

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS

Thursday, January 4, 2024

7:00 p.m.

Minutes Taken by Kaitlyn Ambush

Attendees

Board Members: Alex Belida, Kathleen Moran, Joe Jordan, Samuel Scheib, Cou Kalantary, Tim Petros and Karin Boychyn

Abaris Community Management: Shireen Ambush and Kaitlyn Ambush

Guest Speaker: Megan Barniea of Bayland Consultants

Homeowners: Jennifer Jackson, Debbie Mesmer, James Nations, Jim Denny, Gerri (242 NME), Ambar (182 NME), Zoe Wood, Rocio Crumley, Sara Tenenbaum, Horia Poppa, Saven Wilkins, Sally Guardia, Joh Yeung, Pat Reber, Susan Klien, JP Mueller, Paul Heinman, Julia

Call to Order of the Board Meeting

Kathleen Moran called the Board Meeting to order at 7:04 pm.

1. Bayland Consultants – Lake/Dam Spillway Update Presentation

Megan Barniea with Bayland Consultants gave a presentation on the lake/dam project and confirmed that the 90% project plan has been reviewed, with an estimated 129 working days (7 months), from start to finish, for the project to be completed. Megan noted that we are currently waiting for final review from MDE. Bayland also submitted several permits required for lake dredge and dam projects, and then they will prepare construction/ bid documents for the Board's review. At this time, Megan Barniea took Q&A from the Board.

As an attachment to the minutes, a summary of the presentation from Bayland Consultants has been included.

2. Community Forum 1 and Board Response

Zoe Wood thanked the Board for the presentation from Bayland and inquired if the Board would follow-up on the "zone" to plant trees along the fence line at the spillway.

Horia Poppa thanked the Board for their work on the lake/dam spillway project.

Board Response

No response needed at this time.

Agenda and Prior Meeting Minutes

Board Meeting Agenda 1-4-24: The Board unanimously approved the agenda as amended, with modifications requested by Kathleen Moran.

Board Meeting Minutes 12-7-23: Alex Belida made a motion to approve the minutes as distributed. The motion as seconded by Joe Jordan and carried unanimously.

3. Committee Reports

Architectural Control Committee (ACC) –

Tim Petros noted that the ACC will meet next Monday. No other report at this time.

Communications Committee –

Pat Reber reported that the Committee is moving forward with the gallery installation this week, as the posters have been framed. The community plats/maps have been stored in cardboard tubes within the fireplace bench.

Landscape Committee –

Saven Wilkins noted that the Committee did not meet in December, however, several trees have been planted under the supervision of JP Mueller. The deep root fertilization was completed early today.

Pool Committee –

Samuel Scheib requested Abaris provide the Pool Committee with a copy of the pool registration packet for 2024 ASAP. No other report at this time.

Welcome/Social Committee –

Cou Kalantary reported that the Social Committee met at the Clubhouse to discuss the STEM event in March. There will be a music/ dance party on January 28, 2024, and another Movie Night in February.

Security Task Force Committee –

Kathleen Moran noted that the Security Task Force Committee is finalizing documents to present to the Board soon.

4. Treasurer's Report

Karin Boychyn presented the Treasurer's Report as of November 30, 2023, noting \$1.8 million in the bank, and an estimated \$276,000 owed on the loan. Currently, we are doing well on the budget, year-to-date, with an increase in interest revenue. However, we are overbudget in legal, postage & printing, and electricity. Year-to-date, we have spent \$48,000 on reserve expenditures.

Management Report

Kaitlyn Ambush confirmed the two bids were received for hybrid meeting equipment and briefly outlined the two options presented in both proposals. The Board considered meeting with both contractors to view a demonstration of the hybrid meeting equipment, but Samuel Scheib suggested the Board hold the March Annual Meeting in-person and continue all future Board meetings virtually. Tim Petros agreed with Samuel Scheib, however, Joe Jordan continued to voice dissent as he would like to see meetings held in-person. Ultimately, the Board agreed to hold the Annual meeting in March in-person and hold all future Board meetings virtually.

5. Old/New Business

- a. The Board discussed the new concept plan provided by AW Landscapes for the deteriorated retaining wall and steps between 226 and 228 New Mark Esplanade, and unanimously agreed to allow AW Landscapes to obtain pricing using the revised design concept plan.
- b. The Board discussed the 2024 Pool Management Renewal Contract with Pool Personnel for the 2024 Pool Season. Samuel Scheib made a motion to accept the 2024 renewal contract with Pool Personnel. The motion was seconded Joe Jordan and carried unanimously.
- c. The Board discussed the recommendation from Solitude Lake to treat the lake for phosphorus to prevent algae blooms. Joe Jordan made a motion to accept the proposal from Solitude Lake for phosphorous treatment in the lake. The motion was seconded by Karin Boychyn and carried unanimously.
- d. The Board discussed the revised Clubhouse Rental Agreement and agreed to modify the language in two places and provide Abaris with the final copy to start using going forward for all future clubhouse rentals.
- e. The Board discussed the survey sent out to all owners regarding trash/recycling container placement and confirmed that 30 homeowners applied for an exemption. Kathleen Moran provided a summary of the results of the survey, and inquired of the Board how long should an exemption be granted for. Alex Belida suggested granting all thirty exemption requests for a one-year period. Joe Jordan suggested the ACC inspect each house to provide an additional solution to conceal the container or have the provision removed from the covenants entirely. Shireen Ambush suggested the Board either enforce annually on the Annual Home Inspection or on a complaint basis. Samuel Scheib suggested the Board grant an exemption to all thirty homeowners until December 31, 2024; send a notice to owners in the interim with suggestions on how to comply; by June 2024, the Board adopt a fine schedule for non-compliance; begin assessing fines by Fall 2024. Rita Molyneaux suggested, on behalf of the ACC, providing each owner who requests an exemption with examples for solutions to screen their trash containers. Time Petros supported providing an exemption for one year. Joe Jordan supported Samuel Scheib's proposal, and Karin Boychyn supported Tim Petros in granting an exemption for one year and provide owners with examples of compliance. Kathleen Moran will include a message in the next newsletter. Samuel Scheib made a motion to grant the thirty homeowners who requested an exemption until December 31, 2024, before enforcement. Joe Jordan seconded the motion that carried with the following vote count: For- Alex Belida, Samuel Scheib, Joe Jordan, and Cou Kalantary; Abstain- Kathleen Moran, Tim Petros, and Karin Boychyn.
- f. The Board discussed the project to digitize the ACC files in the clubhouse. Kathleen Moran provided a summary of the options the Board has currently to pursue the digitization and agreed to inquire with Kirsten Hall. Rita Molyneaux reported that on January 25, 2024, there will be a workshop in the clubhouse, in-person, and on February 6, 2-24, virtually, for a resident to share information regarding historic registry opportunities for homeowners.

6. Community Forum 2

Lauri Krug commented on the trash containers and echoed her support of enforcement to some degree. Debbie Mesmer thanked the Board for their support of enhanced water quality at the lake.

Joe Jordan requested an update from Abaris on the new portal.

Gerri voiced her support for hybrid meetings.

John Yeung commented on the tree next to his reserved parking space as acorns continue to fall from the tree and damage his car.

7. Board Response to Community Forum 2

Shireen Ambush confirmed that Abaris still plans to have the new portal go live February 1, 2024.

Kathleen Moran responded back to John Yeung and confirmed a request can be formally submitted to relocate his deeded parking space to another unassigned parking space.

Adjournment

There being no further business, Joe Jordan moved to adjourn the regular meeting. The motion was seconded by Karin Boychyn and carried unanimously. The meeting was adjourned at 9:25 p.m.

Attachment #1: Bayland Consultants Presentation Summary

An update by Bayland Consultants on the status of plans for the NMC Lake repairs and dredging.

Megan Barniea reported the following:

- The State of Maryland Dam Safety Engineers have the NMC project “second in the cue” for review here in January.
- The NMC Lake project history noted that in January 2022 plans were at 30%. By July 2022 plans were at 50%. First comments by the State were received in February of 2023. Plans in the cue are at 90%.
- The lake repairs focus on:
 - The removal of the concrete flume (where the turtles like to hang out) that does not function as its inlet is higher than the top of the spillway.
 - The removal of the current spillway and construction of a new spillway.
 - The removal of the large drainpipe seen as part of the current lower spillway system.
 - Construction of a single concrete slope that will carry water from the lake’s top surface at the spillway entrance downhill to a wide flat concrete spillway channel that has sides positioned at 90 degrees.
 - A new drainage channel will be created on the rear side of the earthen dam.
- The dredging will take place in sections. The lake will have small areas of water remaining for the wildlife to use as the dredging takes place.
- The dredging will have two stone access drives created on the grass hill between the lake and NME to provide truck access to the lake on either side of the existing pier/dock.
- A construction staging and access area will be created off Monroe Street where the spillway and current pedestrian access is.
- A construction fence will be erected to keep all people out of the entire project area.
- Total time to accomplish the full scope of lake repairs and dredging is projected to be 7 months.
- A timetable for project needs prior to the actual on-site work - permit approvals, bidding on proposals for construction and dredging, etc. will be better understood after the State of Maryland review here in January/February.
- Questions were raised regarding fences along the spillway and along the concrete walls in the 100 blocks of the lake. Bayland will provide code specifications and options as the project proceeds.
- Very limited planting areas along the fence line between NMC and Parkside were shown. Planting criteria was also requested. Planting is not possible until the project is completed.