

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS

Thursday, June 5 2025

7:00 p.m.

Minutes Taken by Kaitlyn Ambush

Attendees

Board Members: Kathleen Moran, Jim Nations, Alan Tolerton, Amanda Mita, Samuel Scheib, and Emily Ecker

Abaris Community Management: Kaitlyn Ambush

Homeowners: Cou Koulantary, Joe Jordan, Aline Cabal, Rocio Crumley, Christian, Hershey, Artin & Ann Reiss, Silviya Vanchev, Vadim Finkov, Dasha, Maria Pikielny, Jennifer Jackson, Saven Wilkins, Debbie Mesmer, Julia Binder, Mary Rose, Sandra Clark, Sara Tenenbaum, Marilyn, Kristen Rasmussen

Call to Order of the Board Meeting

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

1. Community Forum 1 and Board Response

Several residents joined the meeting to express their concern with the request for an Assisted Living Facility to be permitted in the community.

Jennifer Jackson inquired about the status of the asphalt patch replacement between 832 and 834 New Mark Esplanade. Jennifer also expressed that her experience with the Abaris Owner's portal has not been great, as she submitted a reimbursement request and no response was received for over 1 week.

Several owners thanked the Clubhouse Task Force Committee for all of their hard work, and are looking forward to the discussion with the Board later in the agenda.

Joe Jordan made comments on the assisted living facility, and the clubhouse rental fees. In addition, Joe made comments regarding the draft agenda for Board meetings. Joe expressed that the draft agendas do not provide enough detail to understand what is being discussed.

Sandra Clark echoed Joe Jordan's comments on the Board Meeting agendas. In addition Sandra commented on the retaining walk project behind their property on Lakeside Overlook. Sandra inquired if their private property be reduced by the required work on the retaining wall, and how will access be granted to the wall.

Aline Cabal expressed dissatisfaction with the process of the construction at their neighbor's home at 212 NME. Aline expressed that she was not informed of the construction timeline, prior to the start of the project, and requested that the ACC review process be analyzed.

Board Response

Kathleen Moran thanked everyone for their comments. With regards to the Assisted Living Facility request, the Board heard the proposal from the owner of 3 Don Mills Court during the May Board meeting, and has since been turned over to the Association's Legal Counsel for review. Following the review by legal counsel, a few follow-up questions were raised and presented to the owner of 3 Don Mills Court, for which the response from the owner was not satisfactory. The Board is waiting for additional information on the responses received. Kathleen confirmed that the State of Maryland supports the usage of homes for the purpose of assisted living services, and as such this supersedes the HOA and County rulings. The Board is taking legal advice, step-by-step, and will inform the community as soon as a decision has been made.

Kathleen also confirmed that the damaged sidewalk in the 300-block will be assessed by the City of Rockville after all other sidewalk repairs are completed.

Kathleen acknowledged the comments heard regarding the Board Meeting agendas.

Kathleen confirmed that the retaining wall project behind Lakeside Overlook, and the Clubhouse Rental fee are in the agenda for discussion tonight.

Kaitlyn Ambush addressed the comments from Jennifer Jackson regarding her experience with the Abaris Portal. Kaitlyn confirmed that responses are expected to be issued from the Abaris Portal within 2-3 business days, for all non-emergency requests.

Agenda and Prior Meeting Minutes

Board Meeting Agenda 6-5-25: Emily Ecker made a motion to approve the agenda as distributed. The motion was seconded by Amanda Mita and carried unanimously.

Board Meeting Minutes 5-1-25: Amanda Mita made a motion to approve the minutes as distributed. The motion was seconded by Alan Tolerton and carried unanimously.

2. Committee Reports

Architectural Control Committee (ACC) –

No report at this time.

Communications Committee –

Emily Ecker reported that the Committee is working well with Zoe Hall as the new assistant to the Communications Committee. The June Newsletter will be released soon. Emily confirmed that the Committee will not meet in June, but will resume in July.

The Board discussed the request to include Non-Resident pool members in the NMC directory. The Board unanimously agreed to continue the practice of including the Non-Resident pool members in the directory.

The Board also discussed the request to include Board Member listing in the directory, and unanimously agreed to continue the practice of including the Board member roster in the directory.

Landscape Committee –

Saven Wilkins reported that the pool planters have been planted on the pool deck. The Landscape Committee reminded the Pool Committee to water the planters regularly. Saven also confirmed that new ferns have been planted throughout the community.

The Board discussed the proposal from S&P Tree Care for community tree pruning and removals. Kathleen Moran commented on item #4 of the proposal regarding the removal of 3 white pines, and suggested removing all three (3) trees. Samuel Scheib made a motion to approve the full proposal, except for item #4 to ONLY remove two (2) trees, and rehabilitate one (1). The motion was seconded by Amanda Mita and the vote passed with all votes in favor, except one opposition from Kathleen Moran.

The Board discussed the proposal from Shorb Landscapes for Landscape Enhancements as listed below:

- \$450 for capstone and railing repair at lake steps
- \$1,600 for grass area behind 846 NME common drainage plagry area
- \$3,750 or \$3,200 for paver walkway between 822 and 824
- \$900 for grass area between pool and basketball court.

Alan Tolerton made a motion to approve all items listed in the proposal from Shorb Landscapes. The motion was seconded by Emily Ecker and carried unanimously.

Pool Committee –

Samuel Scheib reported that the Pool Committee had a volunteer workday to clean all of the umbrellas and pool deck furniture. Samuel confirmed that the Pool Committee has reminded the lifeguards to water the pool deck planters. The trash can behind the pool perimeter fence has been removed.

Kaitlyn Ambush confirmed that Abaris is awaiting additional bids for the replacement of the drinking fountain between the pool and the tennis court. Samuel inquired about the Board's previous decision on the water fountain and noted that his recollection was to remove the fountain entirely. Abaris will research previous Board Meeting minutes to confirm the Board's decision.

Welcome/Social Committee –

Cou Koulantry confirmed that the Committee does not have any updates at this time. However, the Committee is prepared to help with the Fourth of July Pool party.

3. Treasurer's Report

In Karin Boychyn's absence, Kathleen Moran presented the financial report.

NMC has 2.4 million in the bank. This includes \$1.7 million in reserves, \$600K in UME. We owe just over \$110k on the loan. We are overbudget on revenue and over budget on snow removal, postage and legal expenses.

Management Report

The Board discussed the response received from the owner of 402 NME regarding the parking violation letter received. Kathleen Moran confirmed that the owner of the vehicle lives with his father in the 400-

block, and his mother lives on Maryland Avenue. The vehicle owners parks in the 100-block when he visits his mother.

The Board discussed the request from the owner of 400 NME regarding the requested landscape enhancements for the empty plot of land in front of the property. Saven and the Landscape Committee agreed to review the area and provide their recommendations to Shorb Landscaping and the Board for their review and approval.

The Board would like to have a Vantaca Training Seminar with Greg Lohring. Abaris will gauge the Board's availability and schedule the virtual meeting via email.

4. Old/New Business

- a. Kathleen Moran provided a brief background story for the retaining wall behind the row of homes along Lakeside Overlook, and the required easement agreements from the affected owners, in order to initiate this project. The Board would like to schedule an onsite meeting with ETC Engineering and the affected owners and discuss what is expected for the entire project. Abaris will coordinate an onsite meeting with ETC and the affected property owners in the upcoming weeks.
- b. Kathleen Moran thanked everyone who was involved in the research on the different ways to reinvent the clubhouse rental fees. Cou Koulantry briefly summarized what has been suggested by the owners on ways to improve the clubhouse and the rental process. Samuel Scheib commented that the cleaning fee should be non-negotiable. Abaris will resolve the scheduling issues related to the cleaning of the clubhouse between rentals/events. Samuel also commented that the Board should consider removing the security deposit fee, and lowering the rental fee. Amanda Mita echoed her agreement of the comments made by Samuel Scheib, but requested that Abaris confirm the cleaning fee with Busy Bee as we are currently charging \$170 cleaning fee, but Busy Bee is charging \$132 as of the most recent paid bills. Samuel Scheib made a motion to reduce the clubhouse rental fee to a flat rate of \$250, which includes the cleaning fee, and no security deposit fee. Samuel added that the Board would revisit this fee structure in August or September, depending on how many rentals are confirmed. The motion was seconded by James Nations, and a brief discussion was held amongst the Board. Alan Tolerton disagreed in the removal of the deposit fee as this fee would be hard to collect after-the-fact. The Board unanimously agreed to the motion made by Samuel Scheib and seconded by James Nations.
- c. Kathleen Moran acknowledged the two (2) incidents of NMC trees falling along Maryland Avenue. Kathleen confirmed that the City Forester will be reaching out to the individual owners along Maryland Avenue who have trees that need attention for safety reasons.
- d. The Board discussed the draft Board Code of Conduct distributed by Samuel Scheib. Emily Ecker made a motion to accept the Board Code of Conduct as presented. The motion was seconded by Samuel Scheib and carried unanimously. Abaris will obtain electronic signatures from all Board Members before publishing the final Code of Conduct.
- e. James Nations confirmed that he would be willing to stand as a volunteer to the Board to attend City of Rockville zoning meetings and presented information/updates to the Board for review on the school zoning changes. Additionally, James provided a brief summary on the recent zoning meeting about the potential high-rise residencies that are being discussed.

Community Forum 2

Jennifer Jackson commented on the proposal from Shorb Landscapes, which was approved by the Board, and encouraged the Board to approve the larger pavers between 822 and 824 NME.

Von, at 172 NME, reported a tree stump that was not removed closest to 260 NME at the Northside. Abaris will evaluate the stump and report it to the landscaper for review.

Joe Jordan thanked the Board for their decision on the clubhouse rental fee. Joe encouraged the Board to meet with Vadim on the proposed equipment enhancements for the clubhouse. Joe also expressed his surprise on the comments made by Aline, earlier in the meeting, with regards to the ACC approval process. Finally, Joe expressed that the Board should obtain multiple bids for large scale tree work.

5. Board Response to Community Forum 2

No additional responses were required at this time.

The next Board meeting will be held on Thursday, August 7, 2025, at 7:00 pm.

Adjournment

There being no further business, Amanda Mita moved to adjourn the regular meeting and go into Executive Session for the purpose of discussing legal guidance received. The motion was seconded by James Nations and carried unanimously. The meeting was adjourned at 9:22 p.m.