

**NEW MARK COMMONS HOMES ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
THURSDAY, MAY 4, 2017**

New Mark Commons Clubhouse 7:30 PM

MINUTES APPROVED JUNE 01 2017

Attendees

Board members: Present: Alex Belida, Alex Manolatos, John Daroff, Kathleen Moran, David Schwartzman, Ellen Stein, Magnus Turesson. None absent.

Administration/Staff: Jim Denny, Administrator; Kirsten Hall taking minutes.

NMC Residents: Sima Osdoby, Pat Reber, Judy Rudolph, David Sloane.

Call to Order

John Daroff called meeting to order at 7:31 PM.

Community Forum

NMC 50th Anniversary Committee Update; Pat Reber

Pat Reber handed out the 50th Anniversary Planning Update document to the Board, and presented the following:

- Banners: The 50th Anniversary Committee requests Board approval for banners to be posted at entrances to NMC, over clubhouse balcony and driveway. Four banners have been designed by David Sloane; one 8'x4', one 6'x3' and two 4'x2'.
- Memorial Day weekend: A table at the pool to gather volunteers.
- July 4 event: Considering a photo display of NMC swim team swim suits (not with kids in them) from over the years, and a swim team reunion.
- Sept 4 Labor Day memorabilia: NMC memorabilia to be displayed in clubhouse.
- October 21 Board Cocktail party and celebration.
- Pamphlet: As part of grant application to City of Rockville, a pamphlet with interviews from older residents and former Board members. Cost will be about \$1,000 and will be discussed at next Committee meeting.
- Slide/Video Show: to be distilled from historical photos, history, and interviews.

Discussion about 50th Anniversary Presentation: Banners: NMC community covenants do not permit signage, but the Board can choose to make an exception for this event. The length of time for posting each of the banners was discussed. Board will review in New Business. Events: There was discussion about aiming to better draw children for kid-friendly events.

Townhouse Parking Violations; Judy Rudolph. Judy requested that parking rules be re-discussed. Junk cars and cars with violations are parked in the lots. John Daroff will add the issue to the June Board meeting agenda, so Board members will have time to examine parking rules before discussing.

Judy Rudolph Letter NMC Board of 4-7-17, Judy Rudolph. Judy requested that at the upcoming June meeting, the Board offer discussion of her response to her letter to Board of April 7, 2017.

Close of Community Forum: John Daroff closed the forum and discussion at 7:54 p.m.

Approve Minutes and Agenda

- A. **Agenda 5-4-17:** Additions to New Business follow.
- 1) Funding and Approval of Banners for 50th Anniversary at cost of \$200-\$300; review signage regulations.
 - 2) Discussion of Quarterly Non-Signatory review of books from April meeting.

David Schwartzman moved to approve agenda as amended; seconded by Magnus Turesson; carried unanimously.

- B. **Minutes 10-19-16 Board Budget Meeting:** Ellen Stein moved to approve; seconded by Alex Manolatos; carried with votes by Alex Manolatos, John Daroff, Ellen Stein, and Magnus Turesson. Remaining Board members ineligible to vote because they were not Board members at that time.

- C. **Minutes 11-16-16, Board Conference Call:** The call was conducted after the CCOC hearing, Berman vs. NMC. Topic was reconsidering the budget and the ability to use Section 5a. to raise dues. Minutes need to be edited to reflect that Magnus Turesson was absent from the phone call. Magnus Turesson requested a motion to approve.

Ellen Stein moved to approve; seconded by John Daroff; carried as edited, with votes from John Daroff and Ellen Stein. Remaining Board members ineligible to vote because they were not present at conference call.

- D. **Minutes 2-2-17 Board Meeting:** Ellen Stein moved to approve; seconded by Magnus Turesson; carried unanimously.

- E. **Minutes 3-2-17 and 4-6-17 Board Meetings:** Corrections need to be made to attendees of 3-2-17; David Schwartzman is listed present twice, as both attending and a candidate. John Brown was incorrectly listed as present. Arthur Katz needs to be listed as present. Minutes need to be reduced in length and conform to standard NMC format. David Schwartzman will assist Kirsten with minutes format.

David Schwartzman moved to table minutes of 3-2-16 and 4-6-16 for revision and review at June Board meeting; seconded by Kathleen Moran; carried unanimously.

Committee Reports

- A. **Architectural Control** - Alex Belida: Committee met and reviewed current applications. Future ACC application form will ask applicants to give estimated start date for work and will require notification when work is completed. Follow-up inspection will be performed at that time. ACC is looking into making the ACC application form available for electronic completion and submission from the website. ACC reminds residents that all ACC work requires an ACC application.
- B. **Communications** - David Schwartzman: The May print issue of *New Mark News* will be the first use of the new print template, with Kirsten Hall formatting. Aiming for tighter deadlines and better formatting of submitted articles. The recent website technical issue is being resolved. Working on learning Google Analytics and how to make best use of NextDoor. Non-resident requests for Mailchimp list access are being examined. Next meeting is Thursday, May 11, at Pat Reber's house (705 NME).
- C. **Community Enhancement** - Magnus Tureson: No meeting of CE in April. Next meeting is May 25. Looked at damaged outdoor cable TV pedestals, fixed and painted what was possible. Ordered three new pedestals to replace one behind 200 block, one on Welwyn, and one near Dogwood Park. These are the property of the cable utilities but they haven't been fixed after two years of complaints to cable companies.

Discussion: Some board members suggests, due to lack of knowledge that NMC should not replace covers that are the property of the cable companies. CE will ask cable companies if they can replace damaged or lost covers.. CE will check to see if City or County codes are being violated by cable company neglect.

At next community enhancement walk, Alex Belida will join and look at ACC issues.

- D. **Landscape** - Ellen Stein: Cleanup was done April 29 and debris was hauled away by Stolburg. The volunteer tulip poplar will be removed from the lake bank.

- E. **Pool** - Kathleen Moran: Pool committee has not met since last Board meeting. Next meeting is Monday, 5-8-17, 7:30 p.m. at NMC Clubhouse.
- F. **Social** - Alexandra Manolatos: No activity since last Sunday's meeting for 50th anniversary.
- G. **50th Anniversary / Historic Registry Designation:** 50th Committee is trying to get the whole community identified as on the historic register. Committee would like to invite Peter Kurtze of the MD Historical Trust to the June Board meeting to discuss MD Historical Trust's decision, possibly to come early and present at 7:00 p.m. Pat Reber will draft a letter to Peter Kurtze.

Administrator's Report

- A. **Finance and dues update:** Dues invoices were mailed. Nine residents have not paid first half. Notice was posted April 24 to file lien for two years' dues for two residences. John Daroff presented financial update.
- B. **Townhouse parking lot paving update:** One estimate from O'Leary has been received; the other contractor needs more time and hasn't given estimate yet. Jim will contact city to make a claim for lots that were damaged by the city. The Board did not vote on a bid; will do so when second bid comes in.
- C. **Update on long-term vehicles in clubhouse parking lot:** Nine vehicles have been parked long term. Three are in violation due to expired tags. One vehicle has a missing year sticker and the owner is being contacted. Jim would like to begin requiring Annual parking approvals.

Board advises Administrator to send letter to those in violation, giving 30 days to request an annual permission or make alternate arrangements. Parking permissions will be effective July 1 through June 30, with proration possible.

- D. **2016 Audit:** Draft audit approved last month; final 2016 audit from DeLeon & Stang nearly done; revisions needed resulting from USLI insurance payment.
- E. **CCOC refunds distributed on schedule.**
- F. **Pool update:** Pool drained and cleaned April 30. In-pool inspection and repairs will be done. Our three lifeguards from last year are returning. Next pool committee meeting is Monday, May 8.
- G. **824 NME common area water/gas main break damage repair:** Received check from City's insurance carrier USLI for approximately \$1500. Ellen and Jim will examine the planting proposal from Stolburg.

- H. **Downed light pole in front of 824 NME:** Contractor that knocked it over will pay \$600 of the \$900 repair cost.
- I. **Mira Frost/Joe Rosen erosion concerns (from 4/6 and 2/4 community forum requests):** Received proposal from Mark Wilcher for four locations in the community. Need an additional proposal for Mira's & Joe's properties. David Schwartzman asked that the erosion issues near 276 NME be examined as well. Alex Belida urged the Administrator to move quickly to address the issues at Mira and Joe's property as they have been waiting months for action.
- J. **834 NME tax sale:** Owner is absentee. Our law firm hired a skip tracer to find the owner and they were unable to substantiate the information that the Association had been given. Jim is seeking a viable telephone contact.
- K. **Insurance update - general liability and workman's comp:** At an April 18 meeting, Jim Denny & Sean Connelly (acct. rep/producer for NMC) discussed excess liability insurance coverage, commercial, and workers comp packages. Quotes for excess: approximately \$5,000,000, no change in cost. Premium for workers comp increased \$480 over last year's; includes swim meet rider.
- L. **City of Rockville Community Enhancement Violation re: dead tree on NMC property:** NMC was cited by the City for a "hazardous tree" on NME. The 80' dead tree was determined to be either on the property of NMC or the owner on Argyle. Administrator and owner worked together to bring down branches and leave trunk. Tree work was done for \$500, split between owner on Argyle and NMC. Jim will confer with Barbara Cano (12 Lakeside Overlook) whose property was threatened by the tree.
- M. **Implementation of digitizing records in accord with CCOC 80-16:** (David Schwartzman): David is examining condition of minutes 1973 through 1999 and will oversee scanning them to searchable pdf. Scanning should be completed before the end of August. Up to \$700 has been allocated to pay Anna Turesson for the scanning.

Break 9:24 pm. Reconvened 9:30 pm.

Ellen Stein left the meeting.

Addendum to Administrator's report: John Daroff announced that Jim Denny will have office hours 11:00 a.m. to 2:00 p.m. on Monday, Wednesday and Thursday. At these times he will be available by phone and email. Office hours will be effective June 1, to be announced in the May issue of the newsletter.

Old Business

A. Community Enhancement Committee action items

- a. **Mission statement and policies (has been approved by CEC)**
- b. **Inspection checklist**
- c. **Sample letters**

Discussion: As advised by Board, CE will revise the Policy and Procedure list item, "Enforcement of New Mark Commons and City of Rockville laws and regulations," to read "Increase awareness of New Mark Commons and City of Rockville laws and regulations." CE will edit the inspection violation letter letter, and all other applicable documents, to indicate that inspections will be done every year.

Magnus Turesson moved to approve documentation as edited in discussion; seconded by David Schwartzman; carried unanimously.

New Business

A. Architectural Control Proposals

- a. **Delegation of Authority for certain items: includes installation of solar panels on a roof.**

Alex Belida moved to amend current Delegation of Authority document to include the installation of solar panels on a roof; seconded by Magnus Turesson; motion carried unanimously.

- b. **ACC violations and how NMC responds**

Discussion: The 60 days period should be paused while the Board reviews the appeal. An appeal to Board should be made in a written statement including the document being appealed and grounds for appeal. It should be sent to Board or Administrator by email 10 business days prior to the Board meeting so it can be placed on Agenda. ACC cannot require that sale be contingent on completed ACC corrections; corrections have to be worked out between seller and buyer. The CCOC staff manual (source of excerpts) needs to be cited.

This document will be revised and discussed at the June Board meeting.

- c. **Storm doors for contemporary homes: includes addition to ACC guidelines specifying types of storm doors that will be approved by ACC. Specifies preference for "almost entirely glass" panels.**

Discussion: Some lenience is implied for any structurally required change, e.g. half and half storm doors. Board suggests photos of acceptable examples be provided.

Alex Belida moved the Board approve an amendment to the ACC guidelines to include the above guidance on storm doors, with visual examples of acceptable styles; seconded by David Schwartzman; carried unanimously.

d. ACC violation notice at sale policy

Discussion: Board advises that ACC should cite a code for why Board will notify real estate agent and owner of AC violations. Note that Board is delegating enforcement of this policy to the Administrator and ACC members.

Alex Belida moved that the Board amend the first line of the policy on Architectural Control corrections prior to the sale of the house, which currently reads “The Administrator, with assistance from Board members,” to read, “The Administrator or their designee” and remove the phrase, “with assistance from Board members”; seconded by David Schwartzman; carried unanimously.

- B. Reserve Fund study proposals:** Falcon Engineering has offered the third proposal. It will be ready in June.

David Schwartzman moved to table the reserve fund proposals to the June Board meeting; seconded by Kathleen Moran; carried with four in favor, Alex Belida and Magnus Turesson opposed.

- C. White Box Truck in clubhouse parking lot:** David Schwartzman moved that the Administrator issue a 30 day notice of removal and not renew exemption of white box truck; seconded by Alex Belida; carried unanimously.

Jim will produce the original enforcement letter reflecting the time period the truck has been exempted.

D. Pool guest fee increase proposal

- a. **Proposed weekday fee increase from \$1 to \$2 per person**
- b. **Proposed weekend/holiday fee increase from \$2 to \$5 per person**

Kathleen Moran moved to increase the weekday fees to \$2 and weekend/holiday fees to \$4; seconded by Alex Belida; carried unanimously.

- c. **Guidelines for pool parties during regular pool hours**

Proposed interim pool party guidelines:

- Pool parties must be scheduled with Administrator.
- No more than 15 swimmers at a party regardless of membership.
- Party not permitted at tables on deck; participants may use picnic tables in adjacent park.
- Parties may last two hours maximum in the pool area.
- No more than one or two parties per day at discretion of Administrator.
- All parties must pay applicable guest fees.
- Swim test not applicable to guests.
- Two chaperones minimum required. Liability waiver required for guests (non-resident, non-member) age 9-15.

Kathleen Moran moved to implement proposed interim guidelines; seconded by Alex Belida; carried unanimously.

d. Anniversary Banners regulations, concept, and funds:

Alex Belida moved to exempt 50th Anniversary banners from any applicable signage regulations; seconded by David Schwartzman; carried unanimously.

David Schwartzman moved to approve banner concepts as presented by the Communications Committee; seconded by Alex Belida; carried unanimously.

David Schwartzman moved to approve funds not to exceed \$300 from the entertainment budget to purchase the banners; seconded by Alex Belida; carried unanimously.

- E. Pool repairs, parts and supplies proposal:** The supply company states an eye washing station (\$279) is required this year, due to presence of pool chemicals. New supplies will cost \$1284 total. Capital improvements will cost approximately \$3500 total for five swim lane float lines. Repairs will cost \$2636. Supplies and repairs together total \$3920.

Discussion: Board advises checking codes to make sure eye wash station is required by current code, not just recommended by pool supply company.

Magnus moved to approve pool supplies and repairs not to exceed \$4,000; seconded by Kathleen Moran; carried unanimously.

John Daroff moved to approve capital improvements as designated by Jim (as amended to check code for eye-washing station) not exceed \$5300; seconded by Kathleen Moran; carried unanimously.

- F. **Renewal of excess liability insurance:** Excess liability insurance will cost \$3762. Workmans comp and general liability package will cost \$27,385.

John Daroff moved to approve all applicable insurance; seconded by David Schwartzman; carried unanimously.

- G. **Playground mulch proposal:** Board tabled this item to June, until further proposals come in.

- H. **Discussion of Quarterly Non-Signatory review of books from April meeting:** Board did not address.

Adjournment

David Schwartzman moved to adjourn; seconded by Magnus Turesson; carried unanimously.