

# Common Interest

The Official Publication of CAI-Connecticut

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*Inside:*

## 9th ANNUAL LEGAL SYMPOSIUM

**Condo  
Maintenance  
After Miami  
What You Should Be  
Doing Right Now**

## EXPENSE CLASSIFICATION

**Community Unity  
In the Aftermath of the  
Covid-19 Crisis**

*...and more!*

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### Who Is CAI?

The Connecticut Chapter is one of 63 Community Associations Institute chapters worldwide. CAI-CT serves the educational, business, and networking needs of community associations throughout Connecticut. Our members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to associations. The Connecticut Chapter has over 1,200 members including nearly 150 businesses, and over 450 community associations representing 50,000 homeowners.



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To submit an article for publication in *Common Interest* contact Kim McClain at (860) 633-5692 or e-mail: kim@caict.org.

## President's Message



Reggie Babcock

*“A tendency to over-police the enforcement of rules and regulations has created unnecessary ill-will among neighbors...”*

The end of my term as president of CAI-CT is in sight, and it seems like an appropriate moment to reflect on the past few years and look ahead at the issues that await us. Our Chapter has an over-abundance of “opportunities” that we need to address. The good news is that we are uniquely qualified to tackle the future. We have the staff, we have the volunteers and business partners and we have the resources to lead the way. But let’s not be pollyannish; we face formidable challenges.

- Infrastructure is aging, faster than it is being upgraded and faster than reserves can be built.
- Boards are demanding more and more of their management companies. Expectations of Boards for their managers often seem unlimited.
- Revenues received by management companies have scarcely grown over the years, certainly not at a pace that matches the demands made of them.
- Management companies continue to see their costs rise without meaningful opportunity to recoup the increases.
- The industry is not attracting a sufficient number of new employees.
- Experienced and talented management company employees are leaving their positions due to “burn-out” - long hours, unprecedented demands by clients and again, inadequate compensation.
- Interest among owners in volunteering to serve on Boards is waning. Elections are rarely contested and often there are fewer candidates than positions. Many Boards function without legal quorums.
- Overly legalistic requirements and protocols are imposed on communities.
- A tendency to over-police the enforcement of rules and regulations has created unnecessary ill-will among neighbors, while also distracting the Board from addressing more vital issues.

My inventory of “challenges” is no doubt incomplete. Feel free to add your own. You may have even some answers; let’s hear them! As I said, CAI-CT is one of the best things we have going. It can lead us in tackling the challenges we face. But tackle them we must. ■

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## From the Chapter Executive Director

*“Based on the types of questions we have been fielding lately regarding how associations operate, it seems like it is essential to stress the importance of education for board members.”*



Kim McClain

Courtesy CAI-CT

The odometer on my happy Prius is a continual reminder of how little I have traveled in the past 18 months. While it is always great to see folks in person, I often think about how much time and energy we have saved by not getting in a car to attend meetings. While we all have had many issues with the disadvantages of being virtual, CAI-CT has had the good fortune of recruiting new volunteers who live in other states and well as people who are located in the further reaches of our state. We are still glad to be hearing stories that Community board meeting attendance is very strong. It would seem like virtual board meetings are likely here to stay.

Based on the types of questions we have been fielding lately regarding how associations operate, it seems like it is essential to stress the importance of education for board members. No one should be expected to perform any task for which they have not received adequate training, a condo board position should be no exception. Condo Inc. is ready to roll in October on three consecutive Wednesday evenings. (See ad on page 22.) For those board members who feel they don't need to attend any programs, it's worth contemplating the reality that it is impossible to know everything all the time. We have had some changes to CIOA in the past year and recent storms will likely have an impact on insurance, etc. Our speakers will definitely bring you up-to-date on what you need to know. Condo Inc. is being offered as an ONLINE webinar. It's never been easier to have you and your fellow board members become better educated. This will ultimately save time and money! So sharpen your pencils and get ready to join us in October! Scheduling conflict? Register anyway, and we'll email you the recording afterward! These webinars are available on-the-go from your phone or tablet and on-demand following the live broadcast.

Our Annual Legal Symposium will be held in the virtual realm of Hopin again this year. Last year, we had record registrations at this event and expect this year to be equally well-attended, especially since several of the topics address the many issues that have come to the forefront since the tragic demise of the condominium building in Surfside, FL.

Be well and enjoy the Fall! ■

## CAI-CT Chapter Awards

The importance of the work of our volunteers is often mentioned in this magazine and just about anywhere else where we can proclaim our gratitude for their great work.

It was many moons ago now that CAI-CT won two CAI Chapter Awards for: our 2019 Annual Conference & Expo and our 2019 Legal Symposium. Since National CAI did not have their Annual Conference in 2020 either, they combined the awards for the two prior years at the recent Annual Conference in Las Vegas. Dave Pilon, CIRMS from Bouvier Insurance was the lone attendee from Connecticut. He graciously accepted our awards.

It's up to all of you to help us win another award or two for our efforts in 2021. No pressure, but we're counting on you! ■



**Dave Pilon, CIRMS from Bouvier Insurance (center) accepting the chapter's awards at the National Conference in Las Vegas, NV.**

## CONDO INC. October WEBINAR SERIES

Hosted on Zoom

This LIVE webinar will be presented in 3 parts.  
Wednesdays — October 6, 13, 20 from 6:00 pm - 8:00 pm

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Our panel of legal experts will cover topics important to your community. The components of the presentation will be recorded and sent to registrants for viewing as their schedule allows. (All proceeds to benefit legislative advocacy for Connecticut Community Associations.) Bring your questions!

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## Statutory Snippet...

### Budget Ratification. (a) Annual Budget.

The board prepares the annual budget, which, in turn, sets the common charges for the following year. The budget must be put to a vote — and is sustained unless a majority of all unit owners vote to reject the budget (in which case the prior year's budget remains in effect) CT General Statutes Sec. 47- 261e;



## Understanding Your Coverage

In response to Tropical Storm Henri, the Connecticut Insurance Department reminds consumers of the importance of reviewing your homeowner, renters, or condominium policy annually, and especially for the Atlantic Tropical Storm season which runs from June 1 through November 30.

To help you better understand your homeowner, renters, or condominium policy, contact your agent or insurer. To ensure you are adequately protected, review your policy with them, what is covered, and what your coverage limit, and deductibles are. Keep your policy and insurer's contact information in a safe place should you need to contact them to file a claim.

If you still have questions, contact the Department's Consumer Affairs Division, by email at [insurance@ct.gov](mailto:insurance@ct.gov), ask a question or file a complaint online, or call the Consumer Helpline at 800-203-3447 or 860-297-3900. ■

## ENVIRONMENTAL TIP

Fall is one of the best times for planting. Consider creating a pollinator garden in your community this fall. Pollinator gardens support and maintain pollinators by supplying food in the form of pollen and nectar that will ensure that these important animals stay in the area to keep pollinating crops for continued fruit and vegetable production. ... Best of all, pollinator gardens benefit the ecosystem

It is best to select a wildflower or pollinator mix. The seeds should be broadcast in late fall/winter or early spring. ■



## Legally Speaking...



Adam Cohen, Esq.

### Condo Maintenance After Miami: *What You Should be Doing Right Now*

By Adam J. Cohen, Esq.

In the middle of the night on June 24, 2021, Champlain Towers South, a 12-story, 136-unit condominium in the Miami suburb of Surfside, Florida built in 1981, partially collapsed. At least 97 people died, making it one of the deadliest building collapses in U.S. history. Construction defects, sinking ground levels, and water-related deterioration of concrete are all believed to have contributed to the condominium's lower-level pool deck caving in and falling into the garage below, destabilizing the structure above with catastrophic results.

The condominium association had apparently been aware of the structural issues for some time. A 2018 engineer's inspection revealed a "major error" in the construction of the pool deck and that the waterproofing below it was beyond its useful life, causing severe water deterioration in the surrounding concrete. A building maintenance manager had also reported an infusion of salt water, which is known to cause concrete to break away from reinforcing steel. Another report showed the building had been sinking during the 1990s at a significant rate of about two millimeters per year. Only a month before the collapse, the unit owners had approved a \$15 million program of remedial work, but it had not yet begun on the worst areas. A unit owner has already filed a \$5 million class-action lawsuit against the association accusing it of negligently failing to prevent the collapse or warn the victims.

This tragedy has been a wake-up call for condominiums across the nation. Buildings constructed in the 1970s and 1980s are now decades old, and their age is increasingly apparent. Major repairs and improvements which have been deferred for financial reasons can no longer be ignored – residents, purchasers, insurers, and municipal authorities will simply not allow it, for good reason. What should associations be doing right now to prevent another tragedy?

Obviously, the most important thing is to stop deferring critical maintenance. If your association has been putting off major repairs, especially relating to foundations, support structures, or roofs, the time has come to start them. Even if problems have not previously been recognized, there may be warning signs that such work is needed. Visible red flags include cracks in walls and window glass, sloping floors, rusty girders, insect and vermin damage, blistering paint, and improperly-closing doors and windows. Drainage, puddling, and evidence of water penetration like staining and mold must be thoroughly investigated, particularly in seaside communities. Other problems can be harder to detect, so boards should consult with experts like engineers and town building officials to find and correct any structural issues, code violations, and dangerous conditions. Rule enforcement



Ben Slater/Stock/Getty Images Plus

*"If your association has been putting off major repairs, especially relating to foundations, support structures, or roofs, the time has come to start them."*

may also be needed against individual residents who put others at risk by failing to properly maintain and update their unit's major appliances and utilities systems.

Associations should also regularly conduct and update a reserve study, which is a comprehensive analysis of a condominium's physical facility and the anticipated cost of keeping it in satisfactory condition over the course of its serviceable life. The experts who provide this service can identify current problems, predict future ones, and advise how to budget for them over the long term. Of course, every condominium's annual budget should set aside significant funding for reserves and capital projects. If specific projects will be funded with loans or special assessments, follow the proper legal procedures for doing so.

When work is being performed, select contractors carefully and don't cut corners. Insist on adding clauses to their contracts which obligate them to notify the board if they discover any structural issues or risky conditions, even if not caused by them. In accordance with your community's governing documents, do not allow unit owners to hire unlicensed or unqualified contractors for unit renovations which

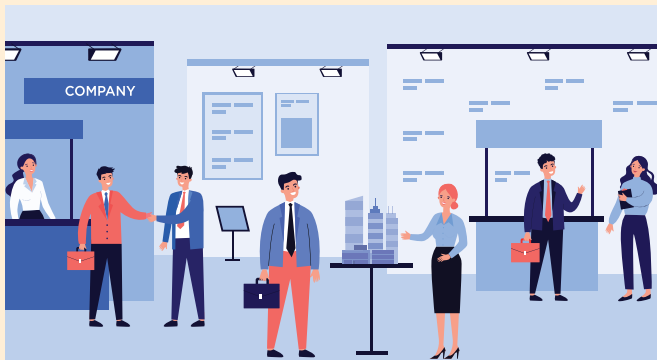
might harm common elements. Keep good records of building designs and modifications, repair and inspection histories, nearby topography, and all expert reports and recommendations.

Associations and unit owners should also consult with their insurance advisors to confirm they have adequate coverage in the event of a loss. A structural collapse would generally be covered under a property policy, and litigation over one should be covered under liability and directors' and officers' policies, but the details can vary significantly. A major structural failure – especially one causing injuries or fatalities – could exhaust coverage very quickly, leaving the association on the hook for the difference.

The time to repair our aging condominiums has come. While no one wants to open their wallets, being too short-sighted now could be very costly – or even deadly – later on. ■

*Adam J. Cohen is an attorney with the Law Firm of Pullman & Comley, LLC headquartered in Bridgeport, Connecticut. As the Chair of its Community Associations Section, he represents and gives seminars to condominiums, tax districts, and other communities in matters ranging from amendments of governing documents to revenue collection strategies and commercial disputes.*

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## Financially Speaking...



Daniel Levine, CPA

### Expense Classification

By Daniel Levine, MBA, CPA

Recently, we have gotten a fair number of questions about expense classifications. As many readers know, an association's financial statements are broken down into different funds. These funds are set up to achieve different goals of the community. Typically, associations will have two primary funds: an operating fund and a major repair and replacement fund (also called a reserve fund).

The operating fund is there to fund day-to-day maintenance of the common elements while the major repair and replacement fund is used for large capital projects such as roofs and roads. However, there are times where a large project comes up that doesn't fit neatly into either category. Since the bill still needs to be paid, the question becomes which fund should pay for it. This article will look at this question and provide guidance on how an association's board can go about deciding how to classify a project.

#### The Theory

Unfortunately, the answer to this question will not be a black and white one. Under generally accepted accounting principles there is no specific rule or guide that lays out when an expense can be operating or reserve. There are simply too many expenses that can happen to be able to have a codified list.

While this does make determining where an expense be classified more difficult, this doesn't mean that there isn't a set of principles that can be used to create a framework to determine a transaction's fund classification.

The decision to charge the operating or reserve fund an expense can be based on the following factors:

- State statutes
- The association's governing documents
- How an expense is classified when the community approves its annual budget
- Review of the association's reserve study
- The details behind the expense

#### State Statutes:

- State laws are the de facto rules that must be followed. An association should start here to see if there are any provisions that prohibit an allocation of an expense to either operating or reserve. If there is, then the association will have its answer on how to account for the expense.



AndreyPopov/Stock/Getty Images Plus

*“Since the bill still needs to be paid, the question becomes which fund should pay for it.”*

#### Governing Documents:

- If there are no state statutes that mandate allocation of expenses in a certain way, the next step an association should take is to review their governing documents. These documents differ from community to community but typically highlight what an association is responsible for when it comes to repairs. Some documents may include language as to the purpose of the reserve or operating fund and for what expenses each fund is responsible.

#### Approved Budget:

- If there is no guidance in the previous examples, an association can turn to its community ratified budget. As this document is approved annually by the community and has a breakdown of expenses, it should be a guiding example for how to classify costs. If something is classified as a major repair and replacement expense it should be a part of that fund as this is what the community ratified. This is helpful for anticipated expenses but may not provide enough guidance in the case of an unanticipated expense. When facing an unanticipated expense, the association should consult the previous two options as well the next two.

[Continues on page 10.]



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**FINANCIALLY SPEAKING...from page 8.**

**Reserve Study**

- When facing an unanticipated expense that isn't governed by the documents or state statutes, as well as isn't contained in the approved budget, the association should consult its reserve study. This document is designed to show the capital components of an association and build a savings plan towards being able to conduct the repairs. If the expense that the association is looking to classify is contained in the study and of sufficient scope, there is a stronger argument that it should be classified as a reserve fund item and to use the funds that have been contributed for the repair to conduct it.
- However even if an expense isn't part of the study, it can still be determined to be a reserve fund item based on other qualifying items or based on the board's decision. In these cases where an expense isn't part of the reserve study but still deemed a reserve fund expense, the association should be wary of drawing down on funds that currently were being saved for other projects. Drawing down on unanticipated projects can lead to shortfalls for planned projects in the future. An association may want to consider instead an interfund loan to cover the expense or increasing future contributions to help keep the reserve on track to meet capital repair needs.

**Details of the Expense**

- If the above options don't provide enough guidance to decide how to classify an expense an association can use the details of the transaction to help better understand its classification.
  - Does the repair have a long useful life? For example: repairing a retaining wall vs. patching some sheet rock. The retaining wall has a much longer useful life than a sheetrock repair and as a result could be considered more of a reserve cost.
  - What is the size of the repair? When having multiple transactions of a similar expense, the scope of work can also help guide the classification of the expense. The example here is general shingle repairs vs. an entire roof replacement. Smaller scope repair work generally falls under day-to-day operating costs while a full roof repair has a better argument to be considered a reserve fund expense.

**Other considerations**

While the above provides a good framework for analyzing costs, there is additional guidance the association can use to determine costs and one example is how the Internal Revenue Service (IRS) would consider a project. These rules affect the tax treatment of a transaction vs. how it should be presented in the financial statements but can still be used in general as a guide.

For tax purposes the IRS has certain definitions to capital items and there can be a distinction between what the IRS considers a capital

*[Continues on page 30.]*



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Approved for 4  
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Virtual location:  
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## Scheduling conflict?

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## 12:30 PM - HOPIN VIRTUAL VENUE OPENS

12:30 PM - Visit with fellow attendees in one of our Conversation Cafés

## 1:00 PM - WELCOME

Scott J. Sandler, Esq., CCAL - *Sandler & Hansen, LLC* –  
*Chair Legal Symposium Committee*

## 1:05 PM - LEGISLATIVE UPDATE

Chas A. Ryan, Esq. – *Pilicy & Ryan, PC* –  
*Chair Legislative Action Committee*

## 1:20 PM - SESSION A

### 1. Every Community has one: who is the troublemaker in yours? How to prevent the 1% from controlling the 99% in Communities

**Speaker:** Andrea Dunn, Esq. - *Bender, Anderson and Barba, P.C.*

This presentation will focus on how the board of directors and property managers can set themselves up with the proper procedures and tools in dealing with problem unit owners. We will discuss appropriate handling of complaints, maintenance requests and rule violations from unit owners that can be abusive, confrontational and constantly threaten litigation. We will also consider the common pitfalls that board members often fall into: unprofessional responses, name calling, using email to vent, etc. that often lead to lawsuits and complaints with various agencies.

### 2. The Surfside Collapse — Is it Time to Freak out?

**Speakers:** Michael Feldman, Esq. and Kelly Freitas, Esq. -  
*Feldman, Perlstein & Greene, LLC*

Russ Fernandes, RS - *Becht Engineering, BT, Inc.*

The devastating high rise condominium collapse at Surfside, Florida was a wake up call for people responsible for preserving the struc-

tural integrity of buildings. Property managers and association board members need to be vigilant in taking steps to protect property. This presentation will address:

1. Maintenance and inspections needs, including failure modes and the scope and timing of inspection for various types of buildings;
2. Financing repairs through reserves, special assessment, loans and litigation;
3. Board responsibility and liability;
4. Decisions and communication with unit owners regarding safety;
5. Liability for construction defects; and Liability for catastrophic collapse.

### 3. “Granny Dumping”

**Speaker:** Gregory McCracken, Esq. -  
*Jacobs, Walker, Rice & Barry, LLC*

Many associations have experienced situations where older owners move into associations as a perceived alternative to independent or assisted living developments. The following issues will be covered:

1. What is “granny dumping” and similar arrangements?
2. What makes them especially problematic and what are the issues that are likely to arise with them?
3. Legal options for association to enforce governing documents concerning them, as well as limitations.
4. Practical suggestions and resources for handling the issues.

## 2:15 PM - BREAK

**2:20 PM - SESSION B****1. Smoking/Pot Legalization & Restrictions & Fires****Speakers:** Chas A. Ryan, Esq. - *Pilicy & Ryan, PC*Karl Kuegler, Jr., CMCA, AMS, PCAM - *Imagineers, LLC*

Karl and Chas were very involved in a \$17M fire in Norwalk which left 100% of the owners displaced. For over 18 months they worked endless hours to address not only the building damage but more importantly, to help the owners. Fires are extremely personal and have an impact that expands far beyond the studs of the homes. Karl and Chas are working on 2 fires that occurred in 2021. In all 3 cases, a cigarette was the cause. From dealing with the initial call, coordinating with the Red Cross, working with Town Officials, assisting owners retrieve items, helping owners understand their responsibilities, to drafting restoration contracts, working with insurance adjusters, interior decorators and the coordinating final move in, the hands-on experience is invaluable. In addition, there are a number of tools available to help reduce smoking both within Units and in the Common Elements. They will also discuss the legalization of marijuana with respect to community associations.

**2. Minutes****Speaker:** Ron Barba, Esq. – *Bender, Anderson & Barba, PC*.

Minutes are a record of what was done at the meeting NOT what was said by members or guests. Minutes are not intended to be meeting transcripts. We will discuss what to include and what NOT to include.

**3. Capital Projects/Association Loans/Reasonable Reserves****Speaker:** Bill Ward, Esq. - *Ackerly & Ward*

All three are interrelated and cannot be separated especially given the tragic events at Surfside in Miami. This is an opportunity to delve into why it's important to be proactive in planning for capital improvements and ensuring that the proper financial resources are available.

**3:15 PM - BREAK****3:20 PM - SESSION C****1. D&O and Cyber Liability — Keeping Your Association Out of Trouble****Speakers:** Carrie Mott & Dave Pilon, CIRMS - *Bouvier Insurance*

Dave and Carrie will present a riveting discussion on D&O and Cyber Liability coverages and what all associations need to be on the lookout for with these two valuable coverages along with why Cyber Liability is becoming a hot topic even for community associations. They will provide claims scenarios to enhance the discussion on the importance of having both the right D&O and Cyber Liability coverages to protect associations, their boards and community members.

**2. Noise and Noise Control Rules and Ordinances****Speakers:** Brian R. Smith, Esq. and Charles Janson, Esq. - *Robinson + Cole, LLP*

With so many people working from home during the pandemic, noise issues have been on the rise. What can a condominium board do to manage the complaints? This presentation will discuss:

1. Noise issues that arise within or adjacent to CIOA communities;
2. Summary of Connecticut law on Noise;
3. Examples of Noise regulation provisions drafted for CIOA communities;
4. Noise control mitigation techniques; and
5. Real life examples of the success or failure of enforcement efforts.

**3. Association's Toolkit: Rules, Policies, and Resolutions that Most Associations Must Have****Speaker:** Scott J. Sandler, Esq., CCAL - *Sandler & Hansen, LLC*

Having the proper tools makes it easier to get any job done more effectively. This session will discuss collection and foreclosure policies; maintenance standards; installation of satellite dishes; and the three Ps (pools, pets, and parking), etc.

**4:15 PM - BREAK****4:20 PM - CIVILITY IN CONDO GOVERNANCE**

**Panel:** Andrea Dunn, Esq. - *Bender, Anderson & Barba, PC*  
Karl Kuegler, CMCA, AMS, PCAM - *Imagineers, LLC*  
Scott J. Sandler, Esq., CCAL - *Sandler & Hansen, LLC*  
Mark Sperry - *Fernwood Estates*  
Rich Wechter, CMCA - *Westford Real Estate Management*

Angry homeowners? Hostile attendees at meetings? Local school boards as well as condo boards are experiencing an increase in the volatility at their meetings. How can we encourage more civil discourse in our communities? Our experienced panel will discuss techniques for bringing the temperature down and manging meetings.

**Website Insight**

By Ellen Felix

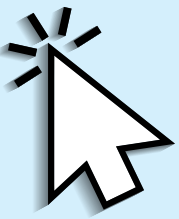
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## LEGAL SYMPOSIUM SPEAKERS



**Ronald J. Barba, Esq. — Bender, Anderson & Barba, P.C.** Ron graduated from the University of Connecticut in 1991 with a Bachelor of Science in Economics. He obtained his law degree from the Quinnipiac College School of Law in 1994. Attorney Barba's practice has focused on common interest ownership law, construction and commercial litigation, commercial and residential real estate and landlord/tenant law. He is a member of the Connecticut, Federal and Supreme Court Bars, and is also a member of the Real Estate Section, Litigation Section and Insurance Section of the Connecticut Bar Association and Connecticut Trial Lawyers Association. Ronald Barba has presented countless seminars for continuing legal education providers as well as clients.



**Andrea Dunn, Esq.— Bender, Anderson & Barba, P.C.** Andrea graduated from Western Michigan University in 1996, with a Bachelor of Arts in Philosophy, cum laude. She is a member of the Golden Key National Honor Society. She attained her law degree from Quinnipiac University School of Law in 2001. Her practice has focused on litigation in the areas of creditor's rights, collections, contracts, foreclosure, landlord-tenant and community association common interest ownership law. She is a member of the Connecticut Bar Association and a member of the CAI Connecticut Legislative Action Committee, also serve on the Legal Symposium Task Force.



**Michael Feldman, Esq. — Feldman, Perlstein & Greene, LLC** Michael has been practicing in the area of civil litigation since his admission to practice in 1981. In 1994 he became board certified as a Civil Trial Advocate by the National Board of Trial Advocacy. Mr. Feldman has been elected a "Super Lawyer" by the Connecticut Magazine since 2007. Michael Feldman has handled a wide range of condominium and construction litigation and has spoken on such issues at state and national conferences.



**Russ Fernandes, RS — Becht Engineering, BT Inc.** Russ is a Principal and Senior Vice President at Becht Engineering and has been with the firm for more than 30 years. Russ has investigated many construction defect cases and continues to serve as expert witness on a variety of construction related matters. Russ is a graduate of Rutgers University in NJ and is a certified International Code Council (ICC) Building Inspector, Mechanical Inspector and a Building Plans Examiner as well as a CAI designated Reserve Specialists (RS) and is a Past President of the New Jersey Chapter of CAI.



**Kelly Freitas, Esq. — Feldman, Perlstein & Greene, LLC** Kelly received her undergraduate degree from University of Vermont (B.A., 2004), and graduated from University of Connecticut School of Law, cum laude (2008). She joined the firm in September 2009. Kelly focuses her practice on civil litigation, representing both plaintiffs and defendants at trial and appellate levels in construction defect claims, insurance matters, collection matters, contract and business disputes, personal injury claims and premises liability matters. She has extensive experience representing condominium associations in construction defect litigation, unit owner disputes, contract disputes, insurance coverage issues, and defense of property damage and personal injury matters.



**Charles Janson, Esq. — Robinson + Cole, LLP** Charles has nearly four decades of experience assisting public, private, and non-profit organizations with their development goals. He focuses his practice on common interest community law, real estate transactions and financing, and title work. Charlie also handles land use restrictions and opportunities adjacent to historic sites. He is a member of the firm's Real Estate + Development Group.



**Karl Kuegler, Jr., CMCA, AMS, PCAM — Imagineers, LLC** Karl has been a member of the community association management staff at Imagineers, LLC for over 25 years serving the last 14 years as its Director of Community Association Management. As an involved member of CAI-CT, he has served in several capacities including his current roles as chair of the Conference & Expo Committee, Vice Chair of the Legislative Action Committee, committee member for the Legal Symposium Committee, and a member of the CAI Connecticut Board of Directors. He was the recipient of the CAI-CT 2016 Community Association Executive Award. Karl appreciates the opportunity to serve the needs of community associations as they look to govern and address the needs of their communities. Karl has obtained the CMCA, AMS and PCAM industry related designations.



**Gregory W. McCracken, Esq. — Jacobs, Walker, Rice & Barry, LLC** Greg is a partner at Jacobs, Walker, Rice & Barry, LLC. His practice emphasizes common interest community law and land use, planning, and zoning law. He represents community associations and developers, and he advises property owners and other lawyers. Greg is a frequent speaker for CAI-CT and has given presentations on the Common Interest Ownership Act for CBA and HBRA-CT. Greg is a graduate of the University of California at Davis (B.A., Linguistics, 1985), the University of the Pacific, McGeorge School of Law (J.D., with distinction, 1993), where he served on the board of editors of a journal of international law and on the international moot court competition team, and the University of Illinois (M.U.P. 2000). He is a member of Phi Beta Kappa and the Order of the Coif. He Received the American Institute of Certified Planners Outstanding Student Award. Greg has been named to the Connecticut Super Lawyers® list in the area of Real Estate from 2009 to date. Greg is currently a member of the CAI Connecticut Board of Directors.



**Carrie Mott — Bouvier Insurance** Carrie is an Insurance Advisor with Bouvier Insurance with 24 years of experience focused on community associations. She is an active member of the Connecticut Chapter of CAI and presently serves on the Education Program Committee, the Conference Committee and several of the Events Committee programs. She is also a member of the CAI Connecticut Board of Directors. Carrie often educates Managers, Board Members and Unit Owners regarding coverage differences between the association master policy and unit owner’s policies and the coverages needed for both to ensure proper coverage in conjunction with the Common Interest Ownership Act.



**Dave Pilon, CIRMS — Bouvier Insurance** Dave has been with Bouvier Insurance for over 17 years and serves the insurance needs of over 200 community associations throughout southern New England & New York. A former CPA, Dave has earned CAI’s Educated Business Partner credential and is a member of the CT chapter’s Legislative Action Committee.



**Chas A. Ryan, Esq. — Pilicy & Ryan, P.C.** Chas represents Common Interest Communities throughout Connecticut. He is an active member of the Connecticut Chapter of CAI and presently serves on the Board of Directors, Education Program Committee, the Conference Committee, and is the Chair of the Legislative Action Committee. Attorney Ryan often educates Managers, Board Members and Unit Owners regarding the CIOA and other areas of law affecting Common Interest Communities.



**Scott J. Sandler, Esq., CCAL — Sandler & Hansen, LLC** Scott is the managing partner of Sandler & Hansen, LLC, located in Middletown, Connecticut. His firm provides high quality legal services to condominium and home-owner associations throughout Connecticut. Mr. Sandler is a fellow of the Community Associations Institute’s College of Community Association Lawyers. From 2010-2020, he served as the chairman of the Legislative Action Committee of the Connecticut Chapter of the Community Associations Institute. He is also a member of the Institute’s Government & Public Affairs Committee. Mr. Sandler served the Institute as president of its Connecticut Chapter from 2008 through 2009. Mr. Sandler also represented the Chapter when he served on the Connecticut Law Revision Commission Study Committee, which adapted the 2008 revisions of the Uniform Common Interest Ownership Act for use in Connecticut.



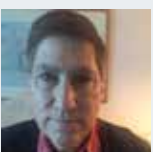
**Brian R. Smith, Esq. — Robinson + Cole, LLP** Brian concentrates his practice in land use and real estate matters, and he handles litigation related to these topics. He is the chair of the firm’s LandLaw Section. Brian represents municipalities, developers, and neighbors in land use, planning, wetland, and coastal resources issues. He regularly appears before local land use and wetland boards and commissions in Connecticut, and before state and federal permitting agencies, in order to help his clients gain the necessary approvals for their projects.



**Mark Sperry —** Mark D. Sperry is past President of Fernwood Estates Association, Inc., a 55 & Over community in West Hartford. As a retired insurance company actuary who downsized into a condominium, Mark is keenly aware of important role CAI fills in meeting the educational needs of board members as well as current and prospective unit owners. He also serves on the CAI-CT Membership Committee and also served on the CAI-CT Board of Directors from 2013-19. Mark has also participated in “Members Only” Common Interest Theater.



**William W. Ward, Esq. — Ackerly & Ward** Bill is a graduate of Fairfield University (B.A. 1978 – cum laude) and the Columbus School of Law at The Catholic University (J.D. 1981), where he was a member of the Law Review. He clerked for the Honorable C. Murray Bernhardt in the United States Court of Claims (1981 – 1983). He serves as a Special Master for the Connecticut Superior Court. He served as a member of the Board of Directors from 2013-19 and also serves on the Legislative Action Committee for CAI-CT. He was also a member of the Connecticut Bar Association’s committee, which drafted the Connecticut Common Interest Ownership Manual – Second Edition. Mr. Ward is a principal in Ackerly & Ward in Stamford, CT. and has provided legal services to community associations for over 30 years. His practice concentrates on common interest communities, common interest community developments, real estate, probate, and civil litigation.



**Richard Wechter, CMCA — Westford Real Estate Management, LLC AAMC** Rich is a Senior Vice President at Westford Real Estate Management, LLC. He serves on the CAI-CT Legislative Action Committee and is also a member of the Legal Symposium Task Force.

## Summer Sizzler – It’s Nice to Be Back!

Many people have told us that Summer Sizzler is their favorite CAI-CT event – on the water, mid-summer, great food and fun attendees. Everyone seemed to enjoy seeing one another in person after a long time.

Our education session was about lessons learned during COVID-19. There were lots of strategies shared about moving forward and not getting overwhelmed by the day-to-day responsibilities of running associations. There were certainly more than a few amusing stories told as well.

Fortunately, there was a break in the heat and humidity, so it was quite pleasant being on the veranda for food and socializing.

Our Summer Sizzler Committee helped to guide the ship to a happy shore. Thanks to our Co-Chairs: Chris Hansen, Esq. – *Sandler & Hansen, LLC* and Licia Ciotti – *United Property Restoration Services* and committee member Brian Kelly – *Bouvier Insurance*.

We greatly appreciate the generosity of our steadfast sponsors. Thank you!



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(above) Jillian Judd, Pilicy & Ryan, PC; Catherine Luciano, Connecticut Condo Connection, LLC; Janet Bennett, Sentry Management, Inc.; Chas Ryan, Pilicy & Ryan, PC; Tara Brunelle Sentry Management



(above) Frank Pingelski, Toohar - Ferraris Insurance Group & Sean Brondi, GNY Insurance



(below) Robert Mallimo, Sterling National Bank; Jennifer Zupanic, Marcy LeBanca & Karl Kuegler — Imagineers, LLC



(above) Scott J. Sandler, Esq., CCAL, Sandler & Hansen, LLC & Dave Pilon, CIRMS, Bouvier Insurance



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William Ward, Esq.

## Funding Reserve Accounts Responsibly Protects Your Community

By William Ward, Esq.

Condominium associations frequently ask what annual contribution should, or must, be made to the reserve fund. In typical lawyer fashion the answer is “it depends.” It depends upon the age of your community, the history of funding reserves, the timeline for addressing capital projects, and the willingness to commit to fiscally prudent long-term budgeting. The shocking collapse of Surfside Condominiums in Miami this summer, the increasingly aging communities built in the 60’s, 70’s, and 80’s, and the ever-present pressure from owners to maintain the lowest possible monthly common charges cause Board members to face the daunting task of determining the level of funding to achieve reasonable reserves. Many factors affect the decision and will determine whether the level of funding is fiscally prudent or kicks the can down the road to become an unreasonable burden on future owners.

Neither Connecticut nor federal law mandates the level of reserve funding. Each Association annually, however, “...shall provide to all unit owners a summary of the proposed budget, including a statement of the amount of any reserves, and a **statement of the basis on which such reserves are calculated and funded.**” See *Conn. Gen. Stat. Section 47-261e(a)(1)*. The obligation to disclose the basis for the annual contribution to reserves forces the Board to defend its decision at each annual meeting or risk the budget being rejected by the unit owners.

Fannie Mae/Freddie Mac and FHA, federal agencies providing and guaranteeing mortgages for the purchase or refinance of units, require a yearly contribution of 10% of the annual budget, or the amount determined by a capital reserve study, which usually is greater than 10% unless the Association has maintained a very stringent reserve contribution policy for many years. Failure to contribute at least 10% prevents owners/purchasers from obtaining Fannie Mae/Freddie Mac or FHA financing as well as being blacklisted by banks, which follow those guidelines in their underwriting policies.

A capital reserve study is a long-term capital budget planning tool to analyze the Association’s annual contribution to reserves for the replacement or major refurbishment of common elements such as roofs, doors, windows, roads, exteriors of buildings, painting, etc. Benefits of a capital reserve study include turning projects into predictable expenses rather than a financial surprise, reliance upon expert opinion rather than lay people, and demonstrating fiscal responsibility to potential buyers. Depending upon the size of your community expect the \$3,500 - \$5,000 investment to be well-worth the expert advice needed for the Board, and owners, to budget prudently for the long-term health of the association’s common elements.



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*“Responsible Board members, acting in good faith for the benefit of the entire community by funding adequate reserves, are fulfilling their fiduciary responsibilities...”*

Most condominium owners sell their unit within eight years and, therefore, resist funding reserves since they will not be living in the community when the major capital project is needed. Landlords are focused on cash flow and profit rather than the long-term value of the community. Board members more concerned about being re-elected than the financial realities that are unavoidable in the long-term all contribute to underfunding reserves. David Haber, a Florida attorney in a New York Times Op Ed on July 29, 2021, commenting upon condominiums failing to fund adequate reserves stated: “(a)ll of this speaks to an unfortunate reality: For far too long, condominium owners have, in essence, eaten at the table and then left the restaurant, moving on and leaving subsequent owners to pay the bill for delayed maintenance that should have been paid for long ago when the tab was run.”


Underfunded reserves negatively affect the community in one, or more, of the following ways:

- A. Reduces the resale value of units. Purchasers will negotiate lower prices or seek a community with reserves adequately funded.
- B. Prohibits owners and purchasers from obtaining mortgages including Fannie Mae/Freddie Mac and FHA.

- C. Unexpected special assessments, which cause undue financial hardship especially on owners with fixed incomes.
- D. Increases the cost of the project since prices only increase.
- E. Increases the annual maintenance and repair costs for the upkeep of deteriorated capital items.
- F. Inability to pay an unexpected major expense such as an unexpected insurance deductible, boiler breakdown in the winter, etc.

Obtain, and rely upon, a capital reserve study to educate everyone and defend the level of funding to your reserve account. The short-term benefit to current owners by underfunding reserve contributions will only increase the pain suffered by the future owners as well as some of the current owners. Responsible Board members, acting in good faith for the benefit of the entire community by funding adequate reserves, are fulfilling their fiduciary responsibilities and protecting everyone's current and future value of many owner's most significant investment. ■

*William Ward, Esq. is the Owner of the Law Firm Ackerly & Ward. Bill is a frequent speaker at CAI-CT education programs. Bill served on the CAI-CT Board of Directors and is currently a member of our Legislative Advocacy Committee and Golf Committee.*




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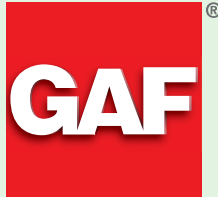
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## Golf 2021

Our Annual Golf Tournament was moved back to June this year. We had nearly one hundred participants. Despite a looming major thunderstorm, our golfers made it off the course and got to unwind under the tent and be home with their Lyman Orchards pie before the skies opened up. Everyone was in great spirits and seemed to be thoroughly pleased to be outside enjoying a day on the links. We are extremely grateful to our loyal sponsors, without whom we could not have such a terrific event!

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(above) Howard S. Rosenberg Esq. — Rosenberg & Rosenberg, P.C  
& Robert Burrows, PCAM — Imagineers, LLC



(above) Licia Ciotti — United Property Restoration Services  
& Jean Craemer — FCB Insurance Services, Inc.

**Our wonderful Golf Committee kept things humming and worked diligently to make certain the event was a success. We appreciate all of their time and energy!**

Carrie Mott, EBP, Chair - *Bouvier Insurance*

Jim Torello - *BELFOR Property Restoration*

Rick Torello, EBP - *BELFOR Property Restoration*

Howard Rosenberg, Esq. - *Rosenberg & Rosenberg*

Michael Famiglietti, CMCA - *CM Property Management*

Ron Barba, Esq. - *Bender, Anderson & Barba, P.C.*

Frank Pingelski, EBP - *Toohr - Ferraris Insurance Group*

Anissa Smith - *Reficio Company*

Bill Ward, Esq. - *Ackerly & Ward*

Scott Girouard - *BrightView Landscape Services*

**Save the date for our 2022 tournament:  
June 23, 2022!**



(above) Geoff Knapp; Frank Pingelski — Tooher-Ferraris Insurance Group; Brad Barcusky & Jayme Dorr — Philadelphia Insurance



(above) Teresa Mannello & Carrie Mott — Bouvier Insurance



(above) Jack Greenhouse, Walter Palma — Plaza Realty & Management Corporation; Kurt Sullivan, Devin Lupinacci



(left) Jessica Ruggiero & Melissa Selcohan — Westford Real Estate Management, LLC, AAMC

(below) Jim Torello, Chris Hinginger, Jeff Cody, Marc Mitchell — BELFOR Property Restoration



(left) Chas Ryan, Esq. — Pilicy & Ryan, PC & Alan Barberino, CMCA — Alan Barberino Real Estate, LLC



**MORE PHOTOS ON  
THE NEXT PAGE...**

## GOLF...continued from previous page.



(above) Ron Barba, Esq. — Bender, Anderson & Barba, PC; Walt Spader; Norm Goodman — Goodman Properties and Joe Perrelli



(above) Dave Messier; Mat Lisee; Paul Gray — Certa Pro Painters of Mystic-Glastonbury & Josh Parsons — Sound Real Estate Services, LLC

(below) Wayne Dow — JGS Insurance / Preferred Property Program, Scott Boos, Jeff Lin, Marc Scacciaferro



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## Manager's Column...



Rich Wechter, CMCA

# Being Practical, Part LXXII Community Unity in the Aftermath of the Covid-19 Crisis

By Rich Wechter, CMCA

In this column, we tackle various topics of interest with the intent of imparting practical advice. In this issue's column, we follow-up our last article regarding the need, in the aftermath of the Covid-19 crisis, for Board unity, with a look at re-establishing Community unity at community associations. The isolation that many of us have experienced over the last year and a half along with divisions in our society regarding the Covid-19 crisis among other matters, has placed enormous pressure on community associations to stay strong and unified. Many residents have gone "underground" during this health crisis and have not surfaced for anything or anyone. The continuing Covid-19 health crisis as a result of the recent delta variant surges here in CT and throughout the country are increasing the social isolation of many community association residents. While Zoom meetings initially increased the level of participation by unit owners, the level of unit owner participation has plateaued, and, in some cases, begun to lower toward pre-pandemic levels. Once the board and unit owner meetings have concluded, unit owners retire to their individual units and have little or no interaction with other residents. We hope to briefly explore this topic in an effort to help Boards and property managers of community associations restore unity and purpose to their respective associations.

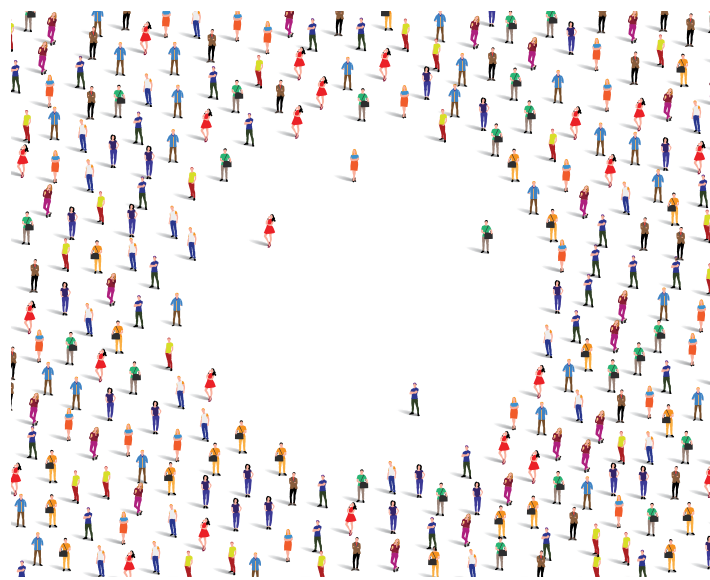
### A. Setting the Table on this Topic

The late President John F. Kennedy, in one of his immortal speeches noted that "Our most basic common link is that we all inhabit this planet. We all breathe the same air. We all cherish our children's future. And we are all mortal." The Covid-19 health crisis may have physically separated us, but we are still part of a "global unit," however small that is, and have more in common with each other than that which separates us. That which knocks us down just makes us stronger. While that is a long-standing cliché, it still has meaning today, especially in the context of community associations. As noted by Tom Hanks in *A League of Their Own*, "If it were easy, everybody would do it. Hard is what makes it great." Community association residents have within themselves, the ability to rise above this social isolation and unify, no matter how hard it is to do so.

### B. Examples of the Lack of Community Unity

We offer a few examples of the lack of Community unity:

1. Reduced participation in board and unit owner meetings.
2. Failure or excessive delays in providing information to the association or complying with association safety and information programs.



*"Community association residents have within themselves, the ability to rise above this social isolation and unify, no matter how hard it is to do so."*

3. Unwillingness to utilize common amenities that have reopened, albeit with restrictions and limitations.
4. Avoiding neighbors while out on the common elements.
5. Lack of interest in other residents' lives and interests.
6. Absence of any desire to help out fellow residents. Examples of this include an unwillingness to take in mail or check on a neighbor's unit while they are away.
7. Breakdown in rules compliance.

### C. How to Get Back Community Unity

We offer a few suggestions for community associations to regain unity that they had pre Covid-19:

1. Push for unit owner participation at unit owner and board meetings through creative and persuasive communications from the board and management company.

[Continues on page 26.]



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MANAGER'S COLUMN...from page 24.

2. Stress the importance of compliance with association safety and information programs and rules. Consider creating videos to go out to community residents on various subject matters.
3. While maintaining control over the use of common amenities during this health crisis, encourage safe use of common amenities.
4. Develop and run community activities such as ice cream truck socials, weekly food truck visits with various food themes, and outdoor sporting activities both on the property (badminton/volleyball) and off property (golf outings).
5. Support the establishment of walking groups (with or without dogs).
6. Reach out to all residents (especially senior residents) and inquire about individual needs of residents. Look for residents willing to help out a neighbor.
7. Encourage the establishment of social clubs (cards, book reading and review, current event discussion). Create neighborhoods within a community neighborhood.

*“Reach out to all residents (especially senior residents) and inquire about individual needs of residents.”*

**C. Conclusion**

As we noted in our last article, we would be quite naïve to think that Covid-19 is the sole cause of a breakdown of Community unity. However, the last year has brought us challenges that we could never have imagined both in the society at large and in the world of community associations. No community, including community associations, is immune to these challenges. We do, however, strongly believe that Boards and property managers can rise to the occasion and lead their respective associations to regain the unity that they had before we ever heard the term Covid-19. We hope that this article will aid association Board members in this effort. ■

*Rich Wechter, CMCA is Senior Vice President at Westford Real Estate Management, LLC. Riche serves as a LAC Delegate and a member of the Legal Symposium Task Force.*

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**Condo Owner Asked to Get “On Board” With Building Foundation Repair**

**D.L. from Middlesex County writes:**

Dear Mister Condo,

I am having an on-going problem with our property manager and the Board. My unit needs a repair that is clearly an HOA responsibility (an issue involving the building foundation). The Connecticut General Statutes are clear and unambiguous that the HOA is responsible for the repair. Relevant past history — I began requesting this repair in 2017, and the property manager has been dragging his heels until I “lawyered up” in March 2019. The latest development is that the Board and the property manager are agreeing to the repair PROVIDED that I sign an agreement indicating that I am “on board” with the selected contractor. I have absolutely no idea where this is coming from. Furthermore, this is unprecedented. I have previously served multiple terms as a Board member, and am a past Board president. I am very familiar with how repairs are handled, and have NEVER heard of a unit owner being coerced into signing an agreement in order to have a repair made. I am not aware of anything in Connecticut condominium law that allows a Board or a property manager to attach a condition to a common element repair — which — the HOA is legally mandated to assume responsibility for. Your thoughts please.

**Mister Condo replies:**

D.L., as I always begin such an opinion... I am not an attorney and offer no legal advice in this column. While I have never heard of such a thing as a person being “on board” with a repair, if the Board is asking you to sign an agreement you would be best advised to seek legal counsel before you do so. I can’t imagine this heading to court and the association attorney producing a document that states you claimed to be “on board” unless you were actually setting sail on a ship! I am awfully sorry that you have a foundation problem. There have been many in Connecticut and associations found themselves scrambling because the problem typically surfaced long after the developer was absolved from any responsibility. I hope you get your repairs done to

*[Continues on page 30.]*

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**FINANCIALLY SPEAKING...from page 10.**

item vs. something that is defined as “non-routine maintenance.” The example that is frequently mentioned are painting projects. While this type of work can be done infrequently the cost can a sizable amount when undertaken and as a result may seem like a capital project. Despite those characteristics however, the IRS in their view, does not consider this type of work capital. The reason for this is because it doesn’t represent new buildings construction or permanent improvements that increase the value of the property and therefore painting projects in their view are considered non-routine maintenance. There is an argument then that a non-routine maintenance project should be paid for out of operating costs based on the tax treatment of the project.

However, the IRS is not an authoritative guidance on generally accepted accounting principles and as a result using just the IRS view of a transaction may not accurately reflect how to record a project for financial statement purposes. This type of analysis can become quite complicated and as a result may take more time in analysis than any of the previously mentioned steps but is an option for associations to use.

**Conclusion**

Association accounting can have very complicated aspects to it. Accounting for transactions between the multiple funds an association has can be one of the most difficult. When encountering unanticipated work, whether it be tree work, painting, or an insurance claim, the board should make sure to determine that these expenses are allocated to the correct fund. While the board has some latitude in this decision and there isn’t a specific accounting provision mandating certain classification, the board should have a consistent framework in analyzing transactions and how they are being allocated. ■

*Dan Levine, MBA, CPA is a Certified Public Accountant at Tomasetti, Kulas, And Company P.C. Dan has extensive experience with tax and attestation services to condominium associations from all around Connecticut. Dan is an active participant in CAI-CT related programs and can be found presenting accounting best practices at these events throughout the year. Dan is also a member of our At Large Legislative Advocacy Committee and serves on the CAI-CT Board of Directors.*

**ASK MR. CONDO...from page 26.**

your unit and that they are done to the satisfaction of all involved, “on board” or otherwise. Good luck!

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Mike Lesko

## When It Rains, It Pours: Legacy Stormwater Infrastructure is Putting Connecticut at Risk

By Mike Lesko

Extreme flooding could become the new normal for Connecticut. In early June, the official weather station at Windsor Locks had already measured twice the normal rainfall months before the height of the tropical storm season. The trend continued with July 2021, becoming one of the wettest July's on record for the state. By the end of the month, water management systems across the state could not keep up with the runoff volume. When this happens, parking lots flood, properties erode and local watersheds can become polluted by untreated stormwater runoff.

This is not unique to Connecticut. Stormwater systems throughout the United States are feeling an increase in pressure. The American Society of Civil Engineers (ASCE) released a 2021 Report Card evaluating the United States' stormwater infrastructure. Following the standard school letter grading system, our nationwide network of private and public stormwater systems received a disheartening D grade. This grade was assigned due to the growing annual funding gap leaving aging assets underperforming as climate change projections and water quality regulations continue to strengthen.

Aging and underperforming stormwater assets are a severe threat to property owners. The average stormwater system has a lifespan of 50 years, making infrastructure installed at the dawn of the Clean Water Act nearing the end of life. However, legacy systems are not alone in their risk. Historical data no longer offers an accurate estimation of stormwater capacity requirements due to climate change's impact on the frequency and severity of storms. Many systems designed based on historical data are now drastically undersized for the stormwater needs of their site. Current urban flooding trends and future trajectories show an increase in impact for these various reasons.

Connecticut and the entire Northeastern region of the United States face an even greater aging stormwater infrastructure risk due to high land value-driving many properties to install underground stormwater systems. Underground infrastructure, tucked below the ground, is nearly impossible for a bystander or property manager to identify potential cracks, clogs, or other problems until it is too late. Instead, proper stormwater inspections by a professional are required to gain a full understanding of the system's condition. Failure to properly inspect systems could leave problems unaddressed until they surface, literally. When these problems do surface, they often arise as costly failures, environmental threats, public safety risks.

Sinkholes are a dangerous consequence of aging underground stormwater infrastructure. Age and wear could lead to structural defects in piping or other utility infrastructure wear could reduce structural integrity. If a system's infrastructure is destabilized, the system could implode, exposing the hollow inside of the pipe in the form of a sinkhole. These collapses are extremely dangerous and should only be approached by



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*“Aging and underperforming stormwater assets are a severe threat to property owners.”*

a professional. In addition, a seemingly small surface opening may not reveal the entire subsurface cavern. Sinkholes also pose an environmental risk because they compromise stormwater systems, often diverting water to an unintended area leading to excessive erosion. Eroded materials are easily carried downstream, which is why sediment is one of the most common stormwater pollutants in our waterways.

Urban flooding and flooded parking lots are other common tales of aging infrastructure. These systems require frequent routine maintenance to maximize storage capacity to minimize the threat of flooding. If systems are neglected, clogs and trash may reduce volume capacity or completely compromise system function. For example, a clogged catch basin can redirect thousands of gallons of stormwater away from stormwater systems, collecting trash, debris and oil before running untreated into the environment or flooding parking lots.

Addressing aging underground stormwater infrastructure poses unique challenges. Built underground, replacing and updating systems is no easy — or cheap — feat. Smaller, routine investments in a preventative stormwater maintenance plan can extend the life of your stormwater system, making you an environmental steward investing in your local community, all while protecting your property. Establishing routine maintenance and inspections with stormwater professionals ensures your system continues to operate at its intended capacity and can even extend the life span of your system. Climate change will continue to influence runoff quantities and, in turn, our efforts to manage stormwater. Prepare for this future by investing in stormwater management best practices before your property requires emergency services. ■

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