

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, SEPTEMBER 1, 2016**

ATTENDEES: John Hansman, John Daroff, Dorie Mangan, Alex Manolatos, Ellen Stein, Judy Rudolph, Pat Reber, Fran Denny, Elliott Pickar and Jim Denny.

Absent board members: Magnus Turesson

Late arrivals: John Brown, Dan Barresi and Huan Li.

Community Forum: John Hansman called the meeting to order at 7:00 p.m. The meeting started 30 minutes early to accommodate a special listening session to gather community input for NMC spending and the annual budget. There were only 4 residents present in addition to the Board. John said we would wait for several minutes in hope that more residents would show up.

Approval of Minutes and Agenda:

While waiting John asked the Board to review and approve the minutes of the July 7 and August 11 meetings. It was determined there was not a quorum of members who attended the July 7 meeting present to approve the minutes.

Dorie Mangan made a motion to approve the August 11 minutes. Alex seconded the motion. The motion was approved by of 4 yes votes and 1 abstention. John Hansman, John Daroff, Dorie Mangan and Alex Manolatos voted yes, Ellen Stein abstained because she was not present at the August 11 meeting.

Ellen made a motion to approve the agenda of the September 1 Board meeting. Alex seconded the motion which passed unanimously.

At approximately 7:15 p.m. John Hansman stated we would proceed with the remainder of the agenda.

Officers and Committee Reports:

John Hansman reported the Architectural Control Committee (ACC) had an issue with the siding that was installed on the back of the townhome at 806 NME. The ACC approved new siding, but the contractor installed a siding that was not was approved by the ACC. The installed siding has a curved or scalloped bottom edge. The shingle approved by the ACC had a straight bottom edge. The ACC will work with the home owner to correct the problem. The next ACC meeting will be Monday, September 5 at John Hansman's home, 6 Radburn Court.

John Daroff presented the Communications Committee (CC) report. The new website prototype looks good. Judy is working closely with the website designer. John Daroff is in the final stage of implementing Google Business. New email addresses for the Board, the administrator and the committees have been created and will be included in the 2016-2017 NMC Directory. The August electronic newsletter was emailed on August 21. The September newsletter will be a

print issue. The next Communications meeting will be on September 9 at 7:30 p.m. The location to be determined. The Communication Committee report is in Attachment A.

Ellen Stein, reporting for the Landscape Committee, mentioned the next meeting will be September 6 at 7:30 p.m. at Ellen's home, 7 Cumbernauld Court. Ellen told the Board the plantings at the corner of New Mark Esplanade and Welwyn Way had be completed. The Committee had revised Landscape Committee mission statement and tree policy for the Boards review and approval. That item was moved to the New Business section of the agenda. The Landscape Committee September meeting agenda, along with new mission statement and tree policy are in Attachment B.

Jim Denny, reporting for the Pool Committee, mentioned the pool will close for the season on Labor Day, September 5 at 6 p.m. The staff, for the second half of the pool season, has been great. Our pool manager, Petr, along with his colleagues Nicolle and Vit, all from the Czech Republic were our core staff from mid-July. Rachelle was our permanent substitute life guard and completed the team. Jim mentioned he would welcome them all back next year. Nancy Wood was chairperson of the Pool Committee last year and is willing to continue a chairperson this year. Jim requested the Board approve Nancy as chairperson of the Pool Committee. Dorie made a motion nominating Nancy Wood as chairperson of the Pool Committee. Ellen seconded the motion which was passed unanimously.

Dan Barresi, who is chairperson, for the Community Enhancement Committee mentioned the next committee meeting would be on September 22 at 7:30 p.m. in the clubhouse. He handed out the check list that committee members would use during the inspections, the proposed letter to be mailed to residents with the result of the inspection, and the response form the committee is requesting residents use to reply to the inspection report. Dan mentioned there were not any items exempt from inspection, including ACC violations. Judy mentioned there were 6 to 8 townhomes that were in a very poor condition. John Hansman asked, to what extent can the HOA pursue action against residents whose home is disrepair; can we get the city to intercede; and for homes in very poor condition, would it be feasible to use the Commission on Common Ownership Communities (CCOC) complaint process to enforce home maintenance. John Hansman thanked the Community Enhancement Committee for their hard work and commitment to get the inspections completed and mailed to the community. Community Enhancement Committee summary of the initial walk through findings are in Attachment C.

John Brown joined the Board meeting in progress. Since John Brown had attended the July 7 Board meeting, John Hansman ask that the minutes from the July 7 Board meeting be reviewed and approved. Upon a motion by Ellen and seconded by John Daroff, the minutes of the July 7, 2016 board meeting were unanimously approved.

Ms. Li who lives at 314 NME was present to discuss a parking issue with the Board. A neighbor who lives in the opposite side of the court from her home has parked their extra vehicle in an unreserved spot in front of her home for months on end. The vehicle appears to never be driven.

It has a current inspection sticker. She is requesting the Boards assistance in getting the neighbor to move the extra car to an unreserved spot that is not in front of a home.

Old Business

Commission on Common Ownership Communities (CCOC): John Hansman reported the hearing for the CCOC case of Berman vs New Mark Commons Homes Association, Inc., is scheduled for September 15, 2016. The Association has incurred approximately \$6,900 in legal fees as of July 31, 2016.

NMC Clubhouse – ADA access and other issues: John Hansman mentioned he and several Board members have visited six other community clubhouses and pool facilities during August. They have come up with a prioritized list of NMC clubhouse repairs and renovations. They are:

- New roof with insulation and a new furnace.
- Upper level - ramps to each level from driveway plus ADA/family bathroom.
- Lower level - remove interior wall within each lower level locker room and convert one stall to handicap access. New paint, updated lighting fixtures, update shower and sink plumbing fixtures, repair door frames, upgrade ventilation system and possibly add air conditioning.
- Upper level – insulate exterior walls and drywall. Convert fireplace room into office space for administrator. Install audio-visual equipment and lighting.
- In considering office space, we should look at the maintenance building. There is a washroom. Space can be rearranged. We need better file storage with humidity control.

Electric vehicle charging station: Jim gave the Board a proposed survey that would help determine the interest and need for an electric vehicle charging station in NMC. The survey would need to be edited before it could be distributed to the community.

2017 Budget work session: John Hansman mentioned a work session for the 2017 NMC budget will be held October 19 at 7:30 p.m. in the NMC clubhouse. It is open to all residents.

Annual Board of Director's Open House: John Hansman announced the Board of Director's annual Open House is scheduled for Saturday, October 15th from 5 to 7 p.m. in the NMC Clubhouse.

On-going projects: Jim gave brief status update of several projects:

- 300-314 NME drainage: We received a proposal from Mark Willcher and Co. 324-328 NME: Matt Stolburg and Jim looked at the site. Matt will prepare a proposal to mitigate runoff from the slope.

220 NME: Met with new contractor and he will submit a proposal to remove the rotten railroad ties, replace them with pressure treated 6 X 6 timbers and backfill with soil as necessary.

2016 Capital Improvement Plan(CIP) update: Jim gave the Board an updated CIP with the status of projects and revised timelines. A copy of the CIP is Attachment D.

Hiring additional NMC staff: John Hansman mentioned he and John Daroff will meet with Jim on September 6th to identify tasks that could be handled by an assistant, the hours required, and compensation.

NMC safety walk with Rockville Police Department: There will be a safety walk of the community on September 29 with officer Ken Matney from the Rockville Police Department.

New Business

DeLeon and Stang CPA renewal letter: We received an engagement letter to continue to provide audit and tax services to NMC. Jim mentioned we have used DeLeon and Stang for at least 7 years. They were instrumental in the transition from our old accounting system to Quick Books Pro in 2010. After discussion, the Board directed Jim to solicit proposals from other accounting firms for audit and tax services.

Bonifant Tree Service proposal: We received a proposal from Bonifant Tree Service for the removal of 4 dead trees in the community. Three pine trees near the parking lot in front of 146 NME and one dead Maple tree at the entrance of the 200-342 block of NMC. The proposal was for \$1,875. Jim felt the proposal was a bit high and asked the Board to approve a 'not to exceed \$1,875' for tree removal. He will solicit a proposal from another contractor and select the lowest price for the work. After discussion, Ellen made a motion that Board approve an amount "not to exceed \$1,875" for the removal of four dead trees. John Brown seconded the motion which passed unanimously.

Landscape Committee – revised Tree Policy: Ellen Stein gave the Board a handout that contained the Landscape Committee's Mission Statement, a revised Tree Policy and a statement concerning lake maintenance. She is requesting the Board review the Tree Policy. After discussion, the Board had several minor changes. Ellen made a motion that the Board approve the Tree Policy with the changes noted. Alex seconded the motion which was approved unanimously. The revised Tree Policy is attachment E.

Administrator's Report

Location selected for the Little Library: Jonathan Smith and Jim met at the clubhouse to select a location for the Little Lending library. After considering several sites, they agreed to a location in the grassy area on the left side of the clubhouse driveway as you are walking toward the clubhouse. Jim will call Miss Utility before any digging begins to install the post for the library.

Dues update: Jim reported twelve (12) residents have not paid the second installment of their HOA dues.

ATTACHMENT A

9/9 met
Comm. Comm. 1

NMC Communications Committee
Report to the NMC HOA Board of Directors 9/1/2016

The Committee has not met since the 8/11 report to the Board, but committee members have continued to be active in ongoing and ad hoc projects:

Website redesign/rehosting

- Josh Grabenstein has now provided us with a prototype website that members of the committee are accessing and can begin editing.
 - Josh has provided training (Wordpress, Google drive, etc.) to Judy Rudolph
 - Pat Reber and Judy are beginning to update content
 - Josh and Judy will prepare written instructions for staff and others who will need to revise website content during development and maintenance
- We continue to hope to officially unveil the new website at the October cocktail party

NMC Email

- John Daroff is in the final stages of implementing Google Business.
- Implementation of *@newmarkcommons.org* email addresses for the Board, Jim, and committees is complete; these addresses will be used in the 2016 Directory and on the website. John Daroff will work with Jim to implement training.

Newsletter

- August issue emailed, 8/21
- As noted last month, we now have available PDF versions for those desiring print versions of the electronic newsletters. We continue to await input from Jim about logistics for this.
- A *paper* September issue is slated for September 17-18; deadline for input 9/9, to allow for the increased logistics required by the paper edition (coordinating with the graphics specialist, printing, and delivery time). A paper issue this month will ensure that every household receives a report on the 9/1 budget listening session and is aware of the October budget work session and Annual Open House.
- Lack of responsiveness to communications and deadlines by those submitting material is becoming an increasing problem.

Mailchimp Broadcasts

The Committee will discuss at its September 8 recommendations regarding the recommended tool for and policy on the frequency of and circumstances warranting broadcast emails.

Database maintenance

Judy Rudolph continues to work with Jim to maintain both the AtoZ and Mailchimp databases, including changes triggered by the hardcopy information sheets, "bounces", and Mailchimp subscribe/unsubscribe requests.

Directory

Judy Rudolph and John Daroff updated the Board and Committee front material for the 2016 Directory.

2017 Budget requests/priorities

- Recurring annual maintenance and subscription costs of _____ for one.com, Google Business, and additional tools. Details will be provided to Jim for the draft budget before the October work session.

Our next meeting will be Thursday, 9/8, at 7:30 PM.

August Mailchimp activity:

Broadcast: September 1 Budget Forum Regular · New Mark Commons Homes Association, Inc. Sent on Mon, Aug 29, 2016 10:44 am	424 Subscribers	43.3% Opens	5.9% Clicks
August 2016 New Mark News Regular · New Mark Commons Homes Association, Inc. Sent on Sun, Aug 21, 2016 10:03 am	420 Subscribers	45.1% Opens	4.5% Clicks
Broadcast: Pool Party Registration Extended 08112016 Regular · New Mark Commons Homes Association, Inc. Sent on Thu, Aug 11, 2016 6:53 pm	418 Subscribers	40.9% Opens	0.0% Clicks
Broadcast: Pool Party Reminder 08042016 Regular · New Mark Commons Homes Association, Inc. Sent on Thu, Aug 04, 2016 5:47 pm	418 Subscribers	40.2% Opens	0.0% Clicks
Broadcast: Thank you/National Register Application approved 08022016 Regular · New Mark Commons Homes Association, Inc. Sent on Tue, Aug 02, 2016 5:38 pm	419 Subscribers	50.2% Opens	2.2% Clicks
Broadcast: National Register Application Update "In Case you Missed It" 08012016 Regular · New Mark Commons Homes Association, Inc. Sent on Mon, Aug 01, 2016 10:00 am	420 Subscribers	43.1% Opens	1.4% Clicks

ATTACHMENT B

LANDSCAPE COMMITTEE AGENDA SEPTEMBER 6, 2016

1. Read over Mission Statement, Tree Policy and Lake Maintenance that Board of Directors for approved.
2. State what was done in July and August: finished planting NME and Welwyn, removed dead branches on Skip Laurel and yarrow around the pool's perimeter
3. State what needs to be accomplished:
 - pruning and removing weeds from the Red Twig Dogwood,
 - designing and planting left side of main entrance,
 - trimming/weeding main island, trimming bushes around perimeter of pool,
 - wintering pots at pool,
 - deciding what to plant at lake steps in empty spaces 4. Others???

MISSION STATEMENT - NEW MARK COMMONS LANDSCAPE COMMITTEE

The mission of the NMC Landscape Committee is to provide comprehensive, and cost effective ecological information to the Board of Directors. This includes maintenance and improvements to the community's public and private grounds, tree care, and lake quality. The Committee will also assist with the planning, design and obtain estimates for planting and maintenance for the NMC Board of Directors.

TREE POLICY

New Mark Commons DECLARATION made on September 15, 1967 Article X Section 3 (i) states "**No sound hardwood trees shall be removed from any lot without written approval of the Association acting through its Board of Directors or duly appointed committee.**" Over the years' discussion of what is a hardwood tree has led, to further defining NMC tree policy with the following guideline: "Any tree removal is subject to approval, including a dead or disease tree. If a resident suspects a dead or disease tree, please call the NMC administrator before removal."

A Tree Modification Application (Landscape Committee Application for Tree Removal or Replacement) must be submitted prior to removal. Authorization for a live tree will generally not be granted unless there is physical intrusion by the tree's trunk, limbs, branches or roots on a home which could cause damage to property or there is blockage of paths and sight lines from vehicles where pruning will not solve the problem. An arborist's report will be needed for removal if it is not clear to the committee that a tree is hazardous or dying.

Trees approved for removal will need to be replaced somewhere on the property. Replacement trees should be native to our area with a minimum caliper of 1 inch measured four feet off the ground.

LAKE MAINTENANCE

An independent company makes two visits a month to check the operation of the fountain, aerators, compressors and test quality of water. If unwanted aquatic growth is noticed during the visit the technician will determine the type of vegetation and make the appropriate treatment.

ATTACHMENT C

NEW MARK COMMONS

Community Enhancement Summary of Initial Walk thru Findings
Presentation to Board, Sept 1, 2016 7pm

Community Enhancement Committee met on July 28th and the minutes of that meeting are provided for your review on separate document.

Next meeting is scheduled for Sept 22, 2016 7:30pm – Objective of this Sept meeting is to have our letters prepared to be sent out in mid to late fall so home owners have time to prep and consider options for either late fall or early spring.

Note: We need to get board approval on type of letter we plan to send out.

Here below is very typical of what we found throughout the community with a summary of items of concern throughout and then a few that had serious issues.

Re: Community Enhancement Survey: Welwyn and connecting courts

Date: Aug 19, 2016

With few exceptions, our area has well-maintained houses and landscaping. Out of 49 houses, we found some relatively minor issues:

- 18 with trash cans out front
- 6 with gutters that need attention
- 9 with overgrown bushes/vines that need trimming
- 6 with illegal plastic or wire fences
- 4 with touch-up painting needed
- 4 with no house numbers.

There are a number of movable basketball poles/hoops. Although temporary play equipment is permitted, our guess is that some of these hoops are now unused and could be retired by the owners.

The big exception to this happy survey is 6 Letchworth, on the corner of Welwyn. The property has had no maintenance to structure or landscaping in years. There is a junk car out front. A neighbor told us that trash is never put out to be collected, which means it is accumulating inside. I spoke to Jim about getting the City to inspect. He said that someone who had direct personal knowledge, like that neighbor, could try asking the City. I could not because my info would be hearsay. But hoarding is not a crime; there are several such in New Mark. We can go after the car and require current registration and evidence that the car runs. Maybe the owner would get rid of it.

Here is a list of general findings/ issues of the walk inspection conducted by the CEC members are:

Common Areas:

- Concrete trip hazard areas need repair
- Townhouse parking lots in need of major repair
- Replace existing public handrails with ADA handrails
- Landscaping of common areas

Individual Homes:

Generally, in good repair, but landscaping and concrete (driveways, walkways) a consistent problem.

Also: many fences need repair or are not conforming to standards; gutter and roof cleaning and/ or repair; siding power wash; trash cans left outside.

Townhouses:

- Nonconforming doors, house numbers and lights (ACC)
- Gutters need repair and cleaning
- Siding repair, staining and power wash
- Concrete repairs
- Trash enclosure repair and power wash
- Landscaping in general and some encroachment on common areas
- Nonconforming fences as well as repair and power wash (ACC)

ATTACHMENT D

NMC Capital Improvement and Maintenance Projects Progress and Plans August/September 2016

Additional landscape and maintenance projects.

Ellen Stein, Chairperson of the Landscape Committee, along with Landscape Committee members worked on the following items.

- Continuing work on the planting at the corner of NME and Welwyn Way in front of 500 NME. Painting contractor hired to paint the wooden street signs and metal handrails throughout the community. The maintenance garage will also be repainted. The work is to begin June 20th. **COMPLETED 7/17/16.**
- Action Fabricators has been hired to build and install three metal ADA handrails, replacing wooded rails, in front of 254 – 256 NME and 874 NME. **COMPLETED 7/15/16.**

Tennis Court cleaning and repair.

- Accepted a proposal from Bishop's Tennis on 4/20/16 to clean and repair the courts. **COMPLETED.**

Three landscape projects approved at the August 11th Board meeting.

- Side of 318 NME - remove existing Yew and scrub bushes. Clean area, remove debris and install a 4' ring around storm drain using Delaware Valley Stone. Area in front of drain to be weeded, install top soil and LeafGro, regrade area and install seed to establish turf. **COMPLETED**
- Rear 812-814 NME - along bike path where wash out is occurring - install 4-6 ton of 5-8" Delaware Valley Stone. Stone will be installed on top of existing, there will be no digging of swale and no fabric will be installed. **COMPLETED.**
- Dropping from playground to NME - install (9) 4' wide by 4' long steps encased with timbers using 6x6x8 pressure treated lumber, install rebar and spikes, steps will be back filled with

existing gravel. Total of 42 linear feet of steps with a drop down of 5 1/2" per timber.

COMPLETED.

Tree work identified by location and work to be performed. **COMPLETED**

1. Rear of 340 NME- remove Walnut heading toward house.
2. Front of 286-288 NME – Oak -remove deadwood 2" diameter and larger, raise branch level to 25' and cut back from house.
3. Rear 312 NME – Poplar – remove deadwood 3" and larger and low limb over holly.
4. Front of 508 NME – Redbud – raise branch level to 6', shape and contain, cut back interfering trees.
5. Rear of 522 NME – Poplar – lighten branch ends over street and lighten top.
6. Playground – large Oak – north side of playground – remove deadwood 3" diameter and larger, 2" diameter down low, cut girdling root and raise branch level to 12'.
7. Playground – Black Gum – southwest corner of playground – remove low stub.
8. Basketball court – Oak uphill from court – remove deadwood 2" diameter and larger, raise branch level by removing four laterals up to 5" diameter.
9. Corner of NME and Don Mills Court – 2 Pines – raise branch level to 12'.
10. Clubhouse parking lot – shape and contain row of hollies to reduce to fullness (up to 6'), raise gently off ground and cut back Pear and Pines from Hollies.
11. 112 NME – across parking lot – remove Mulberry shoots, cut back Honeysuckle and remove 4" Cedar, cut all Bamboo on corner to ground.
12. 116 to 144 NME – cut back branches over road. □ Remove 2 dead Locust trees.
 - Clean up fallen Oak and branches on the ground.
 - Remove 20' Locust stub and small Cherry below it.
 - 8" diameter Cherry prune suckers and deadwood.
 - Large Black Cherry – remove deadwood over road 3" diameter and larger.
 - Pawlonia and Pin Oak – cut back and raise branch level over road, remove lowest limb of Pawlonia.
13. Rear 502 NME – rear Red Maple – lighten low limbs, cut back from house and over yard, remove deadwood 1" diameter and larger and remove crossing branches.

Handicap access to NMC Clubhouse – started in March 2016.

- Identify options for access.
- Research ADA and City code requirements.
- Identify and call contractors to set up appointments. *Magnus Turesson has met with representatives that supply elevators and ramps that are ADA compliant. He also met with City of Rockville officials and a general contractor that has done prior ADA remodeling projects.*

Magnus and Jim met with a General Contractor, an architect and engineer to review ADA ramp, bathroom and elevator location.

- **Board** members visited six neighboring pools with meeting facilities during August to evaluate how NMC's clubhouse and pool compared with these mostly newer pool.

- They have developed a set of clubhouse renovation priorities.
- New roof with insulation and a new furnace.
- Upper level - ramps to each level from driveway plus ADA/family bathroom.
- Lower level - remove interior wall within each lower level locker room and convert one stall to handicap access. New paint, updated lighting fixtures, update shower and sink plumbing fixtures, repair door frames, upgrade ventilation system and possibly add air conditioning.
- Upper level – insulate exterior walls and drywall. Convert fireplace room into office space for administrator. Install audio-visual equipment and lighting.
- In considering office space, we should look at the maintenance building. There is a washroom. Space can be rearranged. We need better file storage with humidity control.

Townhouse parking lots including clubhouse parking lot – **started in midAugust.**

- Inspect sidewalks, curbs and asphalt with resident participation.
- Identify and rank areas to be repaired.
- Identify and call contractors to set up appointments.
- Seek contractor's input on type of repair required by area.
- Work to start in August or September, depending on contractor's backlog.

Jim, Richard Berman and Joe Jordan did the initial inspection with input from the Community Enhancement Committee. Jim met with Jerry O'Leary for three hours on August 29 to review and mark the areas needing repair. Next meeting is scheduled for September 2.

Replace clubhouse roof.

- Identify contractors and solicit proposals in late July or early August.
- Remove and replace existing roof. Shingle style and to be determined.
- Repair 8' X 8' water damaged section of roof.
- Repair or replace north side gutter and install additional downspout.
- Work would begin as soon as possible after pool closes on 9/5.

One roofing proposal received. Scope of project expanded too included insulating roof.

Replace the clubhouse furnace.

- Identify contractors and solicit proposals in late August or early September.
- Work would begin in October.

ATTACHMENT E

Brackets [] show deletions, **bold text shows new text.**

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Trees approved for removal will need to be replaced somewhere on the property. Replacement trees should be native to our area with a minimum [caliper] of 1" in **diameter**.