

# SANDS POINT NORTH C.A.

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## COMMUNITY POOL STATUS

On Monday June 8<sup>th</sup> we heard from NJ Governor Phil Murphy that Community pools will be allowed to open on Monday June 22<sup>nd</sup>, but must follow strict adherence to guidelines set by the NJ Health Department.

On Wednesday June 10<sup>th</sup> we received The **NJ Covid-19 Outdoor Pool Standards** from the NJ Health Department. Can be found on this site  
<https://www.nj.gov/health/ceohs/sanitation-safety/prb.shtml>

The community has reviewed the extensive document and there is a list of procedures that we would need to follow:

- Social distancing of 6 feet
- Separate entry and exit points along with floor markings
- Face masks to be worn on pool deck only
- Hand sanitizer
- Sufficient signs
- Cleaning and disinfecting on a continuous basis of high touch areas
- Temperature checks
- Log book with signing in and out w/phone number for contact trace
- One individual to temp check and sign in
- A second individual to act as a Social distancing Ambassador around pool area
- A Covid-19 Plan

And this is not the complete list. (please see the NJ Covid-19 Outdoor Pool Standards)

The Association would have to hire two people to work the pool if opened due to these guidelines which would require a special assessment to all the unit owners to pay for these employees. These requirements are very burdensome to the community.

The Association spoke with our insurance agent as to what might be covered should we have a covid-19 incident at the pool. We were informed that our all our insurance policies provide **no coverage** as most carriers have a communicable disease exclusion. What this means for the community is a liability exposure for which there is no insurance for. So if the Association was to have a lawsuit regardless of merit, it would have to defend itself completely out of pocket. If this was to transpire the Association would once again have to go to it's members for a special assessment to cover legal costs of the community.

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This information lead us to the Association's attorney ( McGovern Legal Services). We asked them as to what was the Association's ability to limit our exposure to claims. They informed us that there really is none. They explained that if the Association was to get sued our best case scenario would be wining the lawsuit and possibly having legal bills of 50-100k and worst case scenario "the sky is the limit" we could be in the millions if someone was to pass on due to a compromised immune system. The Association asked if we could draw up a waiver to stem off liability. They suggested use of waivers, but that it was no guarantee that it would be held up in court and not thrown out.

After much deliberation and for the reasons laid out in this letter, **it is with much regret that we will not be opening our pool this 2020 season.** The Association will continue to monitor the Covid-19 situation as it is constantly changing. We have heard that many trade groups are lobbying the governor and the legislature to provide some immunity from covid-19 claims. If we get some relief from the State, then the Association can revisit the pool season and possibly reverse course. Should you have any questions please contact our management company.

We wish everyone a happy and safe summer.

Sincerely,

The Board of Directors