

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, JANUARY 8, 2009**

**ATTENDEES:** Joe Jordan, Margaret Chao, John Hansman, Dunja Baker, Lori Nicely, Jack Lopez, Rocio Estrada and Jim Denny.

**Board Members Absent:** Alex Manolatos, John Brown.

**Community Forum:** Jack Lopez, a new resident who lives at 9 Welwyn Way, was present to observe the meeting.

Rocio Estrada, Neighborhood Service Resource Coordinator from the City of Rockville, was present and discussed the following items with the Board:

- She gave the Board handouts on Verizon's plan to install VIOS cable in the City.
- The Super Fresh grocery store coming to Town Center is scheduled to open in the fall of 2010.
- She mentioned seventy five percent of the rental units are now occupied and ninety percent of the condo are now sold or under a lease to buy agreement.
- The Rockville Police Department (RPD) could not support our request for a police presence in the community when school lets out. She said we should call the RPD non emergency number, 240-314-8900 and report any vandalism or threatening behavior from students as it occurs.

**Officer and Committee Reports:** There were no committee members in attendance.

Upon a motion by John and seconded by Margaret, the minutes of the December 2008 Board meeting were approved.

**Administrators Report**

**Dues:** Jim told the Board five residents still have not paid the second installment of their HOA dues. This number includes three residents who have not paid for the entire year. Four of the five residences now have liens in place. The fifth residence will have a lien in place by the end of next month. Jim scheduled a meeting with Betty Hileman, the Association's attorney, for January 13<sup>th</sup> to discuss the collection process.

**Damage from wind storm:** The roots on a large maple tree located on community property gave way and fell on the back deck at 338 NME. A privacy fence was damaged but no significant damage to the house. There were a lot of small branches down throughout the community.

**International Dinner scheduled:** The ID is scheduled for Saturday evening, April 18<sup>th</sup> at 7:30 p.m.

**2009 final budget:** Jim gave the Board the final budget for 2009.

### **Old Business**

**Reserve study:** Jim received the preliminary Reserve Study from Reserve Advisors. Jim will forward the Executive Summary to all the Board members for their review. Jim will review the study and update the Board at the next meeting.

**Pool management contract:** Jim told the Board we received a proposal from Continental Pools for 2009. The proposal was for \$47,500 and included a ten percent increase over 2008. Jim and Margaret met with Continental Pool management. Continental explained that seven percent of the increase was due to pool being open 16 weeks instead of the normal 15 weeks. To avoid having the extra week built into the base of the contract, Jim and Margaret negotiate a one-time payment for the extra week and a three year contact with a 2% increase per year. After discussion, the Board instructed Jim to solicit proposals from other pool management companies.

**PLANT Award application:** The Maryland Department of Forestry invited us to apply for the state wide award recognizing us as a Maryland PLANT Community (People Loving and Nurturing Trees) for the planting, care and management of trees in our community during 2008. We were selected because of the trees we purchased and planted through TREE-MENDOUS MARYLAND his fall. We applied for the highest level award given, the GREEN AWARD. It represents the highest PLANT honor to recognize a community that has developed a well-established urban forestry program. This coveted award is reserved for programs that are funded, fully functional and staffed by qualified professionals and volunteers.

The Rockville Environment Commission approved our application for an Environmental Excellence Award. The award will be presented to the community at the mayor and Council meeting on February 23<sup>rd</sup>.

**Website update:** Lori gave the Board an update on the new website. She has finished reviewing the initial design and is working with the developer on the final version of new website.

### **New Business:**

**New front doors for the clubhouse:** Jim gave the Board a proposal from Precision Door and Hardware Inc. (PDHI) for four new entrance doors and a new door on the south side of the clubhouse. The proposal total was for \$12,162. He also presented a proposal from Glazing Contractors, Inc. we received in 2007. Their proposal was

for \$13,675. John discussed the requirement for doors with glazing on the north end of the entrance foyer. He asked if it would be significantly less expensive to use solid panel doors versus doors with glazing. Jim will check with PDHI to see what the price difference would be and advise the Board via email. In order to not delay the process, John Hansman made a motion to accept the PDHI proposal for \$12,162. Margaret seconded the motion which passed unanimously.

**New iron railing for the clubhouse:** Jim gave the Board a proposal from Paradise Iron Works and Long Fence from new iron railing for the new concrete steps installed at the clubhouse. After discussion, the Board instructed Jim to obtain specifications from both contractors on the metals and finishes they will be using to fabricate the railing.

**Stolburg Landscaping proposal:** Jim gave the Board a proposal from Stolburg Landscaping to clean up the NMC property boundary along Monroe Street. After discussion, Margaret made a motion that we accept the Stolburg proposal for a not to exceed amount of \$1,500 to clean the NMC property line. Dunja seconded the motion which passed unanimously.

**Annual meeting date:** After discussion, Wednesday, March 18, 2009 was selected as the date for the annual meeting. Joe and Dunja's terms expire this March. Saturday, March 21, 2009 was selected as the day for the community's common area spring clean up. Jim mentioned we will focus on removing English Ivy from trees on common property.

### **Miscellaneous**

Lori mentioned an on-going problem with students from nearby schools. Students cutting thru the neighborhood on their way home from school are throwing things in the lake, walking on the ice and blocking the street as they walk thru the community.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, FEBRUARY 5, 2009**

**ATTENDEES:** Joe Jordan, Margaret Chao, John Hansman, Dunja Baker, John Brown, Alex Manolatos, Helen Wolfe, Brent Gulick, Rocio Estrada and Jim Denny.

**Board Members Absent:** Lori Nicely

**Community Forum:** Brent Gulick was present to observe the meeting.

Rocio Estrada, Neighborhood Service Resource Coordinator from the City of Rockville, gave the Board a flier of upcoming City events.

- City Hall will be closed on President's Day holiday.
- The Western Montgomery County Citizens Advisory Board announced a Rockville Community Forum on February 17, 2009 at the Council Office Building.
- Police Officer Ken Matney will drive through the community several days around the time school is dismissed to observe student behavior in the neighborhood.

Jim asked Rocio to look into discrepancies between the City's press release and website information regarding refuse and recycling schedule for the Martin Luther King, Jr. holiday.

**Officer and Committee Reports:** Helen Wolfe, chairperson of the Landscape Committee was present to discuss plans for the lake dam. She gave the Board a brief overview of the committees search for a ground cover or ornamental grass to plant on the lake bank. She was asking for the Board's support for the proposal to plant ornamental grass on the bank. She plans to buy plants locally, use a single species and find plants that are naturally deer and drought resistant.

Upon a motion by Margaret and seconded by Dunja, the minutes of the January 2009 Board meeting were approved.

**Administrators Report**

**Dues:** Jim told the Board sixty residents have not paid the first installment of their HOA dues for 2009. This number includes the five residents who had not paid their 2008 dues. Jim told the Board he had talked to one of the residents in arrears. They proposed paying all dues in arrears for 2008 and 2009 plus \$100 to be applied toward late and legal fees. After discussion, John Brown made a motion that we accept payment of all dues in arrears plus \$100 to be applied to late and legal fees. In addition, the second installment of the 2009 dues must be paid on time, or all legal fees incurred to date will become due and payable. Alex seconded the motion which passed unanimously. We also received payment from the property that had been in foreclosure.

The property has been purchased and the foreclosure company and new owner paid the dues owed to date. Jim will ask Betty Hileman if we will be able to collect the dues owed prior to the foreclosure.

**International Dinner scheduled:** The dinner is scheduled for Saturday evening, April 18<sup>th</sup> at 7:30 p.m.

**Snow removal:** Jim told the Board we spent \$3,385 to plow and treat parking lots and sidewalks throughout the community.

**Annual audit:** The Association's accountant, DeLeon and Stang, Inc. will be performing the 2008 audit on February 25<sup>th</sup> and 26<sup>th</sup>.

### **Old Business**

**Reserve study:** Jim received the preliminary reserve study from Reserve Advisors Inc. Jim will review the study and update the Board at the next meeting.

**Pool management contract:** Jim gave the Board proposals from four pool management companies. The prices ranged from \$34,400 to \$57,000 for the 2009 season. After discussion, Margaret suggested we solicit a proposal from Georgetown Aquatics, a smaller, local pool management company.

**New front doors for the clubhouse:** Jim told the Board the new doors should be installed in early March.

**Stolburg Landscaping proposal:** Jim told the Board the proposal approved last month from Stolburg Landscaping to clean up the NMC property boundary along Monroe Street was completed at a cost of \$840.

Joe asked Jim about the status of the website redesign. Jim mentioned he thought Lori was out of town for several weeks. He will contact the website developer to get the current status.

### **New Business:**

**Annual meeting guest speaker:** After discussion, the Board decided to extend an invitation to Rockville's Chief of Police, Terry Treschuck, to speak at our annual meeting on Wednesday, March 18, 2009.

**Insurance Policy renewal:** The Crime policy which covers the Association against employee dishonesty, forgery, computer fraud and wire transfer fraud was up for renewal. John Hansman asked about the differing levels of coverage for the different type of dishonesty. Jim will ask our insurance broker for an explanation and get back to the Board. After discussion, John Hansman made a motion that we accept the renewal

policy for \$1,422. John Brown seconded the motion which passed unanimously. Margret also mentioned we should increase the coverage of our liability policy to include 3 away swim meets a year.

**Rockville Community Forum:** Jim mentioned the Rockville Community Forum will be held on February 17, 2009 at the Council Office Building, 100 Maryland Avenue at 7:00 p.m.

**CAI Conference:** The annual Community Association Inc. Exposition will be held on March 28<sup>th</sup> at the Washington Convention Center.

**Community Clean up:** Saturday, March 21, 2009 was selected as the day for the community's common area spring clean up.

### **Miscellaneous**

After discussion, the Board agreed to the concept of planting ornamental grasses on the lake bank this spring.

The Board reviewed an Architectural Control Committee (ACC) Application to replace the front door and storm door at 11 Farsta Court. The door was different in style to the doors approved in the ACC Guidelines. After discussion, John Brown made a motion that the proposed replacement front door and storm door be approved. Dunja seconded the motion which passed by a vote of five yes votes. John Hansman abstained from the vote. The Board discussed the necessity of reviewing and updating the ACC Guidelines.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, MARCH 5, 2009**

**ATTENDEES:** Joe Jordan, John Hansman, Dunja Baker, John Brown, Alex Manolatos, Helen Wolfe, Elliott Light, Linda Huntington, Rocio Estrada and Jim Denny.

**Board Members Absent:** Lori Nicely & Margaret Chao

**Community Forum:** Rocio Estrada, Neighborhood Service Resource Coordinator from the City of Rockville, gave the Board a flier of upcoming City events.

- Aaron Dawkins would like to interview some residents for the City's 'Where We Live' program which features individual neighborhoods throughout the City.
- Police Officer Ken Matney will drive through the community several days around the time school is dismissed to observe student behavior in the neighborhood.
- The City is looking for a Grand Marshall for the Memorial Day parade.
- National Consumer Protection Week is March 1-7

Linda Huntington and Elliott Light were present to discuss electric usage at the clubhouse. When the pool is not operating, emergency lighting and security lighting are the main electricity users. Linda suggested we review the security lighting to see if there were any lights that could be eliminated. She also mentioned, a couple of trees should be removed to provide proper illumination of the clubhouse parking lot. Elliott mentioned we do not receive an 'off peak' discount for the clubhouse.

**Officer and Committee Reports:** There were not any committee members present.

Upon a motion by John Brown and seconded by Dunja Baker, the minutes of the February 2009 Board meeting were approved.

**Administrators Report**

**Dues:** Jim told the Board twenty four residents have not paid the first installment of their HOA dues for 2009. This number includes the three residents who had not paid their 2008 dues. Last year at this time, thirteen residents had not paid their dues. Jim told the Board the third request letter has been mailed and he will call the residents as a follow up before turning the accounts over to our attorney for collection.

**International Dinner scheduled:** The dinner scheduled for Saturday evening, April 18<sup>th</sup> at 7:30 p.m. has been cancelled.

**Snow removal:** Sivert Enterprises did a good job with our latest snow and ice storm. A small front end loader slid off the bike path and damaged the stone swale. Alex will return to fix the damage as soon the ground dries.

**Annual audit:** The Association's accountant, DeLeon and Stang, Inc. completed the annual audit and have delivered a draft of the results for our review.

### **Old Business**

**Pool management contract:** Jim gave the Board proposals from five pool management companies. The prices ranged from \$34,400 to \$57,000 for the 2009 season. The latest proposal was from Georgetown Aquatics for \$49,700 which is \$2,500 higher than the proposal we received from Continental Pools. After discussion, John Brown made a motion that we accept the proposal from Continental Pools for \$47,142. Dunja seconded the motion which passed unanimously.

**Website update:** Jim told the Board the new website is nearing completion. Jim will discuss on-going maintenance and updates with the site developer. Any development changes we will hold for a follow on site update. If there are any content changes, please let Jim know and he will forward them to the developer. The new site archives board meeting minutes, along with the NMC newsletters. Joe will mention the website at the annual meeting and discuss the possibility of eliminating the delivery of the newsletter door to door. Jim will send out a broadcast email to the community when the new site is turned on.

**Annual meeting agenda:** Jim gave the Board the agenda for the annual meeting. He mentioned that all committee chairpersons have been asked to give a brief talk on their committee for the meeting.

**Reserve study:** Jim gave the Board a breakdown of the major reserve expenditures identified by Reserve Advisors for the next seven years. 2015 and 2025 were identified as threshold years due to the probability that we will have to dredge the lake. Also included in the study, starting in 2011 and continuing thru 2013 were anticipated costs to mill and overlay all the townhouse parking lots. The cost associated with this effort was estimated at \$259,000. Jim will review these proposed expenditures and determine if the expense should be spread over a long period of time. The expected life of parking lots is 15 to 20 years. Our lots are over 40 years old.

### **New Business:**

**Deer problem in the community:** Several residents mentioned they are noticing more deer in New Mark than in the past. Sima Osdoby contacted the Maryland Department of Natural Resources and spoke to George Timko, Maryland Deer project biologist. George offered to come and speak to the community about the various deer management options available. Joe will mention the deer issue at the annual meeting. If enough interest is expressed, we'll set a date and invite George to speak to the community.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, APRIL 2, 2009**

**ATTENDEES:** Margaret Chao, Dan Barresi, John Hansman, John Brown, Alex Manolatos, Lori Nicely, Chris Durso and Jim Denny.

**Board Members Absent:** Dunja Baker

**Community Forum:** Chris Durso who lives at 21 Farsta Court was present to appeal the Architectural Control Committee's (ACC) decisions regarding the placement of the vent for his new natural gas fireplace. Chris's application gave the ACC two options; venting up thru the existing fireplace chimney or a new vent thru the west side wall of his home. The ACC felt venting thru the existing chimney would have the least visual impact. Chris told the Board that since the ACC application was submitted, a contractor inspected the chimney and determined it would be unsafe to use as a vent. After discussion, John Hansman made a motion that a new vent thru the side of the house with a decorative cover, painted to match the siding be approved. John brown seconded the motion which passed unanimously.

**Officer and Committee Reports:** There were not any committee members present.

Upon a motion by John Brown and seconded by Alex, the minutes of the March 2009 Board meeting were approved.

**Election of Officers:** The election of new officers occurs at the first Board meeting after the annual meeting. John Brown nominated Margaret for president. John Hansman seconded the nomination which passed unanimously. Margaret nominated John Brown for vice president. Dan seconded the nomination which passed unanimously. Lori nominated John Hansman for secretary/treasurer. Margaret seconded the nomination which passed unanimously

**Administrators Report**

**Dues:** Jim told the Board seven residents have not paid the first installment of their HOA dues for 2009. This number includes the two residents who had not paid their 2008 dues.

**Annual audit:** The Association's accountant, DeLeon and Stang, Inc. completed the annual audit.

**Financial Review:** Jim gave the Board an update on the financial status of the Association as of March 31, 2009. He presented the Balance Sheet, Income Statements, actual expenses year-to-date versus the budget and a reviewed the Association's Operating and Reserve Funds balances as March 31, 2009.

## **Old Business**

**Website update:** Jim told the Board the new website is up and running. Several members mentioned they had trouble accessing the new site. John Brown had several PC tips that may make our site easier to find. Clearing out your browsers website history would be the first option. There was discussion about some of the photos on the new site. Chris Durso mentioned the pictures of children at the pool should be removed from the site. He also suggested we obtain parental permission prior to posting any pictures of children on the website.

**Deer problem in the community:** Joe Jordan mentioned at the annual meeting the increase in deer sighting and damage in the community. NMC resident, Sima Osdoby contacted the Maryland Department of Natural Resources and spoke to George Timko, Maryland Deer project biologist. George offered to come and speak to the community about the various deer management options available. After discussion, the Board directed Jim to invite George to speak to the community.

**Reserve study:** Jim gave the Board a breakdown of the major reserve expenditures identified by Reserve Advisors for the next seven years. 2015 and 2025 were identified as threshold years due to the probability that we will have to dredge the lake. Also included in the study, starting in 2011 and continuing thru 2013 were anticipated costs to mill and overlay all the townhouse parking lots. Lori mentioned we should investigate replacing the fence along the NMC and Monroe Street property line and repair or replace damaged sections of fence along our boundary with Fire Side apartments. There was discussion about the condition of fences throughout the community. Some of the split rail fences along NME are in poor condition as are some of the fences that border Maryland Avenue. John Hansman mentioned the availability of City funds to repair City owned sidewalks and curbs. He suggested we should be proactive and identify City owned sidewalks in the community that need repair and send the list to the City.

## **New Business:**

**Pool supplies & repair proposals:** We received two proposals from Continental Pools. The first proposal covers suggest parts and supplies for \$745.95. The second proposal covers recommended repairs for \$4,291.50. The recommended repairs proposal included \$1,840 for modifications to the main pool and baby pool drains to become compliant with Virginia Baker Graham Act. After discussion, John Brown made a motion

that we accept the parts and supplies and repairs proposal from Continental Pools for \$5,037.45. Margaret seconded the motion which passed by a vote of five in favor and one opposed.

**Virginia Lake Management proposal:** We received a proposal from Virginia Lake Management (VLM) Co. to provide a lake mapping and bathymetry along with bottom sludge and sediment sampling for \$2,550. Jim mentioned that prior to the last lake dredging in 2005, a bathymetry survey of the bottom was required by the state as part of the permitting process. After discussion, the Board decided not to accept the proposal from VLM.

**Stolburg Landscaping proposal:** We received a proposal from Stolburg Landscaping to provide wood chips for a number of walking paths throughout the community for \$825. After discussion, Dan made a motion that we accept the proposal from Stolburg Landscaping for \$825. Alex seconded the motion which passed unanimously.

**NMC reserve fund-banker changing firms:** We received a letter from Beth Levine, Vice President, Wealth Management at Smith Barney. Beth has been investing our reserve funds for several years and announced she was moving her practice to Lara, Shull & May, LLC, an independent wealth management firm. Beth felt she could better serve her clients in a more stable environment. LSM uses the Royal Bank of Canada (RBC) Correspondent Services, a division of RBC Capital Markets Corporation as their client depository. The investments are covered by the Securities Investors Protection Corporation (SIPC). Citigroup was in the process of selling Smith Barney to Morgan Stanley. Jim asked our CPA for their input on the move. Their opinion was since the accounts will be held by the RBC, a well known and respected bank, there were no audit or tax issues involved. If we were comfortable with the service we have received from Ms. Levine, there should not be a problem with the move. After discussion, John Hansman made a motion that we move our reserve funds from Citigroup Smith Barney Lara, Shull & May LLC. John Brown seconded the motion which passed unanimously.

**NMC Front island damage:** A visitor to New Mark Commons lost control of their car and drove over the front island near the NMC totem pole. They damaged or destroyed a half a dozen bushes and some ground cover. Jim received a copy of the police report and the driver received two citations. Jim will fill a claim with the driver's insurance company to recover the cost of replacing the damage plants on the front island.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, MAY 7, 2009**

**ATTENDEES:** Margaret Chao, Dan Barresi, John Hansman, John Brown, Lori Nicely, Dunja Baker, Rocio Estrada, Pat Reber, Joe Jordan, Linda Huntington, Margaretha Bull, Rhonda Gordon, Sima Osdoby, Arthur Katz, Roger Zions, Alice Liu and Jim Denny.

**Board Members Absent:** Alex Manolatos,

**Community Forum:** Alice Liu, a resident from the Court House Square neighborhood just off Maryland Avenue, was present to tell the Board about Victory Housing's new proposal for a 90 unit affordable housing for independent senior (62+). The proposed building would be built on county owned property bordered by Maryland Avenue, Fleet Street and Monroe Street. Alice and her neighbors are opposed to the project and are soliciting support from nearby neighborhoods. She gave the Board a handout describing the impact to their homes, the size of the new building and the site plan showing how the project would be oriented on the site. She also left a petition and a sign-up sheet for anyone interested in receiving further information on the project.

Sima Osdoby was present to talk about the growing deer problem in New Mark Commons. A Deer Committee has been formed with members Pat Reber, Arthur Katz, Linda Huntington and Margaretha Bull in attendance. A deer control specialist from the Maryland Department of the Environment will be speaking in NMC on June 9<sup>th</sup> at 7:00 p.m. in the clubhouse. He will be speaking about the various options to control the deer population and minimize their damage in a community. The Deer Committee was formed to assist the Board in analyzing the various programs and to gather community support for the efforts. The City's current position on deer is one of peaceful coexistence.

Roger Zions was present to discuss several trees with dead branches near his home. Jim will include these trees when he meets with the community's tree contractor. Dunja mentioned there are several dead branches over the sidewalk along Scandia Way that should be removed.

Rhonda Gordon asked if there were any plans or any way to get speed bumps installed on New Mark Esplanade (NME). Her home fronts on NME and she told the Board a lot of residents speed past her home.

Joe Jordan mentioned a number of residents of the Hungerford Citizens Association would like to reverse the no left turn restrictions from Argyle Street on to Maryland Avenue currently in place.

**Officer and Committee Reports:** There were not any committee members present.

Upon a motion by John Brown and seconded by Dan, the minutes of the April 2009 Board meeting were approved.

### **Administrators Report**

**Dues:** Jim told the Board six residents have not paid the first installment of their HOA dues for 2009. This number includes the two residents who had not paid their 2008 dues. The second homeowner's dues invoices were mailed on May 1, 2009.

**Pool update:** Jim told the Board the pool passed the Health Department's pre opening inspection. We also received the food service license for the coming pool season. The life guard assignment has not been finalized yet. Jim does not expect any of the life guards from last year to return.

**Lake update:** As part of their monthly inspection, Virginia Lake Management (VLM), noticed and treated a small area of emerging aquatic weeds. Jim told the Board he added aquatic dye to the lake on April 20<sup>th</sup>.

**Community Tree planting results:** Jim told the Board we had very good success with the tree plantings last fall. We only lost 3 out of the 53 trees and bushes we purchased through the state program. Our landscape contractor will be replacing 6 holly bushes, 1 oak tree and 1 weeping willow under warranty.

### **Old Business**

**Julius West student inappropriate behavior:** There have been several instances of students blocking traffic along NME. Several students were also observed throwing rocks at street lights along Welwyn Way. Several street lights on Welwyn Way and Harlow Court were broken by stone earlier on the year.

**Plant damage on front island:** Jim mentioned the damage done to the plants on the front island will be repaired within the next week. We submitted two estimates to the driver's insurance company and received a settlement check.

**New street light between 114 – 116 NME:** The old street light was knocked down and destroyed by a NMC visitor earlier this spring. We received a check from their insurance company which covered the total replacement cost of \$1,890.

## **New Business:**

**Renewal insurance proposals:** Jim gave the Board a proposal for the community's general liability, work man's compensation and umbrella coverage. The total premium was for \$21,402. This was less than a 1% increase over 2008. After discussion, John Hansman made a motion that we accept the proposal from the Russell Insurance Group for \$21,402. Dunja seconded the motion which passed unanimously.

**New clubhouse gutters:** We received three proposals to replace the clubhouse gutters and relocate several downspouts. After discussion, John Brown made a motion that we accept the proposal from Central Roofing and Siding for \$1,990. Lori seconded the motion which passed unanimously.

**Stolburg Landscaping proposal:** We received a proposal from Stolburg Landscaping to remove ivy from trees, clear unwanted underbrush and remove deadfalls along the stream bank that runs from the lake bridge to the 200-342 NME entrance. The proposal was not exceed \$1,800. After discussion, Lorie made a motion that we accept the proposal from Stolburg landscaping, not to exceed \$1,800. Dan seconded the proposal which passed unanimously.

**Replenish playground mulch:** Jim gave the Board two proposals to replenish the mulch at the playground. The proposals were for \$2,397 from Playground Specialist Inc. and \$2,250 from Stolburg Landscaping. After discussion, Lori made a motion that we accept the proposal from Playground Specialist for \$2,397. Dunja seconded the motion which passed unanimously. Even though slightly more expensive, Playground Specialist specified Woodcarpet mulch which is specifically manufactured for playground use.

**Meeting with Verizon VIOS engineer:** Jim told the Board he met with Robbi Das, a network engineer and project manager on the FIOS installation team. He is the FIOS installation coordinator, acting as a go between the various homeowner organizations and Verizon. FIOS cable installation is scheduled to begin this fall in NMC.

## Miscellaneous:

Lori mentioned she would like to start work on soliciting proposals to replace the chain link fence along the NMC boundary and Monroe Street. Jim mentioned that earlier this year the City surveyed that boundary and took a tree inventory along our boundary in anticipation of installing a sidewalk on the west side of Monroe Street. Jim will check with the City to get the status of that proposal.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, JUNE 4, 2009**

**ATTENDEES:** Margaret Chao, John Hansman, John Brown, Lori Nicely, Dunja Baker, Jennifer Kimball, Assistant to the Rockville City Manager and Jim Denny.

**Board Members Absent:** Alex Manolatos, Dan Barresi,

**Community Forum:** Jennifer Kimball had several topics to discuss with the Board.

She gave the Board a handout from PEPCO reminding their customers that June 1 marks the start of the 2009 Atlantic Hurricane Season. Pepco urges customers that it's time to prepare for the possibility that destructive tropical weather could hit the region any time between now and November 30. We will include the flier in the next NMC newsletter.

Deer in Rockville – The City is developing a process which will include analysis of the deer problem, options to address the problem, consultation with relevant City boards/commissions and creation of a citizens task force.

In response to inquiries from several Board members, Jenny provided information on the Town Center Apartments at 90 Monroe Street and Moderate Priced Dwelling Units (MPDU) rentals throughout the City.

Community Ministries of Rockville (CMR) expect to move their health facility into the new location (former Mack's Hardware) in October. CMR will have to get a building permit for the City to fit out the new space and an occupancy permit from the City. They have not applied for the permits yet.

Upon a motion by John Brown and seconded by Dunja, the minutes of the May 2009 Board meeting were approved with the two changes as noted.

**Administrators Report**

**Dues:** Jim told the Board sixty residents have not paid the second installment of their HOA dues for 2009. This number includes the two residents who had not paid their 2008 dues. Late letters will be sent to all residents who have not paid their dues by June 15, 2009.

**Pool update:** Jim told the Board the pool opened on time with no problems. The life guards are a mix of US and international guards. Our area supervisor is returning from last year. He is very familiar with the pool filter and mechanical systems.

**Lake update:** Virginia Lake Management (VLM) replaced a burnt out fountain light and treated a small area of duck weed at the dam end of the lake.

**Deer meeting w/ Maryland Dept. of Natural Resources (DNR):** A meeting has been arranged with the Assistant Deer Management Specialist from the DNR for June 9<sup>th</sup> at 7 p.m. in the clubhouse.

### **Old Business**

**Victory Housing project:** The Board discussed whether it would be appropriate for the Board to support the residents of Court House Walk in their opposition to the Victory Housing project in its current configuration. Margaret emphasized any opposition should be based on the known facts of the project: loss of forest canopy and green space, size and density of the proposed apartment building and location. After discussion, Margaret made a motion that the Board will support the concerns expressed by residents of Courthouse Walk. The Board will also include an update on the Victory Court project in the July-August newsletter and will include a copy of the petition Court House Walk provided NMC at the May Board meeting in the event any of our residents want to sign the petition. John Hansman seconded the motion which passed unanimously.

**Playground mulch:** Jim told the Board the new playground mulch approved at the May Board meeting has been installed.

**New clubhouse gutter:** The new gutters and downspouts for the clubhouse have been installed.

**Stolburg Landscaping cleanup:** At the May Board meeting, a proposal from Stolburg Landscaping Inc. was approved to clean up the stream bed and stream bank between the lake bridge and the entrance to the 200 block of NME. The proposal was approved, not to exceed \$1,800. The actual cost incurred was \$890.

### **New Business:**

**Hileman and Associates Open House:** We received an invitation from Hileman and Associates for all the Board members to attend an Open House on June 25<sup>th</sup> between 4 and 6 p.m.

**4<sup>th</sup> of July celebration:** We have received a proposal from Cozy Restaurant for catering the July 4<sup>th</sup> event. The total for the same food quantities as last year was \$1,750.12. After discussion, John Brown made a motion that we accept the proposal from Cozy Restraint, not to exceed \$2,000. Dunja seconded the motion which passed unanimously. It was agreed that we will look for a new DJ this year. Dunja will give Jim the name of a DJ that performed at her children's school. We have asked the magician that performed last year to return. Last years' performance was very well received.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, JULY 2, 2009**

**ATTENDEES:** Margaret Chao, John Hansman, John Brown, Lori Nicely, Alex Manolatos, Rocio Estrada, City of Rockville, Bernie Brown, Herb Brubaker, Lillian Rosenbaum, Jerry O'Leary from O'Leary Asphalt, Robbi Das from Verizon FIOS and Jim Denny.

**Board Members Absent:** Dunja Baker and Dan Barresi,

**Community Forum:** Rocio Estrada had several topics to discuss with the Board.

She gave the Board a handout that contained corrected statistics on the City's Water Quality report.

The Community Ministry of Rockville has not applied for permits from the City to remodel the former CVS site for their clinic.

Robbi Das, Project Manager for FIOS installation, gave the Board an overview of the FIOS installation process. There are three phases consisting of construction, testing and connecting to the individual residences. Just prior to and during the construction phase, the FIOS team will notify residents when they will be starting and finishing the work. If there are any problems or concerns during the FIOS installation process, Robbi stated that Verizon would be the primary contact.

Herb Brubaker, 184 NME, was present to discuss extension of the fence along the NMC and Monroe Street boundary and additional lighting in front of 182-184 NME.

Jerry O'Leary, Comptroller of O'Leary Asphalt Inc. was present to discuss his company's proposal to repair and resurface the bike path.

John Brown and Lori Nicely stated they had to leave early. At that time, it was decided to discuss New Business while there was a quorum present.

Jim presented the Board a proposal from Bonifant Tree Service for tree removal and maintenance in 21 locations throughout the community for \$14,465. After discussion, Alex made a motion that we accept the proposal from Bonifant Trees Service. John Brown seconded the motion which passed unanimously.

Jim gave the Board a spreadsheet detailing three proposals from contractors to repair and resurface the bike path and the clubhouse driveway. He was still waiting for one additional proposal. When the final proposal is received, he will email the updated spreadsheet to the Board for their review. July and August are the ideal months for

asphalt repair and overlay. Since there will not be a Board meeting in August, he will request Board approval via email.

John Brown and Lori Nicely left the meeting. At that time, since there was no longer a quorum, Board president Margaret Chao adjourned the meeting.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, SEPTEMBER 3, 2009**

**ATTENDEES:** Margaret Chao, John Hansman, John Brown, Dunja Baker, Alex Manolatos, Rocio Estrada, City of Rockville, Ken Sandin, Roald Schrack, Rashad Chowdhury, Jim Brown, president of Victory Housing, Jeff Blackwell representing Victory Housing and Jim Denny.

**Board Members Absent:** Lori Nicely and Dan Barresi,

**Community Forum:** Rocio Estrada had several topics to discuss with the Board.

The City's deer task force is still under development. Jim told Rocio that several New Mark Commons residents would be interested in working with the task force.

Rocio mentioned the source of the foul smell in the Town Center complex has not been identified. The City completed their investigation of the sanitary sewer and storm water sewers and determined there was not any cross connection between the two systems.

There is a new Judicial Center Annex planned for the corner of E. Jefferson Street and Maryland Avenue. The center will be six stories high and contain 250,000 square feet of office space.

Jim Brown, President of Victory Housing, was present to give the board an overview of their latest project in Rockville, Victory Court. Jim mentioned there is a need for this type of housing in the county. A recent project they developed received over nine hundred applications for seventy five available units. Victory Court will be a four story building with eighty six units of affordable housing for independent seniors. The building was designed in the Craftsman style using natural stone, standing seam metal roofing and Hardi plank siding. They have attempted to situate the building with the least impact on the existing trees on the site.

Roald Schrack was present to protest the Board's apparent support of the resident's of Courthouse Walk in their opposition to the Victory Court project. John Hansman and Margaret reiterated the Board was not opposed to the planned use as senior housing. The Board was concerned with loss of forest canopy and green space along with the size, density and location of the proposed apartment building. He felt the Board took a position on an issue that had no impact on NMC. Ken Sandin said that by publishing Courthouse Walk's petition in the NMC newsletter, it appeared that the NMC Board was supporting Court House Walks opposition to the Victory Court project. Roald also stated that no position should have been taken by the board until they heard from proponents of the project.

Rashad Chowdhury was present to discuss a tree that was blocking his view of the lake. It could not be determined if the tree was on Association property or on his neighbors property. Jim will meet with Mr. Chowdhury to determine ownership and what action should be taken.

**Officer and Committee Reports:** There were not any committee members present.

Margaret told the Board that in addition to the new Judicial Center Annex to be built, a new County Office building and a three story addition to the existing parking garage behind the current Mayor and Council building are planned for the future.

Margaret also mentioned we received a letter from James A. Jacobs, Ph. D. He is the co-chair of the tour committee for the annual meeting of the Vernacular Architecture Forum (VAF). Their 2010 meeting will be held in Washington, D.C. They would like to make a tour stop in New Mark Commons to learn first-hand about the use of Planned Unit Development (PUD) as an alternative to standard suburban development patterns. They would also like to find residents who would be willing to open their home to the group for a tour.

Upon a motion by John Brown and seconded by John Hansman, the minutes of the June and April 2009 Board meeting were approved with the changes noted.

### **Administrators Report**

**Dues:** Jim told the Board seven residents are in arrears in their HOA dues. Two of the accounts are carry over from 2008.

**Pool update:** The Pool Committee met on August 26 and had several concerns to share with Board. The manager and life guards hired by Continental Pools were not up to prior year standards. Swim team events need to be better publicized to the whole community. The after-hours adult swim party was a success and they would like to hold the event monthly next year. Dunja mentioned the swim team needs to fully incorporate the younger members of the swim team (the Mini Barracudas) into the swim team program. Jim mentioned the final Montgomery County Health Department inspection noted three items that needed to be corrected before we open for 2010. They are: repair the concrete deck where the old diving board was located, replace the chlorinator for the wading pool and install a soft edge guard on the fill spout.

**Lake update:** Aquatic dye has been added during the summer to retard the unwanted plant growth. The south end of the lake was cleared of trash and fallen tree branches.

**Retaining wall failing at 876 NME:** Jim is working with the owner of 876 NME and their neighbor at 874 NME to replace the rear retaining wall. Three bids have been received and are being evaluated. The portion of the wall is on Association property.

**Tree damage to auto at Fireside Apartment:** A car was damaged in the Fireside Apartments parking lot by a large tree branch falling from a tree on NMC property. NMC was not liable for the damage. The owner of the car sent Jim an email requesting reimbursement for miscellaneous expenses they incurred due to the loss of their automobile. Jim reiterated NMC is not responsible and he should contact his insurance company for reimbursement.

**Financial update as of August 31<sup>st</sup>:** Jim gave the Board an update on the financial status of the Association as of August 31, 2009. He presented the actual expenses year-to-date versus the budget and reviewed the Association's Operating and Reserve Funds balances as of August 31, 2009.

**Communication with residents:** We received a complaint from a resident about the NMC website. They were concerned that the NMC newsletter and minutes of the Board meetings were posted on the website. Jim will contact our website developer to add an id and password protection process to the NMC resident's only section of the website where the NMC newsletter and minutes will be posted. Jim will solicit residents again for their email address to be included in the NMC Distribution list.

### **Old Business**

**Refuse and recycling meeting:** NMC will host a City sponsored meeting on the new refuse and recycling program on Tuesday, September 22<sup>nd</sup> at the clubhouse.

**NMC bike and walking path:** The repair and asphalt overlay of the community bike and walking path has been completed. In addition, the clubhouse driveway was repaired and repaved.

**Additional parking lot lighting:** Jim received three proposals to install an additional street light in front of 182 NME. The proposals ranged from \$3,800 to \$5,876. After discussion, the Board agreed to meet in front of 182 NME after dark, along with a representative from the City of Rockville Police Department, to determine if removing an existing tree would provide the necessary illumination along with discussing other lighting options.

## **New Business:**

**Renewal insurance proposal:** Jim gave the Board a proposal to renew the Officers & Directors liability insurance policy. The premium quoted was \$1,612 which is \$640 less than last years' premium. After discussion, John Brown made a motion that we accept the proposal from the Russell Insurance Group for \$1,612. Alex seconded the motion which passed unanimously.

**Bonifant Tree Service proposal:** We received two proposals from Bonifants Tree Service for tree trimming and removal work throughout the community. The proposals were for \$1,525 and \$4,000. After discussion, John Hansman made a motion that we accept the proposals from Bonifants Tree Service for \$5,525. Dunja seconded the motion which passed unanimously.

**Bench on NME:** Jim presented a request from a resident to install a bench next to the sidewalk overlooking the lake. Jim received a proposal from Playground Specialist to furnish and install a bench similar to the ones near the NMC tennis courts for \$815.54. Roald Schrack mentioned the area between the curb and sidewalk could be in the City's right of way. Jim will check with the City of Rockville about the right of way along New Mark Esplanade.

**Board of Director's Open House:** After discussion, Saturday, October 24<sup>th</sup> was selected as the date for the Open house.

**Host Mayor & Council candidate's debate:** After discussion, it was decided NMC would not offer to host a candidate's debate.

## Miscellaneous items

John Brown mentioned there are several areas of erosion along the side of the bike path that should be addressed. Alex mentioned that some ground cover is required on top of the swale created two years ago behind her home. Margaret mentioned it appears crabgrass was planted on the circle in front of her home on Welwyn Way.

Roald mentioned the new surface bike path is great.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, OCTOBER 1, 2009**

**ATTENDEES:** Margaret Chao, John Hansman, Dunja Baker, Alex Manolatos, Lori Nicely, Linda Huntington, Dan Barresi, Rocio Estrada, City of Rockville, and Jim Denny.

**Board Members Absent:** John Brown

**Community Forum:** Rocio Estrada had several topics to discuss with the Board.

The City's deer task force is in the process of being formed. City staff is putting together a mission statement for the task force and will present it to the Mayor and Council after the election.

Rocio mentioned the free parking coupon program is still in effect and will run through December 31, 2009. The free coupons can be obtained at City Hall.

John Hansman asked if there was a date for the opening of the grocery store in town center? Rocio did not have a date but said they would not move in this year.

She mentioned the Community Ministry of Rockville clinic will be moving into the space formerly occupied by Mack's Hardware and CVS in mid October.

Rocio said Rockville University is starting soon. Rockville University is a free, 6-week citizen awareness program sponsored by the Mayor and Council and the City of Rockville. This program strives to teach Rockville residents about the city's history, its government, and its neighborhoods.

Lori asked if there were any plans to replace the old style street lights around the City.

The source of the foul odor in Town Center has not yet been identified.

**Officer and Committee Reports:** There were not any committee members present.

Upon a motion by John Hansman and seconded by Alex, the minutes of the September 2009 Board meeting were approved with the changes noted.

**Administrators Report**

**Dues:** Jim told the Board six residents are in arrears in their HOA dues. We received a check from one of the past due residents this month. Two of the accounts are carrying over from 2008. There are liens in place on two of the properties and the Association's attorney has started proceeding against the remaining four residences. The Hileman &

Associates status letter asked the Association if they should prepare suit warning letters for the delinquent accounts. Jim will investigate and determine if that is a necessary step toward filing a lien or an optional step and report back to the Board.

**Verizon FIOS installation:** Verizon has started installing fiber optic cable throughout the community. I have only received one complaint from a resident about damaged landscaping.

**Switch to Clean Current as electric supplier:** Jim told the Board he submitted an application to Clean Currents for a quote on electric service for NMC. NMC has fourteen PEPCO accounts, the clubhouse and electric service to the lake fountain, being the two highest usage locations. The other service locations are for street and parking lot lighting throughout the community. Their representative should have rates for us by the middle of October.

**Energy Audit:** We received a proposal from greenNEWit LLC for an energy audit of the NMC clubhouse. The proposal was for \$1,140. Jim will talk to additional energy consultants about an energy audit. Linda Huntington was present to discuss the Association's switch to wind sourced electricity offered by Clean Current. Energy saving items, that could be adopted to make the clubhouse more energy efficient, were discussed.

**Third quarter financial review:** Jim gave the Board an update on the financial status of the Association as of September 30, 2009. He presented the actual expenses year-to-date versus the budget and reviewed the Association's Operating and Reserve Funds balances as of September 30, 2009. Jim mentioned several items that were higher than expected. Lighting maintenance was \$7,800 over projected expensed, due to repairs to lights along the bike path and the side walk to clubhouse parking lot. The City implemented a new storm water management fee of \$1,140 that was not in the 2009 budget. Margaret mentioned the City is considering adopting Montgomery County's Code Chapter 10B - Common Ownership Communities which would require the Association to pay \$2.75 per housing unit.

### **Old Business**

**Refuse and recycling meeting:** NMC hosted a City sponsored meeting on the new refuse and recycling program on Tuesday, September 22<sup>nd</sup> at the clubhouse. Many NMC residents attended the meeting. Prior to the meeting, all townhouse residents with a NME address, received a letter from the City exempting them from using the new refuse and recycling carts. The once a week refuse collection will begin on December 7, 2009 in NMC.

**Website & ID password process:** Jim will work with our website developer on the password process. Jim told the Board the minutes of Board meetings and past issues of the NMC Newsletter are now located in the residents only section of the website. An ID and password is required to enter this section of our website. We will announce this change in the next newsletter. There was discussion about just making the newsletter available online and discontinue printing and delivering to each residence. We would still print a limited number of newsletters and deliver them to residents who request a printed copy.

**Request for bench along NME:** A resident requested a bench be installed along NME overlooking the lake. Jim spoke to several City of Rockville public works employees who stated the area was the City's right of way and permission would not likely be granted for that purpose.

**Additional parking lot lighting:** Jim, Dan and Margaret met with Corporal Ken Matney from the City of Rockville Police Department to get his input on additional lighting for the parking lot in front of 182 NME. After walking the site, Cpl. Matney suggested a directional spot light mounted on the existing street light pole may be a cost effective alternative to installing a new pole on the other side of the parking lot. Jim solicited proposals to install a directional spot light. The estimates were from \$500 to \$1,000. Once the proposals are received, Jim will forward to the Board for their action.

### **New Business:**

**Stolburg Landscaping contract renewal:** 2009 is the final year of a three year contract with Stolburg Landscaping Inc. Stolburg submitted a new three year proposal with a 1% increase for 2010, 1% for 2011 and a 2% increase for 2012. After discussion, the Board instructed Jim to solicit proposals from other landscape contractors. John Hansman also mentioned there appears to be a lot of indiscriminate grass clippings and leaves blown around by the landscape crew. He stated that the equipment is noisy, creates air pollution and John is not sure that blowing is necessary. John made a motion that we instruct our landscape contractor to stop blowing leaves and grass clipping from the streets in NMC. The motion was not seconded.

**Dead Tree removal:** We received two proposals, one from Bonifants Tree Service for \$1,350 and one from Stolburg Landscaping for \$1,200 to remove a dead oak tree and grind out the stump. After discussion, Dan made a motion that we accept the proposal from Stolburg Landscaping. Margaret seconded the motion which passed unanimously.

**New Sidewalk along Monroe Street:** Jim gave the Board a flier we received from the City describing the new sidewalk along Monroe Street from Big Oak Way to the entrance of Fire Side Apartments.

## **Miscellaneous items**

Lori mentioned the No Swimming sign near the lake is tilting and appears to be loose.

She also had two estimates to replace the chain link fence along the NMC border with Monroe Street. The proposed fence is similar in style to the fence around the NMC swimming pool and would replace the existing deteriorating chain link fence. After discussion, the Board requested that we obtain quotes for a vinyl coated 6' high chain link fence to replace the existing section of fence and extend the new fence to the lake spillway.

Alex mentioned there are some dead spreading yews in front of 338 NME that should be removed.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, NOVEMBER 5, 2009**

**ATTENDEES:** Margaret Chao, John Hansman, Dunja Baker, Lori Nicely, Betsy Burkhard, Dan Barresi, Rocio Estrada from the City of Rockville and Jim Denny.

**Board Members Absent:** John Brown & Alex Manolatos

**Community Forum:** Rocio Estrada had several topics to discuss with the Board.

The City's deer task force will present to the Mayor & Council on January 1, 2010.

The grocery store planned for Town Center will not open this year.

Rocio mentioned the City is exploring the opportunity for associations in Rockville to participate in the Montgomery County Commission on Common Ownership Communities (CCOC) by adopting Montgomery County Code 10B. The Mayor and Council began exploring the services provided by CCOC early in the year. The upcoming public hearing is the next step in that process.

The dates are:

- November 23<sup>rd</sup> – Public hearing
- December 7<sup>th</sup> – Staff recommendation to Mayor and Council
- December 14<sup>th</sup> – Mayor & Council decision

Margaret mentioned she testified in opposition to the CCOC earlier in the year and will testify in opposition again on November 23<sup>rd</sup>.

Margaret asked if a decision has been reached on free parking for the holidays in Town Center.

Lori mentioned the crosswalk marking at the intersection of New Mark Esplanade (NME) and Maryland Avenue has worn off and should be replaced. She mentioned a brick cross walk, similar to the crosswalk at the entrance to the Rose Hill community would be an attractive alternative to painted asphalt. Rocio said she will look in to the crosswalk situation and report back to us.

Betsy Burkhard was present to discuss her attempt to get a building permit to replace the privacy fence in her back yard. Her home, 1 Farsta Court, backs up to NME and fronts on Farsta Court. Her side yard borders Scandia Way. The City denied her fence permit to replace the existing deteriorating six foot high privacy fence with one of similar design and height. Under the current zoning regulations, Betsy has three front yards and only a fence four feet high is permitted adjacent to a non-arterial roadway. After discussion with the City, they suggested that NMC could amend the original site plans

filed in the 1960s'. They also mentioned the City is in the process of drafting new language for the ordinance.

**Officer and Committee Reports:** There were not any committee members present.

Upon a motion by John Hansman and seconded by Dunja, the minutes of the October 2009 Board meeting were approved with the changes noted.

### **Administrators Report**

**Dues:** Jim told the Board six residents are in arrears in their HOA dues. Two of the accounts are carrying over from 2008. There are liens in place on all six residences.

**Verizon FIOS installation:** Verizon has installed underground fiber optic (FIOS) cable throughout half the community. After the installation, there were fourteen street lights not working due to a 'no voltage' problem. PEPCO initially informed us it would take thirty to ninety days to repair the lights. We escalated thru the City and all but two of the street lights have been repaired.

**Switch to Clean Current as electric supplier:** Jim told the Board we entered into a two year contract with Clean Currents to supply wind sourced electric service for NMC. We have a fixed price per kilowatt for the next two years.

**Board of Director's Open House:** Jim reported the Open House was a success. Approximately eighty to ninety attended.

**2010 proposed budget:** Jim gave the Board the proposed budget for 2010. He also included year to date income and expenditures for 2009 versus the 2009 budget. The Consumer Price Index (CPI) is the reference used to determine the amount the dues may be increased for a calendar year. The CPI change for the Washington metropolitan area for the period of September 2008 to September 2009 was -0.8%. After discussion, the Board decided there would not be a dues increase for 2010. John Hansman made a motion to publish the proposed 2010 budget in the November and December newsletter with no increase in dues for 2010. Lori seconded the motion which passed unanimously.

### **Old Business**

**NMC Website:** The NMC newsletters and minutes from the Board meetings are posted on the residents section of the site. This section of our website is ID and password protected. So far, nine residents have request an ID and password. There was continued discussion about making the newsletter available online and discontinue printing and delivering to each residence. We would still print a limited number of newsletters and deliver them to residents who request a printed copy. It was decided to continue printing and delivering to all residents at least through the first quarter of 2010. We will continue to talk up the website as the newsletter repository.

**Additional parking lot lighting:** A new directional spot light was mounted on the existing street light pole in front of 170-184 NME. The new spot light has an energy efficient compact fluorescent (CFL) bulb. At the same time, we asked the electrical contractor to replace the current high pressure sodium (HPS) street light with an equivalent wattage compact fluorescent bulb. The new bulb should use approximately thirty percent less electricity than the HPS bulb.

**Victory Housing:** There is a meeting of the City's Board of Appeals on Saturday, November 7, 2009 at 9:30 a.m. in the Mayor and Council chambers at City Hall.

### **New Business:**

**Request for handicap ramp near 126-132 NME:** A resident has request the installation of a small sloped ramp from the parking lot to the top of the curb. The purpose of the ramp would be to eliminate the step up to the sidewalk. Jim mentioned he met with two contractors to discuss the request. Any ramp built would have to conform to current building codes and probably require the elimination of one parking space. Jim mentioned a former resident in the 200 block of NME had a temporary ramp built at his expense. The ramp was removed when the resident sold his NMC home. After discussion, the Board agreed the resident could build a temporary ramp as long as it did not interfere with any other resident's parking space and was easily removable.

**Snow removal proposal:** We received a proposal from Sivert Enterprises for snow removal for 2010. After discussion, John Hansman made a motion to accept the snow removal proposal from Sivert Enterprises. Dunja seconded the motion, which passed unanimously.

**Replacement fence along NMC's Monroe Street boundary:** Lori presented two proposals from local fencing contractors to replace three hundred and eighty six feet of six foot high chain link fence on our property line and extend it an additional one hundred and forty feet toward the lake spillway. A third estimate was requested but did not arrive in time for the board meeting. The prices ranged from 11,176 to \$14,346. After discussion, Lori made a motion that we install approximately five hundred and twenty six feet of six feet high chain link fence, not to exceed \$14,346. Dunja seconded the motion which was passed by a vote of 3 to 2. Lori, Dunja and Margaret voted in favor of the proposal. John Hansman and Dan voted no. Jim will solicit a proposal from Stolburg Landscaping Inc. to clear the underbrush and scrub trees from the fence line.

### **Miscellaneous items**

Margaret mentioned there are several areas in the community that would benefit from additional street lighting. Jim will contact the City to determine the department responsible for street lighting.

**NEW MARK COMMONS HOMES ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, DECEMBER 3, 2009**

**ATTENDEES:** Margaret Chao, Alex Manolatos and Jim Denny

**Board Members Absent:** John Brown, John Hansman, Dan Barresi, Lori Nicely & Dunja Baker

**Community Forum:** There were not any residents present for Community Forum.

**Officer and Committee Reports:** There were not any committee members present. Margaret mentioned the City is keeping the public comment period open for an additional thirty days while they decide whether or not to participate in the Montgomery County Commission on Common Ownership Communities (CCOC).

We did not have a quorum. Only two of the seven Board members were in attendance.

**Administrators Report**

**Dues:** Jim told the Board six residents are in arrears in their HOA dues. Two of the accounts are carrying over from 2008. There are liens in place on all six residences.

**Change accounting system:** Jim mentioned he installed Quick Books Pro and will be generating the 2010 dues invoices using the new software. He has met twice with the auditors for assistance with the transition to Quick Books.

**2010 proposed budget:** Jim gave the Board the proposed budget for 2010. He also included year to date income and expenditures for 2009 versus the 2009 budget. The proposed budget was published in the November/December 2009 NMC Newsletter. Jim mentioned he received one comment from a resident concerning the 2010 budget. They asked that additional funds be allocated for tennis courts repairs. Margaret informed Jim the Board approved a \$3,500 bonus for him. Jim will update the 2010 proposed budget and present it at the January board meeting.

**Old Business**

**CFL bulb installed at 182-184 NME:** At our request, Power System Electric installed a CFL bulb in the light pole in front of 170 to 184 NME. The CFL bulb should use 30 to 40% less energy than the current high pressure sodium light (HPS) bulbs. If the illumination is sufficient, we may consider installing CFL bulbs in all community owned street lights.

**Replacement fence along NMC's Monroe Street boundary:** Jim mentioned he applied for a fence permit from the City of Rockville to replace the existing six foot high fence along Monroe Street and extend the fence an additional 160 linear feet. The application was rejected. The request does not meet current zoning regulations. The highest fence permitted is four feet high.

**New Business:**

Jim will solicit approval by email from all the Board members for landscape contractor selection, Power Systems Electric proposal for clubhouse lighting and Stolburg Landscaping proposal to clear the fence line along Monroe Street.

Jim mentioned the City has planted replacement street trees throughout the community to replace trees that died over the last two years. The City's concrete contractor recently completed replacement of deteriorating and uneven sidewalks near the lake and around Vallingby Circle.

Jim will be on vacation from December 24<sup>th</sup> to January 1<sup>st</sup>. Margaret will be monitoring the NMC phone and Jim will put an out of office message on his email.