

**TOWN OF NEDERLAND  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES:  
May 3, 2011, 7:00PM**

**NEDERLAND COMMUNITY CENTER  
750 Hwy 72 Nederland, CO 80466**

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**A. CALL TO ORDER**

Meeting convened at 7:05 PM, due to a Special Meeting held just prior to the Regular Meeting.

**B. ROLL CALL**

Present: Mayor Sumaya Abu-Haidar, Mayor Pro Tem Joe Gierlach, Trustees Chris Perret, Keith Nowicki, Kevin Mueller and Marci Wheelock.

Absent: Trustee Rob Joseph

Also present: Alisha Reis, Town Administrator, Eva Forberger, Town Treasurer, Teresa Myers, Town Clerk, and Town Attorney Carmen Beery.

**C. CONSENT AGENDA**

- Approval of May 3, 2011 Accounts Payable  
Motion to approve the May 3<sup>rd</sup> Accounts Payable was made by Trustee Perret, seconded by Mayor Pro Tem Gierlach, and approved unanimously.
- Approval of April 19, 2011 Regular Meeting Minutes  
Motion to approve the April 19<sup>th</sup> Meeting Minutes was made by Mayor Pro Tem Gierlach, seconded by Trustee Nowicki, and approved unanimously.
- Approval of Professional Services Agreement with plumber for water meter project.

Trustee Mueller had some questions regarding the insurance requirements and some of the financial conditions. Motion to approve the Professional Services Agreement with the plumber, with additional amendments was made by Trustee Mueller, seconded by Trustee Wheelock, and approved unanimously.

- Approval of Professional Services agreement for third-party commissioning of water treatment plant.

Motion to approve the Professional Services Agreement for third-party commissioning of the water treatment plant was made by Trustee Nowicki, seconded by Trustee Perret, and approved unanimously.

**D. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)**

No public comment was offered.

**E. INFORMATIONAL ITEMS**

1. Music Video Presentation by Teens, Inc.

Lara Ruggles from Teens, Inc. and several of the Teens who worked on and appear in the video introduced the video and explained its background.

2. BVSD presentation regarding the Town's fiber optic network.

The item was postponed due to the illness of the BVSD staff.

3. Recommendations made by the Mayor's Task Force on Economic Development.

**F. ACTION ITEMS**

1. **Consideration of termination agreement with TEC.**

Town Attorney Carmen Beery explained the legal basis for the termination agreement, why the Town had requested it, and highlighted some of the terms.

Paul Turnburke, 3259 Ridge Road, commented on the engineering expenses already incurred and asked the Board to provide some explanation to the public for why the Town decided to move in a different direction .

Motion was made by Trustee Perret to approve the termination agreement, seconded

by Mayor Pro Tem Gierlach, and approved unanimously.

## **G. DISCUSSION ITEMS**

### **1. Discussion of design-build engineering agreement for wastewater treatment plant.**

Town Administrator Alisha Reis explained the need for the agreement. Bob Frachetti presented the proposal to the Board, highlighting several terms and features. Beery answered some legal questions from the Board.

Trustee Nowicki encouraged the Board to approach this project with all of the guideline documents that are currently being developed by the Town, including the Envision document, sustainability resolution, and other visioning and guiding documents.

Trustee Perret asked some questions about Frachetti's previous experience and construction partners he has worked with.

Trustee Mueller voiced his agreement in moving forward. He suggested reviewing the previously developed Owner Project Requirements (OPR) to help clarify the decision making process. He reminded the Board of previous decision making efforts towards achieving the lowest operational cost. He noted that the Town was willing to accept a 10-year return on investment for energy efficiency upgrades. He mentioned the idea of setting a goal for achieving an acceptable energy per gallon of waste water processed. This would allow the Town to compare the WWTP's efficiency against others, similar to providing an Energy Star Rating, and also help determine if the efficiency upgrades were successful.

Turnburke supported Frachetti's approach, with its emphasis on proactive and constant communication, but suggested that public input be solicited on the plant's design earlier in the process than anticipated by the proposal.

Trustee Perret applauded Frachetti's proposal for its simplicity and focus and for Frachetti's appearance before the Board. Mayor Pro Tem Gierlach agreed that the Town should move ahead with the Frachetti proposal, but suggested the

development of a “scorecard” or something similar to incorporate Trustee Mueller’s suggested metrics. He also suggested that Town staff create a single-page document to share with the public to explain the project. Trustee Wheelock appreciated the straightforward language in the proposal and Frachetti’s communication tools and agreed to move forward. Trustee Nowicki agreed to move forward. Mayor Abu-Haidar agreed with Turnburke’s suggestion that the Board should help residents understand why the Board has had to take this step to reverse course away from the previous WWTP plant engineers TEC and its previous plans, to now engage Frachetti’s services and move in another direction. She liked Mayor Pro Tem Gierlach’s idea of a single-page public communication document, and she noted Frachetti’s communication tools as a real benefit to the proposal.

Motion was made by Trustee Mueller to proceed with Frachetti engineering, seconded by Trustee Perret, and approved unanimously.

## **2. Discussion of the Boulder County bus stop improvement proposal.**

Reis introduced the item and explained the background. Boulder County has offered some money to improve Town bus stops with shelters, benches and signs, and that they would work with the Town on the design. Ongoing maintenance would be the Town’s responsibility.

Mayor Pro Tem Gierlach asked questions about the shelter design. Turnburke responded that Boulder County has indicated flexibility in design. Trustee Nowicki asked about how the County developed the information to create this proposal, and Turnburke explained the research process. Trustee Nowicki voiced his support for improved shelters, in lieu of a GPS-based locator and arrival predictor, which isn’t presented for consideration.

Diane Fleming, S. Jackson, noted that the Hurricane Hill bus stop, although outside of Town limits, is definitely in need of improvement.

Randy Lee, 171 E. First St., expressed his support for any improvements that will encourage the use of public transit, as long as it doesn’t overly impact Public Works’ budget or staff time.

Trustee Mueller said that he thinks it is important for the Town to convey to Boulder County its desire to make the bus stops more sustainable. He also felt that the shelter proposed at 3<sup>rd</sup> St. be placed on a lower priority, under the stops at East St. and eastbound on Big Springs.

Trustee Perret prioritized East St., 3<sup>rd</sup> St., and eastbound Big Springs.

Mayor Pro Tem Gierlach noted that the purpose of this project should be to encourage the use of public transit, even if it means having to settle for a standard RTD shelter. His priorities were Big Springs and East St.

Trustee Wheelock supported the Big Springs and East St. locations, agreed with many of Trustee Mueller's suggestions, agreed with Mayor Pro Tem Gierlach's comments, but primarily noted that she wants to proceed.

Trustee Nowicki agreed with the Big Springs and East St. locations. He also asked if the shelters could be wired for wi-fi, wondered if the bus shelters could contain a place to post Town notices, and asked if the shelter designs could be "Nedified."

Mayor Abu-Haidar agreed that the priorities are to build the bus stops and encourage public transit use. In terms of design, she noted that the existing shelter at the RTD parking lot is a good compromise, if possible. She wondered if the Town could add bulletin boards later. Big Springs and East St. are her priorities, but in need of shelters and not simply benches. Turnburke explained why the original plan does not include shelters at those locations due to the nature of the locations.

### **3. Discussion of Resolution 2011-09, allowing wedding ceremonies at Town Hall.**

Town Clerk Teresa Myers explained the background for the resolution, particularly that it was developed in response to citizen calls.

Mayor Pro Tem Gierlach noted that he was uncomfortable with the application's assertion that Town Hall business would continue to be conducted during the wedding ceremonies. Myers explained that that clause was simply to notify wedding

ceremony applicants that they are renting the exclusive use of Town Hall for their event, but that, in actuality, business would be suspended during the ceremonies.

Trustee Wheelock noted that this is a great example of Town Hall staff being responsive to citizen's feelings and requests. She applauded this as an indication of the change in tone at Town Hall.

Motion was made by Trustee Perret to approve Resolution 2011-09, seconded by Trustee Nowicki, and approved unanimously.

## **H. OTHER BUSINESS**

Trustee Perret asked that some time be made at the Budget Workshop on May 10<sup>th</sup> to discuss the Frchetti wastewater treatment plant proposal in order to be able to provide the engineers with additional guidance in advance of their first deliverable.

Mayor Pro Tem Gierlach asked for some time to discuss the partially edited sustainability resolution among the Board members. He sought guidance from the Board as to next steps. A work session was scheduled for Monday, May 16<sup>th</sup> at 7:30.

Mayor Abu-Haidar reminded the Board of the Envision Summit planning meeting on Monday May 9<sup>th</sup> at 7:00. She also asked that the Town do more to publicize the benefits and terms of the water meter replacement project.

Trustee Nowicki noted that he'd been talking to Nederland business owners and that it appeared to him that some businesses in Town are facing potential closure due to the economy. He encouraged Board members to devote some time and energy into ideas to promote shopping local.

## **I. ADJOURNMENT**


Motion to adjourn was made by Trustee Perret, seconded by Trustee Nowicki, and approved unanimously. The meeting was adjourned at 9:08 PM.

Approved by the Board of Trustees.



Sumaya Abu-Haidar, Mayor

ATTEST:

  
Teresa Myers, Town Clerk