

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

February 16, 2022

Virtually by Zoom

CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by John Pesce, Board President.

NOTATION OF ATTENDANCE:

The Board provided introductions and announced officers.

John Pesce, President

Nic D'Ascoli, Vice-President

Erik Herron, Secretary

Laura Magnuson, Treasurer

Mark Sagarin, At-Large

Others:

Kristin Czarick, CMCA, AMS, WLA GM

Shelia Jenkins-Diaz, Executive Assistant
to the GM

John Pesce, Board President, introduced new Board Members, Mark Sagarin who was elected at the December 15, 2021 Annual Meeting and Laura Magnuson who was appointed by unanimous voice vote of the sitting board on January 25, 2022 to fill the vacancy left by Mark Smith's resignation on December 31, 2021.

APPROVAL OF MINUTES:

ACTION:

Erik Herron offered a motion to approve the November 10, 2021 minutes.

Nic D'Ascoli provided the second.

Laura Magnuson asked if minutes could be processed and returned to Board the following week. GM confirmed that GM and secretary will coordinate for minutes.

Motion carried. (Pesce/D'Ascoli/Herron yay; Magnuson/Sagarin abstain)

OPEN FLOOR:

Open floor opened at 7:05 p.m.

John Pesce, Board President, reviewed that open floor would be moved to the beginning of the meeting and residents may provide feedback and/or comments, but do not vote.

- I. Anita Weinstein asked about the proposed AERC guideline amendments and seeking feedback from the community. John Pesce addressed that the guidelines were evaluated by the AERC in several open meetings with proposed changes reviewed by legal and subsequently posted to the Association website prior to Board vote.
- II. Marcus Dixon of Montgomery County Police Department, Germantown Station, was present to address the recent shooting on Neerwinder Street. Officer Dixon addressed that there is an ongoing, active investigation and that Waters Landing residents have provided information to the department. Ghost guns were utilized, which are 3D printed guns. There have been 5 shootings in the Germantown area in the last 10 days. Individuals were stopped on Neerwinder Street after the shooting,

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- but it is not known if they were involved. Animal control is aware of concerns over pit bulls at the property. Laura Magnuson asked if victim impact statements are helpful as she has several from residents. Officer Dixon addressed that they are helpful. Laura Magnuson also inquired if names of suspects would be released. Officer Dixon stated that it depends on circumstances, based on age and/or the way they are charged. Questions were raised if it was related to drug or gang activity. Officer Dixon could only address that the shooting did not appear random and a complete and thorough search of the property took place following the shooting. It was asked if any calls were received about the property in question prior to the shooting. Officer Dixon would have to verify. No arrests have been made at the time of the meeting. Officer Dixon thanked the community for their involvement and the General Manager who works with the department on any issues in the community. Many Associations will not speak to the department or will not get involved.
- III. Kim Schwalm asked for an update on Churchill Senior Living (CSL). Laura Magnuson addressed that a lawsuit was filed, with an amended complaint filed. A motion for summary judgement was filed; and extensions were requested. Laura Magnuson asked that the Association office verify any development progress prior to each Board meeting.

Open floor closed at 7:25 p.m.

COMMITTEE REPORT:

Architectural & Environmental Review Committee (AERC)

John Pesce, as Chair of the Architectural & Environmental Review Committee (AERC) provided an update of the December, January and February AERC meetings. In December 2021, five applications were submitted, with all five approved. In January 2022, four applications were submitted with all four approved. In February 2022, ten applications were submitted with all ten approved. No exceptions were approved for any month.

Community Engagement

Liz Korte, Chair of the Community Engagement Committee, addressed that there has been informal engagement. There will be a meeting February 24 at 7:00 p.m., and that a decision on in-person versus zoom is being determined. They are looking to hold 3 to 4 events, with a paint night already scheduled in March. The Community Engagement Committee will propose a small budget to the Board of Directors.

CONTRACTOR REPORT:

None offered.

FINANCIAL REPORT:

None offered.

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GM REPORT:

Deferred until financial management representative is present.

BOARD REPORT:

The Board has reviewed and authorized a letter be sent to the landlords of the property on Neerwinder Street that was involved with the shooting, requesting a copy of their lease and notifying the owners of the incident.

The Board and Association staff are working with Montgomery County & State agencies regarding traffic safety after a resident's dog was killed walking along Waters Landing Drive, near the intersection of Waters Landing Drive and Amber Hill Court. Waters Landing Drive is a Montgomery County owned and maintained road. There have been two onsite meetings, Friday, February 11 and Saturday, February 12, at the location which involved representatives from the County and the State, including Marc Elrich, Montgomery County Executive and a representative from MCDOT, Michael Paylor. The area will be studied for appropriate next steps and course of action. The Association staff will reach out to Mr. Paylor to see if he can attend a future meeting.

Resident Cindy Spooner of Lakeforest, a neighbor of the property where the shooting occurred, addressed that animal control is involved with the situation, as well as requested that Neerwinder Street be kept on the radar with the traffic and safety issues, so that people do not increase using it as a pass through to bypass any safety changes.

Erik Herron addressed that an individual request sometime receives faster response, especially as they are not usually as large-scale budget requirements.

Resident Andrew Saundry wanted to thank all involved and everyone that came out. Local officials were still discussing the turnout.

Resident Liz Korte asked what is likely to happen following the two onsite meetings and if any signage by the Association could be helpful.

OLD BUSINESS:

Architectural & Environmental Review Committee (AERC) Member Appointments

There are three vacancies on the AERC, with three potential candidates.

ACTION:

Erik Herron offered a motion to table appointments.

Laura Magnuson provided the second.

The Board discussed confirming with potential candidates if they are still interested in serving on the AERC, as well as opening up for more residents to apply.

Motion carried unanimously. (D'Ascoli/Herron/Magnuson/Sagarin)

NEW BUSINESS:

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Pool Management

Three bids were obtained for pool management services for the 2022 season.

Guardian Aquatics \$162,950

Premier Pool Management \$200,000

RSV Pools, Inc. \$155,928

Laura Magnuson discussed providing more detail on bidding companies by doing a background check utilizing SDAT and case search.

John Pesce addressed that RSV Pools, Inc. is performing whitecoat and other pool work at both pools so that it could be beneficial to maintain with RSV Pools, Inc.

ACTION:

Erik Herron offered a motion to accept RSV Pools, Inc. for pool management services for the 2022 season.

Mark Sagarin offered the second.

Discussion included what services are requested and responsibilities. Laura Magnuson asked about cleaning responsibilities, Erik Herron addressed that cleaning responsibilities are outlined in the RSV Pools Inc. contract. The 2022 season would be a probationary year for any contract awarded. Bidding for the 2023 season will take place this Fall.

Motion carried unanimously. (D’Ascoli/Herron/Magnuson/Sagarin)

Board Contract Oversight

Laura Magnuson noted the financial management line item was over budget for First Service Residential, as well as trash collection. Trash collection has been high through the pandemic with more people working from home.

ACTION:

Laura Magnuson offered a motion that any amounts over contracted price to be reviewed by the Board of Directors.

Mark Sagarin provided the second.

Nic D’Ascoli discussed that prior to ordering any supplies or any services that the Board should be notified. It was discussed of not wanting to delay payments and services being performed; as well as researching and clarifying the reasons for any overages prior to making any changes to process. Mark Sagarin asked if the Board and staff could work on a date immediately following this meeting for the General Manager’s proposal of a meeting regarding staffing.

Laura Magnuson withdrew her motion.

Architectural & Environmental Review Committee (AERC) Guidelines – Amendment

The AERC have reviewed the current guidelines for updates and/or changes.

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ACTION:

Laura Magnuson offered a motion to table the AERC Guideline amendments.

Erik Herron provided the second.

Nic D'Ascoli & Laura Magnuson requested a version to show the proposed changes in addition to reference pictures. The proposed amended guidelines have been posted to the Association website, with notice included in the News Ashore. Several residents commented about engaging the community for their involvement. Erik Herron discussed that the proposed changes were reviewed at several open Architectural meetings. John Pesce and Erik Herron addressed that most changes were minor and concerned formatting. Several options were discussed, including posting a different version which highlights the proposed changes, as well as a mass mailing. Cost included in a mailing were discussed. Any mailings should include an invite to sign up for the News Ashore through the Association website.

Motion carried unanimously. (D'Ascoli/Herron/Magnuson/Sagarin)

Closed-Session Summary Under the Open Meeting Act (General Provisions Article 3-305(b))

Waters Landing Board of Directors

Time of closed session: December 2, 2021, 4:00 p.m.

Place (location) of closed session: Zoom

Purpose of closed session: Consultation on current litigation and staffing.

Record of the vote of each member as to closing the session:

Motion to hold a closed meeting made by: John Pesce

Names of members voting in favor:

John Pesce, Nic D'Ascoli, Andrew Saundry, Mark Smith, Erik Herron

Names of members voting opposed: None

Absent: None

Time of closed session: February 9, 2022, 6:00 p.m.

Place (location) of closed session: Zoom

Purpose of closed session: To consult with counsel on legal advice.

Record of the vote of each member as to closing the session:

Motion to hold a closed meeting made by: John Pesce

Names of members voting in favor:

John Pesce, Nic D'Ascoli, Erik Herron, Laura Magnuson, Mark Sagarin

Names of members voting opposed: None

Absent: None.

ADJOURNMENT:

ACTION:

Laura Magnuson offered a motion to adjourn the meeting at 9:00 p.m.

Erik Herron provided the second.

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Motion carried unanimously. (D'Ascoli/Herron/Magnuson/Sagarin)