

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, May 3, 2018

New Mark Commons Clubhouse, 7:00 p.m.

FINAL submitted by Shireen Ambush May 14, 2018 – REVISED and approved July 17, 2018

Attendees

Board Members: Alex Belida, John Daroff, Alex Manolatos, Ellen Stein, Magnus Turesson and Kathleen Moran.

Abaris Community Management: Shireen Ambush, Henry Leung.

10 NMC Residents

1. Call to Order

John Daroff called the meeting to order at 7:05 p.m.

2. Community Forum 1 and Board Response

Joe Jordan: Stated that he is concerned about the retaining wall behind his house that is 80% on HOA property. He would like to revisit the hill on the side of his home and will meet with Ellen Stein to look at the erosion.

Raj Gupta: Stated that after he read the engineer's report on the drainage and erosion issues, Area 1 encompasses roughly 100 homes and the engineer's recommended solution involves redirecting water from the gutters and downspouts of the private homes into an underground drainage system in order to stop the erosion. He is concerned that homeowners should be responsible for paying to correct the drainage from their own homes.

John Daroff: Stated that all questions regarding the engineer's reports should be asked at the upcoming Town Hall meeting this Sunday.

3. Board Organizational Items

A. David Schwartzman's resignation created a vacancy on the Board. The Board discussed the provision in the Bylaws that allows the Board to appoint someone to fill the vacancy. A discussion ensued on whether or not to fill the vacancy at this time. Alex Belida made a motion to take no action to fill the vacancy until the next scheduled Board election for a 1 year term. The motion was seconded by Magnus Turesson and approved on a five to one vote with Ellen Stein dissenting.

B. The Board discussed the need to appoint someone to serve as Treasurer. Alex Belida made a motion to appoint Kathleen Moran to serve as Treasurer. The motion was seconded by Alex Manolatos and carried unanimously.

- C. Alex Belida made a motion to appoint Magnus Turesson as Vice President of the Board. The motion was seconded by Ellen Stein and carried unanimously.
- D. Magnus Turesson made a motion to appoint Alex Belida as Secretary of the Board. The motion was seconded by Alex Manolatos and carried unanimously.
- E. The Board voted unanimously to appoint Alex Belida as the Board's liaison to the Communications Committee and Alex Manolatos as the Board's liaison to the ACC.
- F. The Board voted unanimously to appoint Pat Reber as Chairperson of the Communications Committee.

4. Agenda and Prior Meeting Minutes

- A. **Board Meeting Agenda, 5-3-18:** Magnus Turesson moved to approve; seconded by Alex Belida; carried unanimously.
- B. **Board Meeting Minutes, 4-5-18:** Ellen Stein moved to approve; seconded by Alex Manolatos; carried unanimously.
- C. **Board Organizational Meeting Minutes, 3-18-18:** Ellen Stein moved to approve; seconded by Alex Belida; carried with Magnus Turesson abstaining.

5. Appeals

- A. **12 Vallingby Circle appeal of ACC decision regarding front door.** The homeowner, Kathryn Rhoden was in attendance. John Hansman briefed the Board: The owner installed a multi-panel traditional style front door. The sidelights had decorative components that are not in keeping with NMC's contemporary architectural style. The homeowner removed the decorative components from the sidelights; however the door style is still in violation. The ACC suggests that the owner be required to replace the door with a conforming style door at the time the property is sold. The homeowner shared an email from the former Administrator that stated that the door style was acceptable but not the sidelights and kick plate. In response to that email, she removed the decorative components from the sidelights and the kick plate and thought she was in compliance 8 years ago. The Board agreed that since the previous Administrator advised the homeowner that the door style was acceptable, they will not require that the door be replaced at this time. Alex Belida moved that the door remain as a violation on the lot which must be corrected at the time the door is in need of replacement or when the property is sold, whichever comes first. The motion was seconded by Magnus Turesson and carried unanimously.

6. Committee Reports

- A. **Architectural Control Committee (ACC) - Alex Belida:** The ACC is meeting this coming Monday at 7:15 pm and we have invited Magnus Turesson to the meeting to discuss the logistics of combining the Community Enhancement Committee with the ACC. Legal counsel confirmed that the revised ACC guidelines do not have to be published to the homeowners prior to the Board's adoption and therefore, the revised guidelines adopted by

the Board at the last meeting are now posted on the website and will soon be filed in the County Land Records/Depository.

The Board discussed the ACC violation for 5 Radburn Court. Abaris Realty's staff issued a resale disclosure package for this home and inadvertently overlooked noting the front door violation on the resale certificate. The home was sold recently and we do not know if the new owners were informed of the front door violation by the former owners since they were clearly put on notice to correct the violation at the time of sale. The Board agreed unanimously to treat this as they have treated other administrative errors and allow the door to remain in place until it requires replacement or the home is sold, whichever comes first. Abaris will notify the new owners of this matter in writing.

B. Communications Committee (CC) – Pat Reber: The CC met in April and two new members have volunteered to join the CC: Madelyn Gupta and Ajay Gorjya. The Board voted unanimously to appoint both residents to the CC. Pat apologized for the delay in the posting of the meeting agenda on the website as the CC is transitioning members and re-assigning duties among the existing and new committee members. The May newsletter will be a paper issue.

C. Landscape Committee (LC) – Ellen Stein:

- Spring Cleanup run by Beth Williamson and Chris Chiappa was a huge success. Take a walk a look at how the NME hill at the lake's edge has been almost cleared by Sally Guardia and Gerri Kochan and more people. It looks great and hopefully we can clear the remainder.
- Stumps and some "False" Forsythia were removed at Clubhouse to make way for a tree, a few shrubs and perennials part of our beautification plan.
- The committee agreed on Facility Service Company's plans for 800 Block Retaining walls, Welwyn Way Circle and areas between 142-144. Ask for approval during new business.
- Some committee members ask with all the trees being removed from common property, if we could save some of the logs to make stools and tables. Ellen spoke with Craig Sullivan and he agreed. Some all the same size have been moved to the tree area between the Clubhouse driveway and the tennis courts. We will research how to preserve the stumps.
- The committee plans to buy and plant the planters at the pool. We hope to plant on Saturday, May 12, 2018.
- The Board reviewed the revised proposal from Facility Service Company for the areas in need of enhancement as identified by the LC. The proposal included replacement of a damaged underground downspout extension pipe installed on common area by the owners of 824 NME. The homeowners allege that the landscapers damaged the pipe when mowing the grass. The landscape contractor advised that the pipe was not installed properly or buried deep enough in the ground which is why it sustained damage. The Board agreed that the homeowners must be notified that replacement of their damaged underground downspout pipe is their responsibility and they must be reminded not to disturb any common areas without prior approval. Alex Belida made a motion to accept the proposal from Facility Service Company with the exception of the

underground downspout replacement at 824 NME. The motion was seconded by Kathleen Moran and carried unanimously.

- The Board reviewed the proposal from S&P Tree Care addressing several tree related concerns reported by residents. Ellen Stein made a motion to accept the proposal subject to Jim Denny measuring the property lines to ensure the trees in the proposal are all on the Association's property. The motion was seconded by Magnus Turesson and carried with 5 in favor and 1 abstaining vote.
- The Board reviewed correspondence regarding a storm damaged broken tree at 4 Basildon Circle and the owners have been put on notice by the City of Rockville to have the remainder of the tree removed. The neighbor at 1 Harlow Court has repeatedly contacted management to demand that the tree be removed. The Board agreed that this is a private property dispute between 2 neighbors that does not involve any action by the Association.

D. **Pool Committee** - Kathleen Moran: The PC will meet on May 8, 2018 at 4:30 pm. New lane ropes and diving board have been approved for an approximate cost of \$5000. Major repairs to the concrete pool deck are not needed this year. \

- The Board discussed the proposal obtained by management from Potomac Disposal for trash and recycle collection services for the pool and clubhouse facility for the duration of the pool season for a cost of \$185 per month. Potomac Disposal will furnish a total of 4 large toters (2 for trash and 2 for recycle) and they will service them twice per week. The Board agreed that the toters should be kept at the side of the clubhouse so they are screened from plain view as much as possible. Kathleen Moran made a motion to accept the proposal from Potomac Disposal. The motion was seconded by Alex Belida and carried unanimously.
- The Board reviewed the proposal obtained by Abaris for an enlarged pool rules sign. Kathleen Moran moved to accept the proposal from Graphcom subject to the size being larger than the proposed dimensions on the proposal for a cost not to exceed \$300. The motion was seconded by Magnus Turesson and carried unanimously. The pool rules sign language must be proofread by Pat Reber, Kathleen Moran and Alex Belida before it is fabricated.

E. **Social**- None

7. Treasurer's Report

Shireen Ambush reported on behalf of Abaris:

Total cash balance as of March 31, 2018 is \$756,533.97. As of March 31, 2018, we have spent roughly 50% of our tree maintenance budget as a result of having to remove dead, hazardous or wind damaged trees.

8. Administrator's Report

Shireen Ambush presented the report from Abaris:

A. **Geese Signs:** The Board reviewed correspondence from a resident regarding the geese and a recommendation to install signage alerting residents not to feed the geese. The Board agreed that erection of such signage would be a violation of

the Covenants and therefore could not be done. However, articles have and will continue to be published in the newsletter reminding residents not to feed the geese.

B. Parking Vehicles on the Grass: Abaris was recently contacted by a resident who reported observing Solitude Lake Management employees parking their vehicles on the grass when they come to service the lake. Abaris reached out to the contractor who advised that this is the only area they can safely launch their boat. The contractor was alerted to another location that seems to be much more convenient for the boat launching without having to drive vehicles over the grass. We are awaiting the contractor's response after he inspects the location.

C. Power Systems Electric Proposals: The Board reviewed proposals from PSE for installation of a protective base cover at the light post at 846 NME for a cost of \$150 and voted unanimously to accept it. The Board also reviewed the proposal from PSE to relocate one of the street lights that has been struck repeatedly by vehicles in the past and is currently damaged and removed for the same reason. Magnus Turesson moved to accept the proposal for the relocation of this light post. The motion was seconded by Alex Manolatos and carried unanimously.

D. Playground Mosquito Spraying: The Board reviewed the proposal from Mosquito Joe for spraying the playground areas this summer as they have done in the past. John Daroff moved to accept the proposal for the same frequency as the treatment last summer. The motion was seconded by Alex Belida and carried unanimously.

E. CSG Engineering Proposals for community-wide retaining wall evaluation and 315 NME drainage/flooding evaluation: As requested by Abaris, CSG has submitted 2 proposals for the Board's consideration. After receiving additional complaints and concerns from NME residents regarding failed retaining walls and drainage/flooding/erosion issues impacting their lots and homes, management reached out to CSG to request these proposals. The Board requested that Abaris contact CSG and attempt to negotiate a lower fee for these services.

F. Power Wash Tennis Courts: In response to several requests from homeowners, Abaris obtained a proposal to have the tennis courts power washed. The Board discussed reports of the courts being in need of some maintenance and there are reportedly areas of raveling of the surface where some web-like material is exposed. Alex Belida moved to accept the proposal for power washing of the courts subject to the proposal including a thorough evaluation of the courts and a proposal for whatever additional repairs or maintenance is needed. The motion was seconded by Alex Manolatos and carried unanimously.

G. Clubhouse Foyer Repainting: The Board reviewed the proposal from Palmer Brothers to repaint the clubhouse foyer. Alex Manolatos moved to accept the proposal. The motion was seconded by Alex Belida and carried unanimously.

H. Hazardous Tree Removal: S&P Tree Care Arborist, Craig Sullivan has inspected additional trees in response to concerns reported by residents. Several white pine trees behind 216 - 226 NME need to be removed as well as one large Ash tree with a split trunk behind 246 NME. These trees will require a crane for their removal due to their massive size and location. Abaris is in the process of gathering multiple bids for the removal of these trees as requested by the Board.

9. Old Business

- A. None

10. New Business

- A. None

11. Community Forum 2

A. Madelyn & Raj Gupta: Questioned why we are spending money on property that does not belong to NMC? She was under the impression that the Welwyn circle does not belong to NMC. Residents of the community can perform landscape beautifications at their own expense in the areas they live close to. Members of the Board confirmed that in fact, that circle is the property of NMC along with all 26 other circles in the community. The re-landscape of the new retaining wall in the 800 block of NME should be done in a manner that does not allow trees to be planted too close to the wall so the roots will not disturb the new wall in the future. The Board should consider filling the vacancy after announcing the vacancy to all homeowners and calling for volunteers to serve.

12. Adjournment

John Daroff moved to adjourn; seconded by Alex Manolatos; carried unanimously. Meeting adjourned at 9:08 p.m.