

**Resolution of The Board of Directors of
Clearbrook Kensington Village Condominium Association No. 9
(the "Association") Delegating Full Authority to
Clearbrook Community Association for the
Cleaning, Upgrading and Maintenance of Dryer Vents in Units**

WHEREAS, the Board of Directors (the "Board") of the Association desires to and has the authority pursuant to Article VIII, Section 2 of its By-Laws, to delegate to the Clearbrook Community Association ("CCA") its authority with respect to the cleaning, upgrading and maintainance of dryer vents in units; and

WHEREAS, the CCA Board of Directors has authority pursuant to Article III, Section 3.18(q) of the CCA's By-Laws to:

accept, by adoption of a resolution of the Board [of CCA], such delegations of responsibility from the individual Condominium Associations as the Board may, in the exercise of reasonable business judgment, agree to accept, subject to such terms and conditions as may be set forth in the resolution of the Board accepting such delegation. . . .

and;

WHEREAS, Article VIII, Section 8.5 of the CCA's By-Laws recognizes and anticipates that the CCA may accept the delegation of responsibility from a section association to perform cleaning, upgrading and maintainance of dryer vents in units, providing in part:

The Association, its employees, contractors, subcontractors, officers and directors shall have a non-exclusive easement over the common elements of each Condominium Association, and a right of access to each Unit, if applicable, . . . to perform any delegated duty that the Association accepts, notwithstanding the absence of any reference to an [sic] right of easement set forth in the request of a Condominium Association to accept a delegated responsibility. . . .

and;

WHEREAS, Article V, Section 5.4 of the CCA's By-Laws authorizes the CCA to assess a section association for the costs related to the cleaning, upgrading and maintainance of dryer vents, as follows:

nothing herein shall prevent the Association from assessing either a Condominium Association or the individual Owners within such association for any delegated services which, pursuant to the resolution accepting delegation, the Board conditioned its acceptance upon the condominium association or members thereof to be responsible for the costs related to such delegated responsibility. . . .

and;

WHEREAS the CCA, through its management personnel, has over the years inquired with the section associations as to their respective dryer vent cleaning policies, and has determined that there is much variation among the Sections in this regard; and

WHEREAS the CCA, through its management personnel, has been informed, or has learned, that certain units in the complex have dryer vents with piping material that still consists of plastic, instead of metal, and/or have dryers which are not vented to the outside of the unit; and

WHEREAS, the Association's Board deems it in the best interest of the Association to fully authorize the CCA to take all action and to make all decisions that the CCA, through its Board and Management, deems appropriate, and to exercise its unfettered judgment in acting on the Association's behalf, in establishing and administering a dryer vent cleaning, upgrading and maintenance policy applicable to the Association;

NOW, THEREFORE, BE IT RESOLVED as follows:

The Association hereby authorizes the CCA and the CCA's Board and management personnel (collectively hereinafter the "CCA") to completely establish, administer, control, and make all decisions, in the sole and unfettered discretion of the CCA, regarding all aspects of a dryer vent cleaning, upgrading and maintenance policy including, but not necessarily limited to, the authority and right: (i) to establish a cyclical time period for the cleaning of dryer vents in units, which, as of the time this Resolution is adopted, will be once approximately every three years, except for the

apartments, which must be cleaned, by law, every year¹; (ii) to determine how the dryer vents should be cleaned and maintained; (iii) to schedule the cleaning and maintenance of dryer vents in individual units; (iv) to cause any dryer vent in a unit to be changed from plastic components to metal components; (v) to cause a dryer in any unit to be vented to the outside of the unit, instead of the inside of the unit; and (vi) to bill the Association for the dryer vent cleaning, upgrading and maintenance either as part of the Section-based costs in the CCA operating budget, or as a direct cost, payable to the CCA directly.

[The remainder of this page, with the exception of the footnote, is intentionally left blank.]

¹For the purpose of this paragraph, the term "apartments" shall mean those apartment units located: 1) in Section 4 as follows: twenty-seven apartment units at 277 Crosse Drive and twenty-seven apartment units at 278 Crosse Drive; 2) in Section 14 as follows: eight apartment units at 525 Belford Road; 3) in Section 15 as follows: eight apartment units at 537 Berberis Plaza and eight apartment units at 541 Cornus Plaza; 4) in Section 16 as follows: eight apartment units at 778 Spirea Plaza and eight apartment units at 808 Sewell Road; and 5) in Section 17 as follows: eight apartment units at 631 Madison Drive.

Vote of Board to Approve Resolution

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Lou Caron	✓			
Arlene Curry	✓			
William Post	✓			
Robert Lowenstein	✓			
Lou Di Meglio	✓			
Larry Gargano	✓			
Larry Gelb				✓
Ina Light	✓			
Mel Rabinowitz	✓			

The undersigned, Secretary of Clearbrook Kensington Village Condominium Association No. 9 certifies that the foregoing is a true copy of the Resolution adopted on the 29 day of March, 2013, by a roll call vote by the Board of Directors at a regularly scheduled Board meeting held upon proper notice to each Board member, at which a quorum was present and at which the requisite number of Board members present voted in favor; and the undersigned further certifies that the vote of each Director was as shown above.

Robert Lowenstein
Robert Lowenstein, Secretary