Governor Murphy has now announced that community association pools may open in New Jersey on June 22. If you didn’t hear that announcement, you probably did hear the collective cheers from Cape May to Mahwah.

But, just because pools and some other amenities may open, you must ask: should you open yours?

In making this important decision, board members will have to seriously consider all of the issues and discuss them with their vendors, insurance agent, management, and legal counsel. Among those issues to consider:

- Is there full understanding of all of the requirements from the various Executive Orders and the Board of Health guidelines? Are there additional municipal or county requirements? Can the association comply? What will enforcement look like?

- Is there full understanding of the CDC recommendations for social distancing...
and cleaning protocols? Can the association comply? What will enforcement look like?

- Is there full understanding of the potential consequences of not following and/or enforcing these requirements and recommendations (including to the board personally)?

- Has the association’s insurance agent given an opinion about insurance limitations relating to COVID-19? Is there full understanding of the impact of this to the association?

- Is there full understanding of the association’s contractual options for maintaining and operating the amenity?

- Have all necessary rules and obligations been adopted for use of the amenity and have members acknowledged them? Have the rules, acknowledgements, and waivers been discussed with legal counsel?

- Have the additional costs necessary for opening, maintaining, and operating the amenity been fully evaluated?

Naturally, all of us who have been faithfully staying at home and socially distancing for the last three months are eager to get back to normal. But complying with all of the recommendations and requirements to reopen amenities will be anything but normal. Board members must seriously consider all of the above, understand responses from vendors and legal counsel, and carefully weigh costs, risks, and benefits before opening any amenity, including the pool.

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