

**Subject:** A Little More Bickering Before We Move Forward

**From:** John D Roth <jroth4@comcast.net>

**Date:** Sat, 26 Sep 2009 13:53:23 -0400

**To:** Margot Chappell <Parkdreams@lycos.com>, LAWRENCE BERUL <LBERUL@yahoo.com>, LULUP722@aol.com, John D Roth <jroth4@comcast.net>, Judi Segermark <judiseg@hotmail.com>

Hello, Margot.

Of course, I suspected that your attorney is your husband. I've heard him speak at annual meetings, for instance. And his credentials are indeed impressive. And if he were to identify himself and express your conclusions as his legal opinion, that would be more convincing - but still subject to challenge.

Until today, I had never read the actual BOD resolution. That happened on July 25. For the next 6 weeks, from July 25 to September 1, some members of the BOD told me what I was and wasn't allowed to do and I told the BOD what I intended to do. We seemed to eventually reach a contentious agreement. Last week, I requested and was given a copy of the minutes of the July 25 BOD meeting. The minutes were not available to the "public" until approved at the September BOD meeting.\*

From The July 25 BOD Meeting Minutes

New Business (Mr. Delmar)

\*The board discussed the issue of dogs in the building, starting with a communication from Mr. Roth (attached). It was noted that the bylaws allow (only) owners to have "small dogs." It was also noted that condominium rules require all dogs to be on leases and wearing a 9400 dog tag.

Motion: that a committee be established to investigate the desires of the owners with regard to dogs in the building, and that Mr. Roth be asked to chair the committee and report back to the Board with results (Cohen, McCarthy). Passed (5-0).

I have to discount your comment about only 11 owners having offered their comments to date. First, any single owner has the right to insist that the by-laws be enforced. In addition, I'm sure that you recognize that there are other small dog owners who have offered their opinions verbally, as I recognize that there are large dog owners who have verbally expressed opposite opinions to you and to me. Let's agree that those verbal opinions cancel one another but agree that they increase the number of interested parties.

The caption "Let's discuss 'small dogs, cats, and caged birds' at 9400" is not my invention. "Small dogs, cat, and caged birds" comes directly from the by-laws.

I agree that we don't need the BOD's decision on the by-laws to move forward. In fact, I doubt that we'll receive any response. I think the BOD should be at least given a "heads up" when someone proposes something so out of touch with our general understanding of the by-laws - especially when the proposal is presented as having some legal basis. We won't lose much by allowing ten days for the BOD to digest the proposal and respond. In the meantime, we can be thinking about the additional issues we both agree need attention. I doubt there will be much disagreement when we get there.

In hope that all committee members are following the website commentary, I encourage Luann and Judy to join our discussions.

JR