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—
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August 17, 2015

Bonnie A. Reemsnyder
First Selectwoman
Town of Old Lyme
52 Lyme Street
Old Lyme, CT 06371

Dear Bonnie:

You have asked that I review the 1965 ordinance (Section 20-8) establishing the Parks and Recreation Commission and the claim by a member of the current Boathouse Hains Park Improvement Commission (BHPIC) that the P & R Commission be entitled to review and analyze the cost vs benefit of certain project designs approved by the BHPIC.

One cannot analyze Section 20-8 of the Town's ordinances without a review of the role of the P & R Commission historical and a comparison with an ad hoc committee created by the Board of Selectmen for a specific project.

The BHPIC was created by the Board of Selectmen in 2014 specifically in connection with the State STEAP grant awarded to the Town to oversee the redesign of the boathouse facility and the integration of other uses of Hains Park with the boathouse.

The historical records of what the P & R Commission does from year to year can be found in the minutes of Commission's monthly meetings as well as in the narrative summary of the P & R Director in each Annual Town Report. This Commission establishes athletic programs, supervises the maintenance of fields and other sites of ongoing athletic activities, determines (with the advice of the P & R Director) seasonal employees necessary to maintain its programs, and prepares its annual budget to the Board of Selectmen for presentation to the Board of Finance.

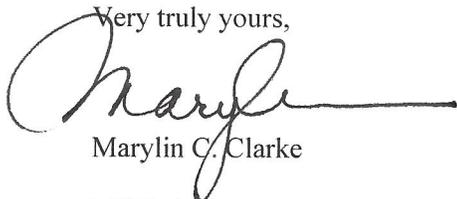
It is interesting to note that in the minutes of the 2013 P & R Commission, an "operating" subcommittee was established to oversee the athletic fields at the Town Woods Recreational Facility only after the fields had been completed by the Town Woods Recreational Facility Committee with the assistance of another State STEAP grant.

Bonnie A. Reemsnyder
August 17, 2015
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Another point of interest concerning the earlier development of the Town Woods Recreational Facility is that a monthly update by the Chair of that ad hoc committee, Bob Dunn, was given to the P & R Commission, as reported in the minutes of the P & R Commission. It was reported by Mr. Dunn that all monetary issues and operating costs were approved by the Town Woods Recreational Facility Committee. There was no mention of the P & R Commission having any say under Section 20-8 of the Town's ordinances over these costs.

It is my opinion that neither the P & R Commission nor any of its members has the authority under Section 20-8 to demand certain action by the BHPIC, specifically charged by the Board of Selectmen with the development of the Hains Park Facility.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Marilyn C. Clarke", with a long horizontal flourish extending to the right.

Marilyn C. Clarke

MCC:sk



Boathouse and Hains Park Improvement Committee

Information Meeting for Parks and Recreation Commission

7 January 2016

Committee Membership

- | | | |
|---------------------|-------------|---|
| • Paul Gianquinto | Co-Chairman | Gilbane, Senior Project Engineer |
| • Paul Fuchs | Co-Chairman | Naval Architect, Rower, Coach |
| • Brian Schuch | Secretary | Architect, Rower/Coach |
| • Greg Hack | | President OLRA, Rower |
| • John Parker | | Architect, Rower |
| • Phil Carney | | Head Crew Coach, Wesleyan |
| • Ken Biega | | O&G Industries, Assistant Vice President |
| • Skip Sibley | Ex-Officio | Old Lyme, Selectman |
| • Bonnie Reemsnyder | Ex-Officio | Old Lyme, First Selectwoman |
| • Bob Dunn | | OL Parks and Recreation Commission Chair |
| • Don Bugbee | | OL Parks and Recreation Director |
| • John Flower | Ex-Officio | OL Parks and Recreation and Building Department |
| • John Rhodes | Ex-Officio | Region 18 Facilities Director |

The Boathouse Today



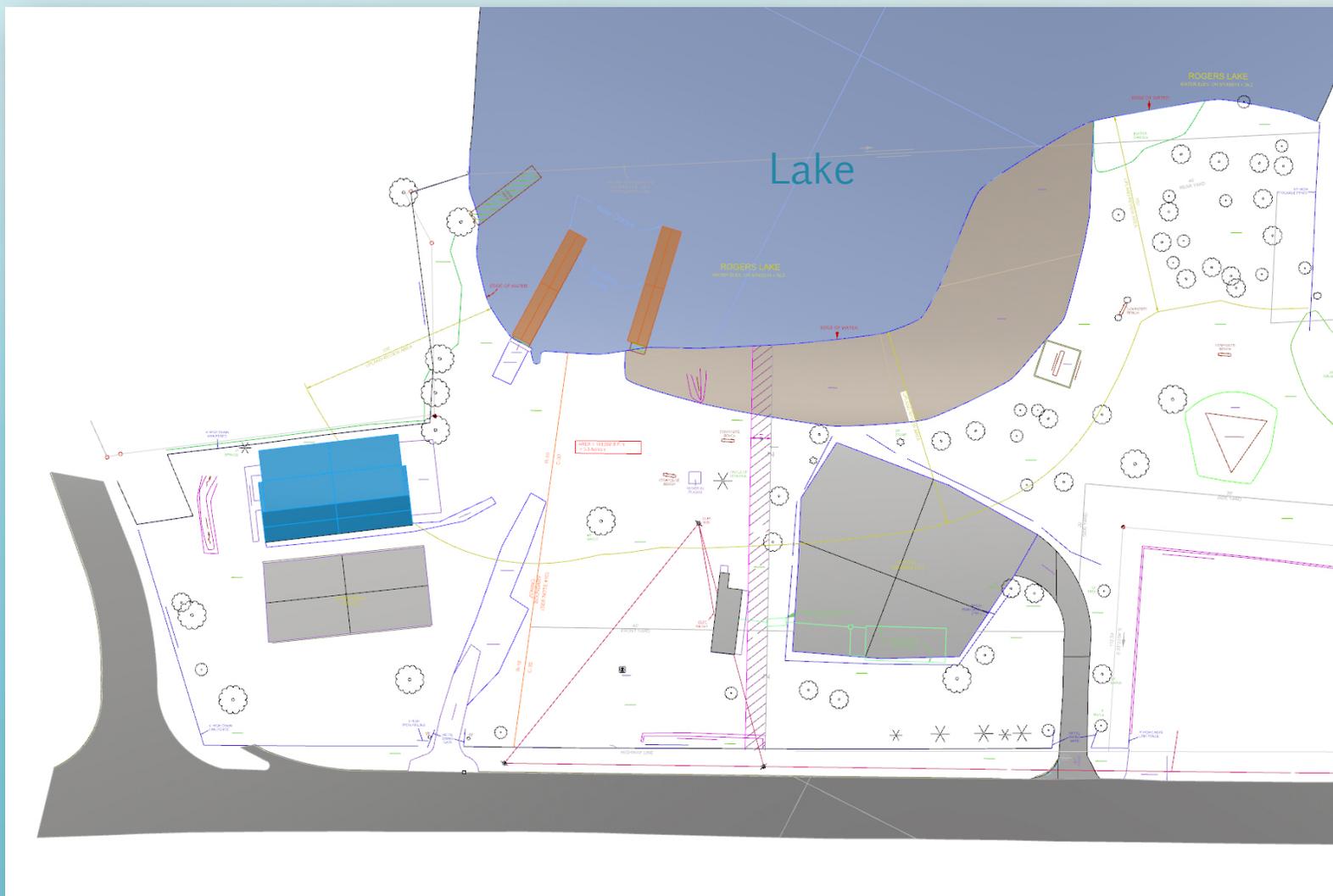
A cramped space inside and many boats without inside storage



Basketball court is in poor condition and eroded ground around boathouse



The Boathouse Site Today



This is the layout existing today. The boathouse can accommodate 32 boats in a cramped and inefficient space. The result is that damage to the equipment is a regular occurrence.

Five Schemes Defined for Study Based on Committee and Architect Comments

| Scheme | Description | SQFT | Bays | Toilet | Flex | Changing | Storage | Office |
|--------|---|------|----------|--------|------|----------|---------|--------|
| A | Use existing foundations & slab, new framing, 22' wider. | 6150 | 22-22-22 | Y | Y | Y | Y | Y |
| B | Use existing foundations & slab, new framing, 30' wider. | 6678 | 16-42-16 | Y | Y | Y | Y | Y |
| C | Use existing foundations & slab, new framing, 29' wider. | 5264 | 16-41-16 | N | N | N | Y | Y |
| D | Use existing foundations, slab & framing, 22' addition. | 5264 | 16-28-22 | N | N | N | Y | Y |
| E | Use existing foundations & slab, new & existing framing, 22' wider. | 5478 | 16-36-16 | N | N | N | N | N |

Two Schemes Chosen for Development and Estimating

| Scheme | SQFT | Bays | Toilet | Flex | Changing | Storage | Office | Initial Estimate* | | Adjusted Estimate** | |
|--------|------|----------|--------|------|----------|---------|--------|-------------------|---------|---------------------|----------------|
| | | | | | | | | Cost | \$/SQFT | Cost | \$/SQFT |
| A-Mod | 6057 | 22-22-22 | N | Y | Y | Y | Y | \$602,000 | \$99.37 | \$465,000 | \$76.78 |
| E | 5280 | 16-36-16 | N | N | N | N | N | \$455,000 | \$86.14 | \$391,000 | \$74.08 |

* Initial estimate includes 20% Contingency and roof monitor, clerestory windows, lockers and rubber flooring.

** Adjusted Estimate includes 7% Contingency and deletes roof monitor, clerestory windows, lockers and rubber flooring.

Changes and Deletions from Original Project

Approximate Reduction in Cost: \$270,500

In the interest of reducing the cost of construction a number of items have been modified or eliminated.

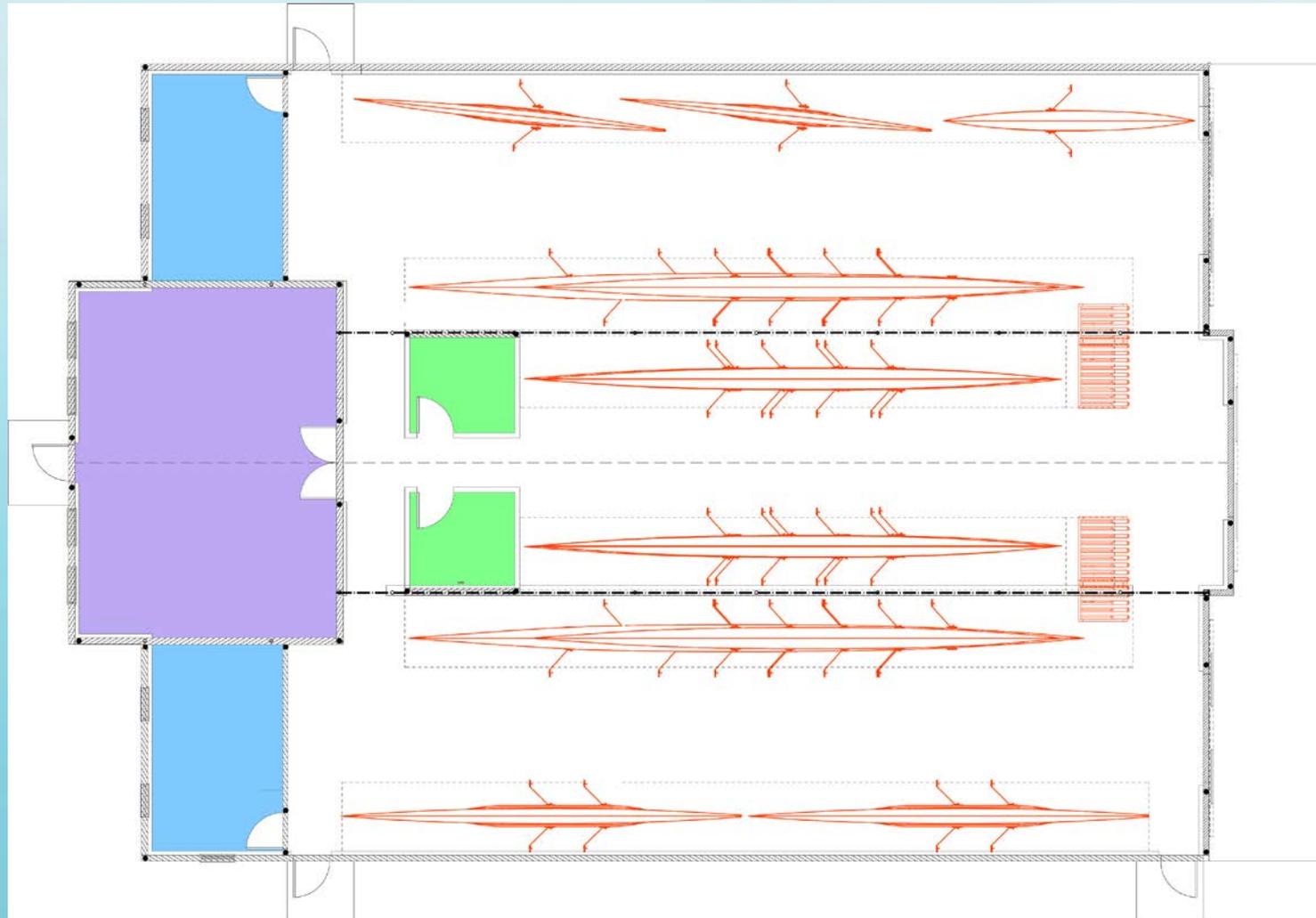
- Deleted second floor and put Flex Space on grade
- Reutilize existing foundations and slab
- Received OSBI Code Modification
 - Deleted Toilet Rooms and all indoor plumbing
 - Deleted all thermal insulation and heat
 - Deleted all septic system site work
- Changed siding and trim from cedar to vinyl and composites
- Deleted roof monitor with clerestory windows
- Deleted rubber flooring in Flex Space and Change Rooms
- Deleted lockers from Change Rooms

| Boathouse Cost Estimate | SqFt | Building | Site | Total Trades | Net Savings |
|-------------------------|------|-----------|-----------|--------------|-------------|
| Oct '14 | 7908 | \$728,500 | \$104,000 | \$832,500 | - |
| Aug '15 | 6057 | \$602,000 | \$62,000 | \$664,000 | 168,500 |
| Jan '16 | 6057 | \$491,000 | \$71,000 | \$562,000 | 270,500 |

STEAP Grant Scope – Revised December 2015

- ❖ Renovation and expansion of the existing Boathouse to a foot print of approximately 66' x 96'. This work will include demolition of the existing structure, and excavation a footing/floor area for a new building. The entire structure to be divided into three (3), 22' long bays. The exterior work on the building will include, but not be limited to: wall framing, the purchase/installation of exterior sheathing, shingles for siding, windows, a loft access door, trim for three (3) sliding doors, roofing underlayment and shingles, lighting and stain/paint.
- ❖ The interior development of this structure will include an exercise area, two changing rooms, equipment storage, a work area and offices. There will be no internal plumbing. Interior elements to be included are: interior framing, sheathing, lighting and associated electrical fixtures, the connection to utilities; and the purchase/installation of fixtures related to the identified areas. Over 4,500 sq. ft. will be used for boat storage, which will include the purchase/installation of a shell rack storage system and oar racks.
- ❖ Purchase and installation of a new dock system for the rowing program.
- ❖ Relocation of the existing basketball court and support element within Hains Park, due to displacement of the original court by the new, Boathouse addition.
- ❖ Landscaping of the disturbed area. Funds may **not** be used to purchase any plant/vegetation that is on the State of Connecticut invasive plant list.
- ❖ Associated work for this project shall include required surveying, design, engineering, architectural and landscape services.

Boathouse Interior Layout

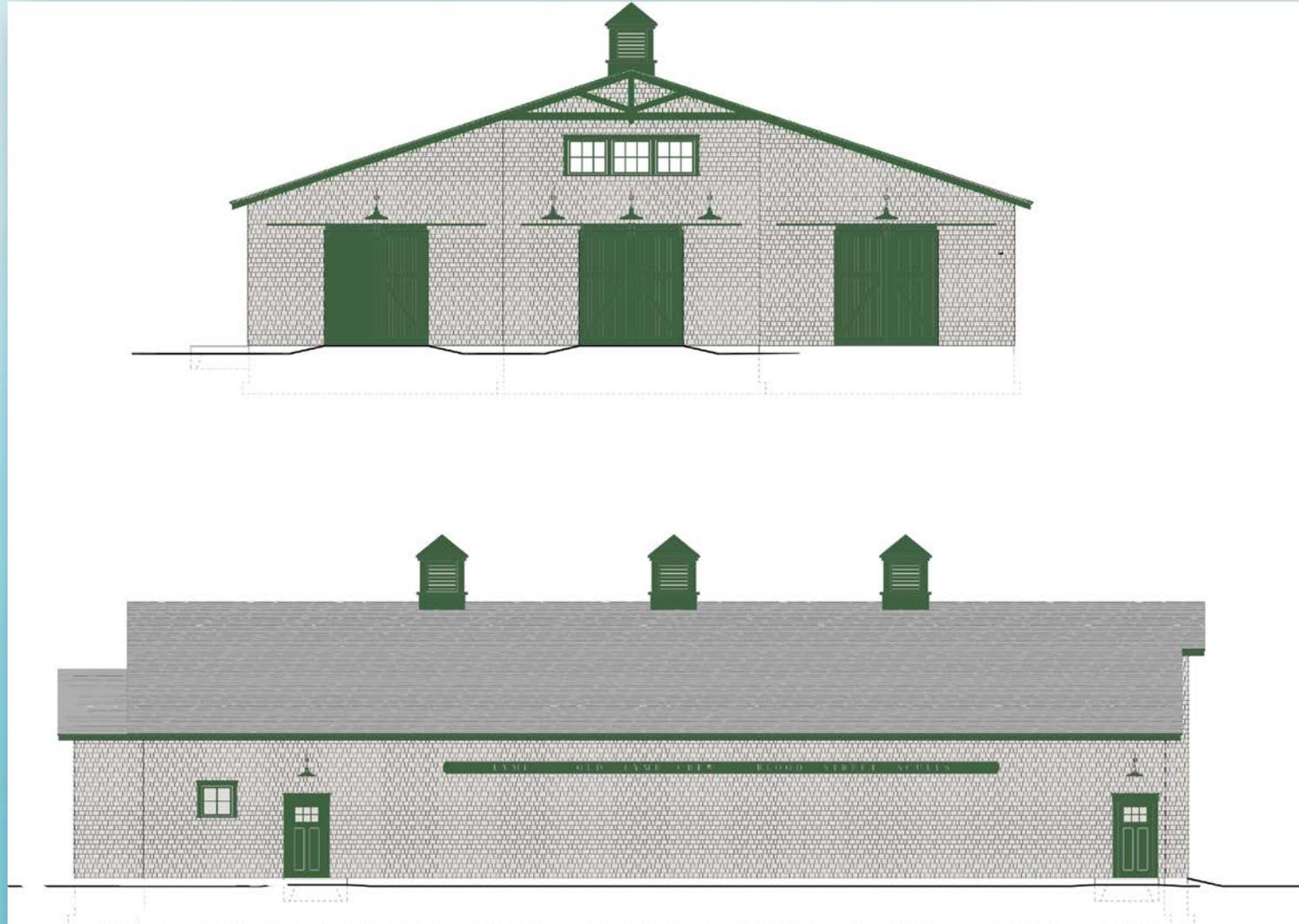


This layout allows for proper storage of all boats for the program.

The blue areas are locker rooms, the purple is the flex space for indoor workout, stretching, video and meetings.

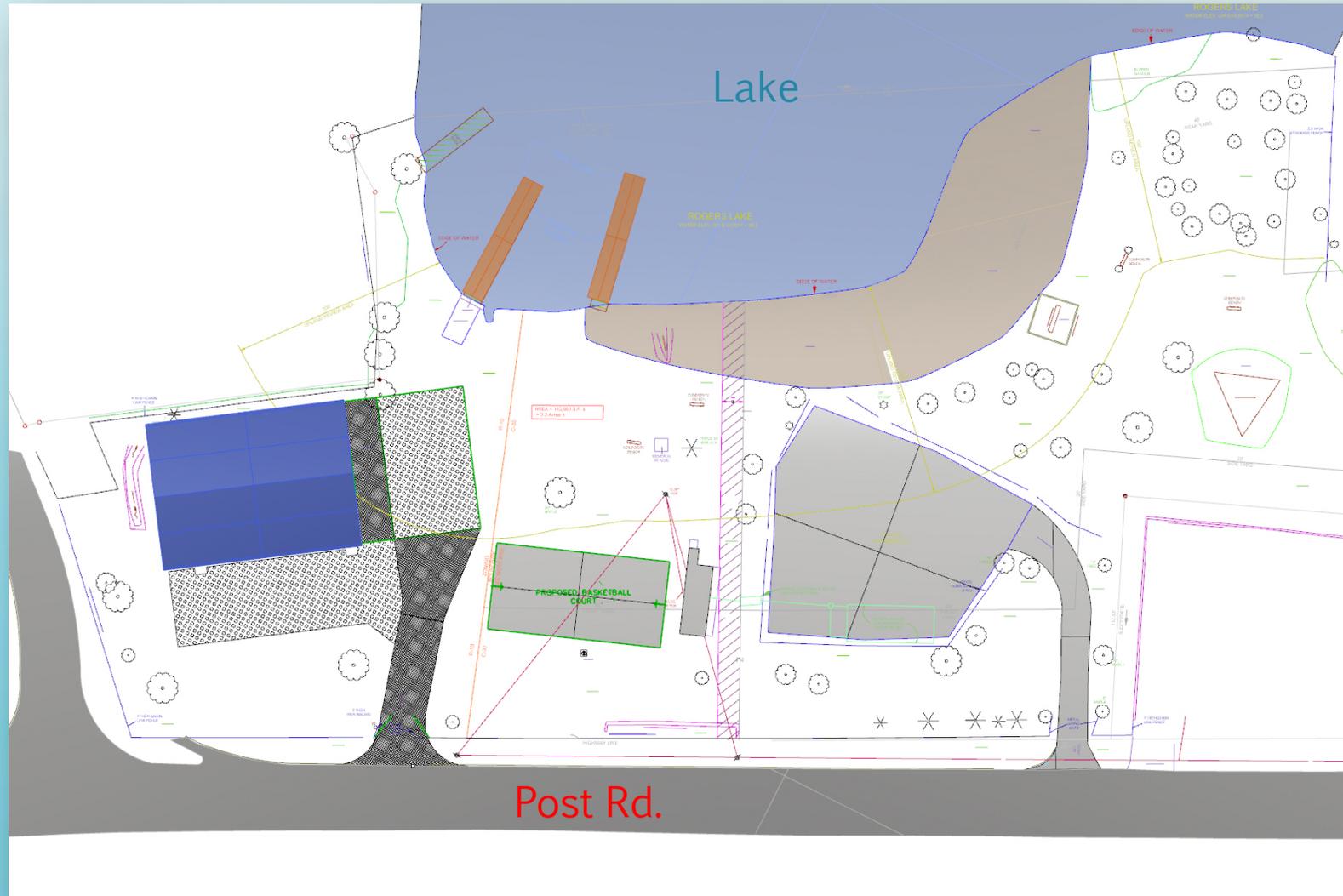
The green areas are office and storage space.

The Boathouse Design



Front and Side
Elevation Design by
Nina Cuccio Peck
Architects in keeping
with design of other
town recreation
buildings

The Boathouse Plan

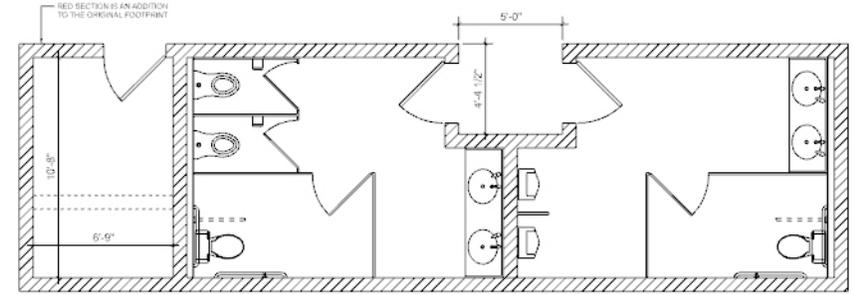


The plan expands the boathouse to provide an increase in capacity from 32 to 53 boats, includes locked storage areas and bays that are wide enough for boats to be moved safely.

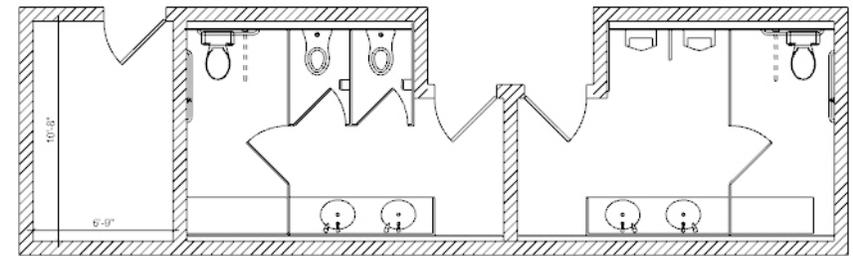
The basketball court, has been moved into the park area. There is a reinforced turf area in front and to the side of the boathouse and the trailer access from Rt. 1 is improved.

Restroom Upgrade

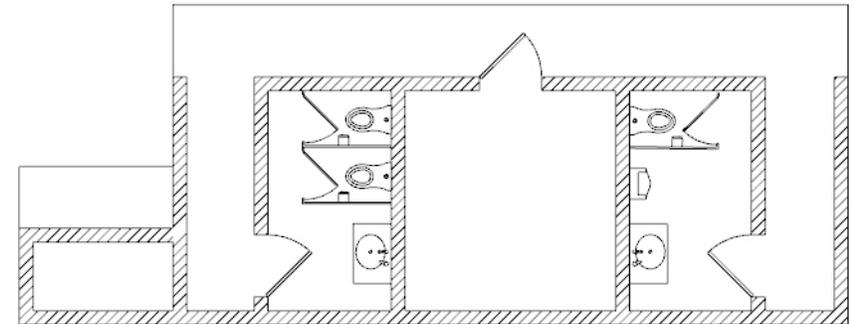
Integral to the project is an upgrade of the restroom facilities. It is believed that the most cost effective solution is to build on the same footprint. We have yet to receive confirmation that this is possible. At right is the existing facility on the bottom and two possible modifications that could be considered, above. This could be a separate project within the BHPIC plan so that construction could be done at a lower cost.



REVISED
HAINS PARK RESTROOMS
VERSION A
SCALE 1 : 72



REVISED
HAINS PARK RESTROOMS
VERSION D
SCALE 1 : 72



EXISTING
HAINS PARK RESTROOMS
SCALE 1 : 72

Addition of a Park Pavilion

As a further enhancement of the park a pavilion is being considered. The size, design and placement must be reviewed in the context of the park plan.

The photo on the right is only a concept.



Project Funding Sources

| | |
|---------------------------------|-----------|
| State of Connecticut | \$478,000 |
| Town of Old Lyme | \$405,000 |
| Boathouse Fundraising Committee | \$ 50,000 |

A fundraising group has been organized to raise funds for boathouse and the area around it, initially raising \$50,000.

The group plans to re-start as soon as the building contract is awarded.

All are encouraged to participate.

Program Funding Sources

Old Lyme Rowing Association is a volunteer group which manages all the community rowing programs during the year. The programs are self-sustaining.

The boat house has 32 boats stored inside.

- The current insured value of these boats is \$322,000
- All of these boats have been purchased by OLRA and given to District 18
- No Town or District 18 funds used for program or equipment
- Every year OLRA raises approximately \$30,000 to buy and maintain boats
- Coaches are the only ones who are paid

District 18 has a high school varsity team. The district maintains and repairs the equipment and the boathouse on a year round basis. Other schools which use the boathouse or equipment have a co-op arrangement or pay a user fee.

The Cost

| Phase | Boathouse -Phase 1 | Toilet Bldg - Phase 2 | Project Total |
|--|--------------------|-----------------------|-------------------------------|
| Category | Total | Total | |
| Septic Inspection | 420 | - | 420 |
| NCP Architects/BSC Group | 51,000 | 3,360 | 54,360 |
| A2/T2 Survey | 6,000 | - | 6,000 |
| Estimator | 4,896 | 910 | 5,806 |
| Legal Review of Bid Docs | 2,500 | - | 2,500 |
| Legal Ads | 1,734 | - | 1,734 |
| Printing | 1,174 | - | 1,174 |
| Docks | 40,718 | - | 40,718 |
| Boat Racks | 39,100 | - | 39,100 |
| Construction Contract | 533,900 | - | 533,900 |
| Contingency | 28,100 | - | 28,100 |
| Pavilion | - | - | - |
| Security System | - | 6,000 | 6,000 |
| Subtotals | 708,493 | 10,270 | 719,813 |
| Note: Bold items are final costs. Project Funding Available | | | Total |
| | | | 933,800 |
| | | | Less Total of Estimated Items |
| | | | (719,813) |
| | | | Funding Available for Phase 2 |
| | | | 213,987 |

MCGARRY, PRINCE, MCGARRY, P. C.

COUNSELOR AT LAW

58 HUNTINGTON STREET

P.O. BOX 910

NEW LONDON, CONNECTICUT 06320

TFMCAL@AOL.COM

TELEPHONE: 860-443-1818

FAX: 860-443-1810

Thomas F. McGarry

John J. McGarry
(1900-1973)
S. Victor Prince
(1892-1991)

December 15, 2015

Robert Dunn, Chair
Old Lyme Parks and Recreation Commission

Re: Boathouse Hains Park Improvement Project Committee

Dear Bob:

As requested by a client that I render an opinion as to the authority of the Park and Recreation Commission of the Town of Old Lyme. In order to do that one must first examine the responsibilities of the various entities of the Town that are charged with creating ordinances for the Town.

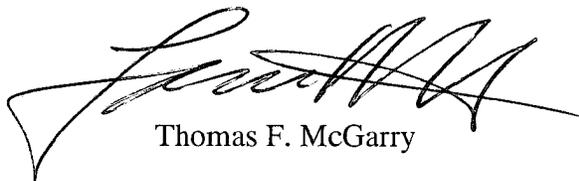
The Town of Old Lyme's legislative body is by statute, Connecticut General Statutes 7-6, the Town Meeting, and as such is empowered to adopt ordinances presented to the meeting. This is confirmed by the provisions of the Town Code, specifically Sections 1-2 and 1-6 as both of these sections recognize the Town Meeting as the legislative body.

Based upon that legislative authority, the Town Meeting adopted an Ordinance entitled "Parks and Recreation Commission" as set forth in Article IV of the Town Code. The operative section is Section 20-8, which sets forth the duties of the Commission. This section states: "The responsibility for the management, control and development of the Town's recreational facilities and expenditures made in connection therewith is vested in a Park and Recreation Commission". Based upon rules of construction adhered to by Connecticut Courts, one has to accord the words and phrases used their ordinary and common meaning unless there is some ambiguity in the adopted ordinance. The two operative words in the Ordinance are "management" and "control", both are defined as granting the full authority over the subject matter. I do not find any ambiguity in this authority nor is there any words or phrases restricting the Commission's full authority with respect to the Town's recreational facilities.

Robert Dunn, Chair
December 15, 2015
Page 2

Therefore is it my opinion that the Park and Recreation Commission is vested with the full authority to manage and control all the Town's recreational facilities.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tom McGarry', written in a cursive style with a large initial 'T' and 'M'.

Thomas F. McGarry

TFM:cjr

Statement to Board of Finance, Dec. 15, 2015
Bob Dunn, Chair, Old Lyme Parks and Recreation Commission

The Old Lyme Parks and Recreation Commission requests the Old Lyme Board of Finance approve funding (in an amount not to exceed \$5000) for an attorney to ensure full compliance with Old Lyme Town Ordinance 20-8 (Duties, Old Lyme Parks and Recreation Commission): *The responsibility for the management, control and development of the Town's recreational facilities and expenditures made in connection therewith is vested in a Parks and Recreation Commission.*

The Old Lyme Parks and Recreation Commission makes this request because of recent actions taken by the Old Lyme First Selectwoman to circumvent the Old Lyme Parks and Recreation Commission with respect to the Boathouse Hains Park Improvement Project. The First Selectwoman has taken the position that the Old Lyme Parks and Recreation Commission does not have authority over the Boathouse Hains Park Improvement Project because it is a "special project".

In August, Town Attorney Clarke subsequently put forward a legal opinion that supported the First Selectwoman's position.

In response, I challenged the information on which Town Attorney Clarke based her legal opinion and asked that First Selectwoman Reemsnyder and Town Attorney Clarke reconsider their positions. On Nov 5th, First Selectwoman Reemsnyder responded that she and Town Attorney Clarke did not revise their positions and reiterated their position "that the Park & Rec does not have oversight of a special committee formed by the Board of Selectmen to deal with this project."

The Old Lyme Parks and Recreation Commission strongly disagrees with the First Selectwoman's position, and strongly urges the Board of Finance to approve funds to support a legal challenge to actions being taken to illegally circumvent Town ordinance 20-8.

Today I received a legal opinion, prepared by a very experienced local attorney Thomas F. McGarry, that aligns with Old Lyme Parks and Recreation Commission position that "the Park and Recreation Commission is vested with the full authority to manage and control all the Town's recreational facilities."

Please note, if First Selectwoman Reemsnyder and Town Attorney Clarke were to revise their positions and agree (in writing) with the legal opinion provided by Attorney McGarry before any further action is taken with respect to the Boathouse Hains Park Improvement Project, then perhaps this matter can be resolved without the Town incurring additional legal fees, beyond those already incurred by First Selectwoman Reemsnyder and Town Attorney Clarke.

From: Bonnie Reemsnyder <breemsnyder@oldlyme-ct.gov>

To: rwdunn1 <rwdunn1@aol.com>

Cc: mcclarke5441 <mcclarke5441@sbcglobal.net>; skip.sibley <skip.sibley@yahoo.com>; nosalite <nosalite@yahoo.com>; selectmansoffice <selectmansoffice@oldlyme-ct.gov>; missycolburn <missycolburn@gmail.com>; jvflower <jvflower@sbcglobal.net>; rroach <rroach@oldlyme-ct.gov>; townclerk <townclerk@oldlyme-ct.gov>; mail <mail@nigellogan.com>; tgwg1215 <tgwg1215@att.net>; parkrec <parkrec@oldlyme-ct.gov>; itti2 <itti2@aol.com>; megarbarino <megarbarino@ccamail.com>; grubtoo <grubtoo@aol.com>; russell <russell@comcast.net>; ChrisWKerr <ChrisWKerr@att.net>; kelsey <kelsey@hamiltoninv.com>; rwjose1947 <rwjose1947@gmail.com>; davidbwoolley <davidbwoolley@gmail.com>; bbernblum <bbernblum@sbcglobal.net>; finance <finance@oldlyme-ct.gov>; pgianquinto <pgianquinto@gilbaneco.com>; paul <paul@pfna.com>; timothygriswold <timothygriswold@yahoo.com>; rwdunn1 <rwdunn1@aol.com>

Subject: Re: PLEASE RESPOND: OL Parks & Recreation Duties per Ordinance Section 20-8

Date: Thu, Nov 5, 2015 2:44 pm

Dear Bob,

Thank you for your patience on a response to your email regarding the decision of the Town Attorney in regarding your assertion that the Park & Rec Commission is entitled to review and analyze the cost vs. benefit of certain project designs approved by BHPIC, and that without the approval of Park & Rec, the project cannot proceed.

After sharing the opinion letter of the Town Attorney in regards to this, you sent an email questioning the opinion. You gave further information that you thought should be reviewed, and requested that we reconsider the opinion. I shared your follow up email with the Town Attorney, and she indicated that it does not change her advice to us that the Park & Rec does not have oversight of a special committee formed by the Board of Selectmen to deal with this project.

As the Board of Selectmen, we do rely on our Town Attorney for advice in matters such as these, and it would be imprudent to ignore that advice.

It is in all of our best interest of all that we work together, and we certainly seek the endorsement of the Park and Rec on this project, which is why we appointed you and Don Bugbee to the committee.

Please note that the hiring of an attorney by the Park and Rec would require communication with Board of Selectmen and Finance and the funds would need to be approved prior to any agreement with an attorney.

Again, I thank you for your patience during this very busy time.

Best regards,

Bonnie Reemsnyder
First Selectwoman, Old Lyme
860-434-1605 x211
breemsnyder@oldlyme-ct.gov

Dear Bonnie,

August 27, 2015

Thank you for your e-mail of August 21 which contained a written opinion of Town Attorney Clarke (August 17, 2015) concerning the Town ordinance Section 20-8: Old Lyme Parks & Recreation Commission (OL PRC), Duties: *"The responsibility for the management, control and development of the Town's recreational facilities and expenditures made in connection therewith is vested in a Parks and Recreation Commission."*, as it relates to the ad-hoc Boathouse / Hains Park Improvement Committee (BHPIC).

The OL PRC position is that, at a minimum, its responsibilities include the review and approval of the project plan and budget proposed by the BHPIC (and any significant changes thereto). In turn, the BHPIC has the responsibility to provide the OL PRC with adequate information to support its review and decision-making, which in this case includes cost:benefit analyses supporting the selection from among diverse design options.

It is interesting that both you and Ms. Clarke appear to have ignored the legal scope of the ordinance as written, and have provided your opinions based solely on a limited and inaccurate understanding of the historical role of OL PRC, including references made to its role overseeing the construction and maintenance of the Town Woods Park recreational facility.

After serving as Chair of the Town Woods Building Committee (TWBC) and Chair of the original Town Woods Operating Committee for 10 years (through Feb 2012), I am able to provide more complete information that demonstrates the direct role of OL PRC in reviewing and approving key aspects of this highly relevant example of an ad hoc building committee established to improve Town recreational facilities.

After the Towns of Old Lyme and Lyme were awarded the first two STEAP grants for the project, the Town Woods Building Committee (TWBC) was established to construct a recreational facility on Town Woods Road. Of note, prior to implementation of the plans, they were first reviewed and approved by the PRCs, Boards of Finance, and Boards of Selectmen of both the Towns of Old Lyme and Lyme. In establishing the TWBC, then First Selectman Griswold and Selectmen Sibley and Reemsnyder appointed a balanced committee with 10 voting members:

- 4 (out of 7) OL PRC Commissioners: Glynn McArAW, OL PRC Chair, Bill Crandall, Bob Dunn, Roger Zito
- the Director of Old Lyme Parks & Recreation Department (PR), Don Bugbee
- the Director of Lyme PR, Jerry Winzer
- 1 representative of the Old Lyme Board of Finance, Perry Garvin
- 2 additional Old Lyme residents: Phil Neaton and Maggie Ward
- 1 additional Lyme resident, Dan Hagan
- Bob Dunn (an OL PRC representative) was the TWBC Chair; and Phil Neaton (a turf expert) was Vice Chair.

Clearly, it is grossly inaccurate to conclude that the OL PRC did not have a key role overseeing the TW building project, when in fact a majority of OL PRC Commissioners and the OL PR Director served on the TWBC and voted on each decision and expenditure for the project. This is in addition to the OL PRC review and approval of the overall project plan and budget. Of note, when OL PRC representatives serving on the TWBC provided monthly updates to the full OL PRC, there was consensus agreement with the decisions and expenditures made for each phase of the TW Park development.

Ms. Clarke also incorrectly states that in 2013 *"an "operating" subcommittee was established to oversee the athletic fields at the Town Woods Recreational Facility only after the fields had been completed by the Town Woods Recreational Facility Committee with the assistance of another State STEAP grant."*, and incorrectly infers that this timing is evidence that OL PRC did not play an active role in the TW project prior to 2013. In actual fact, the *original* Old Lyme-Lyme Town Woods Operating Committee (TW Operating Committee) was established seven years earlier (in 2006) after the TWBC completed the first phase of construction, to transition on-going maintenance of Phase 1 of the park, athletic fields and facilities from the ad hoc TWBC to a long-standing "operating" committee. The representation on the TW Operating Committee consisted

of OL PRC Commissioners Glynn McArw and Bob Dunn; OL PR Director, Don Bugbee; Lyme PR Director, Jason Thorton (who replaced Jerry Winzer as Lyme PR Director); plus Phil Neaton, a turf expert. Bob Dunn and Phil Neaton served as Chair and Vice-chair, respectively, through February 2012. Further, any expenditure proposed by the TW Operating Committee (including funds donated to support Town Woods Park) required approval of the full OL PRC.

For an even longer historical perspective, it is important to note that in 1987 the original Boathouse Project proposal was reviewed and approved by the OL PRC (please see enclosed).

In summary, there is ample historical evidence that OL PRC has taken active and direct roles in the development and oversight of new and existing Town recreational facilities (per Section 20-8). This important role of OL PRC must continue.

Unfortunately, it has become much more difficult for the OL PRC to fulfill its duties over the past 3-4 years; examples include your instructing ad hoc committees (such as the BHPIC) that they do not need to secure OL PRC approval of plans and budgets involving Town parks and recreational facilities; repeated votes by the current OL Board of Selectmen (BOS) that ignore and/or directly over-ride OL PRC decisions and recommendations with regard to "*...management, control and development of the Town's recreational facilities and expenditures made in connection therewith...*"

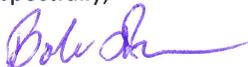
In my nearly 15 years of experience in working with OL PRC and in leading multiple Town construction projects, I cannot remember this occurring before. To corroborate my opinion, I have asked prior First Selectman, Tim Griswold, and prior OL PRC Chair, Glynn McArw, whose experiences with Old Lyme Town Boards and Commissions greatly exceed my own (over 30 years), whether they can remember other examples (prior to the current BOS) when the OL BOS has circumvented, ignored or over-ridden PRC decisions or recommendations. Neither can recall a similar situation in the past. Accordingly, there was no need to request a legal review of Town Ordinance 20-8 previously.

Moving forward, I ask that you and Ms. Clarke carefully reconsider your current opinions with regards to Town Ordinance 20-8 in light of the additional information provided. It may also be appropriate for the current BOS to reconsider actions it has taken over the past 3-4 years that have circumvented, ignored or directly over-ridden OL PRC decisions and recommendations related to *the management, control and development of the Town's recreational facilities, and expenditures made in connection therewith*, including those relating to the Boathouse/Hains Park Improvement Project.

Finally, I request that Ms. Clarke please clarify whom she is representing in providing her Aug 17th legal opinion: the Town of Old Lyme, the First Selectwoman, or some other entity? If she is representing the Town of Old Lyme, then I am surprised that she would base a legal opinion on a limited understanding of the historical role of the OL PRC without requesting information directly from the Commission. She also did not incorporate into her opinion the inherent benefits to the Town of Old Lyme of ensuring that the checks and balances put in place by Town Ordinance 20-8 are followed as written.

Please let me know at your earliest convenience, whether you and/or Ms. Clarke will be reconsidering your opinions in light of the information provided above. Based on your responses, OL PRC may consider requesting independent legal counsel.

Respectfully,



Bob Dunn

Chair, OL PRC (Previous: Chair, Town Woods Building Committee; Chair, Town Woods Operating Committee)

cc (email): Marilyn C. Clarke
Tim Griswold
Glynn McArw
OL PRC, Board of Selectmen, and Board of Finance

enclosure: 1987 OL PRC approval of original Boathouse Project

March 30, 1987

At a special meeting of the Parks and Recreation Commission on Monday, March 23, 1987, the Commission voted to approve the plans of the boat house at Hain's Park as proposed by the Regional District 18 Board of Education.

It is the wish of the Commission that we be kept informed of the progress in the plans and of any changes that occur to the plan.

Sincerely,

Ann L. Lander

Ann L. Lander

Park and Rec Commission

Questions for Boathouse Committee

- What is the plan for the total project and the estimated total cost?
 - What is the plan for the total project and the estimated total cost?
 - **NOTE: We cannot vote to approve one portion of the plan until there is a full plan and knowledge that the total plan will come under budget.**
 - What changes to you propose to Hains Park, and how does it align or differ from the proposed Master Plan prepared by the P&RC?
 - If the Tree Commission does not want the large maple tree removed, why not reduce the width of the Boathouse, rather than move the Basketball court?
 - Please provide documented justification for the 22 ft Boathouse bay width
 - What designs have you evaluated for a Boathouse that is longer and less wide?
 - What is the cost:benefit of the current plan over some of the other options proposed – compared in an apples to apples manner: an addition or other schemes (Modified-E)?
 - What is the status of developing plans and cost estimates for the Bathhouse, Pavilion, and total site work?
 - What is the project timeline you propose, and does it provide for meaningful community review and input?
 - What Town Boards and Commissions have reviewed the current plan, and what reviews are still pending?
 - What steps have you taken to ensure that ALL requirements for DEEP STEAP grant funding have been (or will be) completed? For example:
 - Requesting a STEAP contract revision – such that the Boathouse phase of the project is separated from the Bathhouse/Pavilion phase of the project.
 - Submitting plans for DEEP review after building official and fire marshal reviews and before finalizing plans?
 - What is the status of the negotiations for the proposed lease agreement for the use of the new Boathouse by Region 18 and/or OLRA?
 - *Please confirm that the Old Lyme Parks and Recreation Commission will have the opportunity to review and approve the proposed lease agreement – as we are responsible for the management and control of all Old Lyme Town recreational facilities and parks?*

It is the Old Lyme P&R Commission position that the final plan for the Boathouse Hains Park Improvement Project needs Parks & Recreation Commission approval before it can proceed.

We would like you to incorporate our input into the project plan, reduce project risks by seeking and incorporating broad community input before finalizing any part of the plan, ensuring all legal requirements will be met, and then return back to P&RC to present an updated, complete plan with estimated project costs before we can complete our final review and approve.

- **NOTE: We cannot vote to approve one portion of the plan until there is a full plan and knowledge that the total plan will come under budget.**
- What changes to you propose to Hains Park, and how does it align or differ from the proposed Master Plan prepared by the P&RC?

Questions for Boathouse Committee

- **If the Tree Commission does not want the large maple tree removed, why not reduce the width of the Boathouse, rather than move the Basketball court?**
 - Please provide documented justification for the 22 ft Boathouse bay width
 - What designs have you evaluated for a Boathouse that is longer and less wide?
 - What is the cost:benefit of the current plan over some of the other options proposed – compared in an apples to apples manner: an addition or other schemes (Modified-E)?
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