

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
JANUARY 6, 1988

ATTENDEES: Judy Doctor, Raj Gupta, Rose Krasnow, Mike Miller, Steve Plotkin, Doug Worthing, Ron Anderson, Don Gangloff, Inge Hill, Pat Reber, Hilde and Jacob Stemple, Paula Watson

The meeting was called to order by President Steve Plotkin at 7:50 P.M. Present at the community forum were several residents with architectural control problems. Ms. Inge Hill and Ms. Paula Watson, residents of 848 NME, were present at the request of the Board. Their new, light colored roof had received many complaints from nearby residents and was deemed to be in sharp contrast to the surrounding roofs by Architectural Control Chairman, Don Gangloff. Ms. Hill claimed that she had no idea that changing the color of the roof was subject to the architectural control restrictions. She said that she didn't really care what color the roof was, but she thought light would be nice and there were some other light colored roofs in the area (836 NME and 862 NME). The roof had cost \$1700, and would have to be taken off if a new roof was required. The Board fully recognized the financial implications of requiring the roof to be changed, yet it was pointed out that failure to take action would set a precedent and the covenants would perhaps lose their force. Mike wondered what the history was in these situations...had others been required to remove structures, reroof or repaint? Did the other two homeowners who had light colored roofs file architectural control forms? Could we ask only one of the three to change the color? In order to give every board member a chance to look at the roof in question, a vote on the matter was postponed until the next meeting.

Since the Stempel's request to change the door on their house had not been approved by the Architectural Control Committee, the matter came before the Board. The committee felt that the door chosen by the Stempels was not congruent with others in the area, since it was paneled rather than flush and was not as austere or contemporary. The Stempels disagreed. The Board noted that there were many types of doors in the community, and that there was little reason to disapprove the door since it was certainly in good taste. The Board voted unanimously to approve the Stempel's request.

Before proceeding, the Board told Rose to make sure that every newsletter made it clear that an architectural control form had to be filed for any exterior change (including color changes) to a dwelling unit. It was also suggested that Rose include such a notice on the semi-annual dues invoices. In this way, no one could ever again claim that they were unaware of the rules.

The minutes and agenda were approved as read. Under old business, Steve announced that the decision to stringently

enforce the covenant banning trucks in New Mark had been postponed in light of recent court decisions that had found such restrictions illegal. The truck committee would meet, instead, to determine if changes could be made to the bylaws that would still prohibit unsightly commercial trucks while allowing vehicles such as the smaller pickup trucks used by many for personal transportation.

Under new business, Rose had received a letter from the attorneys for the proposed Chestnut Lodge development, and she needed to know what position the Board wished to take on this issue. Steve suggested that every Board member should receive a copy of the letter, since the proposed development could have a major impact on New Mark and the community needed to be fully informed and ready to act.

It was agreed that the Annual Meeting would be held the first Wednesday in April, and that a request for new Board members would appear in the January newsletter.

The meeting was adjourned at 9.20 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
WEDNESDAY, FEBRUARY 3, 1988

ATTENDEES: Don Gangloff, Rose Krasnow, Al Levit, Mike Miller, Steve Plotkin, Marty Reiss, Doug Worthing

The meeting was called to order by Vice President Marty Reiss at 7:50 P.M. No one was present for the community forum. The minutes and agenda were approved as read.

Under officer reports, Rose announced that just over 70% of the dues had been received by the February 1st deadline. This was a definite increase over prior years and seemed to be a reaction to the Board's "Get Tough" plan to file a "Notice of Intent to File A Lien" against anyone who had not paid their dues within 30 days of the due date. Rose also said that she had met with Acting City Manager Rick Kuckkahn to discuss items of concern to New Mark, most notably the 10 acres of Westmont property just south of Don Mills, the Chestnut Lodge proposal, traffic problems on Maryland Avenue and New Mark Esplanade, aid from the city with respect to paving, and snow removal on the cul-de-sacs.

First on the agenda under old business was the question of the light colored roof at 848 NME. Since Judy Doctor was not present, she had written out her position: that the resident had acted in good faith and should not be required to change the roof in light of the cost involved and some question as to whether the bylaw restrictions were fully known to everyone. Raj Gupta, who also was not present, felt that the roof at 848 must be changed but in conjunction with the roof at 836 NME, which is essentially the same color. Steve felt it was not necessary to change the roof at 836 for two reasons: it was an end unit, which made the contrast less jarring, and the orientation of the unit was such that the light color was not so obtrusive. Mike felt that we could not single out just one person - that roofs had probably not been brought before the architectural control committee in the great majority of cases (they did not need to be unless there was a change in color), and that by being lax in the past, we could not now make an example of one homeowner. Yet others argued that if Mike were right, we might as well throw the covenants away on the grounds that by being lax in the past, we could not start again to enforce. Doug said that, legally speaking, homeowners associations could have taste standards, but that the courts were indeed loath to permit selective enforcement. He felt that we should at least require the owner of 836 to respond to our questions as to when the roof was replaced, who the owner was at the time, and so forth. Finally, Steve offered the following resolution: "That New Mark Commons should notify the owners of both 836 and 848 NME that in view of the fact that they had failed to comply with the covenants and that their light colored roofs were in violation of the community's architectural control standards, immediate steps

should be taken to bring them into compliance. Before undertaking any work, samples should be brought to the Board for approval." Marty seconded the motion, which was approved by all five of the attending Board members. The possibility of a law suit was fully acknowledged. It was agreed that if action was not undertaken by the owners in a timely fashion, the community would have to sue - to ask for a judgment that the owners be required to change the roofs. Members of the Board were willing to discuss the possibility of financing the required work, and Rose was urged to suggest to Ms. Hill of 848 NME that she had paid much too high a price for her new roof and should check with Consumer Affairs before undertaking its removal and replacement.

Regarding cable, Rose related some of the horror stories concerning installation in the townhouse areas. Her talks with the cable company had suggested that it would be difficult to pin them down on a specific rate structure, since the company argued that almost every TV was different and the layout of each home was so different. Nevertheless, it was agreed that an article should be run in the newsletter alerting homeowners to the price inconsistencies.

Rose announced that only two bids had been received for the bridge and that the prices varied by more than \$3000. She said that it was possible that one other bid might yet come in or that we might be able to negotiate with the higher bidder to bring his price in line with our expectations. Al moved that the Board allow Steve Plotkin to make any necessary decision concerning the choice of a contractor. Doug seconded the motion, which passed unanimously. Rose was also instructed to ask our engineer to begin an inspection of the community owned roads and parking areas, so that the necessary paving work could be undertaken.

Under new business, Rose pointed out that our entire reserve fund of over \$140,000 was at Chevy Chase F.S.B. but that only the first \$100,000 was insured. She was instructed to immediately place some of the funds at another bank, preferably in the form of a 3 or 6 month CD that would yield a higher rate of interest.

Rose told the Board that she had received a vociferous complaint from Syd Corwin, a resident of the 500 block, about illegally parked trucks. It was agreed that the truck committee, composed of Rose, Steve, and Doug would meet the following Wednesday night.

The meeting was adjourned at 9:30 P.M.



**NEW MARK COMMONS
HOMES ASSOCIATION, INC.**

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AGENDA

BOARD OF DIRECTORS' MEETING
WEDNESDAY, MARCH 2, 1988
CLUBHOUSE - 7:30 P.M.

7:30 P.M.	Call to Order
7:30 - 8:00	Community Forum
8:00 - 8:05	Approve Agenda Approve Minutes
8:05 - 8:15	Incoming Correspondence Outgoing Correspondence
8:15 - 8:45	Chestnut Lodge Presentation Guests: Mr. Anthony Bullard of Chestnut Lodge and his attorney, Mr. Lynott
8:45 - 9:00	Officers' Reports Maintenance Report
9:00 - 10:00	Old Business - Roof at 836 NME - Bridge Rebuild - Truck Regulations
10:00 - 10:15	New Business -Preparation for Annual Meeting
10:15	Adjournment

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
WEDNESDAY, MARCH 2, 1988

ATTENDEES: Judy Doctor, Raj Gupta, Rose Krasnow, Al Levit, Mike Miller, Steve Plotkin, Marty Reiss, Douglas Worthing, Sima Osdoby, Art Katz.
Guests: Mr. Joseph Lynott and Mr. Anthony Bullard

The meeting was called to order at 7:40 P.M. No one was present at the community forum. The Board agreed that Bullard and Lynott should be made aware of the fact that the community has no official position on the Chestnut Lodge proposal at the current time. Any opinions that might be given would be those of the individual. Mike asked how we planned to determine the community's stance. The Land Use Committee offered to make a presentation at the Annual Meeting to be held on March 23rd. As Steve pointed out, however, there seemed to be no benefits, only costs, associated with the hospital's proposal. The fact that the NPAG #4 Report recommended that Maryland Avenue be upgraded to accommodate heavy trucks also raised a great deal of concern among Board members.

The minutes and agenda were approved. Rose had attended the city's seminar on gypsy moth prevention. She pointed out that our area was to be sprayed; that the helicopters would be flying quite low, and that the substance, while safe, would be difficult to remove from cars left outdoors. The Board felt there was little we could do other than to keep residents informed.

Rose read a letter from a Mr. Yates who sought permission to sell fruits and vegetables within New Mark approximately twice a week from July to September. The Board was a little concerned that too much outside traffic might be brought in. Since it seemed to be beneficial to our residents, however, and since we could terminate the agreement at any time, Doug moved that we give Mr. Yates permission. Judy seconded the motion, which passed by a vote of 6-1.

Under officer's reports, Rose reported that the audit had been completed and the books had been found to be in good order. Following the Board's instructions, Rose had placed \$25,000 in a 3 month CD, \$25,000 in a 6 month CD, and \$19,734 in a one year CD at Providence Savings & Loan. This left just over \$96,000 in our reserve fund at Chevy Chase, which brought us back within the limit insured by the FDIC. As of the end of February, 27 people had not yet paid their dues, and the notices of intent to file a lien would be sent out by the end of the first week in March.

Rose reported on her conversations with Andrea Eaton concerning future traffic problems on Maryland Avenue and on her talks with Joe Cutro, City Traffic Engineer. Given the cooperation New Mark has received from Mr. Cutro's division in the past, the Board

felt we should wait and see what actually happens when the Interchange is opened before taking any action.

The first matter under old business was the issue of the roofs at 836 and 848 NME. Rose had called Mr. Dykstra of 836 NME to let him know that some 15 months after the fact, the Board might require him to change the color of his roof. Mr. Dykstra was quite upset and stated that he would do no such thing. In light of his reaction and given that two board members had been absent at the February meeting, it was decided to review the matter once again. Steve reiterated the Board's policy: If you change the exterior of your house without filing the proper form, you do so at your own risk. If the Board finds it obnoxious, you can be required to change it. However, Steve felt the location of the unit at 836 made a great deal of difference, because that roof simply did not seem obnoxious, whereas the other one did. Yet, Raj saw no reason for selective enforcement, particularly since seeing the light colored roof at 836 definitely influenced the decision of the owner of 848. Doug said you could never know if the court would feel that this was a case of selective enforcement. He felt that Mr. Dykstra might be able to get off the hook by proving latches (by our delay, we permitted the problem to disappear), but we would not know this unless the matter went to court. Mike asked how many Board members objected to the roof at 848 NME to such an extent as to justify requiring the owner to change it. A vote was taken and 4 Board members felt it was not that obnoxious, while three felt that it was. In light of this, it seemed the whole matter should be dropped. Because the dissenters were seriously concerned that this would weaken our ability to enforce the architectural control provisions of our covenants, particularly with respect to roofs, it was suggested that the matter be brought up for discussion once again at the next meeting. A vote was taken, and by a 5-2 margin, it was agreed to drop the matter permanently.

The Board then heard a presentation from Mr. Anthony Bullard of the Chestnut Lodge Hospital and his Attorney, Mr. Joseph Lynott. Basically, they stressed that it seemed unreasonable to them to place residential development within 600 feet of I-270. They tried to assure the Board that the hospital would have absolute control of any development that would occur, particularly since the hospital was closest to the area in question and would, therefore, be the most affected. Arthur pointed out that we had no guarantees that the developers would be subject to Mr. Bullard's wishes, nor could we be certain that Mr. Bullard would not just sell the property. Mike Miller was concerned that if the hospital property became an office park, it would not be long before other property owners between downtown and the hospital might decide to sell their property for profit, and the whole nature of the area would be changed. After the guests left, Steve agreed to present the position of the community at the public forum to be held on Wednesday, March 30th. Although Board members would be polled after the Annual Meeting, it appeared that the community would oppose the change to the O-3 zone.

Rose reported that we had only been able to get two estimates on the bridge and that the higher one seemed to offer no real benefits over the lower one. Steve moved that we contract with the lowest bidder, SAMAR CONSTRUCTION CO., INC., to perform the necessary bridge repair, with the understanding that our contract would contain some sort of penalty clause should the work not be completed in the time specified in the contract. Judy seconded the motion, which passed unanimously.

The Board then reviewed the proposed truck and van regulations that had been drafted by the truck committee. After making a few small corrections and clarifications, it was agreed that the draft should be published in the newsletter so that it could be discussed at the Annual Meeting on the 23rd. The Board accepted Judy Doctor's offer to rewrite the regulations in such a way as to take out the legaleze.

The Board also agreed to accept the contract of Sport Systems, Inc. to replace 13 poles and all the wire mesh on the tennis court fence at a total cost of \$6000.00.

Finally, the Board reviewed the proposals received from Executive Pool Service concerning needed repairs of the pool deck. In view of the major cost involved (\$47,000), it was agreed that we should plan only on finding someone to take down the high dive this spring. Then, over the course of the summer, we could receive additional proposals from other contractors and possibly schedule the needed work for the fall.

The meeting was adjourned at 10:35 P.M.

NEW MARK COMMONS
BOARD OF DIRECTORS MEETING
WEDNESDAY, MAY 4, 1988

ATTENDEES: Tom Bull, Jim Denney, Judy Doctor, Howard & Caryn Groedel, Raj Gupta, Jill Kallmeyer, Rose Krasnow, Al Levit, Steve Plotkin, Marty Reiss, Don SilverSmith, Richard Winecoff, Sabra Woolley. Engineer Neil FitzSimon

The meeting was called to order at 7:40. Several people were present at the community forum. Tom Bull of 294 NME had researched the erosion problem near his house and presented several possible solutions to the Board. All the landscapers he consulted seemed to agree that the area needed to be tilled, fertilized, and planted with grass and/or ground cover. Rose wondered whether there was enough foot traffic in the area to merit a flagstone path. Rick felt that rototilling would kill all the maples, which have roots very close to the surface. The Board wondered if a catch basin at the top of the slope might in fact be necessary to prevent the entire job from being washed away after a heavy rain. Steve pointed out that since the garden shrubs were not a necessity, the Board would not pay for them. Nevertheless, the Board said that it was committed to doing something to ameliorate the situation. Tom agreed to get answers to the Board's questions prior to the June Board meeting.

Judy Doctor voiced her neighbor's concern about the tree behind 5 Tegner Court that was infested with tent caterpillars. Rick stated that he had sprayed the tree and that it was too early to know whether the tree was dead. Rose agreed to talk to Professor Stan Gill, Extension Agent at the University of Maryland, about the tent caterpillars and to seek his opinion about the advisability of planting new trees along the lake bank.

Jill Kallmeyer of 818 NME came to express her dismay over the shabby maintenance of the 800 block. She said that the curbs and sidewalks had not been cleaned since she had become a resident in October, and the result was a mulchy, leafy mess. She wondered just who was responsible for the upkeep of these areas. Rick stated that his problem was a lack of time. Steve suggested that Jill get in touch with Landscape Chairman Bud Eaton, also of the 800 block, to suggest having an Earth Day, where residents would work together to clean up the common areas. If Mr. Eaton seemed to be disinterested, the Board felt perhaps a new Landscape Chairman should be sought. Raj suggested that a committee be formed with one representative from each townhouse area.

Mr. Neil FitzSimon, New Mark's Engineer for the bridge, explained to the Board that he had developed a program for communities such as ours whereby each element of the infrastructure could be identified and classified in terms of the timing and need for repair. Adopting such a program would allow New Mark to put realistic amounts into a reserve fund. Mr. FitzSimon would do the initial surveys and set up the original database. After that

the community could input additional data. The entire survey could be updated every couple of years. Mr. FitzSimon said that if he was given a plat of the entire area, he could provide a cost proposal that would include setting up such a program for the long term and preparing the specs for the paving work that needed to be done right away. The Board hoped to proceed with Mr. FitzSimon's plan, if the cost proved acceptable.

Although the agenda and minutes of the previous meeting were approved, Raj Gupta suggested that whenever a vote was not unanimous, the minutes should reflect who cast the dissenting votes. Steve felt that this was reasonable but that it was not necessary to broadcast the vote to the community. Anyone who was interested could read the minutes. Raj also suggested that from a procedural standpoint, we should put almost every matter into the form of a motion...that just getting the feeling of the Board was not correct and could lead to legal difficulties. The Board agreed.

Richard Winecoff, Maintenance Supervisor, was present to tell the Board that he had not bought an edger because he didn't have enough time to edge. The Board, in turn, told Rick that edging at least once a year was a top priority and that it did make a difference. It could be done in July when the mowing had slowed or early in March, but it had to be done. Steve Plotkin tried to explain that there were "windows of opportunity" (slack times) that Rick had to put to better use. The Board agreed that Rick could divide the community into two parts. The Esplanade would be mowed every week, while everything else would be mowed every other week. The Board again stressed to Rick that he had to defer to Rose's authority.

Rose reported that five people still had not paid their dues and that some of them had never accepted their lien notices that had been sent by certified, return receipt requested mail. After some discussion, it was agreed that the community could proceed to file the liens.

Under outgoing correspondence, Rose read a draft of a letter to the City requesting that the timing of the work sessions on Chestnut Lodge be moved from August to any other month to allow more citizens to participate. Al moved that the letter be sent. Judy seconded the motion which passed unanimously.

Steve reported that Marsha Douma was forming a group to oppose the Chestnut Lodge proposal and had asked New Mark to send a representative. Marty was willing to attend but wanted to know if he was representing himself or the community. By a vote of six to zero, the Board agreed to oppose Chestnut Lodge. (Sabra abstained) It was felt that the sentiment expressed by residents at the Annual Meeting had clearly been one of opposition.

Rose outlined the flooding problem that had occurred in the 200 block of NME. Although Steve had convinced Mayor Duncan to have

the storm drains cleaned by the city this time, Duncan had made it clear that it would be our responsibility in the future. As it turned out, the pipe was actually broken, and repairs would be costly because the concrete steps would have to be taken out and then replaced. Rose was instructed to get bids on the work that was needed. In the meantime, Rose had drafted a letter to Duncan urging him once again to reexamine the issue of double taxation on communities such as ours. Since the Board agreed with the basic gist of the letter, Steve said he would edit it and send it on. The Board also decided to bring this issue before the County's new Homeowner's Association Task Force. Caryn Groedel was selected to represent New Mark at these meetings.

Rose reported that our 3 month CD was about to expire. She suggested that we roll it over into a six month CD so that we would still have 3, 6, and 9 month maturities. Raj moved that we accept Rose's suggestion. Al seconded the motion, which passed unanimously.

The Board then discussed the truck regulations. Jim Denny, of 514 NME, said that it seemed clear that the intent of the covenants was to exclude common, work type vehicles. He felt that the new regulations clearly did this, and that the size and height limitations were unnecessary. Steve explained, however, that the intent was to exclude not only commercial vehicles but full-sized pickups as well. Whether they were right or wrong, many people still felt such trucks brought down property values. The Board was not trying to change the covenants but hoped only to formalize an exclusion (the small, personal passenger trucks that had not been created when the covenants were written). The Board tabled final discussion of the truck regulations until the June meeting.

Steve discussed the Architectural Control Proposal of John Flocks, of 124 NME. Both Don Gangloff and Steve felt that the height of the proposed fence (6 ft. 8 inches) and the proposed shed were not in keeping with the esthetics of the community. The Board agreed and authorized Steve to negotiate with Mr. Flocks. Replacing the small brick wall with a railroad tie wall was the one part of the proposal that seemed to be reasonable.

The Board then discussed Neil Gallagher's proposal to research, write, and print a public relations brochure for New Mark Commons. The Board unanimously agreed that there was no money available for such an item. Rose was instructed to thank Mr. Gallagher while letting him know of the rejection of his idea.

Steve, Marty and Judy agreed to run again as President, VP, and Treasurer respectively. They were reelected unanimously. The Board lauded Steve for his outstanding job during the past year.

Judy moved that Rose be compensated for the time that she would be unable to work due to surgery. Steve seconded the motion, which passed unanimously. The meeting adjourned at 11:45 P.M.

NEW MARK COMMONS
BOARD OF DIRECTORS MEETING
WEDNESDAY, JUNE 1, 1988

ATTENDEES: Billie Jordan, Sue Ginsburg, Alvin Williams, Stan Sirotkin, Manny Gordon, Pauline Gordon, Claudia Rathbone, Delores Manclark, Andrea Eaton, Tom Bull, Don Gangloff, Al Levit, Judy Doctor, Raj Gupta, Steve Plotkin, Sabra Woolley, Marty Reiss

The meeting was called to order at 7:45 by Judy Doctor, who presided until Steve Plotkin arrived.

At the community forum, Andrea Eaton presented the Board with a petition containing the signatures of 29 people who opposed the community's plan to allow oversized vans to park in the court downhill from the 200 and 300 blocks of NME. After a discussion of the history of New Mark's parking regulations, and the possibility of "grandfathering" presently owned oversized vans, it was decided that the Board would postpone their vote on the new regulations until the July meeting. A notice to that effect will be put in the newsletter so that anyone interested may attend.

Alvin Williams requested permission to rent the clubhouse with a waiver of the \$300 deposit. The Board's consensus was that no exceptions to the deposit rule could be allowed.

Stan Sirotkin and several of his neighbors living in the 500 block of NME protested the Architectural Control Committee's granting of a request to paint, rather than stain, a home in that block. Don Gangloff explained the Committee's reason for approval. The house was painted shortly after the approval over the protests of several neighbors. The Board apologized for procedural difficulties but noted that no remedies were now possible. The 500 block agreed to submit a revised set of procedures for the Architectural Committee for the Board's approval. The Board agreed to write to the house in question to notify the homeowners of a violation concerning non-enclosed garbage cans.

Billie Jordan submitted a letter to the Board concerning the flooding of her backyard and basement. Sue Ginsburg noted that this is a common community problem. Steve Plotkin responded that the Board would contact our engineer, Neil FitzSimon, and consult with him about the drainage situation longterm. Meanwhile, Rick would be asked to come up with a temporary solution to the Jordan's problem.

A letter from Linda Silversmith requested that "No Smoking" signs be placed in the pool area. The Covenants restrict smoking only within 6 feet of the water. The Board voted unanimously to ask Tim to post signs saying "No Smoking Within 6 Feet of the Pool".

The agenda and minutes of the previous meeting were approved.

Under incoming correspondence, Judy Doctor noted that the new crime prevention officer for the City of Rockville is Officer Lee Potter. A loud party at the Clubhouse in mid-June resulted in several letters from residents on Tegner Way. The Board felt that a letter of apology should be sent to them. In addition, several policy changes were made by unanimous vote. In the future, only homeowners (not their children over the age of 21) can sign the clubhouse lease. All checks for the deposit and rental must be the checks of the person who has signed the contract. If it is discovered that admission has been charged at the door, the entire deposit is forfeit.

The Board noted that that the Architectural Committee needs additional members and asked for volunteers. Don Gangloff was also asked to revise the present form.

Steve Plotkin requested that the Board raise its contribution to the swim team from \$425 to \$500. The motion passed unanimously.

Tom Bull submitted a revised plan to halt erosion in his area. Having done extensive research on how to solve the problem, Tom explained in detail the various steps to be taken. The Board expressed concern about the precedent that would be set by extensive landscaping and other features, the need for watering, use by bicycles, and so forth. Nevertheless, the Board did agree that some action to stop the erosion was necessary. Steve Plotkin was authorized to look over the site once again and to decide exactly what responsibility the Association would assume. Steve scheduled an on-site inspection for the next evening (June 2) and asked any interested Board members to join him.

The meeting was adjourned at approximately 11:10 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
JULY 13, 1988

ATTENDEES: Margaretha Bull, Joe Jordan, Dirk Nies, Don Gangloff, Amy Ripps, Judy Doctor, Howard Groedel, Raj Gupta, Rose Krasnow, Al Levit, Steve Plotkin.

The meeting was called to order by President Steve Plotkin at 7:35 P.M. Dirk Nies of 296 NME was present at the community forum to support Tom Bull's proposal to stop the erosion near their homes. The Board, which had already received copies of Tom's latest plan, wondered if there was some stone that cost more than rip rap (a large, unattractive grade) but less than river stone. The Bulls actually wanted a natural ground cover, and Margaretha reiterated their willingness to maintain it. However, the Board feared that we would lose a large part of our investment if the ground cover did not survive. Given the other erosion problems in the community (near 246 and 328 NME and around the steps to the bridge), it was agreed that we should ask our engineer for suggestions as to the best course of action.

Joe Jordan of 328 NME reported that he had taken several steps to improve the drainage problems near his house. However, when Rick built a berm to direct the water down the hill, he actually covered up one of the existing drains, undoing much of Mr. Jordan's work. The Board wanted to check the ownership of the hillside between 324 and 326 NME and Mr. Jordan's property. They also hoped to determine whether the builder or the homeowners had put in the existing drainage on the slope. Since Mr. Jordan felt he knew how to solve the problem, it was agreed that Rose and Rick should work with him directly. Steve moved and Howard seconded that New Mark would provide up to \$200 worth of materials for the project. The motion passed unanimously.

Raj pointed out that the Clubhouse Rental Agreement needed to be changed in light of the new rules passed by the Board. The form, which Raj offered to redesign, must be more explicit with respect to the following: 1) The signer of the agreement must be either a resident owner or a lease holder; 2) The signer must be present for the duration of the party; 3) Both the clubhouse fee and the deposit will be deposited prior to the party to insure the validity of the checks. 4) Charging admission at the door will result in the forfeiture of the entire deposit. In such a case, damage assessments would be over and above the initial deposit amount. After considerable discussion, Raj moved and Judy seconded the motion that third party checks should be allowed, since we would now know prior to a party whether or not the check was valid. The Board emphasized that any restriction could be waived, if a request to do so was received in writing and approved by Rose.

Judy suggested that when we get estimates for the work needed on the pool deck, we should consider putting in an area of shade.

Rose briefly described the incident that occurred on July 5, 1988 when Rick removed a radioactive object from the Lake. The Fire Marshall and the State's Radioactive Assistance Team were called in, and it was determined that the object posed no danger to the lake or to our personnel. A report is on file with the state in Baltimore (Mr. Raymond Manley, Dept. of Health and Mental Hygiene, Division of Radiation Control, 201 West Preston Street, Baltimore, MD. 21201, 301/333-3130).

The agenda was approved. Two minor changes were made to the minutes. 1) With regard to Clubhouse noise, only one resident on Tegner complained, although complaints were received from several other community residents. 2) The minutes needed to reflect that only resident homeowners and leaseholders could rent the clubhouse.

Don Gangloff, Architectural Control Chairman, presented two different drafts of a new Architectural Control Form. The Board felt that neighbors who were signing the agreement might be intimidated if they had to express their opinion regarding the project on the form itself. Therefore, it was agreed that the form should simply urge signers to make their feelings known to the Committee either in writing or with a phone call. Since the form states that a project is automatically approved if the committee does not respond within 30 days of the date of submission, the Board wanted to clarify what constituted that date. It was agreed that the date of submission would mean the date on which receipt of the form was acknowledged in writing.

Under outgoing correspondence, Rose read a draft of a letter to Mr. Segovia of 505 NME, asking him to remove the shed in his back yard and to enclose his garbage cans in accordance with the covenants. Howard pointed out that many residents in New Mark had their garbage cans outside. The Board decided to send the letter without mentioning the garbage cans. A newsletter article would remind residents that garbage cans could only be outside on trash collection days. A form letter would be sent to those who were not complying with this section of the covenants.

Under Officer and Committee Reports, Rose reported that 16 people still had not paid the second half of their dues. Two of these had paid nothing for the entire year. The Board reiterated their desire to place liens as quickly as possible.

Judy reported that the Rockville Planning Commission had recently reaffirmed its stand not to allow trucks on Maryland Avenue.

A discussion of the proposed truck and van regulations led to several changes. In light of the petition received from the residents of the 200 and 300 blocks in opposition to van parking alongside 318 NME, Steve Plotkin agreed to withdraw that suggestion from the document. After considerable debate, it was agreed to drop the height restriction for vans. Anyone who could prove ownership of a van prior to the effective date of the

regulations would have 60 days to apply for an exemption. Since many vehicles were commercial based solely on their signs or markings (example: Heating and Air Conditioning trucks), it was agreed to ban vehicles with such markings in addition to those with visible equipment or materials. It was also agreed that any motor home, regardless of its height and length, should be excluded. Steve moved that the amended regulations be adopted as of August 1, 1988. Al seconded the motion. It passed unanimously.

Under new business, Rose reported that several residents were eager to get new trees planted along the lake bank. The appearance of the lake front would be improved and the bank stabilized. The Board agreed to plant trees in the fall. Rose was instructed to talk to a naturalist at Brookside Gardens or to the Agricultural Extension Agent. Rick would be allowed to pick the trees, subject to approval by Steve Plotkin.

The Board decided that some comparison shopping was necessary before a decision could be reached concerning the best type of legal counsel for New Mark. The Board needs to know who is available with expertise in this area and what they cost. Howard also pointed out that the Board should know who would actually be doing the work. He agreed to work something up by the next meeting. In the meantime, Doug Worthing would be asked to proceed with the liens that needed to be placed.

Rose had checked into the new pesticide law and learned that it did not apply to New Mark. Nevertheless, the Board felt that we should comply with the section requiring that flags be posted whenever an area was sprayed. The flags would state the name of the product and the date that the spraying had occurred.

The meeting was adjourned at 10:20 P.M.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS' MEETING
WEDNESDAY, AUGUST 3, 1988

ATTENDEES: Sue Ginsburg, Phillip & Maxine Weinstein, Jeri Blum, Jeffrey Snell, Beverly Davis, Mimi Senold, Judy Doctor, Raj Gupta, Rose Krasnow, Steve Plotkin, Marty Reiss, Sabra Woolley.

The meeting was called to order at 7:40 P.M. by President Steve Plotkin. Several residents came to the Community Forum to let the Board know that there was a general dissatisfaction with the level of maintenance. The grass was not cut frequently enough and had become very weedy. Edging never seemed to be done. Rick failed to reseed areas that he had promised to reseed. Pruning was not sufficient. Steve pointed out that Rick was very busy during the summer and could not get to everything. In the past there had been greater involvement on the part of the homeowners themselves. Sue Ginsburg and Maxine Weinstein agreed to rejuvenate the Landscape Committee, but they also requested that the Board try to get better results from Rick. Mr. Weinstein suggested that Rick might work a six day week in the summer and only four days during the winter. The Board did agree to require a daily project log from Rick.

The minutes and agenda were approved as read. Under incoming correspondence, Rose read a letter from Tony Kolker asking that we help him prevent people from dumping on his property which is adjacent to Dogwood Park and Monroe Extended. In light of Tony's handicap, the Board agreed that if the City would not help, Rick would clear out the property one time and put up some type of No Dumping sign. Rose was also going to see if help could be obtained from the County Office for the Handicapped.

The Velte's, of 4 Lakeside Overlook, had written to complain about the general disrepair of the house at 3 Lakeside Overlook. The Board agreed to write to the residents at #3 to ask them to attend to the problems cited. The Board noted that the lack of a cover for the front light fixture was a problem that plagued the entire community, since new covers could no longer be obtained. Rose said that the next newsletter would once again list the model number of the fixture that had been selected on the basis of both compatibility and cost. The Board agreed that a form letter should then be sent to every homeowner with an exposed bulb asking that the new fixture be purchased.

Peggy Loftus of the YMCA had written to request use of the New Mark Clubhouse for an Aerobics class for people over 60. The Board agreed to let the Y use the Clubhouse at a rate of \$10.00 an hour as long as half of the participants in the class were residents of New Mark. Although Raj worried that we needed more specific guidelines concerning who would be allowed to use the club facility, the Board felt that decisions could be made based on the merits of each proposal.

Mary Aldridge, the new owner of 810 NME, wondered whether the community would pay for the damage to her trees that had occurred when a tree on community property fell down. Rose had learned that the City of Rockville did not pay for such damages as long as there was no prior knowledge that the tree was dead or dying before it fell. The Board decided to follow the same policy.

The Board also recieved a letter from Doug Worthing, complaining about the lack of maintenance received by the tennis courts and the fact that the new net still had not been put up. The Board decided to ask Doug if he could help with the net, since Rick claimed that he had never put one up before.

Under Officer & Committee Reports, Marty announced that the Planning Commission would discuss Chestnut Lodge on September 28.

Since Howard Groedel was not present at the meeting, the question of whom to hire as legal counsel was postponed. It was suggested, however, that the Board try to determine the type of things we might need counsel for. In this way, it could be better determined if counsel should be hired on a flat fee basis or only on an "as needed" basis.

With respect to the new clubhouse rental agreement presented to the Board, Judy was afraid that it might be too specific. What if there was an undesirable use that we had forgotten to include? The Board felt that the application could easily be changed again, however, if such loopholes were discovered. After making a few minor corrections to the proposed application, it was approved by the Board.

Rose announced that she had learned that afternoon that Cable TV-Montgomery did not have a 10 foot utility easement in New Mark as they had previously claimed because New Mark had been built before such easements were standard. In fact that had an easement only 1 foot wide from the edge of the sidewalk or from the street if there was no sidewalk. The Board felt that single family residents should be notified of this fact immediately by flier. The cable company should likewise be told that the flier was going out and that we would expect them to change any box location that did not fall within the 1 foot easement.

The Board agreed to keep the pool open on September 10th and 11th. It was also noted that the Board needed to set up a Truck and Van Committee now that the regulations had been passed. Rose agreed to write Joan Gray, of 1 Harlow, asking her to finish the construction that was occurring in her backyard and to cut her grass in the meantime. Finally, the Board decided that the Homeowner's Packets should contain a notice to purchasers warning them that New Mark is a Homeowners' Association, not a Condominium Association.

The meeting was adjourned at 9:40 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
WEDNESDAY, SEPTEMBER 7, 1988

ATTENDEES: Raj Gupta, Steve Plotkin, Marty Reiss, Sabra Woolley, Howard Groedel, Rose Krasnow, Tom Bull.

The meeting was called to order by President Steve Plotkin at 7:45 P.M. The Board briefly discussed the erosion at 294 Esplanade, even though Tom Bull had not yet arrived. It was felt that the problem, though severe, was not as bad as Tom Bull implied. Our engineer, Neil Fitzsimon, had indicated that the erosion was not damaging Tom's property. Raj suggested we get a letter from Fitzsimon to this effect. Marty said that we could handle the problem sequentially. A drain could be installed, and some dirt and rock brought in. The area could be hydroseeded. After evaluating the success of these measures, the Board could authorize additional work if necessary.

Raj informed the Board that the tenants at 316 NME were always repairing cars in the townhouse parking lot with their radios blaring. Although the police had been called, little improvement was noted, and some of their tools were being stored on common property. Rose was asked to write letters to both the tenants and the owner, stating that these actions must stop and that materials left in the woods would be confiscated.

Rose reported that the sickly looking sycamores on Tapiola and Vallingby had anthracnose. She agreed to check with the city to see if these could be replaced.

Rose also reported that a successful Landscape and Grounds Committee meeting had been held on Wednesday, August 31st. Steve moved that the residents who volunteered to serve on that committee should be duly appointed by the Board (See attached list). Sabra seconded the motion, which passed unanimously. One issue that had been brought up at the landscape meeting was who was responsible for repairing sidewalks that led up to a townhouse door when ownership seemed to be split between the community and the resident. Past boards had apparently ruled that since the sidewalk (or driveway) benefitted only the owner, the community would not pay anything, but it was not clear if this decision was legal. If Rick could determine where everyone's property lines actually fell, the Board would have some idea of the magnitude of the problem. It was also agreed that we should consult a lawyer to learn if, in fact, we were obligated to pay for these repairs.

Rose reported that members of the Landscape Committee were adamant that the willows along the lake not be removed, despite the damage they were causing to the bike path. Steve pointed out that the engineer suggested we might put in little Japanese-style footbridges over the raised roots.

Under correspondence, the Board felt that the letter Art Katz had drafted for the community to send to the Planning Commission concerning the environmental impact study for Chestnut Lodge was too narrow. The Board approved the letter after suggesting that Steve rewrite the first paragraph to reflect our strong support of the full residential option.

Rose reported that New Mark had received \$1804.52 from the County for road reimbursement. This was actually less than last year because gas revenues had gone up which meant the locally funded portion of road repairs had gone down. Raj felt that we should band together with other homeowner associations (particularly Montgomery Village) to protest the fact that the reimbursement fell so far short of actual maintenance costs.

The City had written to inform New Mark of an appeals hearing for a variance requested by Richard Duncan of 5 Stevenage Ct. The community had not received an Architectural Control application from Mr. Duncan, nor had the city informed us when the original request for a variance had been filed (as the city has promised it would do). Rose had written to Duncan before he moved in, informing him of the need to obtain architectural approval for any exterior changes. In light of the above, the Board agreed to write a letter strongly opposing the requested variance.

Rose reported that only two persons had not paid the second half of their dues. The Board urged that liens be filed.

Under old business, the first item was the erosion at 294 NME. The Board was willing to hire American Way Landscaping to put in a drain and pipe that was strong enough to withstand the pressure of the tractor or people walking on it. Connections would be made from 854-862 New Mark Esplanade so that their runoff would flow directly into the new pipe. Before the drain was put in, Rose and Steve Plotkin would meet with Rick to make sure that he would be able to get the dirt and rock necessary to cover the pipe with no delay. The area would then be hydroseeded. Steve moved that the above arrangements be adopted. Raj seconded the motion, which passed unanimously.

The Board discussed modifications to the new Truck and Van Regulations. The section stating that no vehicles would be allowed with commercial markings was changed to read "No trucks or vans with commercial markings would be allowed" since the Board lacked authority to regulate passenger vehicles (such as taxis). In addition, the clause that grandfathered existing vans was changed to grandfather only those vans that did not meet the new restrictions in terms of length. The Board never intended to grandfather commercial vans. Raj moved that the amendments be adopted. Steve seconded the motion, which passed by unanimous vote. It was agreed to announce the modifications in the newsletter while making it clear that these modifications were not changes in the content of the regulations, they merely corrected oversights that occurred while drafting the new rules.

Under new business, the Board reviewed the proposal from Engineer Neil FitzSimon to undertake a survey of the common elements of New Mark Commons, focusing initially on the parking lots. Howard pointed out that the itemized breakdown of costs added up to \$2000, not \$3000. Rose was asked to check on this to ascertain the correct amount. Raj wondered whether the cost included the bike paths. Since the Board had agreed earlier that it would be cheaper to handle paths and parking lots at the same time, it was agreed that the engineer should be asked to include the paths in his survey. Steve moved that we accept the plan in theory (the correct price still needed to be ascertained.) Howard seconded the motion, which passed unanimously.

The meeting was adjourned at 9:55 P.M.

Note: By telephone vote, the Board approved the appointment of Don Gangloff, John Hammon, and Josefina Burgos to the Architectural Control Committee.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
WEDNESDAY, OCTOBER 5, 1988

ATTENDEES: Howard Groedel, Raj Gupta, Rose Krasnow, Al Levit, Steve Plotkin, Harvey Scali, Robert Loevinger.

The meeting was called to order at 7:35 P.M. by President Steve Plotkin. The community forum dealt with the problems being created by the tenants at 316 NME who have been undertaking major car repairs in the community's parking lot. Oil spills, blaring radios, and the number of parking spaces being occupied were some of the additional nuisances being endured by nearby residents. Mr. Loevinger, owner of the property, admitted responsibility for the condition of the parking lot and stated that if his tenants didn't clean it up, he would see that it was done. He said that he was not too happy with his rental agent; however, the current tenants were paying their rent on time and seemed to be contrite when told they were breaking the covenants. Mr. Loevinger stated that in light of the magnitude of the problem, he would not renew his tenants' lease, but they would be given the option of remaining on a month to month basis. The Board stressed that to date the tenants had flagrantly disregarded every warning that they had received. If the Loevinger's were not willing to evict the tenants, the community would pursue every available option to ensure that the undesirable activities were quickly brought to a halt.

Under correspondence, Linda Gangloff of 246 NME had drafted a letter to the Principal of Julius West Middle School concerning the vandalism behind 246-254 NME. The Board agreed to send the letter once it was revised in such a way that no mention was made of the fact that we have always tacitly allowed students to cross our private property on their way to school. Suggestions to put a fence across the entrance to New Mark at Monroe Street were dismissed as impracticable. However, it was felt that Rick's presence on the path for a few days during the time school children would be coming home might encourage the offenders to take a different route.

The agenda was approved as read. The minutes of the last meeting were amended to reflect that Mr. Duncan, owner of 5 Stevenage, had filed an architectural control application and received approval for his deck, so no further action on that issue had been necessary. The minutes were also amended to show that Steve Plotkin, Marty Reiss, Judy Doctor, and Howard Groedel had voted over the phone to appoint Don Gangloff, Josefina Burgos, and John Hammond to the Architectural Control Committee. Since this constituted a majority, no other members were polled.

Under correspondence, Rose read a letter from Mike Snyder, State Highway Engineer, that stated that the Southbound ramp of the Falls Road Interchange could not be opened early, so the

improvements to the Ritchie Park/Falls Road Intersection had been moved up. Rose also reported that we had received a refund check on our general liability insurance as a result of switching our policy to Montgomery Mutual.

The first formal complaint under our new parking regulations had been received. At issue was an unlicensed car owned by Mr. Alvin Williams, a tenant at 336 NME. The Board agreed that a certified, return receipt letter should be sent to the owner, Dr. June Whaun, informing her that the car must be moved within 15 days or it would be towed.

Under officer reports, it was announced that everyone had paid their dues in full. It had been unnecessary to file any liens.

Although Rose reported that Rick had been very busy during the last month, Raj felt that it would still be very helpful if Rose tabulated a list for the Board showing how many hours were being spent each week on various projects. This would also be helpful at the Annual Meeting, since the question "What does Rick do all day?" always arises. The Board continued to express concern that Rick did not seem to be fitting the required edging into his schedule.

Rose reported that a decaying retaining wall at 246 NME had been replaced at a cost of \$1000, but the project was not in the budget. Rajo moved that the Board authorize the funds for the project. Al seconded the motion, which passed unanimously.

Under old business, Rose reported that the correct figure for the engineer's survey of the parking lots should have been \$3000. This did not include the survey of the bike paths, which was estimated at an additional \$1047. Steve Plotkin moved that the Board should approve the survey based on those prices. Al seconded the motion, which passed unanimously.

The Board discussed the Landscape Architect's proposal that we should plant 18 trees of three types (Heritage Birch, Sweet Bay Magnolia, and Black Gum) along the lake. The Board thought that this might be too many trees, since we did not want to totally block the view of the lake from the lower 200 block. Rose was instructed to call Ms. Bugler to see how far apart she envisioned the trees as well as how they should be grouped.

Under new business, Budget committee assignments were handed out. Rose said that she would distribute information appropriate to each group before budget discussions got under way.

The meeting was adjourned at 9:30 P.M.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
WEDNESDAY, NOVEMBER 2, 1988

ATTENDEES: Judy Doctor, Raj Gupta, Rose Krasnow, Al Levit, Steve Plotkin, Marty Reiss, Tim & Ann Stewart, Ann Leary

The meeting was called to order at 7:40 P.M. Ann Leary was present at the Community Forum to protest against the number of new trees that had been planted along the lake. The Leary's felt that seven of the thirteen trees would eventually totally obscure their view of the lake, thereby decreasing their property value. They invited members of the Board to their home so that they could see the impact for themselves. The Board agreed to take a look at the situation.

The minutes of the last meeting were approved. The agenda was altered, however, to allow a discussion of the pool budget to take place first since Tim and Ann were present. Tim handed out copies of his guard's schedules and said that they basically never altered. There were three guards on duty during the week and four on weekends. Each spent 1/2 hour up in the chair, 1/2 hour at the desk, and 1/2 hour on break, which meant that they received 1/2 hour of break for every hour worked, except for the hours 10 A.M. to noon and 7 P.M. to 8 P.M. when the guards had to clean the deck, changing rooms, and so forth. Tim said that the only place he could imagine cutting costs would be to have one less guard on the weekends. He said that the third pool manager was necessary if Tim and Ann were to have any time together during the summer, and he claimed that the Board had approved this arrangement in '87. Steve Plotkin thought that Tim had stated at that time that he would pay the salary differential for the third manager, but Tim said this had not been so. Moreover, Tim felt that the salary for our lifeguards had to be raised above minimum wage in light of the shortage of guards and the higher wages being offered by pool management companies. Tim could attract some people with his guarantee of a 40 hour week and the fact that our pool, with its small number of swimmers, was an easy place to work, but he still felt that the higher wage was a must. The Board approved the raise in principal.

The Board wondered whether we could open the pool later on weekdays. Tim pointed out that when swim team members finished practicing, they usually stayed around to swim with their friends, making the hour from 10 to 11 one of the busiest of the day. The Board also wondered whether we could reduce our contribution to the swim team. Coachs' salaries alone were projected to be \$2800 in 1989 and the preliminary budget showed an additional contribution to the team of \$500. Swim team members paid only \$20 of their own money for the privilege of being on the team. Rose said that she would ask Jim Bullard for an accounting of how the swim team's funds were spent. The Board felt that it would not be unreasonable for the team to increase

their fund raising activities. One suggestion was that team members could deliver the New Mark News which would bring in \$25 a month.

With respect to repairing the diving board, it was felt that if a licensed and bonded pool company was willing to mix a new stand with the existing rails and steps, any liability issues that might arise would be their problem.

After Tim and Ann left, Rose announced that the new City Manager, Bruce Romer, would meet with Civic and Homeowner Associations on Wednesday, November 9th, to learn about their concerns. Rose agreed to go to the meeting as the Board's Rep.

Jim Adcock had called to find out when the cracked portion of his driveway that was owned by the community would be fixed. Doug Worthington that talked to Lawyer John McCabe, who felt that if Mr. Adcock wished to take us to court, we might be able to argue successfully that the driveway benefitted no one other than Mr. Adcock and should not be the community's responsibility. (Mr. McCabe felt we were less likely to win in court on the issue of a homeowner's sidewalk that fell in part on community land.) Steve suggested that we check with the city to see if they were responsible for the apron of a single family homeowner's driveway. If the City did not fix these aprons, we would not fix the Adcock driveway.

Returning to the budget, Raj questioned the low amount set aside for parking lot repairs. In addition to the major repair work that had to be done, Raj still hoped we could smooth seal all of the parking lots so that they could be put on a regular maintenance schedule similar to the city's. Rose agreed to talk to the Engineer about the advisability of this idea.

The Board decided that Rick needed only one new blower. Approval of his other equipment requests was made contingent on the amount of edging that Rick got done now. Rick could not expect the Board to get him things to make his life easier unless he, in turn, was willing to do those things that the Board asked.

Al moved that except for the changes noted above, the Board should approve the Budget as presented for presentation at the community forum on Wednesday, November 16th. Marty seconded the motion, which passed unanimously. The meeting adjourned at 10:10 P.M.

NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
THURSDAY, DECEMBER 8, 1988

ATTENDEES: Howard Groedel, Steve Plotkin, Marty Reiss, Rose Krasnow.

The meeting was called to order at 7:40 by President Steve Plotkin. Although a quorum was not present, it was agreed that the agenda could be discussed, and any votes could be taken by phone.

The minutes of the prior meeting were changed to reflect that Sabra Woolley was present. The agenda was approved. Under correspondence, Steve had received a letter from Ann Taylor who wondered what the community could do to provide snow shoveling for older residents. Rose agreed to write a reply, stating that the Association could not assume any responsibility for shoveling out individual cars and sidewalks, but that we would try to compile a list of youngsters who would be available to help out when snowstorms occurred.

Rose wanted to clarify matters concerning the documents that have to be submitted to the new state depository. Howard agreed to look over the information that we had received, but he felt certain that the Articles of Incorporation, the Covenants, Bylaws, and the new truck regulations were all that was required. The Board also suggested that we should write a letter to the Governor, saying that it was well and good that the state should want to register all the pertinent documents for the various homeowner associations in the state, but that it seemed rather bizarre to charge the associations to do this.

Rose said that while submitting the 1988 application for roadway reimbursement, she noted that the Association has to agree that the funds will be spent for maintenance only, not for capital improvements. Therefore, she wondered whether the monies received should be put in the reserve fund or maintained with our operating funds. The Board felt that we should keep it in the operating budget, at least until we start expending major funds from the reserve fund for roadway maintenance.

The new, higher tax assessments received by residents of New Mark were also discussed. The Board felt that the increases were probably not out of line in light of the increased home prices in the a.o.c. However, Rose was asked to explore whether other communities received similar increases. It was also suggested that a newsletter article should address the subject, and, if there was enough interest, a community meeting could be held.

Since it seemed apparent that the tenants at 316 NME were still causing problems, the Board wanted to insure that they were evicted. Howard said that if the Loevingers would not evict, the

Board could sue the Loevingers for disturbing the quiet and harmony. Steve agreed to tell the Loevingers that they should give a written notice to vacate to the tenants, with a copy to the Association. If this was not done, the Board would start exploring legal remedies.

Rose said that several cars had started parking along townhouse roadways in areas that were not designated for parking. It was suggested that we place notes on the windshields asking the owners to park elsewhere. If this didn't work, additional "no parking" signs could be posted.

The Board then discussed the matter of the Adcock's driveway at 520 NME. The drive was in need of repair and fell in part on the Association's land. Rose was instructed to write the Adcocks to inform them that the drive was their responsibility; that the Association allowed the drive to cross their land, but this did not make it the property of the community.

The Adcock's had also complained that Charles Burgdorf had cut down the pine trees behind his townhouse. The original Village Green plans called for these trees to be planted as a buffer between the old and new townhouse units. However, since the pines were actually on Burgdorf's property and were a soft wood tree, the Board did not see that there was anything they could do about the situation.

Marty moved that the 1989 Budget be approved as presented. Howard seconded the motion. The three Board members present voted in favor of the motion, and Rose was instructed to get the rest of the votes by phone.

Under new business, Rose announced that we still couldn't get the city to solve the street light problem, which involved several lights that had been out for months along New Mark Esplanade. Rose was instructed to go straight to Pepco, and to threaten to sue if action wasn't forthcoming.

The meeting was adjourned at 8:45 P.M.