

The MONTEBELLO Voice

an independent gazette

and all that jazz

December 5, 2019





Violinist Peter Haase with friends violist Ann Steck and pianist Anna Ouspenskaya performed a Mozart program on December 1: Sonata in B Flat K 378, Duo in G Major K 423, piano selection, and Trio for piano, violin, and viola K 498. Photos by Dian McDonald

Cover photo of Karen Shaw at Friday Night Jazz by Denise Myers

The **MONTABELLO** Voice

an independent gazette
Alexandria, Virginia

This publication accepts no funding or oversight from advertisers, residents, or the Montebello Condominium Unit Owners Association. All opinions are encouraged and reflect the diversity of views in the community. All articles and photographs come from Montebello residents. To receive or contribute to this email-only gazette, contact montebellovoice@cox.net or visit on the web at www.montebellovoice.com.

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Public safety matters

By Erwin M. Jacobs, MD

How many residents here know where their fire alarm is located? Answer: Next to the stairwell door at the ends of each floor.

How many residents know where the AEDs are located? Answer: There are

only two. Both are in the Community Center without signage. One is near the café and another near the fitness center. We should have at least one in each building and on the security vehicle. 📱

Board seeking a sole source extension of the Montebello counsel

By John Powers

At the work session, the Montebello Board “directed Management to negotiate legal counsel services with Robert Segan of Segan, Mason & Mason for three years – 1/1/2020-12/31/2022.” This, apparently, is being done as a sole source negotiation without executing its fiduciary responsibility by considering other possible candidates.

The reason that this is bothersome is that a little over two years ago, a friend purchased a parking space and was hit with a new transfer process with a charge of \$1,146.83 instead of the previous fee of \$50. This process was created by Segan at the behest of the then Board President and contained significant legal fees paid to Segan’s firm, Segan, Mason and Mason P.C. (hereafter SMM).

The new process opened with the statement, “The Board of Director’s has directed ...,” when Segan knew or should have known that it was not the Board but the then Board President that directed this (when confronted with the question at a Board meeting, “when did the Board direct this,” the then Board President stated in open session, “I did it.”)

The \$1,146.83 consisted of a “assignment preparation fee” of \$442.00 payable to SMM; recording tax of \$193.83, title search of \$475 consisting of five searches at \$75 each plus \$100 payable to SMM and a “courier fee” of \$36. The primary beneficiary of this was not Montebello. Further, SMM knew or should have known that only one and not five title searches were required. Yet, it was only after a January 2018 letter to the editor to the *Times of Montebello* shining a light on this process that SMM returned \$300 (the cost of the four unneeded searches).

Subsequently, the Board acknowledged the injustice of the SMM fees and refunded \$600. Finally, after considerable debate, the Board cut out most of the legal fees payable to SMM and reduced the parking space transfer fee to \$200.

The most unsettling part of this, however, was the letter written by Segan to the purchaser attempting to justify the new process and the fees. I provided the Board with an analysis of that letter (below) and I will leave to the reader to judge whether Segan’s arguments meet the standard we should expect from our Counsel.

Analysis of the Robert J. Segan Letter to [the purchaser] dated May 30, 2018.

In his second paragraph, Segan cites Section 5.1(c) of the Bylaws that “states ... total amount ... required for assessments ... set forth in the budget adopted by the Board of Directors ‘... except for Limited Common Expenses ... assessed against each unit ...’.” I agree with this completely but this assessment was not adopted by the Board of Directors.

In his third paragraph, he cites Section 83 of the Virginia Condominium Act that states, “any ... common expense benefiting less ... shall be specially assessed ... provisions as the condominium instruments may make for such cases.” This new process was not a part of any condominium instruments at the time that had been approved by the Board of Directors.

In his fourth paragraph, he states, “In addition, Section 55-79.57(B) ... states that an amendment reassigning parking spaces ... ‘following payment ... of all reasonable costs for the preparation, acknowledgment and recordation thereof’.” This is true but irrelevant as Ms. Delaney was quite able to prepare, obtain acknowledgment and record the transfer under the then approved process with a \$50 fee to the association. She had been doing this for years without the help of SMM.

In his fifth paragraph, he states, “The Bylaws state that the President ... is given authority to direct the general and active management of the business of the Association. Because this charge ... the President had the authority to direct that this charge be imposed” This is not true. Section 4.4 of the Bylaws states, “President. The President shall:

be the chief executive officer of the Unit Owners Association; preside at all meetings of the Association and of the Board of Directors; have general and active management of the business of the Association subject to the control of the Board; see that all orders and resolutions of the Board are carried into effect; and appoint committees from [sic] among the unit owners from time to time as the President may in his discretion decide is appropriate to assist in the conduct of the affairs of the Association.” The key phrases here are subject to the control of the Board and orders and resolutions of the Board. There was no authorizing order or resolution of the Board at the time in support of the new process and as he admitted in public session, he did it on his own authority. He never consulted nor gained the approval of the Board for his new process and fees.

Segan then adds in this same paragraph, “The Board later ratified this to confirm his authority.” No, the Board did not approve (thereby ratify) the same process under which the purchaser was charged but put in place an entirely new process with a different set of fees. The new process and fees were put in place properly by the Board with open discussions, F&B review and an open vote.

In his final paragraph, he cites, “Further, under Virginia law ... a claim for a refund after ... is not permitted.” The second paragraph of the SMM document under which Ms. Delaney was invoiced begins, “The Board of Directors directs ... Associations legal counsel ... review all requests ... transfers ... Law.” This was shown to be false when the Board President was asked in open session, “When did the Board direct this process and when did the Board approve this process” to which he responded, “I did it.” Segan added that this principle is supported by a “long line of cases” but it is not likely that any of those cases were based on a false affirmation. 📌

Board sends Picnic Hill design back to the drawing board

By Mikhailina Karina

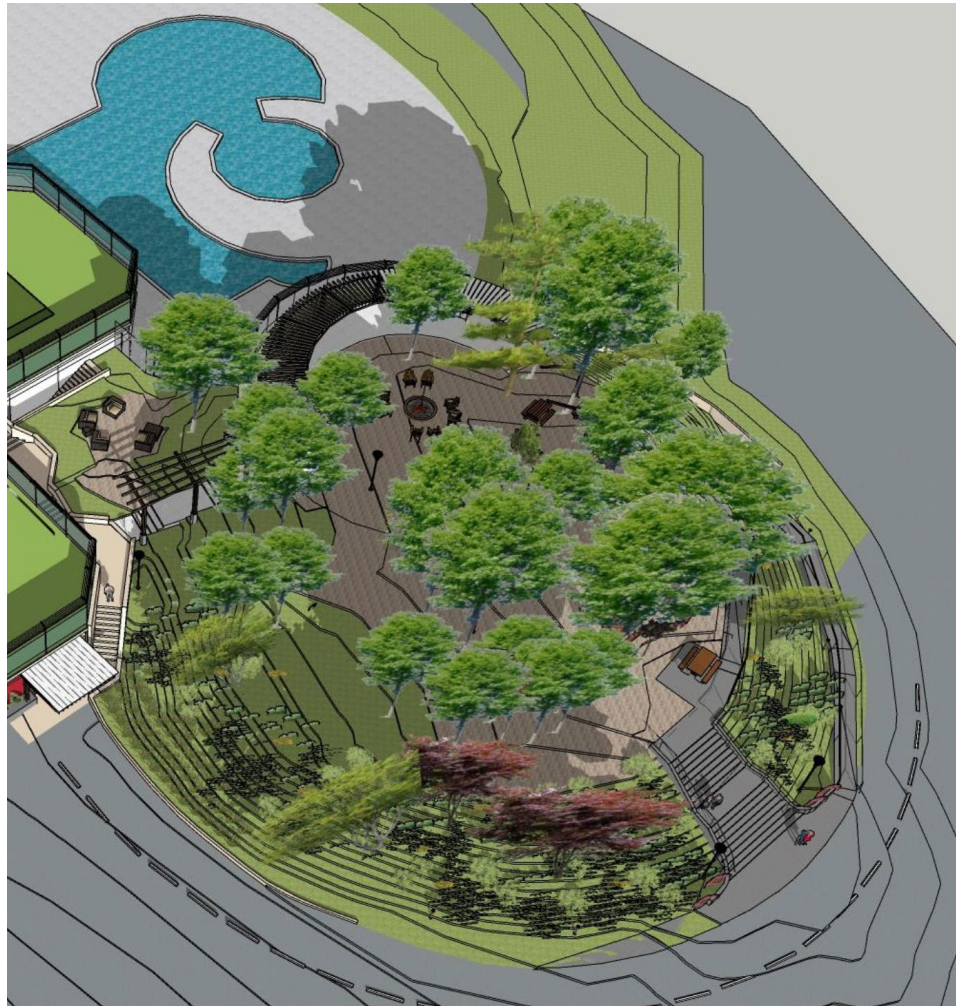
Due to the potential decimation of the Picnic Hill tree canopy, the Board of Directors has agreed to put brakes on the \$153,000 project slated to take place alongside the Community Center renovation.

At the December 3 work session, board president Jon Kandel said the proposed stairs and ramp up to the hill, in addition to a pergola and a fire pit, would result in the removal of too many trees and damage the root systems, causing further problems.

Currently, the existing steep stairs to the hill are inaccessible to people with “lifestyle hardware.” To accommodate residents who cannot use the stairs during community picnics, staff escorts would take them through the outdoor pool. For private events, Kandel said members of Safety and Access Control would help people safely navigate around the pool.

In the future, the stairs will be rebuilt and the path leading to the picnic site will be reworked.

Kandel has tasked two current contractors, Kerns Group Architects and Natural Resources Design, to come up with a plan to preserve the tree canopy, improve access, and create a better outdoor space. 🏡



Former proposal for the Picnic Hill with a staircase and a ramp, including a pergola and a fire pit along with picnic tables

Residents at two town halls pick “simple and bright” color palette for CC renovation

By Mikhailina Karina

About 60 residents came on Wednesday night to see the proposed color palettes for the interior design of the Community Center. A similar crowd gathered the previous afternoon for an identical session.

Paul Beckmann, lead designer and architect with Kerns Group Architects, presented three distinctive color

palettes: simple and clean, simple and bright, and layered mosaic.

The first option featured a neutral background setting with white walls and light wood for texture. He said the advantage of this minimalist approach was a lot of flexibility to dress it up or dress it down with furniture and artwork.

The second proposal, simple and bright, would include four strong accent colors on a handful of walls “to

add vibrancy and character to interior look and feel.” Accent colors, which are yet to be decided, would help to define spaces.

The third approach would have a layered design of multiple muted colors and material, a more playful combination to allow spaces to flow into each other. The four colors would appear on many more walls than in the second option.

governance

For immediate feedback, resident owners were asked to cast two ballots – one for the option they absolutely dis-

liked and one for an option they liked. The least favored choice was white walls, which some residents said was

very cold and industrial, like being in the office. The muted walls approach also lost out because people found so

many colorful walls to be clashing. In the end, 37 people voted for scheme #2, the middle-ground option of predominantly white walls with bright accents.

Although yellow, red, green, and blue were featured on the artist rendering, they are not the actual colors that are being considered. Rather, they only give an idea of the color intensity and location.

Attendees of the afternoon meeting made similar color choices. 🏠



364 shopping days 'til Christmas!

By Raymond Houck

For those who think Christmas has become too commercial, think again! Judging from the volume of cranky protests about it, Christmas has *always* been too commercial. Store advertisements urging shop-

afford them rose, so did stores' efforts to sell them. It did take retailers a long time to figure out that Christmas was an opportunity during which a short and somewhat frenzied selling time could make lean years fat – and fat years golden.

By the end of the 19th century the retail season extended from Thanks-

country. During the Great Depression, it was the income of the holiday season that allowed many store owners to survive. That's where we get the term Black Friday, which moved store owners' profits from the *red* column into the *black*.

A more subtle benefit of commercialization is that in a multicultural country that promises freedom of religious choice, emphasizing the commercial aspects of the holidays was a practical way of including everyone. After all, Santa never asks a child who or what they believe.

Of course, the retail world had no such selfless aims in mind. Their goal was to sell as many sleds, dolls, bicycles, boxes of chocolates, bottles of perfume, and neckties as possible. The retail industry continues to pull out all the stops around the holiday season.

Now retail is so entrenched as part of the Christmas tradition that one curmudgeon crabbing about Santa the Salesman is just another person's cherished memory. 📺



pers to buy for the Holiday Season began appearing in America in the very early 1800s, even though Christmas at that time was still a relatively private holiday, one that was celebrated more with food and drink than with luxurious gifts.

As the volume of manufactured goods increased and the incomes to

giving through December, and right up until Christmas Day.

Was this much-criticized plunge toward commercialism bad? Not if you were a salesclerk, manufacturer, ad writer, or sales representative. Not if your job related to designing and producing the millions of goods in thousands of stores across the



ARLINGTON ARTISTS ALLIANCE
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COLORSCAPES: *Space and Spirit*
 Paintings by Rebecca McNeely
 In the Overlook Gallery

And New Works by Members in the Main Gallery

Dec 9, 2019 - Jan 3, 2020

Opening Reception
 Friday, Dec 13th
 5-7PM



Gallery Clarendon and the Arlington Artists Alliance are supported in part by the Virginia Commission for the Arts and National Endowment for the Arts, and by Regency Centers/Market Common.

Nuremberg Christkindlesmakt 2019



By *Raymond Houck*

Anyone who knows about Germany is aware of the German tradition for towns and cities to host a Christmas market in their town. The most well-known of the German Christmas markets is the Christkindlesmakt in Nuremberg. There is a written record of it as early as 1628. The Nuremberg Christ Child, who is elected by the Nuremberg citizens every two years, opens the market with a ceremony. More than two million visitors from around the world are expected this year. The special charm of the Christkindlesmakt lies in the his-

toric backdrop of the Nuremberg main Market Square with its Gothic churches, beautiful fountain, and view of the old town.

The “little town of wood and cloth” consists of approximately eighteen stalls with red-and-white-striped canvas roofs. Great value is attached to the traditional selection of wares for sale. Along with gingerbread and fruit bread, visitors can purchase rich and delicious confectionary goods, toys, Christmas decorations, as well as hand-made arts and crafts. Mulled wine, grilled German wurst or sausages, and fresh pretzels provide refreshment. As you stroll through the market you can

discover hand-crafted specialties from Nuremberg’s sister cities in Nicaragua, China, Scotland, and Ukraine. Boys and girls are included in the fun with amusement park rides, a children’s cultural program, and trips on the mail coach.

The traditions of Nuremberg Christkindlesmakt have become a model for many other Christmas markets around the world including Chicago and Philadelphia here in the United States.

Frohe Weihnachten, or Merry Christmas! 📺

Upcoming Montebello Tech Club meetings

Tech Club co-leaders Paul Foldes and Cheryl Jobe welcome residents to meetings on December 12 and January 9 at 7:30 p.m. in party room 4. They will demonstrate some phone apps that could be useful to residents.

To sign up for future club emails, contact mbtechclub1@gmail.com.

The Montebello Voice wants to hear from you: musings, travels, announcements, photos, book reviews, commentary, memoirs, essays, analysis, poems, suggestions, club news, recipes, and free ads

A twice-monthly publication for the residents, by the residents

Thanksgiving in NYC

We tried something different for Thanksgiving this year



By *Diane Bastin*

Last year Sarah meticulously planned a one-day trip to NYC to watch the Macy's Thanksgiving Parade live, a bucket list item. We chickened out at the last minute as we did not feel up to driving 6 hours in the middle of the night each way. This year we took advantage of a Megabus late summer sale to purchase cheap bus tickets to New York. We departed home at 10:30 p.m. on Wednesday evening and returned just before 2:30 a.m. on Friday morning. It was an awesome, albeit exhausting, 28-hour adventure!

We arrived in NYC at 5:30 a.m. and walked along 5th Avenue 61 blocks to 72nd Street and Central Park West. 5th Avenue is New York's biggest shopping

street, which is known for its beautiful Christmas window displays and huge crowds. At that time in the morning we got to enjoy all the Christmas cheer without fighting the crowds. It was amazing! Pity the world-famous Christmas tree at the Rockefeller Center doesn't get lit until the first weekend in December.

The temperature was a balmy 41F/5C. We didn't feel cold at all! We found comfy viewing spots at the start of the parade route around 7 a.m. We were close enough to see the fireworks and confetti start of the parade at 9 a.m.! We perched on a small fence to get a perfect vantage point. The ambiance was cheerful and relaxed. The crowd's interaction with the performers was exuberant and hilarious. We lucked out, as they seriously considered

grounding the balloons this year due to high winds. We cheered and applauded as each group of balloon handlers fought the surprise wind gusts from 72nd Street. They kept the balloons so low to the ground that we practically could touch them, still there were quite a few near-misses. The parade lasted about two hours and we spent the rest of the day sightseeing around New York before taking the 9 p.m. bus home.

We walked more than 12 miles/19 km, 31,000 steps in one memorable sunny New York holiday. 🍂

(From left) Diane Bastin, Sophie Myers, Les Myers, and Sarah Myers

Thanksgiving in NYC



The one and only real Santa, kicking off the Christmas season. It isn't Christmas until we have seen the Macy's Santa. He is the best!



The highlight of the parade for Les: The group Chicago up close and personal. We had been looking forward to also seeing Celine Dion and were disappointed when we found out that she only prerecorded a song indoors that was broadcast during the parade.



To celebrate the 50th anniversary of the Moon Landing and promote women in STEM (science, technology, engineering and math), two female NASA astronauts were at the head of the parade this year, along with our beloved Snoopy in a newly designed NASA spacesuit.



I had been looking forward to visiting New York just to try the Belgian waffles from a fellow Belgian from Aalst. Wafels and Dinges lived up to expectations and tasted completely genuine! In the U.S. they sell all kinds of toppings for these sugar waffles. We eat them plain in Belgium.

Friday night jazz



Resident d.j. maestro Scott Compton (top) kicked off the Friday by the Fire Music Nights with an evening of jazz favorites that spanned the decades.

Photos by Denise Myers

tree lighting



Izzy (above) performed the November 27 tree lighting ceremony

Activities Committee chair Tillie Cassidy presented Lynne and Philip Rappa certificates of appreciation for their years of outstanding service as leaders of the Kids Club

Philip Rappa III performed a piano concert

Photos by Dian McDonald



**New Dominion
CHORALE
and Orchestra**
Thomas Beveridge,
Artistic Director




Handel's
Messiah

featuring
Natalie Conte, soprano
Melissa Kornacki, mezzo-soprano
Patrick Kilbride, tenor
Jeffrey Tarr, bass

Sunday, December 15, 2019 at 4:00 p.m.
Rachel M. Schlesinger Concert Hall and Arts Center
4915 East Campus Drive, Alexandria, Virginia

Tickets and Information: www.newdominion.org / 202-244-7191

Wednesday, December 18, 2019
Montebello CLASSIC MOVIE NIGHT
The Holiday Big Screen: Community Center at 7.30pm



The Holiday Picture of All Time!
Charles Dickens' Joyous Classic!

Starring the Incomparable
Alastair SIM
in Charles Dickens' **"SCROOGE"**

A new screen triumph!
"A Christmas Carol"

The Montebello Big Screen brings you all the joy of Christmas.
FREE old-time Movie Night refreshments, popcorn, and candies!
With a brief introduction and back-story on this 1951 movie by Pamela Copley, in our Classic Movie Series.

This is Christmas's Greatest Feel-Good Movie!

Contact PranCruber@aol.com for more details.

"SUNDAY AFTERNOON FEVER"
Dance Class & Social

Join your Montebello Neighbors each Sunday, 1pm-2pm, at the Montebello Community Center for these FUN & FREE Sunday Afternoon Dance Classes & Socials.

Share with your neighbors as Peter, Laura, & Cathy teach the latest fun Club Dances and moves from "The Salsa Room" Latin Night Club for Bachata, Cha-Cha, New York Hustle, Merengue, & Salsa.



RSVP to Peter ("Tall Tex") at PeterSalsaDancer@gmail.com

See Peter's Salsa Demo Video at: <http://youtu.be/mAwFrTGM38I> See Bachata 2019 Video at: <https://youtu.be/GY2fE5xr6XU>

See Peter's Bachata Instruction Video "Peter Blackledge Bachata Dance Class 3Nov2019" at: <https://youtu.be/7c5J0sryQAE>









When you get the choice to "Sit It Out" or "Dance," we hope you "Dance!"

A Taste of Montebello presents ...
How to Eat Gluten-Free And Love It!!!
What is Gluten anyway?
Gluten- Free? What no more bread or pasta?
Some good news and some more good news!!!!!
A discussion with hand-outs.
Preparing a Gluten-Free lasagna and enjoying a taste.



Sunday, January 5, 2020
2:00 pm to 4:00 pm in Party Room 2

Sponsored by the Activities Committee
Presented by Alison Tarshis

final glance



Photo by Azita Mashayekhi