

Subject: Pet Committee Discussion at Sep 19 BOD Meeting

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

Date: Sat, 19 Sep 2009 19:26:04 -0400

To: "Milton L. Chappell" <mlc@nrtw.org>, LAWRENCE BERUL <LBERUL@yahoo.com>, LULUP722@aol.com, John D Roth <jroth4@comcast.net>, Judi Segermark <judiseg@hotmail.com>

Hello, Pet Committee Members.

I attended the September 19 BOD meeting and noted the following comments/questions/other items that relate to the committee. None of the following are direct quotations. They're my notes from the meeting. The comments are in no particular order:

1) We received from Nancy a list of units that have dogs visiting regularly or from time to time. Owners of 52 of our 164 units bring dogs to our building. Some of those owners bring multiple dogs. If you would like a copy of the list, send me your address and I'll mail the list to you.

2) I was reminded that the committee exists only at the pleasure of the President of the condo association and that the President can disband the committee at will.

3) An owner or possibly multiple owners have complained to the President that the project/website seems to encourage a clash between large dog owners and small dog owners.

4) One BOD member indicated that the fact that fewer than 10 owners have offered comments to the website demonstrates that owners don't really care about this issue.

5) I requested that the BOD clarify whether the association's liability insurance policy covers dog bites and, if so, what coverage limit applies. Treasurer Ron Cunningham will get us an answer to this question.

Several BOD members are confident that only the dog ***owner*** can be held liable for the misconduct of his dog.

No BOD member could answer the question of whether the association can be held responsible because the association failed to enforce its by-laws. This question will be posed to our attorney after the committee makes its recommendation. The idea here is to have the attorney verify that the plan approved by the BOD is legally acceptable. We want to approach the attorney only once in order to avoid the cost of multiple encounters. This may mean that our recommendations will need to say something like "If the attorney agrees that the condo can be held liable, do this; otherwise, do that."

6) One BOD member expressed his opinion that some of the topics I've suggested for discussion are inappropriate.

7) One BOD member asked whether there is a projected completion date for the project.

8) I again requested that emails between BOD members that relate to the Pet Committee include a copy to me.

This is just to give you an idea of the environment in which we're operating. I think I was clear in my response that we'll discuss what is necessary to complete our project, that all comments are welcome from owners or BOD members, and that we'll try to post all owner comments or committee discussion on the website for all to see.

JR