOSES ONLY**. In no event may more than two (2) people occupy a one-bedroom unit, nor may more than four (4) people occupy a two-bedroom unit, nor may more than six (6) people occupy a three-bedroom unit. These conditions are subject to applicable federal, municipal, county, and state laws.

Remove because this is a matter for the Employee Handbook, not the Rules and Regulations:

4. The concierge shall not leave his station except in emergencies.

21. RENTING/LEASING: Unit owners must receive prior approval of any lease from the Board of Directors before such lease takes effect. If a tenant vacates a unit prior to the end of the approved lease, the unit owner **may not** rent the unit again until the original approved lease term expires. Only one lease is permitted per calendar year. Unit owners may not engage in transient rentals and must observe minimum lease terms as set forth in the Condominium Bylaws or as required by applicable law. Further, all leases must comply with Ordinance No. 201-522 of the City of Sunny Isles Beach, as may be amended from time to time. *Airbnb, HomeAway, couchsurfing*, and other similar short-term rental services are **STRICTLY PROHIBITED**. Long term room leases are subject to the same application, screening process, and rules as whole unit leases. Units and rooms **MAY NOT** be subleased.

23. PETS: This is a no-pet building. Only emotional support animals, and service animals are permitted in accordance with the bylaws. Prior to bringing an animal on condominium property, a unit owner is required to complete an emotional support and service animal application and furnish proper documentation sustaining the certification of the animal. Vaccination records and a color picture of the animal are required, and must be updated yearly. ~~Should permission be granted by the Board of Directors, the resident must abide by the animal rules.~~ Animals are not allowed to roam freely under any circumstances; they must be leashed, and muzzled if necessary, and, with the exception of guide dogs, hearing dogs, and mobility assistance dogs, placed in a carrier when being transported through common areas and elevators. Pets must be transported in the east and/or west service elevators only. Animals are not to be walked at any time on the condominium property. Curbing animals on condominium property is strictly prohibited. The animal owner is liable for any damages their animal may cause. Only dogs and cats are allowed. Failure to abide by these rules will be subject to permission revocation, animal removal, and fines imposed. Renters are not allowed pets per condominium bylaws. Please refer to article 12.3 of the Condominium Bylaws for further information. In the event of conflicts between these rules and the American with Disabilities Act (ADA), the Housing and Urban Development (HUD), or the Fair Housing Act (FHA), the latter shall govern.

24. Engaging in activities such as, but limited to, feeding, petting, trapping, or harassing the wildlife anywhere on the property is strictly prohibited.

Mrs. Santoni, Mr. Kotlyar, Mrs. Ruiz, Mr. Peltz, Mrs. David, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, and Mr. Golberg unanimously agreed in favor of adopting the above mentioned changes to the Rules and Regulation.

The following item was offered for knowledge of the Board members: an item must be removed from the Rules and Regulations because, after legal consultation it was discovered it is not legal. Balconies are appurtenances to the apartments, and legally we cannot prohibit activities in private property.

N. BALCONIES

REMOVE: ~~11. Smoking on balconies is strictly prohibited.~~

The meeting continued with a discussion of proposed changes to the Bylaws that had been approved by the previous Board, but were never recorded. Some of the changes are updates to reflect laws that have been put in effect since the Bylaws were originally written, but others are the result of ambiguous language and situations that have arisen. Given that 50% of the Board is new, the discussion on the latter was taken up again in order to give new members an opportunity to voice their opinions.

The following points were presented:

1. Who can run for the Board of Directors? Our condo docs are inconsistent in regards to this subject. For example, currently a person not in the deed is able to run for the Board. Should that person be allowed to run for the Board? Another example, a person that cheated the government by claiming homestead and at the same time renting out the unit. Which is illegal. Should that person be allowed to run for the Board?

Mrs. Santoni, Mr. Kotlyar, Mrs. Ruiz, Mr. Peltz, Mrs. David, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, and Mr. Golberg unanimously agreed in favor of adopting that *each Director shall be a record title holder of a Unit.*

2. Should we limit in the future the rental activity to one rental agreement per calendar year per unit?

Mrs. Santoni, Mr. Kotlyar, Mrs. Ruiz, Mr. Peltz, Mrs. David, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, and Mr. Golberg unanimously agreed in favor of adopting that *No Unit Owner may lease a Unit more than once in a twelve (12) month period, measured from the commencement of the most recent prior lease; however, this restriction shall not apply to renewals of leases to the same tenant.*

3. We have too many investors into the rental business in this building. We should discuss if in the future any investor purchasing an unit should have a one year waiting/remodeling period before being able and allowed to rent/lease that unit.

Mrs. Santoni, Mr. Kotlyar, Mrs. Ruiz, Mr. Peltz, Mrs. David, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, and Mr. Golberg unanimously agreed in favor of adopting *a moratorium against*

leasing during the first twelve (12) months of new ownership; however in the case of an existing lease, said moratorium shall commence upon expiration of the existing lease.

Having finished the discussions pertaining to the changes to the Rules and Regulations and Bylaws. The meeting continued with other pending situations for discussion:

1. Package deliveries to our building are dramatically increased without increasing our capacity and resources. Everybody should understand that handling packages for residents is a courtesy and not a responsibility. There is nothing on this subject within the condo docs. We need to discuss and come up with a resolution for following issues with incoming and outgoing packages:
 - a. Storage capacity, to many resident do not pick up their packages thus using our facility as a storage
 - b. Liability for incoming and outgoing packages
 - c. Shortage of personnel to handle packages thus inability to perform other important security items
 - d. Some residents use our building address for business transactions and deliveries (inbound and outbound). Winston Towers 600 is a residential condominium and business activities are not allowed by our By-Laws.
 - e. Some residents order merchandise and provide the wrong address or not providing unit number thus making personnel spend more time researching these errors.
 - f. Residents getting notifications from the truck notifying them that the package has been delivered and immediately coming down to the Security Front desk demanding and arguing about their package at time when the packages are still getting sorted by the truck driver within the truck and did not yet get delivered to us to be registered and stored (which is a long process depending on number of packages delivered by this company) in the storage room.

After extensive discussion, it was voted and decided that residents will be notified, and must acknowledge through signature on a release of liability document, that WT600, and its security and employees, will **NOT** be liable for any packages lost or damaged. Also, it was voted and decided that residents are responsible for their outgoing packages, WT600, and its security and employees, will **NOT** accept outgoing packages and mail. The other points will be tabled for further analysis and to brainstorm alternative solutions, and to be able to create well written and fair rules regarding the same.

2. It was proposed that signs be placed at all entryways and elevators stating that:
Smoking in all common areas, facilities and amenities located on the condominium property is strictly prohibited. Violators are subject to fines and/or removal from the property.

The property manager will be instructed to work on placing these signs.

3. It was proposed that the locker rental fee be reduced from \$60.00 to \$55.00
After extensive discussion on the matter, it was voted and decided that the rental fee will remain the same until the 2021 Budget is discussed.

4. Employee Handbooks are ready, and were revised by the labor lawyer. Vote is needed from the Board to approve the handbooks to be distributed to the employees.

After discussion on the matter, Mrs. Santoni, Mr. Kotlyar, Mrs. Ruiz, Mr. Peltz, Mrs. David, Mrs. Samudio, Mrs. Bolano, Mrs. Rodriguez, and Mr. Golberg unanimously agreed in favor of adopting the employee handbooks.

5. Mr. Kotlyar inquired about implementing a new service to WT600 residents where any WT600 resident can request the assistance from the Maintenance department for any work/help in their individual apartments for a price of \$10 for half an hour of service paid to WT600 Association.

Mr. Golberg explained that this service has been assigned to the Property Manager for evaluation of feasibility and availability of the Maintenance Department personnel.

6. Mr. Kotlyar inquired about the status of the iguana removal from the WT600 barbecue area.

Mr. Golberg explained that the Redline Iguana Removal Company has been contracted for the service; the details of the price are as follows: \$500 for an initial week of iguana trapping + \$2,700 yearly maintenance plan, for a total price of \$3,200. Also, the Property Manager requested a contract correction from Redline Iguana Removal Company to include a 30 days conciliation provision in the contract.

7. The last point of discussion was the email sent by Mrs. Omayra Lluch to the Board of Directors.

After very polarized discussion on the matter, and considering that Mrs. Lluch did not specifically request any action be taken, this matter's outcome is pending further investigation and conversation with Mrs. Lluch.

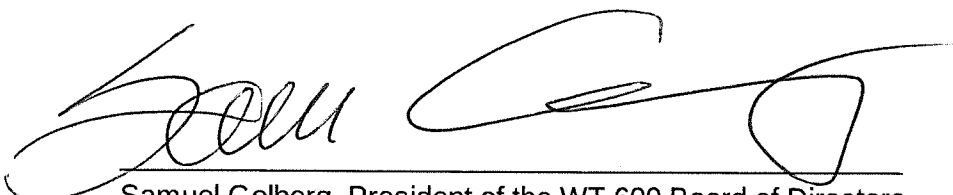
Having discussed the pending matters from the original agenda from 4/24/20, and considering the meeting was over by 45 minutes from the originally allotted time, the meeting was ended.

The meeting was adjourned at 1:45 PM.

Minutes submitted by the secretary, Virginia Santoni



Virginia Santoni, Secretary of the WT 600 Board of Directors



Samuel Golberg, President of the WT 600 Board of Directors