



Inside Newington Station

Newington Community Association Monthly Newsletter August 2011

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2011 NCA BOARD OF DIRECTORS' MEETINGS

Wednesday, August 3
Thursday, August 11 (Annual Mtg)
Wednesday, September 7
Wednesday, October 5

All meetings begin 7pm at NCA Pool House and all residents encouraged to attend!

Newington Community Association Annual Meeting Thursday, August 11, 2011

Pohick Church Meeting Room
9301 Richmond Highway
Lorton, Virginia 22079

8:00 P.M. (Regular meeting starts at 7:30 pm)

The annual meeting will include elections for two positions on the Board of Directors. One candidates statement:

1) Louise Whitt, Lemoyne Lane and Durer Court

I have been on the Board since January 2010, Treasurer since last August. Chaired Finance Committee in 2010 and 2011. Member of ByLaw Change Committee. I want to continue to focus on improving our financial condition

Nominations will continue to be accepted at the community office or by any Board member. Nominations may also be made from the floor at the annual meeting.

Your attendance is valued at these meetings.

\$50 cash!

DOOR PRIZES AT MEETING

You are eligible to win *only* if you complete and return your proxy to the community office before 12:00 PM Wednesday, August 10th (*limit of one proxy per NCA owner*)

\$100 cash!

You are eligible only if you attend the annual meeting on Thursday, August 11th and register by 8pm.

(*limit of one per NCA owner*)

You must be a member in good standing for either prize.

NEWINGTON STATION DIRECTORY

<http://www.newingtoncommunity.org>

NCA COMMUNITY OFFICE

703-455-3606
Fax: 703-455-0013

Hours:

Monday / Wednesday /Thursday
10:00 a.m. to 3:00 p.m.
Tuesday / Friday
9:00 a.m. to 2:00 p.m.

Community Manager: Lori Randall

Assistant Community Manager: Tina Queen

Email: manager@newingtoncommunity.org

BOARD OF DIRECTORS

President - Sarah Jernigan (Aug '13)
Email: Sarah.jernigan@gmail.com
V. President - John Nolan (Aug '11)
Secretary - Mike Smith (Aug '13)
Treasurer - Louise Whitt (Aug '11)
Member - Kirk Brustman (Aug '13)
Member - Vacant (Aug '12)
Member - Vacant (Aug '12)

ARCHITECTURAL CONTROL COMMITTEE

Board Liaison - John Nolan

FINANCE COMMITTEE

Chair—Louise Whitt

PLANNING AND DEVELOPMENT

Chair—Lou Tobat

RECREATION COMMITTEE

Chair - Volunteer Needed
Liaison—TBN

MAINTENANCE COMMITTEE

Chairs—Sarah Jernigan
and Lori Randall

USEFUL TELEPHONE NUMBERS

Emergency 911
Non-Emergency (Police & Fire) 703-691-2131
Including barking dog complaints
American Disposal Services 703-368-0500
Animal Control/Shelter 703-830-1100
Cox Cable 703-378-8422
Domestic Violence Hotline 800-838-8238
Dominion Towing 703-730-1177
Dominion Virginia Power 1-888-667-3000
Fairfax Connector 703-339-7200

www.fairfaxconnector.com

Fairfax County www.fairfaxcounty.gov
Fairfax County Housing Authority
Selena Davis 703-704-6758
Fairfax County Storm Water
Management (not State streets) 703-934-2800
Fairfax Water 703-698-5600
Key Middle School 703-313-3900
Lee High School 703-924-8300
Lorton Fire and Rescue 703-339-5141
Lorton Landfill 703-690-1703
Poison Control 202-625-3333
Pool (emergencies only) 703-455-9873
Saratoga Elementary School 703-440-2600
Streetlights 1-888-667-3000
Summit Management 703-360-0904
Supervisor Gerald Hyland 703-780-7518
Virginia Highway Department
(Snow—State Roads Only) 703-383-8368
Virginia Railway Express 1-800-RIDE VRE
Voter Information 703-222-0776
West Springfield District Police 703-644-7377

Newsletter Distributors

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Stephanie Curb	William & Mary Loy	Mike Smith
Gladys Diaz	Richard Neimeyer	Spinelli Family
Robbie Douthwaite	Al Owens	Regina Watson

**NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – July 7, 2011
Draft Minutes of the Meeting –
NCA Pool House Meeting Room**

At 7:04 pm President Sarah Jernigan called the meeting to order. Other board members present were Treasurer Louise Whitt and Secretary Mike Smith. Vice President John Nolan and Director Kirk Brustman were not in attendance.

PRESIDENT'S COMMENTS

President Jernigan stated she has received resident complaints and encourages anyone who sends these unpleasant emails to come to a Board meeting to provide their comments to the entire Board, not just one person. She stated that the Board will need to take an email vote later in the month after she has had an opportunity to answer some audit questions regarding fraud. She commented on how great the pool looks. The CM noted a resident made a point of coming to the meeting room right before the meeting to compliment us on the pool and the pool staff.

APPROVAL OF MINUTES

Secretary Smith made a motion to accept the minutes of the June 1, 2011 meeting. Treasurer Whitt seconded the motion. Vote: 3 yes.

HEARINGS

Lots 20, 541, 42, 109, 276, 277, 311, 325, 336, 343, 574, 513 and 573 were not in attendance for scheduled hearings. Lot 311 has provided an email to the Board. Lot 541 left a message with the Community Manager (CM) regarding their letter.

COMMUNITY FORUM

No one in attendance had any comments or questions.

COMMITTEE/BUSINESS REPORTS

Treasurer's Report

Treasurer Whitt stated the Budget committee has met and has a draft 2012 budget prepared. The Board discussed the Reserve Fund Status report. There was talk about the TIPS investments and the CM recommended looking at the unrealized gains on the account. The \$100K certificate of deposit matures on 9/2/11. The CM will find out how many days after the maturity before it will automatically renew. President Jernigan asked Treasurer Whitt to provide a

written recommendation for reinvesting those funds by July 27th so that the Board could discuss at the August meeting with a vote no later than the September meeting. Under expenditures, an additional \$450 was spent on pool fence fabric and repairing the hand rail at the entrance steps. President Jernigan asked the CM to send a 'heads up' email when there are additional expenses. There was discussion on the difference between a commitment and an outstanding item. A commitment is when the Board has approved the expense/repair but it hasn't been paid yet. Outstanding items will be Maintenance Committee recommendations. A resident suggested looking at the rates on the accounts where quarterly deposits go and moving funds if necessary. The 2010 audit was discussed. The Treasurer should recommend to the Board to accept or provide questions on the audit. Treasurer Whitt will provide comments on the audit by July 13th. If there are no problems it will be sent to the Board for comment by July 20th.

Planning and Development, Lou Tobat

Lou stated the article in the newsletter on the park and ride was good. President Jernigan recommended everyone provide comment to Gerry Hyland's office.

..... Continued on page 4

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.... Continued from Page 4

Community Manager Report, Lori Randall

General

NCA Vehicle Tickets: 1

Disclosure inspection(s): 0

New Violation letters: 5

Exterior Project Requests: 3

Received three common grounds maintenance bids. Prepared chart.

Path work, have final proposal; Engineer prepared contract.

Large pieces of plaster bubbled/broken in pool – pool down for two days, mainly due to amount of time to fill. 8 swimming hours effected.

New law regarding 48 hour notice posting before applying pesticides. (added to Agenda)

Fireblight disease in Pears in Northumberland – getting effected branches removed and have proposal for fungicide treatment for 2012. (Added to Agenda)

Billing from Segan Mason for registered agent fixed.

Bid letters for trash contract were sent. Responses due 8/15/11.

Annual tree inspection completed.

Complaints/Issues

Pool hours in June on Friday are not late enough and should adjust hours when very hot.

Resident stated there are more trees behind Luce that are a threat. Asked to show them to me and I'll have arborist look at them but never heard back.

Poison ivy on common grounds. We do not remove.

Will pay for tall grass but doesn't understand why going after them for tall grass when broken curb has not been fixed in front of their home. Response: A rule violation can't compare to a large scale construction project. Recommended attending a board meeting.

Yard debris not picked up at one home on Cushing.

Charges to account for NSF check and then check is re-submitted and more charges to account.

Car possibly dented by mower. Blade Runners meeting with them, doesn't appear to be from mower.

Home with grills on deck and problem with children in street. Grill is not a violation but if multiple neighbors sign a complaint about problems, NCA will send a nuisance letter.

Various complaints about property maintenance. Addressed issues that are a violation.

Resident doesn't like that the curb in front of his home is a central location where other residents pile trash for collection. Suggested placing his trash somewhere else to encourage others to do the same but felt it didn't work and wants NCA to flyer the homes in that area. Done.

The CM stated the fireblight branches are being removed and recommended the Board approve the

fungicide treatment for 2012. The Board was not willing to vote on the proposal until they discussed and approved the common grounds contract that is up for bid. The CM stated that tree work is separate from the common grounds contract. Branch pruning was paid for from tree labor budget line. There was a question on the NSF check charges. The Board felt this individual should talk to his bank. Treasurer Whitt felt the CM should not have placed flyers out regarding the relocation of a trash pick up area. The CM wanted the Board to be aware that she has notified two owners that individuals in their home are not following the rules at the pool and are being warned that they could lose pool privileges.

GENERAL BUSINESS -- Old

Trash Can Storage in Single Family Section – Secretary Smith made a motion to accept the revised Trash Policy. President Jernigan seconded the motion. The policy will be in next month's newsletter and an article written explaining that the single family homeowners will be affected by the revisions. Vote: 3 yes.

Delinquency Policy Revisions – The Board had an extensive discussion on the current draft of the Delinquent Assessment Policy Resolution and attorney responses to questions from the Board. President Jernigan made a motion to accept the current revision to the NCA Policy Resolution Regarding Delinquent Assessment Payments. Secretary Smith seconded the motion. Vote: 2 yes, 1 no. There was discussion on putting the new policy in the newsletter. Treasurer Whitt felt the policy should be mailed to all residents. The time and material cost was a concern to the CM when this is not required. Including it in the annual meeting letter would be a problem since they are all printed and ready to be stuffed.

GENERAL BUSINESS -- New

Fire Code definition of a townhouse – Treasurer Whitt thought that the homes in the Newington Glen section of the community may not meet Fairfax County's definition of a townhouse because their balconies recess into the home instead of starting beyond the front or back wall. The CM noted that the definition states that a townhouse is "three or more attached units in which each unit extends from foundation to roof..." " In the Glen there are no units where more than one family/unit is between the foundation and roof. It was recommended the CM call the Fire Marshall to come and look at these

..... Continued on page 6

PROXY

For
Election of NCA Board of Directors
August 11, 2011

I, _____ of _____,
(name) (Newington address)

Lot # _____, being (a) member(s) in good standing of the Newington Community Association, under the provisions of the duly recorded legal instruments governing said Association, do hereby grant (my) (our) proxy to

_____ of _____.
(name) (address)

This proxy, which is executed for the Annual Meeting scheduled for August 11, 2011, gives full rights to the proxy holder to cast his/her vote(s) as he or she sees fit regarding Board of Directors Elections, unless other instructions are specified:

(signature, member) (signature, proxy)

(date) (date)

All proxies that are designated to "Board Member" or left blank will be distributed equally to all current Board members in attendance to vote. Odd numbers of proxies will be distributed to Board Members by seniority. All other proxies will be voted by the person designated above. You may give this proxy to a neighbor who will be attending the meeting or to a Board Member.

.... Continued from Page 4

homes to confirm they are townhouses.

Tree problems – There have been several tree complaints recently and the alley between Kitchener and Brainerd has a lot of evergreens that were hit hard by the last two winters of heavy snow. The branches that broke were removed but many of these trees still have significantly bent tops or branches. The spreading of the branches has an ugly overall appearance. The CM met with the tree contractor and reviewed all. He prepared a proposal of several trees being removed and pruned. The CM stated the price is a good one, \$3200, considering how much work will be done. The Board was asked to look at them before the meeting. Treasurer Whitt stated one of the trees behind Brainerd near the electrical box looked like it would best be removed instead of pruned. The CM asked the Board to approve \$4000 so she can get the work done without coming back with a new number for the Board. Treasurer Whitt felt this was too high. Secretary Jernigan made a motion for \$3500 to address all trees in the proposal plus an additional removal. Secretary Smith wanted to know why not just go with the \$4000 limit since the CM wouldn't spend any more than was necessary. Treasurer Whitt seconded the motion. Vote: 3 yes.

Sign posting for pesticides – New Virginia law requires NCA to post notice of pesticides being spread on common grounds 48 hours in advance. The CM felt the proposal from Blade Runners for two signs was not necessary and the office could handle this at less cost to the association. She stated the new common grounds contract should include a requirement that they provide the office with 48 hours notice. It was recommended that the notice be 3 business days and that we could ask the attorneys if there are any guidelines on the signage. The CM was asked to inform the Board of how much was spent on the signs at the next meeting and that it should not go over \$400. Treasurer Whitt made a motion to purchase 3 signs for pesticide application notification up to \$400. President Jernigan seconded the motion. Vote 3 yes.

Common Grounds 2012 proposals – The Board reviewed the summary of the three common grounds proposals. The CM stated there are two things that are not in the proposal that should be added, sidewalk edging in the single family section and notification for pesticide sign posting. President Jernigan asked the CM if there was any reason not to

continue with Blade Runners. The CM stated the pricing was comparable to a new company and better than the third. The service has been excellent and she trusts this contractor to provide quality service. President Jernigan made a motion to accept Blade Runners contract for three years with no increase over the term of the contract. Secretary Smith seconded the motion. Vote: 3 yes.

The Board adjourned to Executive Session at 10:04 pm to discuss hearings and returned at 10:10 pm.

Regarding Lot 541, President Jernigan made a motion to assess a \$50 charge for a trash violation. Treasurer Whitt seconded the motion. Vote: 3 yes

Regarding Lots 109, 276, 277 325, 336, 574, 513, and 573 President Jernigan made a motion to assess a \$50 charge for the tall grass violations. Secretary Smith seconded the motion. Vote: 3 yes

Regarding Lot 311, the CM read a letter to the Board. Treasurer Whitt made a motion to waive any assessment for a tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

Regarding Lot 343, Treasurer Whitt made a motion to assess a \$50 charge for the tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

Regarding Lot 42, the CM read an email to the Board. Treasurer Whitt made a motion to waive any assessment for a tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

The Board discussed a property that received a letter stating they had placed a concrete pad on common grounds behind their home. The resident stated it was that way when he purchased the home. The CM sent the letter because she hadn't thought she had seen it before but found pictures from nine months ago showing it was there. A neighbor confirmed the concrete had been there for some time.

.... Continued on Page 8



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POOL PARKING LOT POLICIES AND PROCEDURES REMINDER

The new term for assigned spaces will run from October 1 through September 30. In order to ensure fair application for use of the fenced enclosure and the additional 20 non-fenced spaces, anyone interested in placing their boats, campers, or trailers at the pool parking lot must submit an application. One application will be accepted per property. All owners are eligible or they may assign that eligibility to the current resident. Documentation that shows proof of ownership of the designated vehicle in the name and address of the applicant will be required. All vehicles must fit entirely into the parking space assigned. No commercial vehicles or vehicles in excess of 10,000 pounds will be allowed. All vehicles must conform to the current NCA parking policies including current government required licenses and stickers and being in good running condition. Watercraft must have current stickers required for watercraft operation.

THIS APPLICATION PROCESS IS REQUIRED EVEN FOR THOSE INDIVIDUALS WHO ALREADY HAVE A VEHICLE OR TRAILER PARKED IN THE POOL PARKING LOT, BOTH INSIDE AND OUTSIDE THE FENCED ENCLOSURE. All spaces both inside and outside the fence will be assigned by a lottery held during the first business week of the month prior to the beginning of the term. Spaces will be assigned in the order drawn. If there are more applications than spaces, these will be designated alternates based on the order drawn. There will be a \$50 service fee for all vehicles assigned to a space inside the fenced enclosure. If an assigned space is not being used, the space will be forfeited and reassigned. For all interested persons, an application (see page 10) is included in this newsletter that needs to be returned to the community office by September 1, 2011.



Pam Boe, CRS
703-503-1888
 boe.pam@gmail.com
 www.pamboe.com



Pam Boe's Newington Station Update

Available for Sale

- Three 3-level townhomes w/list prices ranging from \$259,000 to \$339,000
- One 2-level townhome with list price of \$180,000

Under Contract:

- Three 3-level townhomes w/list prices ranging from \$240,000 to \$289,900
- One 2-level townhome listed at \$189,900
- One single family home listed at \$399,900

Available for Rent:

- Two 3-level townhomes listed at \$1,950/month & \$1,750/month
- One 2-level townhome listed at \$1,700/month

Newington Station Mid-Year Review

<u>Address</u>	<u>Sale Price</u>	<u>Subsidy</u>	<u>Date</u>
7824 Marconi Ct	\$290,000	\$8,500	01/13/11
7745 Matisse Way	\$220,000	\$7,300	03/04/11
8326 Moline Pl	\$285,000	\$8,121	03/17/11
7760 Brandeis Way	\$279,000	\$5,000	04/29/11
7830 Marconi Ct	\$300,000	\$2,000	05/12/11
7860 Godolphin Dr	\$476,000	\$0	05/27/11
7705 Matisse Way	\$199,000	\$0	06/15/11
7702 Lemoyne Ln	\$295,000	\$76	06/15/11
7866 Godolphin Dr	\$476,000	\$16,401	07/14/11

Continued from Page 6

The CM was asked to get the date the property was purchased. Treasurer Whitt stated we should be getting disclosure cover pages from the disclosure packets and filing them in the lot number file. The CM was asked to get a quote of the cost to remove the pad.

A resident responded to a letter stating the Board had voted on a tall grass violation and asked the Board to reconsider. President Jernigan made a motion to allow the ruling on the violation to stand. Secretary Smith seconded the motion. Vote: 3 yes.

A resident submitted an Exterior Project Form and the request was denied by the Architectural Control Committee. The resident appealed in writing to the Board. President Jernigan made a motion to deny the appeal and uphold the ruling of the Architectural Control Committee for the back patio and handrails. Treasurer Whitt seconded the motion. Vote: 3 yes. The CM will send a letter to the resident regarding his appeal and a violation letter for the work that was done.

The meeting adjourned at 11:10 pm.

* * * * *

Block Party at the Workhouse
Celebrating Lorton!

Workhouse Friends & Family Exhibition Reception!
Workhouse Artists Sidewalk Sale!
"Taste of Lorton" Food & Drinks!
Music, Art, Fun & Games!
Neighborhood Talent Show!

Got Talent? Perform For Us! Neighborhood Talent Show! contact: josephwallen@lortonarts.org For Details & Registration!

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Save the Date!
Saturday, September 3, 2pm-7pm
FREE to the Public

www.WorkhouseArts.org

Budget Committee Forming

The Committee will be looking at the 2011 budget information to generate the draft 2012 budget with recommended dues amounts for presentation to the Board.

*** Look for signs announcing upcoming meeting dates ***

If you would like to be part of this effort, contact NCA office at (703) 455-3606 or manager@newingtoncommunity.org or Treasurer at louisewhitt@earthlink.net.

Why We Have A Board and Why You Should Be On It

By John Nolan

State law required Newington Station to have a board of directors and comply with the rules and regulations. The Board is here to guide the community and enforce the rules. We are not here to tell you when the snow plows will arrive, referee a spat between neighbors, nor cut down perfectly healthy trees for the convenience of irascible members. The interest in governing the community has fallen to a new low. Complaining phone calls and emails make up the interest most members express. If their complaint is rectified – GREAT. If not – make another call. We have fallen to four (4) active Board members, one of which will not run again but, the emails persist. The younger people of the community are busy having loud parties and parking in their neighbor's parking space, which affords them a phone call to complain about parking or lack thereof. There is a mental disease infecting America. I like to all it "Me'ism" or "why take an active role when the phone is so handy". Wake up folks and become an active member with ideas and energy. The community needs you!!!!

COMMUNITY NEWS AND INFORMATION



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Farmers Market Schedule!

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SUNDAYS (until November 6)

Lorton Farmers Market
 9 a.m. to 1 p.m.
 VRE Parking Lot
 8990 Lorton Station Blvd



WEDNESDAYS (until November 23)

Mount Vernon Farmers Market
 8 a.m. to Noon
 Sherwood Regional Library Parking Lot
 2501 Sherwood Hall Lane

For additional information about the Markets, call 703-642-0128, TTY 703-803-3354, or [visit the web site](#).

REVISED NCA POLICIES ON TRASH AND DELINQUENT ASSESSMENTS

Attached to this newsletter are updated policies. The delinquent assessments policies was revised at the recommendation of NCA's attorneys to comply with new laws and recent rulings regarding the collections of delinquent assessments. The trash policy was revised to improve the appearance of our community by putting in writing that all trash cans must be stored out of sight. This policy revision affects the single family homes more than the town-houses since there was clear language in the covenants already addressing where the town-homes may store their trash. NCA will be taking action to ensure trash cans are NOT visible from the road. The NCA Board cares about appearances of homes and maintaining property values!



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NEWINGTON COMMUNITY ASSOCIATION
POOL LOT PARKING – APPLICATION FOR 10/1/11 THROUGH 9/30/12
\$10 Non-refundable Fee

Date: _____

CHECK ONE:

_____ I would like to apply for a space inside the pool parking lot fenced enclosure. I understand there will be a \$50 service fee if I am awarded one.

_____ I would like to apply for a space outside the pool parking lot fenced enclosure.

Lot Number: _____

Name: _____

Address: _____

Telephone Number: Home _____ Cell _____

Work _____

VEHICLE DESCRIPTION:

Type of Vehicle: _____ Color: _____

Manufacturer: _____ Make: _____

Vehicle License Number and Vehicle ID Number (including State): _____

Trailer License Number (including State): _____

Transfer of Use: I assign the use of the NCA Pool Parking Lot to the resident occupant of my lot.

Owner's Signature Date

Instructions:

Complete this form.

Enclose a check payable to NCA for \$10 for the application.

Enclose copies of documents that show proof of ownership of vehicle.

Ensure your vehicle is in good running condition and has all current tags, licenses, and stickers.

This form must be received by **September 1, 2011** to:

NCA
P.O. Box 351
Springfield, VA 22150

I have read the NCA Pool Lot Parking Policies and Procedures and agree to abide by them.

Signature Date

For Office Use: Date received _____ Check # _____ Proof of Ownership (Y/N)
Vehicle Qualified (Y/N) _____ Space Assignment _____

RECOMMENDED BUDGET ITEM FOR NEWINGTON COMMUNITY ASSOCIATION

Budget Item (identify/describe the item needed or not needed):

Justification (why do we need it, how will it benefit the community, why do we not need it):

Cost (include actual costs or qualified estimates if possible):

Name

Address

Phone

Submit to:

Newington Community Association
P.O. Box 351
Springfield, VA 22150

Or, Red drop box at base of Community Office steps

Or, manager@newingtoncommunity.org

Budget Call – Your recommendations are Needed!

McCarthy
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- *Is your AC unit unable to hold its set temperature?*

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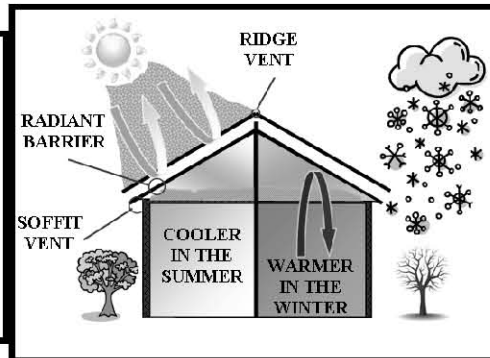
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93% of the heat that enters your home in the summertime is from the sun's radiant energy!

Attic Doctors has the cure! Your home needs a radiant barrier!

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- **Extend the life of your AC unit**
- **Qualifies for IRS tax credits**



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Newington Community Association August 2011

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
	1	2 Trash & Recycling	3 Yard Debris pick-up* <i>7:00pm NCA Board Mtg (pool house)**</i>	4 White Good Removal ¹	5 Trash & Bulk pick-up	6	
7	8	9 Trash & Recycling	10 Yard Debris pick-up*	11 White Good Removal ¹	12 Trash & Bulk pick-up	13	
14	15 <i>Article Deadline</i>	16 Trash & Recycling	17 Yard Debris pick-up*	18 White Good Removal ¹	19 Trash & Bulk pick-up	20	
21	22	23 Trash & Recycling	24 Yard Debris pick-up*	25 White Good Removal ¹	26 Trash & Bulk pick-up	27	
28	29	30 Trash & Recycling	31 Yard Debris pick-up*	<div style="border: 1px solid black; padding: 5px;"> AUGUST POOL HOURS Daily 11 am—8pm </div>			

* For Single Family Homes Only

** **Board meetings are open to all NCA residents.**

¹Contact American Disposal Customer Service at 703-368-0500 24 hours in advance of pick-up

Newington Community Association Policy Resolution Regarding Delinquent Assessment Payments

WHEREAS, the Deed of Dedication and Declaration of Covenants, Conditions and Restrictions of Newington Community Association, as amended, (the "Declaration") and the Articles of Incorporation of Newington Community Association, as amended, (the "Articles of Incorporation"), provide that the Board of Directors (the "Board"), is empowered to implement procedures for collection of the assessments from the Owners; and

WHEREAS, Article VI, Section 1 of the Declaration Obligates owners to pay any Annual or Special Assessments or charges, as well as interest, costs of collection and reasonable attorney's fees; and

WHEREAS, the Declaration, the Articles of Incorporation and the By-Laws of Newington Community Association (the "By-Laws"), together known as the Governing Documents, provide that the Lots are subject to the Governing Documents and the rules and regulations of Newington Community Association (the "Association"); and

WHEREAS, Article VI, Section 7 of the Declaration empowers the Board to establish the due dates for the payment of the Annual Assessments or charges and Special Assessments; and

WHEREAS, the Board is authorized pursuant to Article VI, Section 1 and Article VI, Section 8 of the Declaration to assess interest from the Due Date at the rate of six percent (6%) per annum until paid if the Annual Assessment or Special Assessment remains unpaid more than thirty days after the Due Date; and

WHEREAS, Article VI of the Declaration, Article II of the Articles of Incorporation and Article VIII, Section 1 of the By-Laws provide that the Association shall have all of the powers conferred by the Virginia Property Owners' Association Act (the "POAA"), the Virginia Nonstock Corporation Act and the Governing Documents and may delegate any such powers to a Managing Agent unless expressly reserved to the Board; and

WHEREAS, Article VI, Section 1 and Article VI, Section 8 of the Declaration and Section 55-513 and Section 55-515 of the POAA provide that a delinquent Owner shall be responsible for the costs of collection, including court costs, and reasonable attorneys' fees; and

WHEREAS, Article V, Section 1(d) of the Declaration, Article III, Section 2 of the By-Laws and Section 55-513 of the POAA permit the Association or Managing Agent to suspend the delinquent Owner's voting rights or use of the recreational facilities; and

WHEREAS, Article VI, Section 8 and Article IX, Section 1 of the Declaration and Section 55-516 of the POAA permit the Association to enforce a memorandum of lien for unpaid homeowner association assessments by foreclosure; and

WHEREAS, there is a need to establish orderly procedures for the billing and collection of annual and special assessments;

NOW THEREFORE, it is hereby RESOLVED THAT the Board duly adopts the following assessment collection procedures:

I. Routine Collections

The amount of the Annual Assessments shall be established by the Board and collected quarterly, in equal installments, with payment due on January 1, April 1, July 1 and October 1 of each year (the "Due Date"). The fiscal year of the Association shall be the twelve month period beginning January 1 and ending December 31.

B. Non-receipt of a payment coupon, coupon books, notices, or other such documents relating to the payment of annual or special assessments shall not excuse an Owner from the obligation to pay annual or special assessments, or any penalty that arises as a result of the Owner's failure to make payment. Pursuant to Article VI, Section 8 of the Declaration, no Owner may exempt himself for liability for annual or special assessments by abandoning any Lot or by the abandonment of the use and enjoyment of the Common Area.

C. Non-resident Owners must provide their mailing address to the Community Manager in writing. Otherwise, all notices shall be sent to the Lot address.

II. Remedies for Nonpayment of Assessments

A. Interest and Costs of Collection. If Annual Assessments and any Special Assessments, or installment thereof, are not paid within 30 days of the Due Date, the account shall be considered delinquent and interest from the Due Date at the rate of six percent (6%) per annum shall be automatically charged to the account by the Managing Agent. In addition, the Managing Agent will also add any and all costs of collection and to the account, including, but not limited to, mailing costs or other administrative costs incurred as a result of the Owner's failure to make payment.

B. Friendly Reminder/ Late Notice. If payment is not received by the Managing Agent within 30 days of the Due Date, a Late Notice shall be sent by regular first class mail by the Managing Agent to the delinquent Owner demanding payment of the assessment, any costs of collection or other charges. The Reminder Notice will inform the Owner that if he or she fails to pay the amount due in the Reminder Notice within 30 days of the date of that Notice; the delinquent account may be referred to legal counsel for the pursuit of legal action. The Reminder Notice will also inform the Owner that his or her voting privileges and use of the recreational facilities may also be suspended if the owner fails to make payment, and will provide the necessary notices as detailed in Section III(A) below.

C. Delinquent Notice. If payment is not received by the Managing Agent in response to the Late Notice, a Delinquent Notice shall be sent by certified mail, return receipt requested by the Managing Agent to the delinquent Owner stating that the delinquent account shall be referred to legal counsel for the pursuit of legal action. Owners will be warned in the Delinquent Notice of the responsibility for any attorney's fees incurred by the Association for collection services. The Notice will also inform the owner that his or her voting privileges and access to the recreational facilities have been suspended.

D. Returned Check Charge. If the Association receives a check from an Owner which fails to clear the account upon which the check is drawn, the Association shall charge the Owner a returned check charge of 35.00, or the maximum amount permitted by law, whichever is greater. If the Association receives from any Owner, in any fiscal year, one or more returned checks for payment of annual or special assessments, the Managing Agent may require all future payments to be made by certified funds or cashier's check for the remainder of the fiscal year.

E. Referral to Legal Counsel, Acceleration and Suspension of Privileges. Whenever an Owner fails to pay any installment of the Annual Assessments and any Special Assessments, the Managing Agent, without any further action of the Board, shall automatically take the following action:

1. The account shall be referred to legal counsel for immediate action.

2. Legal counsel is authorized, without further action of the Board, to take the following action approved by the Board including, but not limited to: the entire balance of the Annual Assessments, Special Assessments or Services Assessments for the remainder of the fiscal year shall automatically be declared due in full; a memorandum of lien for unpaid Annual Assessments and any Special Assessments, the balance of the Annual Assessments and any Special Assessments for the remainder of the fiscal year and any accrued interest shall be recorded against the title to the Lot and a civil action for judgment shall be brought against the Owner for unpaid Annual Assessments and any Special Assessments, interest, attorney's fees and costs. Legal counsel is authorized to take action to collect the unpaid Annual Assessments and any Special Assessments.

3. The Board may choose to authorize legal counsel to foreclose the memorandum of lien for unpaid homeowner association assessments, pursuant to the Governing Documents and in the manner provided by the laws of the Commonwealth of Virginia, including the POAA.

4. The Managing Agent may suspend an Owner's rights, privileges and benefits of membership, pursuant to Article III of this Resolution, below. If imposed, the suspension shall continue until payment in full is received by the

Association, including attorney’s fees, interest costs of collection and any other unpaid charges. Such suspension may include, but is not limited to, revocation of recreation and voting privileges.

F. Method of Crediting Payments. After an account becomes delinquent, payment received from an Owner will be credited to the account pursuant to generally accepted accounting principles and in the following order of priority:

- a. Court-awarded attorney’s fees and court costs.
- b. Interest, costs of collection and returned check charges.
- c. All other repair or maintenance assessments or charges (pursuant to Article VIII, Section 11 of the Declaration and Section 55-513 of the POAA) for violation by an Owner, his family, employees, agents, tenants or licensees of the Governing Documents and rules and regulations of the Association.
- d. Any and all Special Assessments or Additional Assessments.
- e. The quarterly Annual Assessments, oldest outstanding first.

III. Suspension of Privileges

Suspension of Use of Recreational Facilities and Voting. Once an account is delinquent for sixty (60) days, the responsible Owner shall no longer be a Member in good standing of the Association. Such Owner may not be entitled to any of the rights and privileges of membership, including the right to general access to and use of the recreational facilities. In addition, the Owner’s voting rights will be suspended. Suspension, is subject to the notice and hearing provisions of the POAA. Before any suspension, the Owner shall be given an opportunity to be heard, to present witnesses and to be represented by counsel before the Board or other tribunal specified in the POAA and Rules and Regulations of the Association.

This Resolution replaces the prior Policy on Dues Assessments and is effective _____.

The Board directs that this Resolution shall be reasonably published or distributed to the Owners of the Association.

Adopted at a meeting of the Board of Directors on __July 6____, 2011.

President

Date

Attested By:

Newington Community Association Trash Policy

Revision 7/6/11

Responsibility

Each homeowner retains full responsibility for any waste they put out for collection until the contractor accepts it. If the contractor rejects a homeowner's waste, the homeowner remains fully responsible for its removal. If the rejected waste is on common ground, the homeowner must reclaim, recover or otherwise remove all such waste from common ground by 10:00 P.M. of that same trash day. If rejected waste remains on common ground by morning of the day following trash collection day, NCA may remove the rejected waste at the expense of the homeowner. In addition to the actual expense, a special assessment may also apply in accordance with the NCA policy on Assessment of Charges for Rules Violations.

Containers

All trash must be properly secured in tied plastic bags or in a trash can when placed out for pick up.

Container Storage

Trash, trash containers and recycling bins must be stored in the back yard of all townhomes and not visible from the street in the single family section.

Timing

Trash collection occurs two days a week. Trash put out earlier than 5:00 p. m. of the day before trash collection day is considered early trash.

Recycling

Recycling collection occurs one day a week. Recycling put out earlier than 5:00 p.m. of the day before collection day is considered early trash. Recycling bins are provided for every home in NCA.

Yard Debris

A special yard debris pick up occurs one day a week in the single family section of NCA (bagged, sized) from April 1 to December 31. Yard debris may not be put out earlier than 5:00 p.m. the day before collection. Townhomes put their yard debris out with regular trash.

Holidays

Trash will *not* be picked up *and must not be put out* on any of these holidays: New Year's Day, Christmas Day, or Thanksgiving Day. Trash put out for collection on these days will be considered a violation.

Unacceptable

The contractor will not accept any waste that fails to meet the terms of the waste removal contract. Residents are responsible for knowing what the contractor will not accept. Refer to NCA's Trash Information for a partial list of unacceptable items.

Newington Community Association Trash Information

Timing

Days. Trash collection days are Tuesdays and Fridays.

Times. Trash may be put out no earlier than 5:00 P. M. of the day before trash collection day and no later than 6:00 A. M. on trash day.

Holidays

Christmas trees will be picked up the first two weeks after Christmas. Refer to the NCA newsletter for exact days.

Recycling

Day. Tuesday is recycling day.

Trash Policy continued (from page 17)

Times. Recycling must be put no earlier than 5:00 P.M. on the day before recycling day and no later than 6:00 A.M. on recycling day.

Recyclables: Newspapers, magazines, catalogs, junk mail, phone books, paperback and hardcover books, cardboard boxes, pizza boxes, rigid plastics, milk and juice containers, cereal/cracker boxes, and empty aerosol cans. Food and beverage containers of glass, aluminum, metal, wide-mouth plastic containers, and #1- #7 plastic bottles. No plastic bags.

Special Pickups

The contractor will do special pickups for items not covered under the contract for a fee that must be paid by the homeowner if the following rules are followed. (If the homeowner fails to follow these rules and the Association is billed as a result, the Association will bill the homeowner for the expense and consider a rule violation special assessment.)

1. Appliances (white goods) will be picked up *only if*:

a) The homeowner calls the contractor's office 24 hours in advance of pickup.

b) Put out on a Thursday.

c) The homeowner agrees to pay a special fee for pickup

d) Refrigerators *must* display a red-tag from a qualified technician certifying that the refrigerator is freon-free.

2. Bulk materials (e.g. furniture, lumber, carpet, wallboard, floor tiles, etc.) will be picked up *only if*:

a) The homeowner calls the contractor's office 24 hours in advance of pickup.

b) Depending on the material, the homeowner agrees to pay a special fee for pickup. The fee will depend entirely upon the amount of bulk materials.

Alternatives

Homeowners with waste not accepted by the contractor may use one of the following alternatives:

1. Call the contractor for a special estimate for removal of rejected waste.

2. Take waste not accepted by the contractor directly to one of the Fairfax County landfill areas.

The address is: 9850 Furnace Road
Lorton, Va.; 703-690-1703

3. Hire third-party haulers (e.g. Miller and Sons, 703-444-0319) to remove rejected/unacceptable waste. Note: It should be understood that Miller & Sons is offered as an example only; no endorsement is implied or should be inferred.

Unacceptable

The contractor will not accept any waste that fails to meet the terms of the waste removal contract. Residents are responsible for knowing what the contractor will not accept.

The following is a partial list of items the contractor will reject:

1. Trash not properly secured.

2. Containers, bundles or objects weighing more than 35 pounds or longer than 4 feet in length will be rejected.

3. Bulk materials such as construction/remodeling waste will be rejected EXCEPT by prearranged special pickup. (Examples: lumber, carpet, wallboard, floor tiles, etc.)

4. Paint cans will be rejected *unless* they are open and all the paint is dried out.

5. Brush and limbs will be rejected *unless* cut into lengths of 4-feet (or less) and tied with rope or twine in arm-full size bundles weighing 35 pounds or less.

6. The contractor will reject rocks, concrete, dirt, soil, sod, tree stumps, paint, motor oil, construction trash, combustibles, toxic or hazardous wastes, or any other material excluded from the disposal site, or any applicable state or federal law, as being hazardous or toxic. If homeowners mix these items with regular household and garden waste, all such waste will be rejected.

7. Lawnmowers or any gas powered tool with fluid in the gas tank.

8. White goods such as washers, dryers, hot water heaters (without special arrangements with trash contractor)