

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, October 3, 2019

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

Minutes Taken by Henry Leung

Attendees

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

Abaris Community Management: Henry Leung and Nicholas Vikor

1. Call to Order

John Daroff called the meeting to order at 7:00 p.m.

2. Community Forum 1 and Board Response

Members of the Board of Supervisors of Elections for the City of Rockville attended the meeting to talk about the mail in ballots for the November's election. Sofia explained how residents should complete the ballot and how to properly submit them to the City. They can either drop their ballot in the mail or stop by City Hall and drop it off in their mailbox. They also explained the process of how the City is handling the ballots once received.

Pat Reber made an appeal to the Board to be more polite and thoughtful when dealing with committee members. She has received some harsh comments. She would like a more congenial atmosphere between the Board, residents and committee members.

Rita Molyneaux and Madeline Gupta - The social committee has spun off a welcoming committee and they had their first meeting with 20 residents in attendance. They discussed the importance of getting in touch with new residents as soon as possible to provide them with information about the community and answer any of their questions. The committee is also working with the communication committee on getting an email system setup so that they can find out what is working and what is not working. They are trying to build a network which may take a while. They have also created a flyer which contains the need to know for new owners. This will also be apart of the packet for new residents they are working on. They will be storing the packets in the clubhouse. Also, asking management to look into the area near the chimney to see why dirt/debris is falling from the ceiling. They would also like a key to the lock to access the room.

Board Response:

Kathleen Moran asked the Board if a blast should go out about the Election ballots. Pat Reber suggested that it wait until the ballots are mailed out.

3. Agenda and Prior Meeting Minutes

Board Meeting Agenda, 10-3-19: Ron Tipton moved to adopt the agenda as presented. The motion was seconded by Joe Jordan and carried unanimously.

Board Meeting Minutes, 9-5-19: Alex Belida circulated the minutes and received minor typo corrections from Karin Boychyn. Alex Belida will make the changes and send back to Abaris. Ron Tipton had an additional correction to the minutes regarding the lake dredging “The dredging of the lake is 14 years behind schedule.” should be changed to “It has been 14 years since the dredging of the lake.” Alex Belida will make the change and send it to Shireen Ambush. Karin Boychyn moved to approve the minutes as amended. Alex Belida seconded the motion which carried unanimously.

Board Meeting Minutes, 9-10-19 Minutes: Karin Boychyn would like to add the following to the minutes to paragraph four. “Board member Jordan took the floor to address President Daroff statement, saying he had never challenged any of the work John had overseen but criticized what he called a pattern of behavior including John’s request that he resign from the Governance Committee. He also objected to Board member Alex Belida’s characterization that the action taken was a coup.” Karin Boychyn explained why she wanted that amendment in the minutes. Joe Jordan thanked Karen Boychyn for making the suggestion to add the change to the minutes. Joe Jordan was not pleased with how the newsletter was one sided on the situation. What he spoke at the meeting was ignored in the newsletter. David Sloane agrees with Karin Boychyns language and clarified his reason for withdrawing his motion. Alex Belida pointed out that the news article reflects on what is actually said and done at the Board meeting. Karin Boychyn moved to amend the minutes by adding the statement she read into the minutes. Joe Jordan seconded the motion which carried with 5 in favor, 1 opposing from Ron Tipton, and 1 abstaining from John Daroff. Ron explained his reasoning for opposing the change and how the newsletter should put out an article with more information. David Sloane makes the motion to approve the minutes as amended. Kathleen Moran seconded the motion which carried with 5 votes in favor and 2 abstaining from Ron Tipton and John Daroff.

4. Appeals

None

5. Hearing

None

Committee Reports

Architectural Control Committee (ACC) –

David Sloane reported that the ACC approved 6-7 new applications that are not in the current management report. The ACC is meeting next week. John Hansman provided an update on the CCOC complaint for 13 Tapiola Court with regards to their illegal shed. A proposal has been drafted and John Hansman is gathering all the correspondences and putting all the information into one document to submit to the CCOC.

Communications Committee – Pat Reber reported about dirt and grit falling from the ceiling inside the fireplace room that is locked. Would like Abaris to have the ceiling inspected to see what is causing the debris to fall on the items below. Based on the list provided from Abaris there are 37 homes with offsite addresses. Of the 37 homes, 7 are owners who own another home in New Mark while 30 are off-site owners. Committee would like Abaris to send out a letter/summary to those owners regarding the ACC rules. The committee can draft up a letter for Abaris to send to these owners. The next newsletter run is October 13 and will be distributed over email. The committee has decided not to accept any political advertising. Pat Reber addressed the issue with the last newsletter. Joe Jordan made a comment with how residents are saying the newsletter is turning into gossip and realtors as also saying what is going on in the community.

Landscape Committee –

Kathleen Moran reported that the landscape committee met on October 1st and came up with 3 recommendations. Provided a summary of 16 trees that needed to be removed. The landscape committee had S&P and Bartlett provide bids for the trees. Bartlett would charge \$28,875 and S&P would charge \$15,775. The landscape committee has \$9,985 in the tree care budget and has decided to forgo any new plantings this year so they can use the \$10,000 in the grounds enhancement budget for the trees. The committee recommends proceeding with the lowest bid which is with S&P. The proposal reflects all the tree proposals that has been collected since July. In addition, there was one pruning job. Since receiving the proposals, there have been two more trees on New Mark Esplanade that will need to be removed. Kathleen Moran moved to proceed with S&P trees to remove the 16 trees for \$15,775, pruning for \$650, and allow Abaris to ask S&P Tree to add the other two trees not to exceed \$17,000. Alex Belida seconded the motion which carried unanimously. With regards to the tree inventory proposal from Bartlett Tree, the landscape committee recommends the Board hold off on this proposal due to the high cost. The committee needs to do some more research and consider other options. Third recommendation is to help address the residents in an efficient manner. Landscape committee recommends that once Jim Denny confirms that a landscape issue is a common element and if the cost to address the issue is reasonable that Abaris proceed with the proposal if the cost is under \$500. John Daroff explained that Abaris technically can proceed based on the Management contract, but because of how the Board has been operating, Abaris has been running everything through the Board. Ron Tipton has expressed interest in being the new Board liaison for the landscape committee. The Board unanimously agreed to appoint Ron Tipton to be the landscape committee liaison. Kathleen Moran moved to approve the proposal from AW to cut back some bamboo for \$120 and to remove a tree that is growing through a residents fence for \$220. Karin Boychyn seconded the motion which carried unanimously. Landscape committee decided not to hold a fall clean-up but will have a clean-up in March.

Lake Committee –

None

Pool Committee – Joe Jordan reported that the committee met September 18th. Resident Sarah Tanenbaum that was interested in joining the pool committee. The committee welcomed her to the committee. John from Pool Personnel did extend a \$2,500 discount for the pool repairs proposal that was approved at the last meeting. There is a part that will also need to be replaced.

The committee discussed pool parties and what needed to be done to improve the process. Looking into a new pool system to sign in residents. Joe Jordan will look at a program with John Currie that is used in many other pools. Committee also talked about guest fees and passes but did not resolve anything. Membership was brought up since the Woodley Garden pools is closed so there might be an increase of demand for pool memberships which can affected the swim teams. Stephanie will continue doing the July 4th party next year with the same funding. The pool committee will be breaking up the discussion items into different meetings.

Governance Committee – John Daroff presented a memorandum from the Attorney that outlines the scope of services for updating the documents. The price is a not to exceed \$10,000 as long as the services are provided in the scope. The scope has been vetted by the Governance committee. The Board discussed about the time when a product would be available for Board’s review. Kathleen moves to approve the scope of work as presented. Joe Jordan seconded the motion which carried unanimously. John Daroff mentioned that the charter does not address resignation of a member. Sima has resigned from the committee. Board agreed that resignations are effective immediately when the member resigns and no further action is required. The Governance committee has some suggested revisions to the charter. **Recommendation 1-** Strike paragraph 2B since the Committee would like to select their own chair. **Recommendation 2-** Change 2C to at least two members of the Board should serve on the committee. **Recommendation 3-** Strike paragraph F3 and F4. Committee does not believe these are necessary since the Committee will be choosing their own Chair. **Recommendation 4-** Change Paragraph 3D to reduce the quorum from 4 to 3. **Recommendation 5-** Strike 4C- Unclear what this recommendation was for. The Board decided that the charter revisions should be deferred to another meeting and that the recommendations be emailed to the Board for review. There was also discussion about the projected dated of completion and how the committee should come up with a timeline for completion. Debbie Mesner has come forward to express her interest to fill in the vacant position on the committee. Ron Tipton motions to appoint Debbie Mesner to the Governance committee. Kathleen Moran seconded the motion which carried unanimously. John Daroff clarified the billing issue with legal counsel and their large bill. Had a conversation with Brian the attorney that they need to be put a disclaimer out to say what is covered under retainer and what is additional cost.

Welcome Committee – Was done during open forum.

Social Committee – Karen Boychyn reported that the committee is working on the cocktail party on October 19th.

6. Treasurer’s Report

Kathleen Moran suggests that the draft 2018 audit discussion and the deferred assessment resolution be deferred to the November meeting. The current financials look good. Board reviewed and discussed the recommendations presented by Kathleen Moran about the draft 2020 Budget. The Board agrees that the loan payment needs to be shown in the reserve fund category. Kathleen Moran provided scenarios for the 2020 pool membership fee and the outside membership size. Board agrees to increase the 2020 membership fee to \$675 and to increase the outside membership size to 50. Kathleen Moran has provided three options for dues increase to

generate revenue. John Daroff mentioned the email he sent to the Board with a suggestion of instituting a reserve contribution when units are sold in the community. At settlement a % of the sales price of the unit will be collected. Based on year to date of the 8 homes that have sold this year and at 1% of the sales price, it would have generated \$55,000 to the reserve fund. This is one way to relieve some assessment burden. Board is interested in the idea but like to table this topic for the time being. The Board discussed the increase amounts and how it would be split. Kathleen clarified that this is based on implementing 5A which is being done to meet the needs. John Daroff further explained that under raising dues under 5A does not need to be proportionate to the operating and reserve fund. The Board discussed what the dues would be for each owner, and it was decided that the individual dues will be recalculated once the overall increase is decided. There will be a budget presentation session October 16th. Kathleen Moran moves, For consideration for the community, the Board intends the authorize the use of Article 6 Section 5A for the dues in the following manner by implementing the second 50% of 2018 dues to generate \$264,515. \$35,500 will be go to operating expenses, \$50,000 will go into contingency, and the balance of about \$180,000 will go into reserves. Karin Boychyn seconded the motion which carried unanimously. Alex Belida moved to put the loan payment into the reserve fund. Kathleen Moran seconded the motion which carried unanimously. Kathleen moves to expand the 2020 outside pool membership to 50 family at a rate of \$675 per family. Karin Boychyn seconded the motion which carried unanimously.

7. Management Report

Henry Leung presented the report from Abaris:

- A. **296 New Mark Esplanade Parking Spot Tree-** The Board discussed the tree overhanging the owners parking spot. The owner wants the tree removed but based on S&P evaluation the tree is healthy. The Board can not remove a healthy tree. Joe recommends that Management notify the owner that we can not remove a healthy tree but can offer to move his reserved spot.
- B. **Establishment of Volunteers to Beautify Common Areas** – The Board thinks this is a good idea, but in the interest of time tabled discussion to a later meeting.
- C. **Decaying Steps in 200 Block-** The Board discussed that there are rotting timbers on steps leading to the path. Kathleen moves to approve AW to repair the steps for \$750. Karin Boychyn seconded the motion which carried with 6 in favor and 1 opposing by Alex Belida.

8. Old Business

- A. **Liberty Locks Proposal** –

Jim Denny informed Management that the front door was not locking properly. Liberty Locks came out to assess the door and determined that there is a part that needs to be

replaced. John Daroff moved to accept the proposal from Liberty to repair the door. Joe Jordan seconded the motion which carried unanimously.

B. Draft MOU for Julius West Fields –

Karin reported that the City of Rockville and MCPS will be changing the MOU and will have another meeting. The traffic in front of Julius West is a problem. There will be a public hearing.

9. New Business

A. Board Organization- David Sloane nominates Kathleen Moran to be the next Board President. Ron Tipton agrees with David Sloane. Kathleen Moran would accept the President position if another Board member will be Treasurer. Karin Boychyn will fill in as Treasurer. David Sloane moves that upon adjournment of the meeting, Kathleen Moran will relinquish her position as Treasurer and assume Presidency. Karin Boychyn will assume Treasurer position. The motion was seconded by Alex Belida which carried unanimously.

B. David Sloane Resignation- David announced that he is resigning from the Board after this meeting. He has an opportunity as an artist which he wants to focus on.

10. Community Forum 2

A. None

11. Executive Session

A. None

12. Adjournment

Alex Belida made a motion to adjourn the meeting. Joe Jordan seconded and the motion which carried unanimously. Meeting adjourned at 9:40 p.m.