

4 Turkey Hill Road
Newtown, CT 06470
Tel (203) 270-4300
Fax (203) 426-9968



Fred Hurley,
Director

TOWN OF NEWTOWN
WATER AND SEWER AUTHORITY

Richard B. Zang,
Chairman
Marianne Brown
Louis Carbone
George Hill
Alan Shepard
Eugene Vetranio
Carl Zencey

Present: Marianne Brown, Dick Zang, Alan Shepard, Gene Vetranio

Absent: George Hill, Carl Zencey, Lou Carbone

Also Present: Director of Public Work Fred Hurley, 4 members of the public and 2 members of the press

Public Participation – None

UNFINISHED BUSINESS

164 and 170 Mt. Pleasant Road Benefit Assessment – Fred Hurley explained that the attorney for that property came back and met the board's requests. They have agreed to start percentage payments in year 1, 3 and 5. It isn't based on occupation. The benefit assessment of 164 was previously approved. They agreed to the benefit assessment of \$185,400 on 170 Mt. Pleasant which is a 15% reduction after the 90%. They are hooking up to the gravity portion of the sewer, not the new sewer extension. Alan Shepard moved to accept the benefit assessment at 170 Mt. Pleasant road at \$180,540. Gene Vetranio seconded, motion unanimously approved.

Alan Shepard moved to accept the payment schedule for 164 and 170 Mt. Pleasant Road as presented (Attachment A). Gene Vetranio seconded, motion unanimously approved.

NEW BUSINESS

Set benefit assessments for Hawleyville Sewer Extension – Dick Zang moved to accept the proposed sewer benefit assessments as published. Alan Shepard seconded. Alan Shepard also requested that the flows be checked against the assumption for the benefit assessments. Motion unanimously approved.

Dick Zang moved that future benefit assessments of the gravity portion of the Hawleyville sewer be reduced from the standard reduce to 15%. Mr. Zang then withdrew his motion.

Water Rates – Fred Hurley reported that the Legislative Council passed the water rates as proposed with one exception. Nunnawauk Meadows was reduced to 13.5% over 3 years. They left the implementation schedule at the discretion of the WSA.

Having no further business, the meeting was adjourned at 7:30pm

Arlene Miles,
Clerk

Attachment A

NEWTOWN MEDICAL TWO, LLC
ONE GORHAM ISLAND
WESTPORT, CONNECTICUT 06880

Sonya Karpowich
Work: (704)248-3296
Mobile: (310)702-0803
Email: skarp@allegiancere.com

March 18, 2016

Town of Newton
Water and Sewer Authority
4 Turkey Hill Road
Newtown, CT 06470

Re: **SEWER BETTERMENT ASSESSMENT TERMS**
PROPERTY: 170 MT PLEASANT, NEWTOWN, CT
PROPERTY OWNER: NEWTOWN MEDICAL OFFICE TWO, LLC

Dear Water and Sewer Authority Board:

This letter serves as a formal written request by Newtown Medical Two, LLC to be considered for approval by the Board to finalize the following terms of the sewer better assessment with the Newtown Water and Sewer Authority with respect to the above mentioned Property. It should be noted that this letter is being submitted in conjunction with letter of request in connection with 164 Mt Pleasant, Newtown, CT by Newtown Medical Office I, LLC.

Essentially, Newtown Medical Two, LLC's formal request herein is to set the sewer assessment for 170 Mt Pleasant, Newtown CT based upon the same terms and rate as 164 Mt Pleasant being a neighboring properties.

The following represents the requested terms:

Assessment: \$180,540

Payment Terms: Spread over 10 years and adjusted for the following occupancy of the Property, and subsequently adjusted as occupancy increases, paid in annual installment in arrears:

Year 1: Occupancy 50%

Year 3: Occupancy 65%

Year 5: Occupany 100%

Interest rate of 2% per annum computed annually on outstanding balance of Assessment.

In the event that the initial billing falls outside a full billing cycle, the first and last billings will be adjusted to procure full overall payment for this portion of the building on the Property.

Prepayment in full or in part of all of the Assessment may be made by Property Owner without penalty

Written Agreement of
Terms:

Upon approval by the Board of the WSA of the terms hereof, the terms shall be memorialized into a written agreement ("Agreement")

Record Notice of
Agreement:

Upon execution of the Agreement, the Agreement or a notice of the Agreement shall be recorded in the Town records.

Assignment:

The Agreement (as defined below) would run with the land to any future owner of the Property without consent or approval of such assignment by WSA or any other governing agencies.

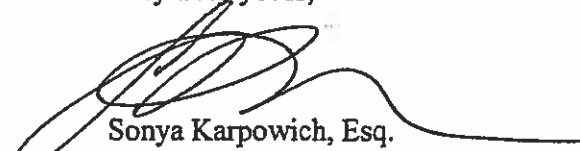
Governing Law:

The Agreement shall be governed by the laws of Connecticut.

As for status of the Property, the medical office building at 170 Mount Pleasant is currently under construction and has an expected completion date of approximately August 2016 for the first tenant leasing 50% of the 30,400 square foot building.

Thank you for your consideration of the foregoing terms.

Very truly yours,



Sonya Karpowich, Esq.
General Counsel

NEWTOWN MEDICAL I, LLC
ONE GORHAM ISLAND
WESTPORT, CONNECTICUT 06880

Sonya Karpowich
Work: (704)248-3296
Mobile: (310)702-0803
Email: skarp@allegiancere.com

March 18, 2016

Town of Newton
Water and Sewer Authority
4 Turkey Hill Road
Newtown, CT 06470

Re: **SEWER BETTERMENT ASSESSMENT TERMS**
PROPERTY: 164 MT PLEASANT, NEWTOWN, CT
PROPERTY OWNER: NEWTOWN MEDICAL OFFICE I, LLC

Dear Water and Sewer Authority Board:

This letter serves as a formal written request by Newtown Medical Office I, LLC to be considered for approval by the Board to finalize the following terms of the sewer better assessment with the Newtown Water and Sewer Authority with respect to the above mentioned Property:

Assessment: \$150,0000

Payment Terms: Spread over 10 years and adjusted for the following occupancy of the Property paid in annual installment in arrears:

Year 1: Occupancy 37%
Year 3: Occupancy 50%
Year 5: Occupancy 100%

Interest rate of 2% per annum computed annually on outstanding balance of Assessment.

In the event that the initial billing falls outside a full billing cycle, the first and last billings will be adjusted to procure full overall payment for this portion of the building on the Property.

Prepayment in full or in part of all of the Assessment may be made by Property Owner without penalty.

Written Agreement of
Terms:

Upon approval by the Board of the WSA of the terms hereof, the terms shall be memorialized into a written agreement ("Agreement")

Record Notice of
Agreement:

Upon execution of the Agreement, the Agreement or a notice of the Agreement shall be recorded in the Town records.

Assignment:

The Agreement (as defined below) would run with the land to any future owner of the Property without consent or approval of such assignment by WSA or any other governing agencies.


Governing Law:

The Agreement shall be governed by the laws of Connecticut.

As for status of the Property, the first tenant has taken occupancy of 37% of the Property and is now paying rent. At 37% occupancy, the initial billing would be \$55,500 ($\$150,000 \times 37\%$) and under the foregoing terms, the payments would be spread over a 10-year term paid in annual installments of \$5,550 in arrears.

Thank you for your consideration of the foregoing terms.

Very truly yours,



Sonya Karpowich, Esq
General Counsel

170 Mt. Pleasant

164 Mt. Pleasant

Principal \$180,540.00
50% year 1-10
65% year 3-13
100% year 5-15

\$150,000.00
37% year 1-10
50% year 3-13
100% year 5-15

YEAR

1	\$10,049.45	\$6,178.62
2	\$10,046.45	\$6,178.62
3	\$13,061.27	\$8,349.49
4	\$13,061.27	\$8,349.49
5	\$20,095.88	\$16,698.98
6	\$20,095.88	\$16,698.98
7	\$20,095.88	\$16,698.98
8	\$20,095.88	\$16,698.98
9	\$20,095.88	\$16,698.98
10	\$20,095.88	\$16,698.98
11	\$10,049.44	\$10,520.36
12	\$10,049.44	\$10,520.36
13	\$7,031.61	\$8,349.49
14	\$7,031.61	\$8,349.49
15	\$7,031.61	\$8,349.49