

4/29/26

Dear Members:

Despite my efforts to revise a previous commitment the very short notice provided for tonight's mtg will not allow me to attend this evening's mtg.

While I am unable to attend I would have welcomed the opportunity to discuss the proposed authorization by the BOG to provide the shared project' contractors with a "Notice to Proceed" and to allow the President to sign such documentation.

If I was able to attend this evening, or if you "table" this item (I am likely available any evening next week) until all members of the BOG (including the two BOG members who are also on the WPCA) tonight could attend, I would offer items/topics such as listed below for your consideration and welcome a public discussion and sharing of opinions/views before taking a vote on this matter.

- A. We do not have any written documentation from the state re: a commitment of CWFs to the project - in fact our application(s) for CWFs have either not yet been submitted and/or been completely reviewed & approved by the state...
- B. We have no understanding yet of the final project written agreements (including wording & requirements) which the state will ultimately provide us relative to this project (IFO conversion, CWFs, \$15 million loan...), or what Bond Counsel will "sign off" on.
- C. What if the contractors are issued a "Notice to Proceed" and then determine that their supplier costs have potentially increased? If we have provided the contractors with a "Notice to Proceed" but have not received CWFs - what is the plan to approve such changes?
- D. What are our legal obligations/concerns toward the project contractors if a "Notice to Proceed" is issued by all of the beaches/OLSBA, prior to the availability of CWFs?
- E. Does the proposed action for tonight's mtg provide an appropriate "protection" for our Association's members?

While I understand the potential of costs rising while waiting a few more weeks/months for the final state approvals and making the CWFs available - couldn't one say the same thing anytime since this project was first voted on by OLSBA in 2012 (14 years ago..)?

- F. Having attended the April 21, 2026 project meeting with DEEP I was of the impression that the usual process was that the availability/releasing of CWFs was tied to state approval of the CWF applications & final agreements - which per my own project timeline is a few months away.

I understand at the meeting some state officials were implying that the CWFs were available...my mtg notes from this meeting also noted that there was also a disclaimer statement made by one state official that no one leaving the mtg should actually quote the DEEP officials present as actually having publicly committing the CWF funds.

G. I am not sure if the revised "Table 4" prepared for the "Shared" project include all potential project costs (i.e. final costs for the two bridge crossings on Rt. 156 and future paving on RT 156 - I know we have previously spoken about getting this project before state DOT repaves (which is fine & desirable) but shouldn't that potential cost for paving be recognized & acknowledged - then if there is no such cost it can be deleted - lessening the total project costs?)). I will certainly seek a clarification about this note in the near future...

Again, I respect the views of all BOG members and personally look forward to moving forward on the Shared & Internal projects...but this project is very challenging & complicated. (As I know you are all aware...).

While expediency and immediate action(s) involving this project is fine (which seems to me is what is being proposed by tonight's proposed vote, I would like to suggest that the Association members are best served, and more likely (in my experience...) to be supportive of the actions which will be taken by the Association's leadership in this matter in the forthcoming weeks/ months/years by what is considered by our membership as thoughtful public discussions & deliberations.

My Best,

Jay