

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
THURSDAY, JANUARY 8, 1987

ATTENDEES: Walter Counts, Al Levit, Steve Plotkin, Marty Reiss, Rose Krasnow.

The meeting was called to order at 7:40 P.M. by President Walter Counts. No one was present for the Community Forum. The Minutes and the Agenda were approved as read.

Under incoming correspondence, Rose read a letter of resignation from Treasurer of the Board, Noel Wilkie. He stressed that his resignation was prompted by a lack of time, not any disagreement with Board policies. Rose said she would put a notice in the newsletter asking for nominees for three board positions, since both Walter and Doug's terms would be expiring at the end of February.

Walter said that he had sent a letter to Ardis Fisher, thanking her for her invaluable service to the community in her role as Rick's supervisor. In addition, following the suggestion of Public Works Director Bob Gooden, Walter had written to City Manager Richard Robinson, asking that New Mark be placed on the agenda for an upcoming council meeting so that we could continue in our efforts either to dedicate our private streets to the city or work out a mutually agreeable piggyback arrangement whereby we would pay but the city's contractors would do the work. Since we had received no response to date, Walter suggested that Rose send a copy of the letter to Council Member James Coyle.

Under maintenance, Rose reported that she was receiving complaints about leaves and snow in the townhouse parking lots. The Board felt that townhouse residents must be made aware of the fact that this was not a condominium and that the residents, not Rick, were responsible for many of these tasks. The Board also discussed the feasibility of having sand on the premises for snow or ice emergencies. It was decided that garbage cans of sand next to the townhouse hills probably wouldn't work because they would be vandalized. A better idea seemed to be to keep sand in the Clubhouse lot. If Rick could get some help, he could spread it on the hills when necessary.

Under old business, the issue of truck parking was raised. Doug had prepared the necessary documents, including a warning notice, a second notice stating that if the vehicle were not removed within 24 hours, it would be towed, and a final notice stating who to contact to retrieve the towed vehicle. Doug felt that Rick should be the one to canvas the parking lots. Although the Board was generally in favor of all of this, there was still a feeling that the small 1/4 ton pickups should be excluded, since they had not even been around when the covenants were written. Rose agreed to check with the Dept. of Motor Vehicles to discuss in more detail the dimensions of a 1/4 ton truck, whether the

large vans are considered to be trucks, and so forth.

Doug had also prepared a dispute resolution procedure (see attached) for New Mark that he hoped would satisfy the County and eliminate the need for us to go before the County's arbitration board whenever a dispute arose. Other members of the Board were not as concerned about the role of the County unless New Mark could be forced into binding arbitration. Steve moved that "we go on with our existing dispute resolution procedures. If it became necessary to have a more elaborate procedure to go along with the County's regulations, we would then adopt such a procedure using Doug's suggestions as a guide." Al seconded the motion, which passed unanimously.

It was agreed to hold the Annual Meeting on the first Wednesday in March.

The meeting was adjourned at 9:20 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, FEBRUARY 2, 1987

ATTENDEES: Al Levit, Steve Plotkin, Marty Reiss, Doug Worthing, Rose Krasnow.

The meeting was called to order at 7:35 P.M. by Vice President Doug Worthing. No one was present for the Community Forum. The Minutes and the Agenda were approved as read.

Under incoming correspondence, Rose read the letter from City Manager Richard Robinson, stating that the city was very willing to help us with our paving efforts even though an actual piggy-back arrangement would not be possible. The Board agreed that we should follow-up on this offer immediately by contacting Bob Goodin, head of Public Works.

Under Committee Reports, Rose gave an update on the many problems encountered during the back-to-back snowstorms. She agreed to talk to the contractor to see if we might be entitled to some type of rebate in light of the time it took the plowers to appear, the fact that they forgot the single-family circles, that their sand was frozen, and so forth. The Board also felt that we definitely needed some way to keep sand on the premises, either in people's basements or in the garage so that the problem of icy hills in the 200 and 800 blocks could be solved immediately, without the need to be dependent on an outside contractor. It was suggested that a committee of residents be established to formulate a snow emergency plan.

Under old business, Rose reported that about 2/3's of the dues had been received by the Feb. 1 due date, but that 3 single family homeowners had sent in their dues less the \$66.00 for the reserve fund. One family, the Hormuths, objected to a cost of living increase of 5.37% because they said it was not that high in '86. The Board pointed out that the increase, set in December of '86, was based on the prior year. The Board felt that the three families should be contacted by phone to see if they could be persuaded to pay the additional amount; otherwise, the Board agreed that it would be necessary to take legal action to insure payment. Marty agreed to call the Hortons, Steve would call the Hormuths, while Walter would call the Grossmans.

With respect to the election of new Board members, Doug stated that he would be willing to fill the one year unexpired term of Noel Wilkie, depending on the number of candidates who applied. Since it was evident that there would not be time to hold an election before the March 4th meeting, Doug moved that the Annual meeting be postponed from the first week in March to the first week in April. Al seconded the motion, which passed unanimously.

Under new business, Doug questioned whether it had been wise for the Board to drop the \$2 million umbrella liability policy,

in light of recent articles stating that individual homeowners might be liable for any judgment amounts higher than the Association's coverage. While it was true that the increase in the cost of the extra liability coverage had been almost 600%, the total premium of \$4000 was still small in light of the protection it provided. The Board concurred with Doug and asked Rose to look immediately into the possibility of obtaining a new umbrella policy.

Rose pointed out that another clubhouse party had resulted in damages and the need to call the police. Marty agreed to look into ways to improve our clubhouse rules and application procedures to insure that the clubhouse would not be used for open parties, with people paying at the door. One suggestion was that the entire \$300 deposit be forfeited if it was discovered that admission was being charged.

Rose gave a report on the Westmont study session held at the last city council meeting. One major change was that Tower/Dawson, not Westmont Associates, was now the developer of the property. It was agreed that we should send a copy of our covenants to Tower/Dawson to expedite the inclusion of the 10 acre school site into New Mark Commons, as set forth in the stipulation.

Since it appeared that the widening of I-270 to 12 lanes and the construction of the Falls Road Interchange was imminent, Rose agreed to talk to Joe Cutro, City Traffic Engineer, to determine what the impact would be on traffic patterns around New Mark. It was suggested that Mr. Cutro might be able to make a presentation at the annual meeting.

The Board Meeting was adjourned at 9:30 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, MARCH 4, 1987

ATTENDEES: Walter Counts, Mike Miller, Steve Plotkin, Marty Reiss, Rose Krasnow

The meeting was called to order by President Walter Counts at 7:35 P.M. No one was present for the Community Forum. Rose added two items to the agenda under old business - the parking survey and insurance. The minutes and agenda were then approved.

Under correspondence, Rose had received a letter from the City Planning Department informing New Mark of Tower/Dawson's intention to abandon a portion of the Monroe Street Right-of-Way. The Board viewed this favorably, since New Mark had opposed access to the residential section of Westmont via Monroe Street. Nevertheless, Rose agreed to check with transportation engineer, Joe Cutro, to be sure that the abandonment itself would not have any adverse affect on New Mark.

Rose told of her conversations with the city concerning abandoned vehicles in New Mark. Following Chief Stout's suggestion, Steve Plotkin offered the following resolution: "We, the Board of New Mark Commons Homes Association, Inc., authorize the Rockville City Police to tow cars abandoned on New Mark's private property." Marty seconded the resolution, which was adopted unanimously.

There were no committee reports, since Marty was not ready yet with the new Clubhouse rules and application procedures.

Under maintenance, Rose reported that New Mark had suffered heavy damage from the recent snow storm and that Rick was spending a great deal of time removing tree limbs. The Board was enthusiastic about the idea of letting anyone in the community use the resultant mulch.

Under old business, Walter summarized the meeting held with Don Vandrey, Assistant City Manager, and Bob Goodin, Director of Public Works, concerning paving. The city had taken a hard line on dedication of the private streets, arguing that it would be necessary to regrade hills and possibly take down a few houses. Moreover, an actual piggybacking arrangement would be illegal. Nevertheless, the city was willing to share its specifications, give us the names of all their bidders as well as the price of the winning bid, and let the contractor undertake New Mark's work prior to doing the city's work. They also agreed to provide names of reputable engineers, and, once we have selected an engineer, the city will work with him to determine the scope of the job that is needed in New Mark. It had been obvious that one of our biggest problems would be getting all of the cars out of the parking lots so that paving could take place. Steve recommended that a committee be appointed by the Board to head up the effort.

Rose reported that ninety people still had not paid the first installment of their dues, and that five people had not paid the full amount. None of the five had included any sort of explanation with their checks. It was agreed that late notices would be sent to everyone. If the five partial payers did not send in the balance due, a lien would be placed against their property as it would against any other non-payer.

Under Board elections, Doug had volunteered to stay on one more year, filling the unexpired term of Noel Wilkie, if the Board was willing to appoint him, but he did not wish to stand for reelection. Everyone agreed that it would be invaluable to have Doug remain on the Board, but there was some disagreement over the wisdom of appointing him, particularly in light of the fact that another candidate, Manny Gordon, had applied specifically for the one year term. Mike moved that all vacancies, including the unexpired term, be subject to community vote. Steve seconded the motion, which was defeated by a 3 to 1 vote (Mike cast the dissenting vote). Steve then moved that Doug be appointed to fill the unexpired term of Noel Wilkie. Marty seconded. The motion passed by a vote of 5-0 (Mike Miller voted as proxy for Al Levit).

Under insurance, Rose reported that she had gone over our policy with another agent and that he found it to be very good and comprehensive. With respect to resuming our umbrella coverage, an application had been submitted to Great American and we were waiting to hear from them.

The final results of the parking survey showed 53 votes opposing one assigned space per townhouse and 38 votes in favor. In light of this, it was agreed that the idea of assigned spaces would be dropped.

Under new business, Rose announced that a reserve fund had been started at Chevy Chase Savings and Loan with an initial balance of \$120,306. The account was earning 6%.

Recognition was paid to the organizers of the International Dinner for putting together such a wonderful evening.

The meeting was adjourned at 9:00 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, APRIL 8, 1987

ATTENDEES: Judy Doctor, Raj Gupta, Al Levit, Mike Miller, Steve Plotkin, Marty Reiss, Rose Krasnow, Howard Groedel

An informal meeting of the Board was held on April 8th to elect Board officers and to acquaint the two new Board members with the issues currently confronting the community. The meeting began at 7:40 P.M.

Rose announced that we had received a quote for a new umbrella liability policy that was \$1000 less than last year, and that following the Board's previous decision, she had proceeded to reinstitute the two million dollars of additional coverage.

It was announced that dues were continuing to trickle in but that approximately 35 persons were still in arrears. Rose read a draft of a letter to be sent to the five families who had withheld the reserve portion of their dues. The Board recommended that the wording be toned down slightly and that the letter should also be sent to the 30 people who had, to date, not paid anything at all.

Rose then informed the Board that Mr. Robert Walkington, of 326 New Mark Esplanade, had cut down at least 14 trees on community property. Mr. Walkington argued that the trees were either dying or preventing other trees from growing, but according to Rose this did not seem to be the case. The Board as a whole was incensed but recognized that this was the type of issue where the Board's powers are quite limited. Although the Board could probably sue for the value; considerable time and expense would be involved. It was agreed to take the following actions: Steve Plotkin would call Mr. Walkington to discuss his actions and to seek a possible remedy, 2) Rose would put a notice in the newsletter that removal of any trees on community property requires prior approval from the Board and that failure to obtain such approval would result in the property owner being charged for replacement trees, and 3) Each Board member would view the Walkington damage to see if further action was warranted.

Rose informed the Board that a brick wall at 902 NME was falling over and that the iron railing attached to the wall had come completely loose, creating a definite hazard. Rose had obtained two bids for replacement - one for \$2000 and one for \$6000 to \$8000, and she was uncertain as to whether the lower one should be accepted without knowing more about the contractor's ability. The possibility of a railroad tie wall was also discussed. The Board felt that additional estimates should be obtained. Rose was authorized to go ahead with the project if an acceptable contractor could be found who could do the work for \$3000 or less. Any contract at a higher figure would need Board approval.

Since the city had still not provided the names of paving engineers and since Rose would be out of commission for a while

following surgery, the question was raised whether the paving job should be put off until next year. The Board, eager to do the work in '87, asked Rose to come up with a brief report outlining each step that was involved so it would be possible to determine whether the project would be feasible this year.

Rose pointed out that she had been remarkably unsuccessful in getting bids for reconstruction of the bridge. Several companies were willing to rebuild the top but seemed to have little knowledge of bridge foundations. Rose agreed to check with the city for possible contractors and to see if the city had certain bridge standards. She also agreed to redistribute Rick's original suggestions for changing the nature of the bridge.

Raj wondered if it would be possible to hold Board meetings in homes around the community so that the problems of each particular area could be learned in more detail. The general feeling of the Board was that if people had problems they should at least be willing to come to the clubhouse to discuss them, and that the Board should not go out of its way to look for more problems. Marty suggested that a Saturday morning drop-in at the clubhouse, similar to those held by city council members each week, might be better idea. His idea was received favorably but no definite action was taken.

Board elections were held at the conclusion of the meeting. Raj Gupta nominated Steve Plotkin as President. Judy Doctor seconded the motion, which passed unanimously. Steve then nominated Marty Reiss as Vice President. Judy seconded the motion, which passed unanimously. Judy Doctor was nominated by Raj to be the Treasurer. Steve seconded the motion, which passed unanimously.

The meeting adjourned at 9:15 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, MAY 6, 1987

ATTENDEES: Judy Doctor, Raj Gupta, Al Levit, Steve Plotkin, Marty Reiss, Harvey Scali, David Westreich, Doug Worthing

The meeting began at approximately 7:40 p.m. Harvey Scali came to Community Forum to express his anger about the trees Mr. Walkington had cut down and to ask what the Board intended to do about it. Following a discussion of possible courses of action, the Board passed Doug's motion that Steve (1) meet with Mr. Walkington and request a \$250 settlement as compensation or (2) seek the Board's approval before settling for a lesser amount.

NMC resident David Westreich, who has the appropriate engineering background, gave the Board guidance on how to proceed with the projects of smoothsealing the common area parking areas and repairing the bridge and its foundation. He also volunteered to organize and head up the effort to select an engineer and contractor to plan and supervise the work. David recommended that we (1) use the same firm to do both the paving and the bridge and (2) hire a properly certified structural engineer to come up with the plans and specifications for designs and oversee the entire project.

As a first step we will ask the engineer to certify whether or not the bridge is safe as it now stands. We will then have an idea of whether or not it can be used pending the reconstruction. We will also expect the engineer to sign off on the safety and quality of all the work after it is finished. A rough estimate is that the structural engineer's fee will be approximately 8% of the total spent on both jobs, although we also have the alternative of paying on an hourly basis. David feels there is likely to be little difference in the fee structures of the firms doing the work, and that cost will not be the major factor in making our choice.

David Westreich will provide us with the names of 3 or 4 possible engineering firms he would recommend for the job. He also volunteered to draft a Request For Proposal and request information on the firms' fee structures and qualifications of both individuals and firms. Marty and Steve will get together with David before the next meeting, and then contact the firms. The Board expressed its sincere gratitude to David for volunteering to help with this complex and difficult project.

Someone whose dues are late because of financial problems received the Board's approval to pay half the dues now (plus late fees) and the remainder in a couple of months, and still be able to use the pool.

Steve reported that he:

(1) Has heard from a couple of people who are annoyed that the issue of numbered spaces in the townhouse parking lots is apparently still unsettled;

(2) Recently met a representative from the State Highway Department who said he will help us with landscaping plans for the portion of the Falls Road interchange that borders our community. Steve will contact representatives from other, nearby communities to set up a meeting that all can attend.

(3) Will check with Rose regarding whether she sent the letters discussed at the April meeting to those who still haven't paid their dues.

The meeting adjourned at approximately 8:40 p.m.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, JUNE 3, 1987

ATTENDEES: Tom Bull, Judy Doctor, Raj Gupta, Al Levit, Steve Plotkin, Marty Reiss, Doug Worthing, Rose Krasnow.

The June meeting of the New Mark Board was called to order by President Steve Plotkin at 7:40 PM. Tom Bull, of 294 New Mark Esplanade, was present to elaborate on the erosion problems he was encountering on the common ground adjoining his property. Mr. Bull felt that the runoff was so severe that it might harm the foundation of his house, and he also felt it was contributing to the silting of Lake New Mark. Rose said that she had examined the area with Rick Winecoff, who had suggested placing upright cement blocks into the ground. Since the Board lacked the expertise to know if such a solution would work, it was agreed that the matter should be referred to the landscape committee for further research.

The minutes and agenda were approved as read. Raj then brought up the matter of 274 New Mark Esplanade, a rental property in great disrepair. Rose said that more than a year earlier the owners had been informed that their property was in violation of the covenants given the poor condition of their rear fence. However, the owners had not responded. The Board recognized that there was a precedent for getting the work done at community expense and then suing the owners for reimbursement. It was agreed that the Board should once again send a letter to the owners (this time by registered mail), informing them of the approximate cost of the repair if New Mark were to do it and giving them a deadline to meet if they wished to get the work done themselves. Before drafting such a letter, Raj Gupta agreed to look at both 272 and 274 NME to see if other improvements were needed.

Along the same lines, the Board felt that a registered letter should be sent immediately to the owner of 314 NME, who had constructed a chain link fence to the rear of his property in violation of the covenants. If the fence was not removed by the deadline set in the letter, the community would take it down and charge the owner.

Under maintenance, Rose read a letter from Mr. Fitti of 114 NME, who complained that his efforts to reseed the bank near his house had been ruined by the maintenance staff because the mower blade had been set too low. Rose was instructed to write a letter of apology to Mr. Fitti. New Mark would reseed the bank at its own expense and would instruct Rick to keep the blade at a higher level at all times, even in the Spring.

Rose also pointed out that Rick had now worked ten years for New Mark Commons. Al moved that in recognition of ten years of service, Rick should receive a bonus of \$250. Doug seconded the motion, which passed unanimously.

Under old business, Steve briefly discussed his testimony at the City Budget Hearings. He pointed out that the City Manager still argued that the city had done a great deal, while the Mayor and Council did not realize that the concept of assistance from the city had fallen through. Steve and Marty agreed to follow up with Bob Goodin of Public Works to see if more substantive results could be obtained in the months prior to the November election. In addition, Judy Doctor agreed to contact other Rockville PRU's to see if this was an issue on which we might band together to make our argument against the city a stronger one.

Nonpayment of dues was the first item discussed under old business. Rose read registered letters from both the Hortons and the Grossmans who both argued, in effect, that the \$66 charged for the reserve fund was a contribution, not part of the mandatory dues. While agreeing that the word contribution had not been used wisely (since it implied voluntary giving), the Board instructed Rose to send registered letters requesting immediate payment, since both the operating and reserve portions of the assessment were mandatory and authorized by the covenants. It was agreed tht if payment was not received in full, lien proceedings would commence.

Rose also reported that 85 persons had not met the June 1st deadline for the second installment of the 1987 assessment. After considerable discussion, it was agreed that these people would not be barred from the pool until they had received a letter from the community informing them of their failure to pay. As for the 10 people who had not paid anything in 1987, it was agreed that they could be barred from the pool immediately, but that they would receive one last request for payment before lien proceedings were begun. Raj questioned whether the Board was too reticent to place a lien. He pointed out that if someone who had not paid his dues were to sell his unit before a lien had been placed, it would be much more difficult to insure payment. It was agreed that Raj and Doug should study this issue and try to develop better guidelines.

Raj suggested that in light of rising interest rates, the Board should look into CD's as an alternative to keeping our reserves in a money market fund.

Dave Westreich had sent Steve an RFP to find an engineer for both the bridge and the paving jobs, but Steve wanted to revise it somewhat given our continuing attempts to get paving assistance from the City of Rockville.

Steve also mentioned that Hal Kassoff of the State Highway Administration had casually offered to send a landscaper to New Mark to discuss auxiliary things that the state could do to lessen the effects of the Falls Road Interchange. The Board felt that two representatives from each of the affected communities should be invited to such a meeting.

The meeting was adjourned at 9:05 PM.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, JULY 1, 1987

ATTENDEES: Raj Gupta, Al Levit, Steve Plotkin, Doug Worthing, Rose Krasnow

The meeting was called to order by President Steve Plotkin at 7:45 P.M. The minutes were approved as read. The agenda was changed to include discussion of the 1987 Maryland Homeowner's Association Act under new business.

Under incoming correspondence, Rose had received several letters from residents who wished trees on common ground to be greatly pruned back or removed by the Association. Having looked at the trees, Rose did not consider them to be actual hazards; rather they tended to block light and shed leaves and limbs. The Board agreed to look at 1 Tegner Ct. and to trim back the Bradford pear at 236 NME. However, it was generally agreed that the Board need not cut down trees unless safety was at stake. If residents wanted to use their own funds to remove community trees, they could do so pending approval from the board.

Raj had planned to write letters to the owners of 272-274 NME concerning the disrepair of their property, but before doing so he questioned whether the covenants really gave the Board the authority to fix items such as fences and steps in the townhouse areas. After reviewing the covenants, it became evident that the ambiguity arose because the covenants had been written with the expectation of a townhouse maintenance fund which would insure the upkeep of such items, but the fund had since been declared illegal. One possible remedy would be the adoption of "rules" that would augment the covenants, not change them. In the meantime, the Board agreed that we would first check with Licensing and Inspection for the City of Rockville to see if the fence qualified as a public safety hazard.

Rose reported that she had been notified by the City Planning Commission that the Sparks of 20 Watchwater Way had applied for a variance to the city's setback provisions. To date, however, no architectural control application had been filed with New Mark. It was agreed that the Sparks should be notified that approval from the city to build would be irrelevant unless New Mark had also seen and approved the plans. The Board also agreed to write a letter to the Board of Appeals stating the community's position with respect to the proposed addition.

The Board agreed to pay for two persons to attend the CAI seminar on collecting delinquent assessments.

Under outgoing correspondence, Rose read a draft of a letter requesting the Rockville Police to enforce the speed limit along New Mark Esplanade by using radar. The letter was approved. Rose also read the letter sent to Mr. Tehrani of 314 NME, informing him that his chain link fence was illegal and had to come

down by July 31st. She also informed the Board that registered letters had been sent to all nine residents who had not as yet paid any portion of their '87 homeowner's dues.

Under maintenance, a discussion ensued as to whether the brick-mason responsible for the wall at 902 NME was in fact being overpaid since the job did not entail as much work as he initially expected. Since the contract was so vague and since Mr. Richards' estimate had been so much lower than other bids received, the Board finally agreed that he should be paid the full amount. Rose also agreed to check with Bud Eaton to see if any action had been taken concerning the erosion problem at 294 NME.

Under old business, Rose summarized actions taken concerning the bridge. Meyer Associates, recommended by David Westreich, had inspected the bridge but had issued an almost useless report, so Steve Plotkin had authorized that a second opinion be obtained from Tom Carcaterra, P.E., who had been recommended by Bob Goodin of the City of Rockville. It was hoped that between the two the Board would have a better idea of what to expect from an engineer's report in the future and of what to do next concerning the bridge. It was agreed that that bridge would be barricaded for the 4th of July and that the barricade probably should not come down until repairs were completed. Doug had some misgivings about the barricade but said he did not object strongly.

With respect to dues collection, Doug reported that there were two ways the Board could approach the problem. 1) A delinquent payer could be taken to small claims court. If a judgment was obtained, a lien could be placed against the assets of the individual. 2) The delinquent payer could be notified of the intent to file a lien against the property. The homeowner then would have 30 days in which to appeal, and the actual lien could not be filed for 120 days. Doug recommended that for claims greater than \$150, both approaches should be used. For smaller claims (Grossmans and Hortons), only the second approach was worthwhile.

Under new business, Rose reported that the large fountain in the lake had been completely destroyed by lightning. Funds for a new fountain had been allocated for fiscal year '89, but since the ecological balance of the lake clearly depends upon two fountains, the Board authorized the expenditure of approximately \$3700 for the immediate purchase of a second starburst fountain. The starburst was selected based on a better maintenance record than that exhibited by the vertical fountain.

The new Maryland Homeowner's Association Law, which went into effect on July 1, 1987, was brought to the Board's attention. The Board enthusiastically endorsed the law, since it requires sellers to provide Association Covenants to all prospective buyers and thereby eliminates the element of surprise encountered all too frequently in recent years by purchasers who stated that they were totally unaware of the Association and its requirements. Rose agreed to put together a seller's packet that would

include the covenants and other necessary information and would be sold for a small fee.

Under new business, several Board members expressed concern about the pool. It seemed that lifeguard coverage had been light and discipline lax. Steve Plotkin agreed to talk to Tim Stewart to gain a better understanding of pool operations.

Raj questioned whether we should put our reserves and/or our money market funds into CD's at this point. However, since CD's are currently paying only 1/2 to 1 1/4 points more than our current account and since the Board still is not sure when the money will be needed, it was agreed to maintain our current liquid position.

Steve wondered whether it might be possible to hang a backboard on our tennis court fence to help players who want to practice. Doug pointed out that a backboard had to be quite big and very sturdy. The board agreed to refer the matter to the tennis committee for further study.

The meeting was adjourned at 10:05 P.M.

New Mark Commons Homes Association, Inc.
Board of Directors' Meeting
Wednesday, August 5, 1987

ATTENDEES: Suzanne Stimler, Raj Gupta, Al Levit, Mike Miller,
Steve Plotkin, Marty Reiss, Doug Worthing

The meeting was called to order by VP Marty Reiss at 7:40 P.M. Ms. Suzanne Stimler of 19 Watchwater Way was present at the Community Forum to discuss the problems surrounding the building plans of her neighbors, the Sparks, of 20 Watchwater Way. The Stimlers had been surprised that the Planning Board of Appeals had granted a variance to the Sparks, even though it was four feet smaller than requested. She felt that her neighbors were not being fair or cooperative in their dealings, and she wondered what action New Mark might plan, since the community's covenants took precedence over the city's ruling. Al moved and Raj seconded a motion that the Board disapprove the Sparks' initial application for the reasons stated in Steve Plotkin's letter of July 16th, 1987. The motion passed unanimously. It was agreed that Rose would immediately send a registered letter to the Sparks informing them of this decision while telling them that we would be happy to consider an amended application. The Board also wanted to make sure that all future architectural control applications would be disapproved immediately if they were incomplete so that there could be no chance that a lack of response from the Board could be interpreted as approval after thirty days.

The minutes and agenda were approved as read.

Under correspondence, Rose had received a letter from Andy Johnson, a candidate for City Council, in which he asked for an opportunity to present his views to the community. Rose agreed to try to set up a candidates' forum, hopefully with Hungerford-Stoneridge.

An entrepreneurial group called H.O.A. - FIND had written to request a copy of the community's homeowner's documents to help sellers comply with the new Maryland Homeowners Association Law. Although there was some debate as to whether such a venture would work or why they should get the profit from selling our documents when we could do so ourselves, it was finally agreed that we might as well respond to their request since it might save Rose some time.

Doug's letter concerning the fact that our dispute resolution procedure did not appear to be acceptable to the County was tabled since Judy Doctor, who worked for the Consumer Affairs Office, was not present. The Board did acknowledge that the amount of funds being offered by the County for roadway maintenance was not a significant amount and that it might not be wise to accept these funds if it meant that the community had to submit any dispute to the County for binding arbitration.

Rose announced that approximately 15 people still had not paid some or all of their dues. Raj moved that as soon as any dues payment was more than 30 days overdue, the community would send out a notice of intent to file a lien. While it was recognized that most people paid eventually, the Board could not take the risk that a property might be sold before a lien was in place, making it virtually impossible to collect any arrearages. Steve seconded the motion, which passed unanimously.

A recap of events concerning the bridge left everyone feeling that Meyer Associates had been very unreliable and that their contract was completely unacceptable. Steve suggested that we should cut our losses and run instead of putting good money after bad. Rose agreed to call Tom Carcaterra to see if he could draw up the specifications and do the needed inspections for approximately the same cost as Meyer Associates.

Under new business, the Board agreed to extend the pool season one weekend past Labor Day. Raj still expressed his discontent over Tim's management of the pool this season, citing lax discipline (caused in part by the fact that Tim and Ann were no longer always present as they had been in the past). Recognizing that Tim does not respond well to constructive criticism, Steve Plotkin nevertheless agreed to talk to him with the hope of convincing him that we still very much wanted him to manage the pool, but we wanted it managed as well as it had been in prior years.

Rose agreed to call Public Works to report the hole in New Mark Esplanade at the entrance to the development and to call Licensing and Inspection concerning the dilapidated fence at 272-274 NME.

In light of the numerous complaints still being received concerning the trees near 232-238 NME, the Board reiterated their position that there were two reasons for taking down trees: 1) for reasons of safety and 2) for aesthetic reasons. The Board saw no reason why the community should pay to take down a perfectly healthy tree. If residents wanted such a tree taken down they must do the following:

- 1) Get Board Approval
- 2) Pay for it themselves
- 3) Use a bonded tree company

With respect to the Bradford pear at 234 NME, Rose was to let the residents know that the Board did not look favorably upon their request to have the tree taken down.

The meeting was adjourned at 9:35 P.M.

New Mark Commons Homes Association, Inc.
Board of Directors Meeting
Wednesday, September 2, 1987

ATTENDEES: Judy Doctor, Raj Gupta, Rose Krasnow, Mike Miller,
Steve Plotkin, Wendy Plotkin

The meeting was called to order by President Steve Plotkin at 7:50 P.M. Wendy Plotkin had come to the community forum to express her dismay with the deplorable state of the exterior of many homes in the community. She was hoping that the Board could do something to make it known that New Mark would not tolerate this lack of regard for property. Rose pointed out that she had just received a letter from the city stating that it was undertaking a code enforcement program. Wendy agreed to call Mr. Sajauskas of Licensing and Inspection to see if we could work with them. It was also agreed that the Board would take a walk through the community on Saturday, September 5 at 10 P.M.. Wendy said that she would be willing to draft a letter that could be sent to each resident outlining the corrective actions that were necessary. Mike felt that there should be a newsletter article informing residents that such letters would be sent. Raj asked if we had set criteria governing exterior maintenance.

The minutes and agenda were approved as read. Steve announced that Mike Snyder of the State Highway Administration had agreed to come to the October Board Meeting. Since the purpose of the visit was to let the Board voice their concerns in a face-to-face meeting, Steve had no wish to turn this into a community-wide forum. However, it was finally agreed that Mr. Snyder's presence should be mentioned in the newsletter's regular notice of the October meeting.

Under correspondence, Rose read a letter from Mr. Walkington in which he again expressed a desire to have all trees that leaned toward his property removed. It was suggested that Rose should call the Agricultural Extension Office to see if it was possible to have a representative come out and examine our trees to see if, in fact, more of them should come down. It was also suggested that we contact Dave Hoover, a resident with a degree in forestry, to see if he might be able to advise us. The Board planned to look at Walkington's trees on the Saturday walk-through.

Rose had received a request from Marion Honig, who wished to use the Clubhouse every Monday night for a meeting of 30 Mary Kay Cosmetic representatives. Marion wondered if we could offer a reduced rate. Steve moved that we offer Marion the Clubhouse for 1/2 the usual rate (\$50) with the understanding that if we need the clubhouse we will still be entitled to use it (with appropriate notice). Judy seconded the motion. The first vote produced 2 votes in favor and 2 abstentions. After further discussion, the motion passed unanimously.

Don Gangloff of the Architectural Control Committee wished the Board to consider Jeanne Bernard's request to paint her townhouse at 138 NME grey with a maroon door. He felt that this was a significant departure from the current color so he wished to obtain the Board's input. It was agreed that the Board would look at the unit during the walk-through.

Under maintenance, Rose reported that the Health Department was now requiring that the high dive either be made operational or be taken down entirely. Rose said that estimates were being obtained to take it down altogether.

Under officer's reports, Treasurer Judy Doctor reported that budget time was approaching and that a timetable would be handed out at the October meeting. She also reported that after attending CAI's seminar on delinquent dues, it was clear to her that we should indeed act with all due speed with respect to filing liens or we were not carrying out our fiduciary responsibilities. If a lien is not perfected before bankruptcy occurs, the community is in no way protected. Rose was concerned that the Board's decision to file liens as soon as dues were 30 days in arrears would prevent people from being able to work out a more flexible payment schedule. It was agreed that we needed to find out just how much it costs to file a lien. Steve moved that if the cost involved was less than \$25.00, residents should be allowed to pay their dues over a six month period but the cost of the lien should be figured into the payments. If the cost was greater than \$25.00, a new policy would be necessary. Members also questioned how a person's credit rating was affected by the lien. The matter was tabled for further study.

Rose had called the county to learn the status of our request for reimbursement of funds for roadway maintenance. She was told that our request had been approved but had then been pulled because we were within Rockville's City Limits and therefore it was uncertain as to whether we were eligible. Raj pointed out that we had a letter from the city attorney stating that we were indeed eligible. If we are actually turned down, Raj felt we must let the city know immediately.

Rose reported that the Sparks never claimed the certified, return receipt letter that the Board had sent to them telling them that their architectural control request had been denied. Rose had put a copy of the letter under their door, however, and Steve had verbally informed them of the Board's decision. It was agreed that nothing else could be done for the present.

Rose announced that a candidate's forum, sponsored by NMC, Hungerford/Stoneridge and Markwood, was scheduled for October 21st in our clubhouse.

With respect to the bridge, several options were discussed: 1) Starting all over with a new engineer; 2) using Meyers Associates; 3) using one of the landscapers who had given us a

bid but apparently had little knowledge of bridge building, 4) redesigning the bridge, or 5) calling Peter Wilson, who had been recommended by both Carcaterra and Westreich, to see if he could take Carcaterra's written suggestions and give us a bid. The last option was chosen. It was also suggested that we should be able to get the city to inspect the work.

The meeting adjourned at 9:35 P.M.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS' MEETING
OCTOBER 7, 1987

ATTENDEES: Judy Doctor, Raj Gupta, Al Levit, Steve Plotkin, Marty Reiss, Douglas Worthing, Rose Krasnow, Ron Anderson, Opal Combs, Deane Ducar, Don Gangloff, Frank Kalin, Dick & Ann Leary, Sima Osdoby, Jean Rawson, Don & Linda Silversmith, Genevieve Wimsatt

The meeting was called to order by President Steve Plotkin at 7:40 P.M. The minutes were approved, but the agenda was changed to note the fact that Mr. Michael Snyder of the State Highway Administration had inadvertently come the night before and would not be present to address the community's concerns about the Falls Road Interchange. With respect to that issue, Linda Silversmith stressed the need to repaint the lines at Maryland Avenue and Falls Road to make it safer for children trying to reach Julius West Middle School. Marty Reiss, speaking on behalf of Mark Wetterhahn, expressed concern about the possible closing of Seven Locks Road in November, long before the other road improvements were in place. He also wondered if there was to be a turn lane for traffic trying to turn onto Potomac Valley Road.

During the community forum, Ron Anderson spoke of the haphazard lawn maintenance: the lack of edging, weeds in all of the curb cracks, and the fact that the grass was being taken over by crabgrass. While Steve Plotkin agreed, he stressed that townhouse owners must be encouraged to maintain the parking lots themselves. Linda Silversmith suggested that we have a scheduled spring and fall cleaning (Earth Day) every year.

A group of homeowners from the lower 200 block were also present to speak about the lack of adequate maintenance. Spokesperson Frank Kalin said that in his view the problem was severe; that Rick was not keeping up the common grounds and that the covenants were not being enforced to insure maintenance of individual units. He urged more community involvement along with a special assessment to give the community the funds it needs. He wondered why the community had not sent out letters following the Board's walk-through in September. Steve pointed out that the walk had never been completed but that letters would be sent out in the future. He urged Frank to join the landscape committee, but Frank preferred the architectural control committee because it has the power of enforcement. Frank urged that the board not shy away from test cases. He asked that the Board give him a mandate, delineating just how far he could go. Steve agreed that the problem should not be neglected any further and that the Board would choose a course of action and let Frank know.

Other suggestions put forth at the forum were that the community should hire a professional landscaper who could come up with a plan for the whole community, and that it might be a good idea to have block or area captians who would oversee only small portions of the

community and could whip up enthusiasm and serve as a liaison with Rose to advise what to do in each area. Linda Silversmith hoped that we would go ahead and get some new trees planted along the lake so that they could take hold and help with erosion control before it became necessary to remove the willows.

Raj Gupta alerted the Board to the fact that the whole 300 block had recently experienced flooding and that the problem seemed to be caused by inadequate drainage on the common grounds behind the affected units. He had spoken to a contractor who suggested that we needed a trench approximately 2 feet wide and 6-8 inches deep. The Board gave Rose the go-ahead to seek an estimate from the contractor, while at the same time checking to see if Rick could do the work himself.

Under incoming correspondence, Steve Plotkin had received a letter from several residents of the 300 block who were disgruntled that the crabapple trees had been removed from the common grounds with no prior notification to the residents and that they had been replaced with "spindly" cherry trees. While agreeing that the Board should make it a policy to notify residents whenever something was to be done that affected them, Steve felt the letter was unfair and he offered to write a response.

Under maintenance, Rose summed up Rick's performance review by stating that it was still clear that too much time was being wasted and that more specific weekly tasks needed to be assigned. The Board urged Rose to become as firm as necessary.

Under old business, the Board reassessed their actions concerning the Walsh's of 2 Harlow Ct., who had painted their house pea-green without filing an architectural control application. The Walsh's had written the Board a letter in which they listed all the homes painted a similar color as well as homes that were painted in various off-beat hues. The Board decided that the Walsh house would not be a good test case, particularly since the color was within the range of colors represented in the community. Moreover, the Walsh's had followed a reasonable procedure when selecting the color, even though it was not the community's procedure. Rose was instructed to let the Walsh's know that the color would be allowed to stand, but that their argument that the Board had not enforced the covenants in the past was irrelevant. Indeed, the Board wanted to notify the entire community that non-enforcement of the covenants in the past in no way bound this board to a policy of non-enforcement, and if the architectural control procedures were not followed, residents ran the risk of having to redo their project regardless of the cost involved.

The Board discussed the fairness of the engineering bill from Meyer's Associates and agreed that the invoice for \$836 did not seem justified in light of their written contract stating that the work completed and authorized by the Board for the bridge inspection and drawings amounted to \$675.00. Rose was instructed to let them know of our feelings. As far as the bridge itself was concerned, Rose

agreed to contact Neil Fitzsimons, an engineer who had been highly recommended to us by Americana Center, to see if he could get the project off the ground.

Judy Doctor handed out the proposed budget committees and timetable. It was agreed that a community forum, scheduled for November 18, should be held before the budget was approved by the Board. Steve Plotkin agreed to be the moderator for the Candidate's Forum to be held on October 21.

Rose announced that we had received a check in the amount of \$2214.82 from the county's road reimbursement program. The Board agreed that the money should be placed into the reserve fund. However, Doug suggested that we not deposit the check until we had a letter from the county confirming that acceptance of the funds did not commit us to binding arbitration. Judy agreed to get such a letter.

Under new business, Rose had obtained two bids for the removal of the high dive. One bid, from a recognized pool company, was considerably higher than a bid from a recently organized group that Tim Stewart knew. The Board gave Rose the authority to accept the lower bid only if the people involved were bonded, licensed, and insured.

The meeting was adjourned at 10:10 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, NOVEMBER 4, 1987

ATTENDEES: Judy Doctor, Raj Gupta, Rose Krasnow, Al Levit, Mike Miller, Marty Reiss, Doug Worthing, Alex Belida, Marcia Douma, Winni Herrmann, Don Silversmith, Mark Wetterhahn.

The meeting was called to order at 7:40 P.M. by Vice President Martin Reiss. The Board agreed with Don Silversmith that we should write letters of congratulations to the new city mayor and council. In addition, it was suggested that we also try to schedule a breakfast meeting between the Board officers and the newly elected officials since there were many outstanding issues that needed to be addressed as quickly as possible.

Featured guests for the evening were Mr. Michael Snyder, District 3 Engineer for the State Highway Administration, and Mr. Charles Adams, Landscaper, who had come to answer the community's concerns regarding the Falls Road Interchange. Mr. Snyder said that the entire Falls Road Interchange Project, including the widening of Falls Road from Maryland Avenue to Ritchie Parkway, should be completed by December of 1989. The first two ramps (Exiting from Northbound I-270 and entering to go Southbound on I-270) will open in December of 1988. Those attending expressed great dismay upon hearing that Seven Locks Road was to be closed between Thanksgiving and Christmas of the current year. Specifically, Mr. Snyder agreed to go back and look at the following options:

- 1) How long could the closing of Seven Locks be delayed?
- 2) Could Falls Road between Maryland & Ritchie be widened before Seven Locks was closed.
- 3) At the very least, could a turn signal be installed for traffic turning left from Falls Road onto Ritchie Parkway?

Mr. Synder, who seemed surprised to learn that Potomac Valley would be part of the Falls Road/Maryland Avenue intersection, said that he would verify that we were correct, since it seemed obvious that no one would be able to get in or out of New Mark otherwise. He did confirm that all traffic going South on Falls Road would have to stop at the light, thus improving the safety of children trying to reach Julius West.

Mr. Adams stated that noise barriers were planned for the Southeast and northwest quadrants of the interchange. Marcia Douma was very upset to learn that no such barrier was planned for the northeast quadrant bordering Julius West. Although Mr. Adams said that the environmental study had revealed that the school did not need the noise protection, he agreed to go back and review the data since he had not been involved in the initial determination. He stressed that the state takes steps to alleviate noise whenever this can be done at a cost less than \$40,000 per impacted residence - a figure much higher than that of any other state. He also said that after the interchange is operational, the noise study can be redone. He admitted that noise studies had not been done for the Westmont tract

because he said the state could not afford to look at undeveloped areas. On a more positive note, he said that several major landscaping projects would be undertaken once the entire I-270 project was complete.

Mr. Snyder agreed with the city that it was unlikely that trucks would be allowed on Maryland Avenue. Moreover, signing on 270 would indicate that 28 should be used to reach Rockville. Nevertheless, he said that trucks could not be prohibited from the Falls Road Interchange altogether because it's illegal to keep trucks off of state roads except for reasons of safety. Since Falls is considered a secondary road, only small improvements were planned for the road north of Julius West.

After our guests departed, the minutes and agenda were approved as read. Under correspondence, Rose had received a letter from the county stating that acceptance of the funds for roadway maintenance did not require us to submit to binding arbitration. Therefore, she had proceeded to deposit the money directly into the reserve fund. The new grant forms for '88 had also been received, so Rose was instructed to submit the necessary data before the January 1 deadline.

Rose read the letter she had written to James Denny of 514 NME concerning the parking of his pickup truck. Mr. Denny had made it clear that he would comply with the covenants only when enforcement became community-wide. Mike suggested we set up a task force composed of Raj and Doug to see if a workable procedure for enforcement could be established.

Under maintenance, the Board discussed ways that we could get Rick to do more, since the feeling was that he might listen more closely if a committee of Board members sat down with him. For example, why was he refusing to edge; what was happening with leaf removal, why were there weeds in all the parking lot cracks, etc. Mike suggested that Steve Plotkin and some of the residents who had complained about maintenance at the last board meeting try to develop a list of projects that must be done on a regular basis.

Under old business, the Board agreed that Frank Kalin should be allowed to draw up his own mandate for enforcing upkeep of both common and private property in the community. It was hoped that he would be able to put this together for consideration in December.

Judy said that she had met with Mr. Sajouskas of the City's Licensing and Inspection Division and had found them to be quite defensive. New Mark was not one of their target areas. While they were willing to back us up where necessary and could issue \$25 tickets for code violations, they expected the Association to take the first steps. Bill Calloway was the person who would soon be responsible for our community. Judy said that the city would inspect rental properties every two years if we would supply them with a list. Rose agreed to check with Doug to see if this in any way violated the privacy act.

Under budget discussions, the Board felt that the money expended for summer security guards was worthwhile and should be continued. Likewise, it was hoped that the swim team would be continued despite the expense involved. All of the suggested short term projects for 1988 were deemed reasonable, although it seemed that some could be assigned a lower priority than others (e.g. brick wall behind clubhouse, basketball court wall). Under long term projects, Mike challenged the \$17,000 estimate for the bridge. He felt that if it was really going to cost that much, we should strongly consider eliminating the bridge altogether. It was agreed that when the bids came in they needed to be considered carefully. Rose pointed out that the proposed budget had assumed a 3.5% increase in the cost of living whereas the actual increase for Sept. '86 to Sept. '87 was 4.7%. Marty moved that we increase the dues by the actual cost of living increase of 4.7%. Al seconded. Although the motion passed unanimously, Raj went on record stating that he still opposed the fact that townhouse owners were paying a higher amount to the reserve fund than were single family homeowners.

Under new business, Rose said that we had received a request from the Collins of 320 NME for a handicapped parking space. Rose stated that she had asked them to submit a request in writing, but that the facts were similar to those of the LeVee case in that the Collins' vehicle would have handicapped tags. The Board agreed to follow the precedent established by the LeVeEs.

Raj suggested we post "No Parking - Towing Strictly Enforced" signs around all circles in the townhouse areas, since the parking of vehicles created a hazard in the event of a fire and made snow removal virtually impossible. It was suggested that Rose call the Fire Marshall to see if they would lend support to our efforts. A newsletter article would warn residents of the new policy.

Rose said that she was getting very high estimates for snow removal, so it was her intention to renew the contract with Classic Landscaping, despite the number of complaints received. Raj felt that those single family homeowners who lived on the small circles should have to pay for their own snow removal, although they would be given the chance to piggyback onto our contract. Other members of the Board agreed, and Rose was instructed to write letters to the homeowners involved letting them know of the change in policy.

The meeting adjourned at 10:50 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
COMMUNITY BUDGET FORUM
NOVEMBER 18, 1987

ATTENDEES: Judy Doctor, Rose Kraenow, Al Levit, Mike Miller, Steve Plotkin, Marty Reiss, Linda Silversmith, Howard Broedel, Pat Reber, Walter Counts

On Wednesday, November 18th, the Board convened to receive input from the community concerning the proposed 1988 Budget. Attendance was small, and most of the questions were general ones concerning what a particular line item was. The following suggestions were made:

- 1) As we have to cut down more trees, why don't we split the wood and sell it to residents for firewood, helping to cut down on the cost?
- 2) When we are getting sidewalk repairs done, why don't we alert other community residents so we might be able to benefit from group rates?
- 3) Could we please get chain link nets for the basketball hoops and could we restripe the courts?
- 4) Could we check into whether we own the brick wall bordering New Mark's property and Monroe Street, since it is deteriorating and in need of repair?

After the budget portion of the meeting was over, Steve Plotkin, who had not been present at the last Board meeting, asked that we reconsider our decision to stop paying for snow removal for the single family homes bordering the small private circles. He pointed out that every homeowner in New Mark received snow removal, either from New Mark or the city. These 21 houses were a quirk, but our argument should be with the city. The amount of money was very small (approximately \$10 a house), and to change the policy after all these years would undoubtedly cause a stir. Mike Miller felt that by continuing to provide snow removal we were setting a dangerous precedent that would make it very hard for us to then say we would not pay for paving the circles. Others felt the snow removal was merely a courtesy, and in no way obligated the community for more extensive repairs and maintenance work. Mike suggested we might consult an attorney on this matter. Steve moved that an attorney be consulted, but that unless we received strong legal advice to the contrary, we should continue snow removal for the 6 circles. Judy seconded the motion, which passed by a majority vote.

The meeting was adjourned at 9:05 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS' MEETING
WEDNESDAY, DECEMBER 2, 1987

ATTENDEES: Judy Doctor, Rose Krasnow, Al Levit, Mike Miller,
Steve Plotkin, Marty Reiss, Doug Worthing

The meeting was called to order at 7:40 P.M. No one was present for the community forum. The agenda was approved. A minor correction was made to the minutes of the November 18th meeting, after which the minutes from the two November meetings were approved.

The 1988 budget (see attached) was adopted unanimously. The Board then discussed the best way to set up a Covenant Enforcement Committee. Although everyone was in favor of Frank Kalin's idea, it seemed evident that a system of checks was necessary. Mike Miller said that the committee should have at least three members, with representation from both the single family and townhouse units. The Board decided that any violation notices had to be approved by Rose and Judy before they could be sent out. If a homeowner did not respond to the notice, no corrective action could be undertaken until the committee had come back to the board, which could then authorize the necessary expenditures and trigger a lien. Mike pointed out that an absentee landlord might be more than happy for us to do the work, since we would be providing, in effect, an interest free homeowner's loan. He wondered if it was possible to take such a person to small claims court. Steve, Judy, and Rose were authorized to meet with the Covenant Enforcement Committee to finalize the plans for its operation.

On the issue of snow removal from the single family circles, Doug stated that it was his legal opinion that we were not setting a precedent by removing snow from the circles. Therefore, Rose was instructed to write a letter, to be approved by Doug, to the 20 affected homeowners to let them know that snow removal was a courtesy that we would continue to provide but that the community was not liable for damages or responsible for other types of circle maintenance. Mike Miller moved that the community clear the sidewalks along Welwyn Way, and, if time permitted, along Scandia to facilitate the movement of school children. Judy seconded the motion which passed unanimously.

Rose announced that a lien had been filed against David Soleimanzadeh of Scandia Way for failure to pay his dues. It was agreed that if the dues had not been received by January 1, 1988, the community would initiate an action in small claims court.

The Board reiterated the need to take whatever steps were necessary to prevent trucks from parking in the community. Each week two Board members could be assigned the task of driving through the community at night in order to post violation notices on the offending vehicles. Two warnings would be given; after

which the vehicle would be towed. The name of the towing company would be given on the second notice. The Board appointed Rose, Steve and Doug to work out the final procedures.

The Board authorized the cutting down of the large willow behind 876 NME; however, Rose was instructed to notify the affected homeowners before the work was begun.

Rose was also instructed to call the Fire Marshall's Office to see if each island in the Townhouse area could be designated as a No Parking Area in the interests of fire safety. Once such a designation was received and the yellow striping was put into place, violators would be subject to tickets from the Rockville Police Department.

The meeting adjourned at 9:10 P.M.

MONTHLY BUDGET - DECEMBER

EXPENSES

BUDGET #	CATEGORY	PREVIOUS TOTAL	CURRENT MONTH	YEAR-TO DATE	BUDGET
PROGRAM #1 -					
MANAGEMENT					
610-1	Salaries	11779.24	1070.84	12850.08	12850.00
620-1	Social Sec.	842.27	76.57	918.84	919.00
690-1	Travel	58.52	0.00	58.52	200.00
626-1	Accounting	2892.00	162.00	3054.00	3000.00
627-1	Legal	511.64	436.50	948.14	1500.00
640-1	Unempl. Tax	1855.07	0.00	1855.07	3600.00
641-1	Prop. Tax	628.36	0.00	628.36	750.00
642-1	R.E. Tax	522.10	0.00	522.10	550.00
643-1	Monroe Tax	823.30	0.00	823.30	823.00
644-1	Corp. Tax (1)	4216.00	0.00	4216.00	500.00
670-1	Wkmen Comp.	2875.00	0.00	2875.00	3200.00
671-1	Gen'l Ins. (2)	6762.00	0.00	6762.00	7290.00
672-1	Umbrel. Ins. (3)	2961.00	0.00	2961.00	0.00
673-1	Board Liab.	1205.00	0.00	1205.00	1480.00
674-1	Bonding	262.00	0.00	262.00	340.00
700-1	Telephone	582.38	53.27	635.65	910.00
801-1	Off. Supply	401.59	61.35	462.94	475.00
802-1	Newsl. Sup.			0.00	75.00
803-1	Postage	271.89	145.16	417.05	450.00
804-1	Bank Chgs.	22.71	0.00	22.71	50.00
805-1	Comp. Use	550.00	50.00	600.00	600.00
821-1	Social (4)	585.76	0.00	585.76	500.00
831-1	Print News (5)	611.84	57.97	669.81	1500.00
832-1	Print Dir. (6)	692.48	0.00	692.48	900.00
833-1	Other Print	383.30	17.48	400.78	600.00
834-1	News. Del.	220.00	25.00	245.00	275.00
835-1	Adm. Del.	227.00	-32.00	195.00	300.00
843-1	Electricity (7)	2368.49	229.61	2598.10	2200.00
901-1	CAI	240.00	150.00	390.00	500.00
945-1	Contingency	644.78	0.00	644.78	800.00
	TOTAL	45995.72	2508.75	48499.47	47137.00
PROGRAM 2 -					
TENNIS					
876-2	Supplies	292.55	0.00	292.55	350.00
917-2	Repairs	13.06	0.00	13.06	200.00
	TOTAL				
PROGRAM 3 -					
CLUBHOUSE					
611-3	Security Gd.	3400.00	0.00	3400.00	3400.00
620-3	Social Sec.	243.10	0.00	243.10	244.00
651-3	Alarm	753.76	252.00	1005.76	1100.00
652-3	Drkin	209.00	35.00	244.00	264.00
700-3	Telephone	441.18	40.79	481.97	480.00
841-3	Electricity	3675.05	181.36	3856.41	4800.00
843-3	Gas	2028.59	152.46	2181.05	3400.00

MONTHLY BUDGET - DECEMBER

877-3	Supplies	639.76	131.11	770.67	1000.00
924-3	Club Steps	0.00	0.00	0.00	635.00
925-3	Path Lgts.	121.28	0.00	121.28	800.00
945-3	Contingency	113.40	163.65	297.05	250.00
	TOTAL	11655.12	975.37	12631.49	16383.00

PROGRAM 4 -

POOL

611-4	Salaries (8)	22043.15	0.00	22043.15	20350.00
620-4	Soc. Sec.	1576.11	0.00	1576.11	1456.00
659-4	Open/Close	1100.00	0.00	1100.00	1100.00
851-4	Fees/Permits	55.00	0.00	55.00	150.00
842-4	Water			0.00	1300.00
871-4	Swim Team	425.00	0.00	425.00	425.00
877-4	Pool Supply	3640.50	0.00	3640.50	4000.00
945-4	Contingency	82.82	0.00	82.82	500.00
	TOTAL	28922.58	0.00	28922.58	29281.00

PROGRAM 5 -

LAKE

613-5	Casual Labor	63.60	30.00	63.60	100.00
843-5	Electricity (9)	887.02	10.17	897.19	1200.00
872-5	Fish/Chem			0.00	200.00
883-5	Fountains (10)	551.30	0.00	551.30	1400.00
912-5	Bridge Wall			0.00	550.00
945-5	Contingency (11)	3000.45	0.00	3000.45	200.00
950-5	Bridge Build(12)	1411.13	400.75	1811.90	
	TOTAL	5883.52	440.92	6324.44	3650.00

PROGRAM 6 -

MANAGEMENT

611A-6	Salary FT (13)	23554.56	2428.60	25993.16	25744.00
611A-6	Soc. Sec. FT	1684.92	173.65	1858.57	1841.00
611B-6	Salary PT (14)	6958.00	0.00	6958.00	12000.00
620B-6	Soc. Sec. PT	497.53	0.00	497.53	858.00
616-6	Hospitaliz. (15)	2078.46	167.00	2245.46	2100.00
617-6	Life Ins. (15)	212.00	0.00	212.00	100.00
629-6	Membership	85.00	0.00	85.00	85.00
690-6	Travel	470.20	39.80	510.00	600.00
651-6	Garden Plots(17)	-49.75	0.00	-49.75	225.00
652-6	Snow Removal	2520.00	280.00	2800.00	2400.00
654-6	Parking Lots	34.08	0.00	34.08	200.00
655-6	Sidewalks (18)	1950.00	0.00	1950.00	1500.00
656-6	Storm Drains			0.00	500.00
842-6	Water			0.00	100.00
874-6	Signs			0.00	150.00
880-6	Fuel/Oils	217.28	0.00	217.28	450.00
891-6	Tree Replace	520.90	242.02	762.92	600.00
892-6	Tree Removal(19)	955.00	1365.00	2320.00	100.00
893-6	Mulch/Soil (20)	1767.66	21.98	1789.64	1000.00
894-6	Soil Cond.			0.00	300.00
895-6	Weed/Insect	371.52	0.00	371.52	700.00
896-6	Seed/Plants	773.32	30.96	804.28	1000.00

MONTHLY BUDGET - DECEMBER

897-6	Trash Remove	220.78	0.00	220.78	200.00
898-6	Snow Chem	26.05	22.02	48.07	100.00
914-6	Vandalism	260.06	224.07	484.13	1500.00
915-6	Paths & Lgts	559.59	0.00	559.59	700.00
916-6	Lumber/Post	328.87	139.23	468.10	700.00
918-6	B-Ball Fence	1548.00	0.00	1548.00	2700.00
920-6	Office Supp.	54.90	0.00	54.90	100.00
921-6	Tools	195.02	52.38	247.40	200.00
922-6	Hardware	372.37	44.42	416.79	500.00
923-6	Safety Equip	151.25	23.09	174.34	300.00
930-6	Tractor	10253.50	0.00	10253.50	10255.00
931-6	Mower	446.25	0.00	446.25	500.00
932-6	Edger			0.00	500.00
935-6	Wall-216	444.09	0.00	444.09	445.00
936-6	Wall-800 (21)	3058.40	0.00	3058.40	470.00
940-6	Equip Repair (22)	995.66	16.13	1011.79	900.00
945-6	Contingency	808.30	84.84	893.14	2400.00
	TOTAL	64333.77	5355.19	69688.96	75023.00
	GRAND TOTALS	156790.71	9276.23	166066.94	172024.00

ASSETS

PETTY CASH	39.41
CHECKING	9017.13
MONEY MKT	45981.31
RESERVE FD	137189.65
TOTAL	192227.51

INCOME

SINGLE FAM	82899.00
TOWNHOUSE	78693.91
NON-RESIDENT	3375.00
LATE FEES	307.21
INTEREST	4550.30
CLUBHOUSE	3037.50
POOL GUESTS	923.00
TOTAL	173785.92

NORMAN H. ROBERTS
810 New Mark Esplanade
Rockville, Maryland 20850

19 December 1987

New Mark Commons Homeowners Association
P. O. Box 4206
Rockville, Maryland 20850-0023

Gentlemen:

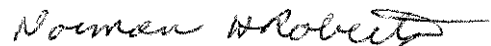
This afternoon as I was entering the 800-902 NME Parking Lot Entrance, to come home, straight ahead of me I noticed a light color roof being installed at 848 NME. I could not help from noticing this eye catcher, especially with dark roofs on each side.

A year ago when I installed a new roof, I was told that I must use the same color dark roof as the original, so that everything matched. Why doesn't this apply to everyone, namely these people in 848 NME, instead of being able to install any color they want - a light color eye catching roof? Even if all the roofs in that row of THs were all changed to light color, they still would not match the other units in this section and would look odd and out of place (eye catchers).

This letter confirms my message that I left on Rose's answering machine this evening concerning this matter.

I do not know if this change in roofing color was approved by the Architectural Committee for 848 NME, but feel that the Architectural Requirements should apply to all Townhouse residences, not just some of them in New Mark Commons. Have the architectural roof requirements changed in the past year, so that you can put on any color roof you want and not have to conform to matching roofs for all now?

Sincerely,



Norman H. Roberts