



# OFFICE OF THE CLERK/TREASURER

City of Burlington

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## BOARD OF FINANCE MONDAY, OCTOBER 28, 2013

### MINUTES

**PRESENT:** Mayor Weinberger; City Council President Shannon (left at 5:40pm); Councilors Bushor, Knodell, and Aubin; CAO Rusten

**ALSO PRESENT:** ACAO Goodwin; City Attorney Blackwood; Assistant City Attorney Haesler; Norm Baldwin, Laurie Adams, DPW; Seth Lasker, Lise Veronneau, Fire; Mike Kanarick, Mayor's Office; Ken Nolan, BED

#### 1. Agenda

City Council President Shannon requested item 6 be moved to item 1.1.

On a motion by City Council President Shannon and Councilor Knodell, the agenda was adopted unanimously as amended.

#### 1.1 (Formerly 6) Authorization for Champlain Parkway Contract Amendment – DPW

Councilors Bushor and Knodell made a motion to approve the contract amendment.

City Council President Shannon inquired why the contract needs to be increased by \$600,000. Norm Baldwin, DPW, stated they executed a Cooperative Agreement with the State of Vermont for \$2 million. They used some of those funds for their contract with Clough Harbor and Associates (CHA) and for legal services for the project. The work will not be completed, therefore CHA's contract scope will extend beyond its limit. City Council President Shannon inquired what the design changes are. Mr. Baldwin stated they are continuing to advance Contract 6, which is design for the area between Lakeside Ave. and Pine St. They are completing other tasks related to Contracts 1 and 2. Mayor Weinberger stated this is respecting the Council's desire to have contract amendments brought in advance rather than retroactively. As they begin new sections of work, they will bring contract amendments before the Board of Finance. These represent the next steps in the project. Mr. Baldwin stated since their last contract amendment, they received approval for a cooperative agreement from the State to bring \$2 million into the project. They are amending the contract before they utilize the funds they received from the State. City Council President Shannon stated it seems there is no budget. They keep paying for things as they come up. She requested a budget to see what they expect for the overall cost. Mr. Baldwin stated the challenge is there are a lot of unknowns as they face different legal challenges. They can give a number, but it is likely to change. This project is in the middle of Act 250 appeals and they do not know when they will get through them. City Council President Shannon stated she understands the challenge of legal fees. Construction and design costs could change if they get an order from Act 250 to do something differently. They are lucky that the City only has to pay 2%, but it is not an inconsequential amount in their budget. Mr. Baldwin stated he can get a sense from the design firm of how long it will take to get to the end of construction process. Their plans need to work within the CCRPC regional plan and the State transportation plan.

Councilor Bushor inquired if there is a maximum spending cap. Mr. Baldwin stated that is the amount of the current amendment from the State Cooperative Agreement. The State will not increase this all at once. As the project advances, they will continue to offer Cooperative Agreement Amendments until the project is complete. Councilor Bushor inquired if there is an upper amount. Mr. Baldwin stated there is not. There is a commitment to complete the project and the cost will be what it is. They have to follow the process to complete the project.

The motion passed unanimously.

## **2. Public Forum**

No one came forward to speak.

## **3. Approval of the Board of Finance Minutes**

**a. October 15, 2013**

**b. October 21, 2013**

Councilor Knodell requested changes to the October 15 minutes to clarify her comments about the Pension Summit.

On a motion by Councilors Knodell and Bushor, the minutes were adopted unanimously.

City Council President Shannon left the meeting.

## **4. Authorization for Contract for Snowplowing Services – Marketplace**

The Board addressed an item to allow the Church Street Marketplace to execute a contract with A. Marclenino and Co. for snowplowing services.

Councilors Knodell and Aubin made a motion to authorize and execute the contract. The motion passed unanimously.

## **5. Authorization for Colchester Avenue Sidewalk Project Contract – DPW**

The Board addressed an item to allow the Department of Public Works to execute a contract with Don Weston Excavating to construct a sidewalk on Colchester Avenue.

Councilor Bushor thanked them for moving this forward.

Councilors Knodell and Aubin made a motion to authorize and execute the contract. The motion passed unanimously.

## **7. Authorization to Purchase Excavator – Water**

Councilors Aubin and Knodell made a motion to authorize the purchase.

Councilor Bushor inquired if the cost of the trailer is rolled into the cost. Laurie Adams, Water, stated the machine will cost \$107,860 and the trailer will cost \$12,200.

The motion passed unanimously.

**8. Review of September Financials – C/T**

and

**9. First Quarter Budget Amendment Analysis – C/T**

and

**10. Review Sweep Account Analysis (Formerly Pooled Cash) – C/T**

Councilors Knodell and Bushor made a motion to postpone action on items 8-10 and address them at their next meeting. The motion passed unanimously.

**11. Authorization for Ambulance Purchase - Fire**

Councilors Aubin and Bushor made a motion to authorize the ambulance purchase.

Councilor Bushor stated she would like to receive copies of both bids and information about why the bid was chosen. Seth Lasker, Fire Chief, stated they only received two bids, which was disappointing. The difference between the bids was \$2,240. They elected to go with the higher bid of \$171,460. They currently own two other vehicles from this company, Osage Industries, and have an excellent relationship with them. They have had excellent maintenance support, and keeping the trucks on the road is very important to them. He felt going with the known company would be in their best interest.

Councilor Knodell inquired if this will be financed from the current year general fund budget. CAO Rusten stated it will be financed from the Capital Improvement Program.

The motion passed unanimously.

**12. FY14 Contribution to Visiting Nurses Association – Fire**

The Board addressed a Budget Amendment to allow the Fire Department to contribute \$106,760 to the Visiting Nurses Association for indigent care services.

Councilors Bushor and Knodell made a motion to approve the contribution. The motion passed unanimously.

**13. National League of Cities Membership – Mayor (Discussion Only)**

Mayor Weinberger stated his budget has had a standing item to pay the dues for the National League of Cities. He has had no value from that in his 18 months as Mayor and felt he should look into it to see if others found a value in this. This is different than the Vermont League of Cities and Towns which has a lot of value. CAO Rusten stated they also contacted Department Heads to see if they were benefiting from this, but none said they were. Mayor Weinberger stated he is fine with ending their membership. He has been involved with the National Conference of Mayors.

Councilor Bushor inquired if they can transfer this money to the special projects fund. CAO Rusten stated they will not move the money at this time, but will keep this discussion in mind for the future.

#### **14. Timing of the 11/12 Board of Finance Meeting**

The Board discussed the start time of the 11/12 Board of Finance meeting and agreed to meet at 5:00pm.

#### **15. Authorization for planBTV Contract Amendment – P/Z**

Councilors Bushor and Knodell made a motion to authorize the contract amendment.

Councilor Bushor stated she is interested in computer generated 3D models but is unsure of the cost. She inquired if that is part of what they hope to do. Sandrine Thibault, Planning and Zoning, stated that is something that Champlain College has done in the past, but is not part of this particular contract. Councilor Bushor inquired if there is anything they would benefit from in this new stage. Ms. Thibault stated this will help in illustrations and document preparation.

The motion passed unanimously.

#### **\*\*\*Expected Executive Session\*\*\***

#### **16. Authorization for Amendment to Agreement with Winooski One Partnership – BED**

The Board did not enter Executive Session.

Councilors Bushor and Knodell made a motion to approve the amendment.

Ken Nolan, BED, stated the contract that was approved with Winooski One required the Arbitration Panel to do a full legal ruling. They have told them they will give them a number and a layman's explanation of how they realized that, but will not do a full legal analysis of the case. Councilor Bushor inquired if this will give them information to substantiate the decision. Mr. Nolan stated there are three levels. The lowest level would just give them the number with no explanation. They have agreed to a middle level number and a brief explanation of how they arrived at the analysis. The highest level would have a full blown legal conclusion. Councilor Bushor inquired if the City Attorney feels this is adequate. City Attorney Blackwood stated she has spoken with the Attorney who has been handling this. They are working to make a decision quickly and feel this would be adequate. Mr. Nolan stated they panel has told them that if they approve this amendment, they can make a ruling by December 1. This needs to be done quickly if they are going to have it on the ballot for March.

The motion passed unanimously.

Without objection, Mayor Weinberger adjourned the Board of Finance meeting at 5:55 pm.