

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING:
May 18, 2010**

RESPONSIBLE DEPARTMENT: Administration

CONTACT STAFF MEMBER: Mary MacWilliams, Deputy Town Clerk

CONSENT AGENDA*

***Items which are not controversial in nature; have been previously
discussed and considered**

- A. Warrants
- B. May 4, 2010 Regular Meeting minutes

BOARD MEMBERS MAY:

Move TO APPROVE the Consent Agenda

Or

Move TO AMEND by removing or adding from the Consent Agenda

By A roll call vote of the Board of Trustees

TOWN OF NEDERLAND

WARRANTS

WARRANTS FOR 05/18/2010

Date	Number	VENDOR	AMOUNT	DESCRIPTION
12-May	24256	Accounting Specialists	\$3,325.00	monthly accounting services
12-May	24257	Ace Hardware	\$1,007.95	misc equipment and supplies for town facilities
12-May	24258	AlSCO Denver Linen	\$214.30	streets/water/sewer uniform cleaning
12-May	24259	David Anderson	\$1,300.00	professional services - water/sewer
12-May	24260	Accurate Payroll Solutions	\$130.00	monthly payroll service fee
12-May	24261	A&T	\$80.20	monthly cell phone - Tim and Mark (formerly Jim's cell phone)
12-May	24262	B&F	\$116.11	food for transition board meeting/misc supplies
12-May	24263	The Business Connection	\$84.62	copies/signage for 9News Health Fair/misc supplies
12-May	24264	Cen Tex	\$318.21	bathroom supplies for community center
12-May	24265	Chip's Roofing	\$13,600.00	roof repairs and improvements to prevent ice buildup
12-May	24266	DPC Industries	\$498.59	water/sewer chemicals
12-May	24267	East Street Garage	\$1,700.01	major repairs on Jeep liberty
12-May	24268	Accutest Mtn States	\$947.00	water/sewer testing
12-May	24269	General Air & Service	\$10.41	minor equipment - streets
12-May	24270	Hart Intercivic	\$988.69	paper ballot mailers elections
12-May	24271	Clarence Jagt	\$1,036.90	kitchen work/janitorial services
12-May	24272	Murray Dahl	\$3,555.97	monthly legal services
12-May	24273	Macdonald Equipment Company	\$897.34	equipment maintenance for streets vehicles
12-May	24274	Mountain Truck & Equipment	\$532.42	tandem repair - streets
12-May	24275	Neve's Uniforms	\$567.60	new uniforms for PD officer
12-May	24276	Ponder Company	\$110.00	cleaning solution for community center gym floors
12-May	24277	Qwest	\$804.33	phone service for town facilities
12-May	24278	Qwest Long Distance	\$21.88	long distance for town facilities
12-May	24279	Ramey Environmental Compliance	\$1,480.00	cleaning sewer ponds
12-May	24280	Rob Joseph	\$152.00	reimbursement for conference travel/meals
12-May	24281	Ken Robinson	\$69.99	reimbursement for software update for paging system
12-May	24282	Donna Schneider	\$487.50	monthly prosecutor services
12-May	24283	Siemen's Water Technologies	\$152,185.22	water plant membrane system - notice to proceed
12-May	24284	Spectrum General Contractors	\$41,364.88	pay apps 1&2 for kitchen improvements
12-May	24285	The Engineering Company	\$103,629.77	wastewater final design (see attached)
12-May	24286	UMB Bank	\$23,831.88	community center bond payment - interest only
12-May	24287	UNCC	\$40.25	misc- water/streets
12-May	24288	USA Bluebook	\$221.04	minor equipment- water
12-May	24289	Vranesh & Raisch	\$465.00	water attorneys monthly services
12-May	24290	Western Disposal	\$286.50	monthly disposal services for town facilities
12-May	24291	Xcel Energy	\$718.53	monthly streets lights bill
12-May	24292	Sumaya Abu-Haidar	\$271.00	reimbursement for Clerk's handbook and ICMA AD
		Total Non Payroll Warrants	\$357,051.09	
		Loan Draw - Water Loan	-\$152,185.22	
		Money Due for Kitchen from BC	-\$41,364.88	
		Net Cash Outflow	\$163,500.99	

Nederland Waste Water Plant Construction Tracking

Date	Invoice	Description	Amount	Fees	Reimbursables	
2007		Preliminary Design	\$ 53,500.00	\$ 53,500.00		
11/30/07	15048	Preliminary Design	\$ 11,500.00	\$ 11,500.00		
12/31/07	15087	Preliminary Design	\$ 7,481.66	\$ 7,481.66		
01/31/08	15190	Preliminary Design	\$ 10,869.84	\$ 10,869.84		
02/29/08	15248	Preliminary Design	\$ 11,493.81	\$ 11,493.81		
03/31/08	15423	Preliminary Design	\$ 5,184.69	\$ 13,263.04		
03/31/08	15423	Final Design	\$ 8,078.35	\$ 13,263.04		
04/30/08	15477	Final Design	\$ 17,605.52	\$ 17,605.52		
05/31/08	15576	Final Design	\$ 3,242.85	\$ 3,242.85		
06/30/08	15627	Final Design	\$ 3,765.14	\$ 3,765.14		
07/31/08	15744	Final Design	\$ 4,045.00	\$ 4,045.00		
08/31/08	15796	Final Design	\$ 1,474.48	\$ 1,474.48		
11/30/08	16090	Final Design	\$ 4,456.81	\$ 4,456.81		
12/31/08	16182	Final Design	\$ 2,777.11	\$ 2,777.11		
01/31/09	16246	Final Design	\$ 14,819.47	\$ 14,819.47		
02/28/09	16309	Final Design	\$ 22,336.46	\$ 22,336.46		
03/31/09	16385	Final Design	\$ 17,053.81	\$ 17,053.81		
04/30/09	16418	Final Design	\$ 15,326.33	\$ 15,326.33		
05/31/09	16497	Final Design	\$ 18,658.12	\$ 18,658.12		
06/30/09	16556	Final Design	\$ 18,407.36	\$ 18,407.36		
07/31/09	16625	Final Design	\$ 966.64	\$ 966.64		
08/31/09	16668	Final Design	\$ 4,788.27	\$ 4,636.50	\$ 151.77	
09/30/09	16697	Final Design	\$ 16,188.00	\$ 16,188.00		
11/30/09	16815	Final Design	\$ 19,088.50	\$ 19,000.50	\$ 88.00	
12/31/09	16898	Final Design	\$ 20,189.00	\$ 20,131.00	\$ 58.00	
01/31/10	16968	Final Design	\$ 20,099.00	\$ 20,999.00		
02/28/10	17043	Final Design	Paid 5/4 Paid 5/18	\$ 64,980.27	\$ 64,880.00	\$ 100.27
03/31/10	17078	Final Design	Paid 5/18	\$ 38,649.50		
			\$ 437,025.99			

Old Price*		Contract Amount	Paid To Date	Remaining	
fixed	Preliminary Design	\$ 100,030.00	\$ 100,030.00	\$ -	100%
hourly	Final Design	\$ 263,500.00	\$ 336,995.99	\$ (73,495.99)	128%
hourly	Bidding	\$ 10,430.00	\$ -	\$ 10,430.00	0%
hourly	Construction & Start up	\$ 107,288.00	\$ -	\$ 107,288.00	0%
		\$ 481,248.00	\$ 437,025.99		91%
hourly	Construction Observation	\$ 178,962.00			
estimate	Add'l Engineering/O&M Manual	\$ 10,800.00			
estimate	Legal	\$ 25,000.00		\$ 25,000.00	
	Soft Costs	\$ 696,010.00	\$ 437,025.99		
	* does not include additonal \$79,992 waiting to be approved by the USDA				
**	Construction	\$ 3,553,151.00		\$ 3,553,151.00	
revised est	Interest	\$ 160,000.00			
	Reserve	\$ 543,839.00		\$ 543,839.00	
	Hard Costs	\$ 4,256,990.00			
	Grand Total	\$ 4,953,000.00			
	Budget	\$ 4,953,000.00			
	Remaining	\$ -			

Total Invoices	\$ 437,025.99
Expensed in 20C	\$ (107,511.66)
CIP Balance	\$ 329,514.33
40-14-118	\$ 240,815.41
Difference	\$ 88,698.92

**construction costs reduced based on SBR switch

Nederland Water Plant Construction Tracking

Date	Invoice	Description	Amount	Fees	Reimbursables
01/31/08	15205	Preliminary Design	\$ 5,760.00	\$ 5,760.00	
01/31/08	15206	Funding Assistance I	\$ 1,375.00	\$ 1,375.00	
02/29/08	15289	Funding Assistance I	\$ 3,522.44	\$ 3,415.00	\$ 107.44
02/29/08	15288	Preliminary Design	\$ 1,920.00	\$ 1,920.00	
03/31/08	15441	Preliminary Design	\$ 9,216.00	\$ 9,216.00	
03/31/08	15442	Funding Assistance I	\$ 3,466.58	\$ 3,427.50	\$ 39.08
04/30/08	15509	Funding Assistance II	\$ 7,732.83	\$ 7,605.40	\$ 128.33
04/30/08	15508	Preliminary Design	\$ 10,930.94	\$ 10,930.94	
05/31/08	15571	Preliminary Design	\$ 10,573.06	\$ 10,573.06	
05/31/08	15574	Boulder County Planning Assistance	\$ 1,075.00	\$ 1,075.00	
05/31/08	15573	Funding Assistance II	\$ 3,512.80	\$ 3,500.00	\$ 12.80
05/31/08	15572	Final Design	\$ 5,412.49	\$ 5,412.49	
06/30/08	15647	Boulder County Planning Assistance	\$ 750.00	\$ 750.00	
06/30/08	15646	Funding Assistance II	\$ 2,400.00	\$ 2,400.00	
06/30/08	15645	Final Design	\$ 14,012.78	\$ 14,012.78	
07/31/08	15793	Funding Assistance II	\$ 2,907.01	\$ 2,902.50	\$ 4.51
07/31/08	15792	Final Design	\$ 11,024.73	\$ 11,024.73	
08/31/08	15842	Funding Assistance II	\$ 900.00	\$ 900.00	
08/31/08	15841	Final Design	\$ 8,313.87	\$ 8,313.87	
09/30/09	15915	Funding Assistance II	\$ 1,050.00	\$ 1,050.00	
10/31/08	16016	Funding Assistance II	\$ 1,350.00	\$ 1,350.00	
11/30/08	16103	Funding Assistance II	\$ 1,800.00	\$ 1,800.00	
12/31/08	16133	Final Design	\$ 1,836.13	\$ 1,836.13	
01/31/09	16232	Final Design	\$ 20,300.00	\$ 20,300.00	
01/31/09	16233	Funding Assistance II	\$ 2,722.50	\$ 2,722.50	
02/28/09	16332	Final Design	\$ 25,375.00	\$ 25,375.00	
02/28/09	16333	Bidding	\$ 1,750.00	\$ 1,750.00	
03/31/09	16379	Final Design	\$ 10,150.00	\$ 10,150.00	
03/31/09	16381	Bidding	\$ 875.00	\$ 875.00	
03/31/09	16380	Funding Assistance II	\$ 3,371.77	\$ 3,371.77	
04/30/09	16424	Final Design	\$ 3,045.00	\$ 3,045.00	
05/31/09	16520	CDPHE Design Report	\$ 2,437.50	\$ 2,437.50	
06/30/09	16560	CDPHE Design Report	\$ 945.73	\$ 945.73	
06/30/09	16559	Funding Assistance II	\$ 708.00	\$ 708.00	
06/30/09	16558	Final Design	\$ 2,030.00	\$ 2,030.00	
07/31/09	16617	Bidding	\$ 1,750.00	\$ 1,750.00	
08/31/09	16669	Boulder County Planning Assistance	\$ 836.00	\$ 836.00	
08/31/09	16670	CDPHE Design Report	\$ 2,556.77	\$ 2,556.77	
08/31/09	16671	Bidding	\$ 8,750.00	\$ 8,750.00	
08/31/09	16672	Construction & Start up	\$ 1,009.00	\$ 1,009.00	
09/30/09	16669B	Bidding	\$ 4,375.00	\$ 4,375.00	
09/30/09	16670B	Easement	\$ 5,397.00	\$ 5,397.00	
10/31/09	16794	CDPHE Design Report	\$ 660.00	\$ 660.00	
10/31/09	16743	Easement	\$ 8,198.50	\$ 7,834.50	\$ 364.00
10/31/09	16742	Construction & Start up	\$ 494.50	\$ 494.50	
11/30/09	16839	Construction & Start up	\$ 834.50	\$ 834.50	
11/30/09	16842	Easement	\$ 528.55	\$ 467.50	\$ 61.05
12/31/09	16884	Construction & Start up	\$ 528.00		\$ 528.00
12/31/09	16879	Easement	\$ 997.40	\$ 850.00	\$ 147.40
01/31/10	16953	Construction & Start up	\$ 1,491.50	\$ 1,293.50	\$ 198.00
01/31/10	16954	Easement	\$ 85.00	\$ 85.00	
02/28/10	17017	Construction & Start up	\$ 502.37	\$ 118.00	\$ 384.37
03/31/10	17082	Boulder County Planning Assistance	\$ 401.05	\$ 340.00	\$ 61.05
03/31/10	17081	Construction & Start up	\$ 1,915.50	\$ 1,915.50	\$ -

\$ 225,862.80

Nederland Water Plant Construction Tracking

		Contract Amount	Paid to Date	Remaining
	Preliminary Design	38,400.00	\$ 38,400.00	
<i>hourly</i>	Funding Assistance I	\$ 8,364.02	\$ 8,364.02	\$ -
<i>hourly</i>	Boulder County Planning Assistance	\$ 3,062.05	\$ 3,062.05	\$ -
<i>hourly</i>	Funding Assistance II	\$ 28,454.91	\$ 28,454.91	\$ -
<i>hourly</i>	Easement	\$ 15,206.45	\$ 15,206.45	
	Final Design	\$ 101,500.00	\$ 101,500.00	\$ -
	Bidding	\$ 17,500.00	\$ 17,500.00	\$ -
	CDPHE Design Report	\$ 6,600.00	\$ 6,600.00	\$ -
<i>hourly</i>	Construction & Start up	\$ 121,541.00	\$ 6,775.37	\$ 114,765.63
		\$ 340,628.43	\$ 225,862.80	
06/22/09	Sherman & Howard Bond Counsel	\$ 7,500.00	\$ 7,500.00	\$ -
	Soft Costs	\$ 348,128.43	\$ 233,362.80	
	Membrane System	\$ 600,686.00	\$ 162,885.22	\$ 437,800.78
	Construction	\$ 1,351,071.00		\$ 1,351,071.00
	Reserve	\$ 200,000.00		\$ 200,000.00
	Hard Costs	\$ 2,151,757.00	\$ 162,885.22	
	Grand Total	\$ 2,499,885.43		
	Budget	\$ 2,500,000.00		
	Remaining	\$ 114.57		

	Membrane System	606,686.00	
1.66%	On order	10,000.00	10,000.00
25.34%	On notice to proceed	152,885.22	152,885.22
63.00%	On delivery	383,132.18	
5.00%	On startup	30,334.30	
5.00%	On successful completion of performance	<u>30,334.30</u>	
100.00%		606,686.00	162,885.22

Nederland Community Center Kitchen Project

Date	Invoice	Description	Amount	Fees	Reimbursables
03/29/10	32610	Pay App #1	\$ 12,580.45	\$ 6,480.50	\$ 95.17
04/30/10	43010	Pay App #2	\$ 28,784.43	\$ 2,940.00	\$ 96.59

Paid 5/4

Kitchen Project
Spectrum

Contract Amount	Paid to Date	Remaining
71,519.10	\$ 41,364.88	\$ 30,154.22

TOWN OF NEDERLAND AGENDA

REGULAR BOARD OF TRUSTEES MEETING

NEDERLAND COMMUNITY CENTER
750 Hwy 72 Nederland, CO 80466

May 4, 2010

7:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

Present: Mayor Abu-Haidar, Trustees Joseph, Mueller, Nowicki, Perret, Wheelock

Absent: Mayor Pro Tem Gierlach

Also Present: Carmen Beery, Town Attorney; Mary MacWilliams, Deputy Town Clerk;
Eva Forberger, Town Treasurer

C. CONSENT AGENDA

- Warrants
- April 20, 2009 Regular Meeting Minutes

A motion to approve the consent agenda was made, seconded, and approved.

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

Teresa Warren from the Downtown Development Authority invited the Board to the DDA meeting on Thursday, May 6th and the DDA meeting at the Colorado Municipal League on May 12th.

E. NEW BUSINESS

1. Presentation by Wendy Swanhorst on 2009 financial audit.

Ms. Swanhorst of Swanhorst & Company reported that the 2009 audit went well and that the draft provided to the Board is likely in final form. She referred the Board to the Management Letter, specifically noting recommendations regarding the monitoring of grant and loan covenants.

Not all Board members had seen or reviewed the draft audit. Treasurer Forberger offered to distribute copies and get sign-off from each Board Member. Ms. Swanhorst will wait for Board sign-off before finalizing the audit.

Trustee Mueller asked how the Town planned to handle the recommended

monitoring. The Treasurer explained that in relation to the sidewalk grant, Kevin Dooley (Project Manager with Loris & Associates) will do the reviews and generate letters of compliance indicating that the requirements have been met. The Treasurer has been monitoring the Bond Covenants and reported that the Town is far exceeding the covenant requirements. She will continue to work with Swanhorst & Co. to ensure that the monitoring is adequate for next year's audit. Ms. Swanhorst encouraged the Town to set up a 'tickler' system making sure that the requirements are being met along the way rather than be surprised at the end of the year in the audit.

2. Presentation by Stop Experts Inc. and DDA regarding bid for flashing crosswalk.

Paul Turnburke of the Downtown Development Authority began his presentation by noting that no action needs to be taken by the Board at this time; they are just looking for public feedback on the proposed 'lit crosswalks.' \$22,500 in funding has already been obtained from Boulder County. The original idea was to have two crosswalks, but with the proposed system from Stop Experts they can only afford one (probably located at the Visitor's Center).

Tad King from Stop Experts presented on the background, dynamics and mechanics of the proposed system. He activated the system to play the voice message and demonstrate the flashing light component.

Trustee Nowicki asked if it is possible to change the message. Mr. King explained that it can be changed but that they prefer not to because the current message states the relevant information in the most concise way. He said the message can be turned off but noted that it is a key component to the system.

Trustee Joseph asked if the Boulder County grant is good only for this system or if it can be used for other systems. Mr. Turnburke explained that the grant is good for "two lit crosswalks" and that there may be some latitude in the interpretation of the specifics. Trustee Joseph asked about the aesthetics of the 'ornamental' vs. the 'standard' crosswalk types. Mr. Turnburke said that ways to make it more aesthetically pleasing or blend into the environment were discussed, but that it is more important to have the crosswalks stand out than blend in because that is what makes them effective.

Trustee Mueller asked where the crosswalk would be installed. Mr. Turnburke replied that it hasn't been decided yet but likely in front of the at the Visitor's Center.

Trustee Perret inquired as to how the system will work for blind people who may have difficulty finding the button. Mr. King demonstrated the 'blind activation' feature and said they're still working on some pieces in that area.

Trustee Wheelock asked how Nederland's extreme weather conditions factor in and if Stop Experts had installed similar systems in comparable locations. Mr. King said there is one in Woodland Park that hasn't been there long enough to tell, but that the system holds up to Florida winds and that both the battery and circuit board are unaffected by extreme heat or cold. Trustee Wheelock asked if the 'body heat' mechanism would still work if it were sub-zero temperatures and windy; Mr. King said that it would.

Trustee Perret noted that for people proximate to the crosswalk (i.e. visitor's center volunteers) the repeated voice message would be very irritating and wondered if there's a shorter version of the message. Mr. King reiterated that because of the volume of new pedestrians (i.e. summer tourists) it is important to keep the full message, but noted that the volume is adjustable. Mayor Abu-Haidar clarified that the message can be turned completely off, which is correct.

Trustee Wheelock asked if the DDA had explored options and pricing with other companies in order to possibly afford the two crosswalks permitted by the grant rather than just the one with Stop Experts. Mr. Turnburke replied no, that Stop Experts came to them recommended by Loris (who had done significant research), and that the Stop Experts system is the only one with solar power.

Mr. Turnburke emphasized that in his opinion the voice message is a safety feature and that it shouldn't be turned on or off during different times of day.

Public Comment:

Dawn Baumhover said that while she is concerned about the safety of residents she is conflicted about the system. For her, flashing lights are distracting and can cause accidents; she might have to move if the system goes up as proposed. She would like to see something that provides similar levels of safety without flashing lights in the middle of town.

Randy Lee said he does support lit crosswalks and noted that much of Nederland's traffic comes from Boulder and is therefore familiar with the lit crosswalks there. He suggested leveraging that familiarity and using a similar, standard system.

Paul Turnburke said in the interests of full disclosure that since the feature article in the paper he's had ½ a dozen people come to him expressing concerns about having flashing lights in the town.

Teresa Warren said that the pedestrian safety was the number one priority for the DDA in considering the system. She spoke in favor of the proposed system, saying that she feels the crossing is currently unsafe and that she regularly sees close calls between pedestrians and automobiles. She said the Boulder crosswalk system has not proven very safe and that the proposed system is tested and effective.

Trustee Nowicki asked about the dynamics of the crosswalk in that the plan for the new road and bridge will result in a narrower and more curvy street at that location, noting that it's a lot of changing factors. Ms. Warren replied that the curves are designed to slow traffic and will complement the crosswalk and that the point is to slow traffic before it comes into town. Mr. Turnburke added that the traffic-slowing aspects of the plan are tried-and-true and are effective.

Trustee Joseph asked for someone from Public Works and the Town Marshall to express their thoughts on the system.

Tim Underwood from Public Works raised questions as to vandalism if people don't like the systems. He noted that it seems "too much for the Town's atmosphere" and that the system is not "friendly" with respect to plows, sidewalks, etc.

Police Chief Ken Robinson noted that the solar panels can be problematic if they stop working when covered in snow (which is what happens to the police radar devices). His biggest concern is the cost; he thinks that cheaper options with less 'bells and whistles' are available and that other, simpler systems should be considered.

Mayor Abu-Haidar asked for a quick sense of where each Trustee stood. Trustee Perret agrees with Ken Robinson that other, less-elaborate systems should be considered. Trustee Wheelock anticipates a negative reaction to the flashing lights from some residents but thinks there is a compelling enough safety issue that she supports lit crosswalks. She is concerned about price and thinks multiple systems should be considered and priced. Trustee Mueller doesn't think the Town is ready for lit crosswalks. He prefers the original plan involving curvier roads and raised sections of road, and is concerned that the group is deviating from the plan just because there are funds available. Trustee Joseph agrees that pedestrian safety is of paramount importance, but is torn about the proposed solution and needs time to reflect as to whether this is the best plan. Trustee Nowicki questioned the effectiveness of different solutions and would prefer to have more options to consider.

Mayor Abu-Haidar said that there are enough questions and concerns that the decision shouldn't be rushed. While appreciating the time it will take to do so, she agreed that more bid should be gathered and more options considered. She noted that the issue is not just one of safety but of the character of the Town, and encouraged Board members to make efforts to gather public opinion. She thinks the community will 'really rebel' at the talking piece of the proposed crosswalks. Mr. Turnburke stated that the most important question on which the Board should focus is whether or not the Town wants lit crosswalks.

The Board agreed they are not yet ready to give the DDA direction on the issue, but that the additional bids should be obtained.

3. Discussion and approval of Resolution 2010-14 appointing a town clerk.

Mayor Abu-Haidar stated that the hiring committee composed of the mayor, mayor pro-tem and department heads made a recommendation to the Board to appoint Teresa Myers as the new town clerk.

A motion to approve the resolution and appoint Teresa Myers to the town clerk position was made by Trustee Wheelock and seconded by Trustee Perret. A roll call vote of the Board resulted in the motion passing unanimously.

Ms. Myers said she was grateful for the opportunity and as a part-time homeowner in Nederland she looks forward to participating in the Town's government.

4. Discussion and approval of Resolution 2010-15 appointing a deputy town clerk.

Mary MacWilliams has served as deputy town clerk in the past but was never officially appointed to the position. It's helpful to have a deputy town clerk available in the event of the clerk's absence.

A motion to approve the resolution and appoint Mary MacWilliams to the deputy town clerk position was made by Trustee Nowicki and seconded by Trustee Joseph. A roll call vote of the Board resulted in the motion passing unanimously.

5. Discussion and approval of Resolution 2010-16 appointing an interim town administrator.

As the search for a town administrator can take up to four months, the Board decided to hire a qualified town administrator to carry out duties in the interim. Mayor Abu-Haidar interviewed several candidates and sought advice from DOLA before recommending Cheri Anderson for the position.

Trustee Joseph expressed how impressed he was with Ms. Anderson and that he's happy to have her on board. Trustee Perret relayed the positive recommendation Don Sandoval gave with regard to Ms. Anderson.

A motion to approve the resolution and appoint Cheri Anderson to the interim town administrator position was made by Trustee Nowicki and seconded by Trustee Perret. A roll call vote of the Board resulted in the motion passing unanimously.

On the suggestion of the Town Attorney, a motion was made later in the meeting by Trustee Joseph and seconded by Trustee Perret to amend the Resolution to insert an effective start date of May 17, 2010. A roll call vote of the Board resulted in the motion passing unanimously.

6. Discussion and approval of contract for bond counsel for new wastewater treatment plant.

Treasurer Forberger explained that bond counsel is needed in order to close on the loan for the wastewater plant. She recommended using the same bond counsel the Town used previously for the water loan and the debt related to the elections. The bid is for \$7,500 fixed fee; there was \$25,000 budgeted and while there will be some additional legal fees from the Town Attorney, the Town will come in far under budget for this item.

Trustee Mueller asked if an RFP had been issued for the job; the Treasurer replied that as the amount was under \$10,000 they didn't do an RFP. Trustee Mueller asked what responsibilities are included in the bid and wondered about the hourly rates for additional services such as general legal counsel re: the bond. The Treasurer explained that although the services of a "bond counsel" are required, the debt is actually a USDA loan, not a traditional bond. Bond counsel will spell out what requirements the Town must follow as part of their services. The Treasurer offered to obtain the hourly rate and a full description of services from the proposed Counsel. Trustee Mueller said this seems like a unique opportunity to improve the Town's bond rating and wondered if Bond Counsel could help with that. The Treasurer explained that the Town is receiving a better rate and better conditions with this USDA loan than it would in a public bond offering given its current credit status. She believes the rate is still at 4.5%, but will confirm.

Trustee Nowicki inquired as to the timing of the need for Bond Counsel. The Treasurer explained that it is a necessary step in the loan process, but that a couple-week delay is not particularly problematic.

Trustee Joseph expressed his desire for more bids but wanted to confirm that the consequences of doing so are not severe. The Treasurer explained that there are a lot of moving parts to the process, including an interim construction loan upon which she needs to focus. She anticipates beginning construction July 1 or August 1, so didn't think that a two-week delay on this piece at this time puts anything in jeopardy.

Trustee Perret expressed concern about the 40-year term of the loan exceeding the life of the project. Mayor Abu-Haidar pointed out that the Board will have the opportunity to discuss the loan specifics in next week's workshop with the USDA Representative, but that the issue currently in question is the Bond Counsel piece.

The Board agreed to table the resolution for two weeks to allow the Treasurer to gather additional bids.

F. OTHER BUSINESS

Trustee Joseph expressed his desire to recognize Mayor Abu-Haidar's extraordinary efforts over the past few turbulent weeks and thanked her for said efforts.

Trustee Joseph wanted the Board to be aware that the Chamber is considering giving up the Neder-Nederland Race. He has been working with the Town Marshall to see what can be done to keep the race in Town, specifically with an eye towards making it a non-profit event, with profits going to support the High School track program and efforts towards a more formalized Middle School track program.

Trustee Joseph emphasized the importance of educating the relatively new Board and asked for a conversation to occur as to the parameters of compensation for Trustees who attend educational sessions. Mayor Abu-Haidar replied that the Professional Development budget was trimmed in response to budget shortfalls. She and the Treasurer have worked out a proposed plan where each Trustee has a capped amount of approximately \$500 annually to spend on Professional Development. Trustee Joseph talked about a couple of upcoming CML events which (including travel expenses) would exceed the \$500 limit. Mayor Abu-Haidar responded with her doubts that the budget could afford to cover things like travel expenses, and that historically the Town has only covered things like registration fees. It was agreed that for now the \$500 allotment will be used for registration fees alone, and the Board will revisit the issue at a future time.

Trustee Perret noted that past Boards have discussed warrants over \$10,000 and approved them before checks were mailed. He would like the Board to discuss warrants over \$10,000 as in the past. Treasurer Forberger indicated that Town cash flows are in a better position now than previously. She agreed to provide more detail and include the warrants as part of the consent agenda in the future. Trustee Perret encouraged more detail to be included in future packets for reasons of transparency.

Trustee Perret brought up the possibility of being a sister city with a mining community in the Appalachians that recently lost 29 miners in a mining accident. He will talk with Vince Herman about possible next steps.

Mayor Abu-Haidar said that finalizing liaisons to the various Town Boards will occur in the near future, noting that Trustee Mueller as liaison to the Planning Commission and Trustee Nowicki as liaison to PROSAB are logical appointments.

ADJOURNMENT:

It was moved, seconded, and unanimously approved to adjourn at 8:45 pm

Approved by the Board of Trustees

Sumaya Abu-Haidar, Mayor

ATTEST:

Mary MacWilliams, Deputy Town Clerk

