

## MOTION

### To Authorize Execution of the Notice to Proceed under Clean Water Fund Project 645-C

**RESOLVED**, that the Board of Governors authorizes the President, and Treasurer as needed, of the Old Lyme Shores Beach Association to execute the Notice to Proceed under Clean Water Fund Project 645-C, together with all related contracts, change orders, requisitions, and other documents necessary or appropriate to carry the Project forward, pursuant to and within the scope of the bond resolutions previously adopted by the membership; and

**FURTHER RESOLVED**, that the President is authorized to take all further actions necessary to give effect to this resolution; and

**FURTHER RESOLVED**, that this resolution takes effect immediately upon adoption.

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**Moved by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

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## STATEMENT OF BASIS

*Companion to the Motion to Authorize Execution of the CWF 645-C Notice to Proceed*

The basis for the motion before the Board rests on the following documentary record:

- 1. Membership authority.** The 2012 base bond resolution, the 2025 Supplemental Bond Resolution (\$13M; \$22.7M cap), and the January 2026 reaffirmation — each adopted by membership vote — expressly empower the Board of Governors to enter into Project contracts and to authorize the signatures necessary to advance construction.
- 2. Federal/State mandate.** The 2018 Federal/State Unified Consent Order (CO-WR-MU-18-001) requires the Association to abate the community pollution problem through sewer collection and conveyance infrastructure.
- 3. State funding confirmed in writing.** The DEEP Eligibility Determination dated April 24, 2026 (Carlos Esguerra, Supervising Environmental Engineer) confirms Clean Water Fund eligibility, including the 25% Small Community Grant, \$15M of Principal Forgiveness, and the 2% subsidized loan rate.
- 4. Engineering services funded.** CWF 645-D Amendment 8, approved by DEEP on March 26, 2026, funds Fuss & O’Neill engineering services for the construction phase.
- 5. Contractors selected and bonded.** Five Notices of Award were issued on January 31, 2026 — JL Raymakers (Pump Station), Baltazar Contractors (Shoreline Sewer, Force Main, OLSBA / MBA Internal), Genovesi Contractors (OCBA Internal) — all bonded at fixed pricing.
- 6. Construction applications acknowledged.** CWF 720-C and 645-C construction applications were submitted to and acknowledged by DEEP on April 30 and May 5, 2026, respectively.
- 7. Prior BOG action.** On April 29, 2026, the Board authorized by 4–0 vote the execution of the Notices to Proceed for the Shared Project components (Pump Station and Shoreline Trunk Sewer).
- 8. Professional review.** Project documents have been reviewed in their respective domains by Fuss & O’Neill (engineering), Shipman & Goodwin (bond counsel), and Association counsel.

The OLSBA Internal Notice to Proceed under CWF 645-C is the remaining authorization required of this Board to commence the OLSBA Internal construction season alongside the Shared Project work and the parallel OCBA and MBA Internal NTPs.

*Submitted by the President of the Association — John Cunningham, OLSBA President*

OLD LYME SHORES BEACH ASSOCIATION

Board of Governors · Regular Meeting · May 20, 2026

RECORDED VOTE

On the Motion to Authorize Execution of the CWF 645-C Notice to Proceed

Table with 4 columns: Governor, Aye, Nay, Abstain. Rows include Tim Larson, Jerry Vande Werken, Jack Thomas, Mary Kate Reynolds, Bob Palazzo, and Jay Moynihamn.

Motion [ ] carries [ ] fails

Summary table with 3 columns: Aye: \_\_\_\_\_, Nay: \_\_\_\_\_, Abstain: \_\_\_\_\_

RESOLUTION AS ADOPTED

For the meeting minutes — to be completed if the motion carries

Upon motion duly made by Governor \_\_\_\_\_ and seconded by Governor \_\_\_\_\_, and upon vote of the Board of Governors of \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining, the following resolution was duly adopted:

RESOLVED, that the Board of Governors authorizes the President, and Treasurer as needed, of the Old Lyme Shores Beach Association to execute the Notice to Proceed under Clean Water Fund Project 645-C, together with all related contracts, change orders, requisitions, and other documents necessary or appropriate to carry the Project forward, pursuant to and within the scope of the bond resolutions previously adopted by the membership; and

FURTHER RESOLVED, that the President is authorized to take all further actions necessary to give effect to this resolution; and

FURTHER RESOLVED, that this resolution takes effect immediately upon adoption.

Certified by: \_\_\_\_\_ Date: \_\_\_\_\_ Tracey Cappellucci, Secretary, Board of Governors