

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS

Thursday, August 7, 2025

7:00 p.m.

Minutes Taken by Kaitlyn Ambush

Attendees

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

Abaris Community Management: Kaitlyn Ambush and Shireen Ambush

Homeowners: Ron Tipton, Rita Molyneaux, Debbie Mesmer, Maryanna Kieffer, Pat Reber, Julia Binder, Jennifer Jackson, Joe Jordan, Maria Pikielny, Alex Belida, Cou Koulantry, Susan, Aline Cabal, Vadim Finkov

Call to Order of the Board Meeting

Kathleen Moran called the Board Meeting to order at 7:02 pm.

1. Community Forum 1 and Board Response

Julia Binder commented that the HOA should reinstitute in-person, or hybrid, Board meetings.

Joe Jordan echoed the comment regarding in-person meetings. Joe commented that the agenda for the August meeting was too long, due to the Board taking one month off from meeting. Joe also commented that the Community Forum is very important at the end of the meeting and should not be removed if the 9:30 deadline has approached. Joe noted that the 9:30 pm deadline was previously instated during in-person meetings.

Ron Tipton commented that the sidewalk and paving work, completed by the City of Rockville, looks great! Ron also commented that its been 3 years since NMC applied for the permits to dredge the lake, but no progress has been made. Ron urged the NMC Board to push MDE for the required permits, as well as seek assistance from State and County Representatives.

Pat Reber echoed Ron's comments regarding the lake dredging and urged the NMC Board to pressure State Delegates to pressure MDE for the permits to dredge the lake. Pat also commented on the rezoning of the abandoned school property, owned by Tower Oaks, and suggested that a voice from the NMC Board would be helpful to oppose the dense rezoning.

Alex Belida stated that he was shocked at the Board's approval of the assisted living facility in the community. Alex inquired how the community could prevent this.

Jennifer Jackson inquired about the sidewalk repair work between 832 and 834 New Mark Esplanade.

Maryanna Kieffer thanked the Landscape Committee for planting the new plants at the pool, which she had donated to the community.

Debbie Mesmer inquired when the budget meeting will be held in August. Debbie reminded the Board that the meeting should be open to the community, and ample notice should be given. Debbie also thanked the Landscape Committee for the new ferns that were planted.

Vadim Finkov commented that the assisted living facility on Don Mills Court is listed for sale. Vadim also commented that his offer to donate AV equipment for the clubhouse still stands.

Board Response

Kathleen Moran thanked everyone for their comments regarding in-person meetings and noted that the reasons for virtual meetings are also being considered by the Board. The asphalt path repairs at 834 and 832 New Mark Esplanade have been shared with the City of Rockville for confirmation as to who is responsible for the repair. Kathleen confirmed that the budget meeting will be scheduled sometime in August, and ample notice will be provided to the community for anyone who wishes to join and listen in to the discussion.

Karin Boychyn commented that virtual meetings are very convenient, especially for Board members who work during business hours. Karin pointed out that the Social Committee offers plenty of opportunities to meet in-person. Karin commented that the Board rarely cancels the 2nd community forum and expressed her appreciation not to meet in July.

Samuel Scheib commented that there was no enthusiasm from the Board to vote in favor of the assisted living facility, however the decision to approve the request was a formality. Sam noted that at the advice of the HOA's legal counsel, the Board had to grant the approval per the law. Sam emphasized that the Board acted in the best interest of the entire community. Lastly, Sam expressed his agreement in the comments made by Karin regarding virtual meetings. Sam noted that there will be vacancies open at the upcoming Annual Meeting and encouraged residents to run for the Board if they wish to hold in-person meetings.

Amanda Mita explained that the Board did due diligence regarding the request for the senior living facility and contacted the city for advice. Amanda commented that the Board would consider a hybrid meeting set up in the future.

Agenda and Prior Meeting Minutes

Board Meeting Agenda 8-7-25: Karin Boychyn made a motion to approve the agenda as amended, with the revisions suggested by Kathleen Moran. The motion was seconded by Emily Ecker and carried unanimously.

Board Meeting Minutes 6-5-25: Samuel Scheib made a motion to approve the minutes as amended. The motion was seconded by Jim Nations, and the vote carried with all votes in favor except one abstention from Karin Boychyn.

2. Committee Reports

Architectural Control Committee (ACC) –

Amanda Mita reported that there has been a change in membership. Christine Holdsworth has resigned from the Committee and as Chair of the ACC. Amanda thanked Christine, on behalf of the ACC and the entire community, for her 9 years of service on the ACC! Amanda noted that the following residents have volunteered to serve on the ACC:

- John Tran
- Kristen Rasmussen
- Zari Karimian
- Susan Knowles – Chairperson

Alan Tolertan made a motion to appoint the new members and chairperson to the ACC. The motion was seconded by Amanda Mita and carried unanimously.

The Board discussed, and passed along to the ACC, the comments from Aline Cabal regarding the ACC review and approval process, and proper notification to neighbors when exterior modifications are made.

Communications Committee –

Emily Ecker reported that the directories were delivered to all owners within the community. The Board discussed the compensation for the 6 hours it took to deliver the directories, based on the hourly rate NMC pays other residents for services to the community (\$32). All Board members voted in favor of the compensation at \$32/ hour x 6 hours, totaling \$192, except Samuel Scheib who abstained.

Landscape Committee –

The Board discussed the proposal from Scientific Plant Services for the tree of heaven treatments, at 3 locations, in the amount of \$1,125. Karin Boychyn made a motion to approve the proposal from Scientific Plant Services for the tree of heaven treatment. The motion was seconded by Alan Tolertan and carried unanimously.

The Board discussed the proposal from S&P Tree Care to remove 3 trees, which are dying, and perform fall pruning at 4 locations for \$12,050. Karin Boychyn made a motion to approve the proposal from S&P Tree Care for the tree removal and pruning. The motion was seconded by Alan Tolertan and carried unanimously.

The Board discussed instances of illegal fishing in the lake and agreed that an article in the newsletter should be included to remind residents that NMC does not allow fishing in the lake.

The Board discussed the proposal received to remove geese waste from the sidewalk along New Mark Esplanade, and along the asphalt pathway surrounding the lake. Kathleen Moran commented that she has personally cleaned the geese waste 4 times, and it took under 1 hour to complete. Kathleen noted that the proposal from DoodyCalls, at \$405 per cleaning, would pose as a significant expense in the budget, if added. No action was taken by the Board at this time.

Pool Committee –

Samuel Scheib noted that the Pool Committee has not met, therefore there is no report at this time. Sam thanked the Social Committee for a great 4th of July celebration!

Welcome/Social Committee –

Karin Boychyn reported that the Social Committee will host a Café Day on August 23, 2025, where coffee and pastries will be served. The Social Committee will also host a Game Show Night on September 20, 2025. Karin reminded the Board that a date needs to be set for the Board Open House/ Happy Hour.

3. Treasurer's Report

Karin Boychyn shared a presentation on the Associations financials, which will be included as an attachment to the minutes.

The Board discussed the Draft 2024 Audit Report prepared by Goldklang Group and unanimously approved the audit subject to the final review from the Board Treasurer.

Management Report

The Board discussed the request from the owner of 1 Harlow Court to install reminders in the next newsletter regarding landscaping tips. Alan Tolerton agreed to draft the article to include in the next newsletter.

The Board discussed the towing signs from Henry's Wrecker and stickers placed on the signs with updated information from Henry's Wrecker. The Board agreed to evaluate the current condition of the towing signs before rendering a decision to replace the custom signs.

Shireen Ambush responded to the comments made regarding the lake dredging and confirmed that Bayland continues to follow-up, weekly, with the State Department, but the department gets annoyed with the frequent follow-ups. Shireen expressed her agreement to contact local representatives to see what pressure can be applied on behalf of NMC.

The Board discussed and unanimously agreed to keep the October Board Meeting date as is.

Kathleen Moran thanked Abaris's new maintenance department, FirstCall, for the quick response and repair to the clubhouse railing that was caused by a vehicle accident.

4. Old/New Business

- a. Kathleen Moran reported that the playground slide replacement has been ordered, and confirmation of the installation date is upcoming.
- b. The Board acknowledged the Board Code of Conduct has been signed by all Board members. A copy of the Code of Conduct will be included in the proposed budget mailing to all owners.
- c. Kathleen Moran acknowledged the Board's approval of the assisted living facility at 3 Don Mills Court, based on the advice of legal counsel. However, it was recently identified that the property is on the market for sale.
- d. Kathleen Moran recapped the onsite meeting with ETC Engineering at the 100-block of NME, to look at the retaining wall that will be replaced. Legal Counsel is working with Abaris to acquire all

the necessary signed easement agreements. Until all agreements are signed and received, the project cannot go out for bid.

- e. The Board discussed the rezoning meeting with the City of Rockville and agreed to invite a representative from the city to do a presentation to the community during the September Board meeting.
- f. Kathleen Moran provided an executive summary of the Abaris Inspection Report, following the 1st round of inspections. Kathleen reported that colonial doors were not identified during the inspection, for which Abaris re-checked and confirmed that 28 doors are still non-compliant. Kathleen noted that 5 sheds were discovered, 7 light fixtures were in violation, 80 trash/recycling bins in plain view, and 3 storms with non-complaint styles. The Board should decide between recommendations versus violations. Kathleen will work with the Abaris Inspections Department to fine-tune the results before formal letters are issued to all owners.
- g. The Board discussed and unanimously approved the request from the local Brownies Troop to use the NMC Clubhouse on 1 Sunday, every month.
- h. The Board discussed and unanimously approved the request from the local Venture Club Troop to use the NMC clubhouse on 1 Wednesday, every month.
- i. The Board discussed the clubhouse parking lot inventory, at which time Abaris confirmed that a roster is retained for all approved vehicles parking in the lot.
- j. The Board discussed the proposals received to replace the drinking fountain. Karin Boychyn made a motion to approve the proposal from O'Connor Plumbing to replace the drinking fountain. The motion was seconded by Emily Ecker, and a discussion was held amongst the Board. Samuel Scheib expressed that he was not comfortable approving the proposal without seeing specs of the proposed fountain. Amanda Mita echoed Samuel's comments, at which time the motion failed and no action was taken.
- k. The Board discussed and unanimously approved the request to refund two owners who remitted payment for their clubhouse rental before the rental fee was decreased. Abaris will issue refunds to the respective owners.

Community Forum 2

Julia Binder confirmed that the deadline for submission for the newsletter is August 10, 2025.

Debbie Mesmer thanked Karin Boychyn for the detailed treasurer's report.

Vadin Finkov asked the following questions: could NMC purchase the abandoned land used for the rezoning project; what are the guidelines for approved sheds; can owners switch to blacktop driveways rather than concrete, could owners pay NMC to park oversized vehicles/trailers to park in the clubhouse parking lot?

Jennifer Jackson commented on clubhouse rentals and asked that resident be mindful of the neighboring residents when it comes to the noise levels during their event.

5. Board Response to Community Forum 2

Amanda Mita commented on the noise level at the clubhouse during recent rentals and confirmed that the noise level is very loud. The Board should consider the sound volume when acquiring new AV equipment for the clubhouse.

Kathleen Moran commented that purchasing the land abutting NMC, for the rezoning project, would be very expensive and not feasible for NMC at this time.

Karin Boychyn requested that Vadim Finkov put his questions in writing so that the Board could better understand his requests and provide detailed responses.

The next Board meeting will be held on Thursday, September 4, 2025, at 7:00 pm.

Adjournment

There being no further business, Karin Boychyn moved to adjourn the regular meeting and go into Executive Session for the purpose of discussing legal guidance received. The motion was seconded by Amanda Mita and carried unanimously. The meeting was adjourned at 9:06 p.m.