

# EXHIBIT: Responsibilities of the Designated Adult Supervisor (DAS)

**Legal Authority: N.J.A.C. 8:26 | State of New Jersey Sanitary Code**

In New Jersey, the Designated Adult Supervisor (DAS) is the individual responsible for the on-site safety and operation of the pool. Inspection records identify **Dani Kurczeski** in this role.

While vendors—such as a **Certified Pool Operator (CPO)**—may perform technical tasks (at FSAM, this role is performed by **Candlewood**), the DAS remains the responsible authority during hours of operation.

This establishes a clear structure: **tasks may be delegated, but responsibility for safe operation cannot be delegated.**

---

## 1. Supervision of Operations

**The Rule:** The pool must operate under the supervision of a Designated Adult Supervisor during all hours of operation.

**The Responsibility:** The DAS is responsible for all phases of operation and must be knowledgeable of safety and sanitation requirements.

---

## 2. Responsibility for Safe Operation

**The Rule:** Pools may not operate when conditions exist that jeopardize health or safety.

**The Responsibility:** The DAS is responsible for ensuring the pool does not operate under unsafe conditions, including when chemistry is outside required limits.

---

## 3. Oversight of Water Quality and Testing

**The Rule:** Facilities must maintain water chemistry within required ranges and perform regular testing.

**The Responsibility:** The DAS must ensure testing and monitoring are properly performed and that conditions remain safe for use.

**Note:** Tasks may be performed by vendors (such as the CPO), but responsibility for safe operation remains with the DAS.

---

#### 4. Immediate Awareness of Violations

**The Record:** Inspection reports identify the Designated Adult Supervisor at the time violations are found and are issued on-site.

**The Impact:** This ensures management is made aware of unsafe conditions immediately—not after the fact.

---

#### 5. Records and Compliance

**The Rule:** Facilities must maintain logs, testing records, and operational documentation.

**The Responsibility:** The DAS is responsible for ensuring required records are complete and available for inspection.

---



### Summary for Residents

The Designated Adult Supervisor is the community's first line of defense.

- Responsible for safe operation
- Responsible for ensuring proper monitoring
- Identified at the time violations occur
- Part of the chain of accountability when failures happen

This role does not operate in isolation. It exists within a management and oversight structure:

- **PMA**, an experienced professional HOA management company, is responsible for employee training, staff management, and the implementation and supervision of operational systems
- The **Board of Trustees**, as the governing body, serves in a fiduciary capacity—responsible for community safety, oversight, accountability, and ensuring those systems are effective

**The Question:**

With experienced management, defined responsibilities, and Board oversight in place, how did these failures occur—and how were bathers placed at such risk?