

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, August 1, 2019

New Mark Commons Clubhouse, 7:02 p.m.

Minutes Taken by Shireen Ambush

Attendees

Board Members: Alex Belida, Joe Jordan Kathleen Moran, David Sloane and Karin Boychyn.

Abaris Community Management: Shireen Ambush

1. Call to Order

Alex Belida called the meeting to order at 7:02 p.m.

2. Community Forum 1 and Board Response

Pat Reber, who submitted a request in advance to speak, reported on behalf of Brian Levinthal, a resident of the 800 block, advising that a scooter rental business has set up behind and along the side of 864 New Mark Esplanade. The scooters seem to be accumulating and there are people called “Juicers” that go around re-charging these scooters.

Ron Tipton commented that the tennis courts are being refurbished and he wanted to make sure that when the lines are striped, they install pickle ball lines.

Karin Boychyn reported that the Welcome Committee met today, and we have 12 volunteers so far. The Committee is reviewing the resale disclosure package that Abaris provides to new owners. The Committee will prepare a 1-page flyer of useful information. The Committee will also arrange for smaller social gatherings for new neighbors to meet other neighbors.

The Committee will also hand out the 50th Anniversary Directory and the last hard copy version of the newsletter to new owners when they make a personal visit. This would be instead of Abaris providing these items to the seller of the home at the time a resale disclosure package is issued. The Committee will be making recommendations to the Board for suggested ideas to offer new owners, such as free tickets to the International Dinner or pool party, or a discount on the clubhouse rental fee. The next meeting of the Committee is September 4th at 7 pm at the clubhouse.

Board Response:

Kathleen Moran advised that Abaris will contact the towing contractor to investigate the scooter rental complaint.

3. Agenda and Prior Meeting Minutes

A. **Board Meeting Agenda, 8-1-19:** Joe Jordan moved to adopt the agenda with no additions. The motion was seconded by Kathleen Moran and carried unanimously.

4. Board Meeting Minutes, 7-11-19: Karin Boychyn moved to approve the minutes as amended. Kathleen Moran seconded the motion which carried with 4 votes in favor and one abstaining vote from Alex Belida, who was not in attendance at the last meeting.

5. Appeals

None

6. Hearing

None

7. Committee Reports

Architectural Control Committee (ACC) –

David Sloane reported that the ACC approved 10 applications in July and there were no controversial issues. The community survey has been postponed until the fall.

Communications Committee (CC) – On behalf of the Communications Committee, Alex Belida thanked those members of the Pool Committee and Swim Team for helping with our special July issue. We are also pleased that the Governance Committee is considering preparing material for the newsletter about issues related to reforming our Covenants. Alex reminded everyone that the deadline for submissions for the August newsletter is August 11th. The next Communications Committee meeting is on August 14th. Karin Boychyn reported that there was a complaint from a resident about the early closure of the pool for the Swim Team banquet. Pat Reber advised that there was plenty of notice about this event that would require early closure of the pool.

Governance Committee – Joe Jordan reported that the Committee had a productive meeting and received feedback from those residents who attended. The next meeting of the Committee is on August 28th to go over 3 Articles that pertain to the Board of Directors. Ron Tipton advised that the Committee got through 5-6 Articles and have 3-4 left to do. There is lots of outdated information. The Committee will discuss ways to communicate with the community and maintain order at the Committee meetings for maximum efficiency.

Landscape Committee (LC) –

Kathleen Moran reported on the proposal from S&P Tree Care that was discussed at the last meeting. This proposal was initiated and requested by Jim Denny and Ellen Stein on behalf of the Landscape Committee, and totals over \$9,000. We have \$12,985 left in this year’s budget for tree work. Historically, Jim and Ellen are the initiators of tree and landscape needs. Joe Jordan voiced his strong objection to awarding contracts without soliciting competitive bids and also voiced his concern about awarding so many contracts to one single vendor (S&P Tree). Shireen

Ambush advised that the Landscape Committee's role is to survey the common area grounds periodically to identify hazardous conditions or areas in need of attention. They usually perform these surveys along with the landscape contractor or an arborist so that they can provide cost estimates for whatever items are noted on the survey. The joint surveys maximize efficiency and time and those proposals that are generated from the surveys are part of the Landscape Committee's report to the Board.

Now it is up to the Board to decide whether to accept the proposals or request competitive bids. Shireen further explained how much time and effort it takes to obtain 3 competitive bids from reliable, reputable contractors who have a proven track record with Abaris this time of year when contractor schedules are already booked with previously approved contracts that will keep them busy until winter. She asked that the Board take this into consideration when requesting competitive bids. Furthermore, it is recommended that the incumbent landscape contractor who has the maintenance contract perform new landscape installments for warranty purposes, so that if any plants die under warranty, there will be no question of improper watering or lack of maintenance that would void a warranty from a contractor other than the incumbent contractor. Finally, after bidding out many tree removals over the past 2 years, S&P Tree has consistently been the low bid.

Alex Belida suggested that all Board members inspect the trees that are identified in S&P's latest proposal before making any decisions. David Sloane suggested having a tree survey performed to evaluate all common area trees so we can be more pro-active with the trees. Shireen advised that due to the number of trees on common area, this would be a very expensive project, but she will look into it further. Joe Jordan agreed to take the lead in scheduling a walk-around with Jim Denny and members of the Board to inspect the trees in question. Kathleen Moran stated that we are an older neighborhood with trees that are aging and dying. The deadwood in these trees is not going away and could be a potential hazard if they fall. Ron Tipton commented that we have a very old community with aging trees that will need more attention as they age and eventually die. Rita Molyneaux commented that there are nuisance trees that are obstructing the streets and sidewalks that also need to be trimmed.

The Board discussed correspondence sent to the owner of 172 New Mark Esplanade requiring them to trim the landscape in the front yard that is encroaching onto the common sidewalk and obstructing access. The owner has not trimmed the bushes and the landscape contractor quoted a price of \$200 to trim them. The Board directed management to notify the owner that the bushes must be trimmed within 15 days or the Association will hire its landscape contractor to perform the trimming at their expense.

The Committee needs a new chairperson following Ellen Stein's resignation.

The Lake Committee needs guidance on what projects the Board wants to pursue next year.

Joe Jordan reported that Goldleaf Group did a great job eventually when they put the mulch chips in the correct places along the mulch paths.

Pool Committee – Joe Jordan requested that Abaris provide him with a copy of the whitecoat proposal from Pool Personnel. The proposal has been sent to the pool consultant for comment before it goes out for bid. The Committee met with John Curry from Pool Personnel to discuss issues and concerns. The guards need to provide more discipline with enforcing the pool rules, although things have improved since the meeting took place. There are 2 major concerns that continue to be a problem: 1. The pool gate being left open when the pool is unattended allowing outsiders to come in. 2. Guards not checking passes and collecting guest fees, which is evident by the reduced income we have seen so far this year. The Swim Team had a great year with virtually no complaints. We regret not providing more advance notice of the early closing for the banquet. We applaud the Swim Team and parents as well as the Communications Committee for publishing the special edition with terrific articles and photos! The Committee plans to meet once again before the pool closes for the season.

Joe Jordan suggested using an electrician from the pool management company to address any issues with the pool lights. They have the best knowledge and experience in dealing with under water lights.

Social Committee – None

8. Treasurer’s Report

Kathleen Moran advised that we need to get the bids for the whitecoat and decide on the pool filtration replacement this fall so the work can be done over the fall/winter months well before the pool opens next spring.

The Association’s cash position is strong. Abaris continues to pursue delinquent dues.

So far, we are operating within budget year-to-date.

The Board’s responses so far for 2020 capital projects priorities are as follows:

5 Board members are in favor of: Pool, erosion, trees

4 Board members are in favor of: lake and ongoing maintenance

9. Management Report

Shireen Ambush presented the report from Abaris:

A. **Concrete Warranty Repairs** – The Board agreed to schedule an inspection of all newly installed concrete in September along with AB Veirs in order to identify warranty repairs that must be performed before winter.

B. **CCOC Outcome (Talley)** - The Board discussed the final outcome of the CCOC complaint filed by Sandra Talley. Alex Belida moved that we announce the CCOC’s decision via email broadcast. The motion was seconded by Joe Jordan and carried unanimously. The insurance appointed attorney will be asked to send Ms. Talley a letter requesting payment of her outstanding dues now that the complaint has been adjudicated in favor of the Association.

10. Old Business

A. **Board Vacancy** – Joe Jordan commented on the recent emails that have been exchanged among the Board members regarding the Board vacancy. He further stated that John Daroff asked him to step down from the Governance Committee in those emails, which he found to be very condescending, offensive and insulting. John further stated in those emails that he cannot work with Joe, which is unacceptable because no good reason was provided. Joe stated that he refuses to step down from the Committee as requested by John.

Joe asked Ron Tipton what he would prefer – continuing to serve on the Governance Committee or stepping down from the Committee and serving on the Board to fill the vacant position. Kathleen Moran stated that another option would be to change the Charter in order to allow for more than 2 Board members to serve on the Committee. Ron Tipton advised that he was approached by John Daroff to fill the vacant position on the Board since he was the runner-up from the last Board election. Ron advised that he is concerned about over-committing himself, being on both the Committee and the Board. If he continued on the Governance Committee, he would be unable to take on anything else until that Committee's work is done.

Kathleen Moran noted that the second runner-up from the last Board election is not able to serve on the Board as she has since taken on other commitments since the election took place. David Sloane stated that he is very uncomfortable with the hostility between John Daroff and Joe Jordan, which is a tremendous distraction to him as a fellow Board member. John Daroff has missed 3 meetings. This constant struggle between John and Joe must stop immediately or he will resign from the Board if this is not resolved by the next Board meeting and both of them agree to work together in an amicable fashion.

Alex Belida suggested that without John Daroff present this evening, it is difficult to come to a consensus. The Committee is up and running and there is no immediate urgency to fill the Board vacancy this evening. Alex suggested deferring the decision until the September meeting, when all Board members are hopefully present. Kathleen agreed with the suggestion from Alex. After further discussion, Ron Tipton agreed to serve on the Board and participate at the meetings of the Governance Committee as an ex-officio member. Karin Boychyn moved to appoint Ron Tipton to fill the vacant position on the Board as the first runner-up in the last election. Alex Belida seconded the motion which carried unanimously. Karin Boychyn moved to invite Raj Gupta to serve on the Governance Committee to replace Ron Tipton. The motion was seconded by Joe Jordan and carried unanimously. Joe Jordan offered to approach Raj Gupta to ask if he will serve on the Committee.

11. New Business

A. A budget working meeting will be held at Abaris Realty's main office with the Board members prior to the next Board meeting to review the first draft of the proposed 2020 budget.

B. The Board requested that Abaris email them a current delinquency report as of today's date showing all outstanding delinquent dues.

12. Community Forum 2

A. None

13. Executive Session

A. None

14. Adjournment

Joe Jordan made a motion to adjourn the meeting. Kathleen Moran seconded and the motion which carried unanimously. Meeting adjourned at 8:37 p.m.