

TOWN OF JAMESTOWN
Town Board Meeting
February 17, 2016 Minutes

Mayor Schoedinger called the meeting to order at 7:12PM. Present at roll call were Trustees Julie Constantine, Vic Harris, Ken Lenarcic and Tim Stokes. Trustees Chad Droste and Carolyn Donadio were absent.

Others present were Roger and Nancy Loving, David Mans, Barb Byrnes-Lenarcic, Paul Midkiff, Steve Edelstein and Heather Yahnke.

Approval of Agenda:

Trustee Harris moved to approve the agenda as submitted. Trustee Constantine seconded the motion that passed unanimously.

Public Hearing for Floodway and Flood Plain Revision (Mark Williams, Flood Plain Administrator):

Mark discussed the new LOMR (Letter of Map Revision) that the Town received and has benefited from the consulting of AECOM (paid for by the Water Conservation Board). The LOMR shows the new mapping and configuration of the stream channel post flood 2013. The various map versions and images are posted on the Town's website. Before the 2013 flood, the Town was using the regulatory FIRM maps from 2012. In 2014, the Town's floodplain management ordinance was changed to use the 2012 regulatory map and the provisional flood mapping done by AMEC, whichever is most restrictive.

The Board should bear in mind that the Ordinance requires the Town to make informed decisions using pre-flood plain mapping and immediate post-flood mapping and to use the most conservative of those two. We now have a new map that was developed by AECOM and CWCB based on the new configuration and hydrology of the stream corridor. The decision before the Board is whether the Town should adopt the newest map from AECOM as the new provisional map and whether to submit this LOMR map to FEMA for their review and acceptance as the Town's new regulatory map. There is a 90-day public comment period on the LOMR. The LOMR also includes the EWP work that's been done with a better representation of James Creek.

Trustee Harris asked Mark what the major changes are between the LOMR and the difference between the LOMR and FIRM.

The LOMR shows higher creek flows and is being used up and down the front range and is based on the peak, clear water flows and additional elevation data gathered through LIDAR. There have been definite shifts in the flood plain. Stream beds have risen and others are scoured. It takes into consideration new volumes of water and flows.

There are impactful changes to properties that are now in the flood plain in the center of Town (negative impact). Some properties are still in the flood plain other properties that were in the flood plain are not (net positive). The Ward Street culvert and new bridge will carry a larger volume of water.

The 2012 regulatory FIRM was compared to the provisional flood plain map that AMEC did and the image of the later draft. The lines have changed.

There are new culverts that tributaries will flow into. One of the larger impacts will be scooping out the sediment in the town square that should benefit some adjacent properties. The changes on the map reflect that the town square has been filled in with sediment.

This LOMR is the mapping that the Board will vote to submit to FEMA to become the Town's new regulatory map.

Trustee Harris asked if the LOMR is based on the town square as it is now and would it have a substantial impact to lower the risk to downstream properties if the LOMR doesn't take into consideration the work to be done on the town square.

There are residents who are waiting on this new mapping. The Town square has budget to excavate the sediment out of the town square. If the LOMR is accepted there is a 90-day comment period for residents and FEMA

Roger Loving was present and asked the Board to wait to approve the new ordinance. He believes there are some errors on the map that need to be corrected. He said that the LOMR doesn't correspond with what's actually visible, i.e., lateral data and elevations on his property. Mark will invite AECOM up to discuss and review.

Roger has flood evaluation certificates from 2012 and 2014. There's a 3-4' to 7' vertical foot discrepancy. He asked the Board for time to review with AECOM and check the actual data.

There was Board discussion of waiting 30 days to make any corrections before adopting ordinance. This will affect construction at 175, 99 and 40 Main Street elevations and it's everybody's interest to move this forward. Because of possible errors, does the Board need to have AECOM review all data points? Once the Board is satisfied there are no errors or discrepancies, the Board will approve the LOMR and ordinance and can do so at a Special Meeting.

Trustee Harris moved to close the Public Hearing seconded by Trustee Constantine. Unanimous vote.

NEW BUSINESS:

Since the Board has been discussing the Ordinance and the motion on the agenda, the Mayor moved the discussion here in order to follow the discussion from above. If the Board approved the submission of the draft AECOM LOMR, what if we changed the language of the motion that the Board approves AECOM to submit this to FEMA once Roger and Mark are satisfied that the issues have been addressed. Roger had no problem with it. The other alternative is that the Roger and Mark meet again to share with the Board at a separate meeting so that Roger can present his findings so that the Board is satisfied that there are no discrepancies.

The LOMR will be posted online for better imagery with a lot better detail (not clear on the hard copy).

Ordinance 02-01, Series 2016 An Emergency Ordinance Amending Town Ordinance 8, Series 2012 Providing for the Prevention of Flood Damage Through Adoption of Principles Promulgated by the Federal Emergency Management Agency (adopting the draft AECOM maps as our new "provisional" floodplain map)

Trustee Lenarcic moved to table for the March 7th meeting. Trustee Harris seconded the motion.

Resident David Mans said that he and Paul Midkiff have a lot pending on this with regards to their elevations.

Unanimous vote.

A motion to approve the submission of the draft AECOM Letter of Map Revision (LOMR) to FEMA for approval (adding to the motion) subject to the approval of Mark Williams, Flood Plain Administrator and Roger Loving's and all discrepancies are resolved.

Trustee Harris moved that the Board approve the submission of the LOMR to FEMA for approval on the condition that the Flood Plain Administrator has reviewed all concerns and any errors have been addressed. Trustee Stokes seconded the motion. Unanimous vote.

Adopt Revised Employee Policy:

The Board packet included the 2011 Employee Policy and a draft with revisions that include the Harassment Policy, disability and religious versions.

Trustee Lenarcic said that this affects our Town employees and needs discussion. There are parts that are confusing and seem to be two deal breakers. In the Travel Section, if an employee uses their personal vehicle on town business, they should be reimbursed for mileage based on the IRS rate; delete the first two sentences and base the mileage rate on the GSA .

The Board discussed how mileage would be tracked with a definition of travel. Add, "as approved or preapproved by the Mayor" or bring to the Board for approval.

Trustee Harris proposed the following:

- Pre-approved by the supervisor (mayor or designee) on work related travel to be reimbursed at IRS guidelines.
- Emergency work related travel.
- Employees may request travel reimbursement to the Board (or Mayor).

Further discussion about using the IRS standard rate that will also have budget impacts and could cause thoughts about budget planning. Use the word "appeal" to the town board as approved by the Mayor or designee.

Discussion about Termination and giving a two week notice. Is there a signed contract with town employees or does it apply to all town and contract employees--the difference is contract and regular employees (change to hourly employees); no benefits.

Unlawful Harassment: change the last paragraph to make this only apply to "all employees". This is because we do not require customers, clients, vendors, volunteers or consultants to sign this policy.

Harassment and EEO Compliant Procedure: changed the confidentiality piece from "as practicable" to "unless the complainant waives the right to confidentiality for the purpose of investigation."

Trustee Harris moved to adopt the revised personnel policy as amended in our discussion seconded by Trustee Constantine.

Trustee Stokes noted that employees are strongly recommended to give a two-week notice.

Trustee Lenarcic respects that this needs to be adopted, but it is poorly written.

Unanimous vote.

Use of Town Hall for Community Soup Swap and Waive Fees (Julie):

Trustee Constantine asked to use the Town Hall for a Community Soup Swap on a periodic basis. Individuals would bring in a liter of soup to swap. This would be on a Sunday afternoon for two hours and make the town hall accessible to the Community. Trustee Constantine asked that the rental fee be waived and she'd pay the damage deposit and use of propane.

Trustee Harris moved to approve the use of the Town Hall for the for the Community Soup Swap and waive the rental fee seconded by Trustee Stokes. Unanimous vote.

The first Soup Swap will be March 13th.

Discussion of ideas on how the Community and the Town Staff can best utilize the shared space in the Town Hall (Tara):

There was a good discussion about the use of the Town Hall with Steve Edelstein and Jim McGinley and what people feeling and thinking about the use of the town hall. She feels that it's important for the staff to be in the town hall that is beneficial for the staff in order to work more cohesively.

The town hall is not an ideal place for staff to work (it's cold in the winter and hot in the summer). Trustee Lenarcic asked that the Mayor rethink it and create a better work environment for the staff.

From a staffing team stand-point, it's the best place to work in order to communicate well with each other. There are also a number of contractors that use the town hall for meetings.

The Mayor would like to work on reorganizing the town office, the volunteer equipment and hand tools and the JAM office. The town hall has been turned up-side-down since the flood. Discussion of reopening the town hall for community use once again. Leave the rental agreement as is.

Steve Edelstein asked about the staff working together in such close proximity (noise, interruptions, etc.). The town office could be reopened to give a welcome feeling to those coming in.

The town clerk's office is being used for conference calls and as a private meeting place. There are so many people in and out every day and most people know where to find the staff.

Barb Byrnes-Lenarcic asked if there was a date or timeline for returning the Clerk to the office. Can the finance people and town clerk be moved into the office? It's great office space that's not being utilized.

The Mayor said it's working well for the staff to all be in the same area in order to effectively communicate with each other.

Motion to Approve ACE Engineering Task Order 8:

Trustee Constantine moved to approve ACE Engineering Task Order 8 seconded by Trustee Stokes. Unanimous vote.

Adjourn:

Trustee Stokes moved to adjourn at 9:06PM seconded by Trustee Constantine. Unanimous vote.

Respectfully submitted,



Mary Ellen Burch, Town Clerk

Approved,



Tara Schoedinger, Mayor