

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: Virtual Meeting

DRAFT

DATE: October 7, 2020

MEETING CONVENED: 7:30PM

NOTE: Adequate notice of this meeting was provided informing the public of the time and place according to the provisions of the Open Public Meetings Law (Chapter 231, P.L. 1975).

IN ATTENDANCE:

Raymond Murray . GBFCC Chairman
George Ververides -Middlesex Cty Planning
Homer Mosley . Dunellen OEM
John Ferguson . South Plainfield
Tom Slowinski . NJDEP
Theodore Bassman . Scotch Plains
Rich O'Connor - Engineer, GBFCC
Wendy Robinson - Watchung
Rob Zucker . Winning Strategies

Alek Peterson . USACE NY District
Alice Tempel . South Plainfield
Stacy Narvesen . Dunellen
William Crosby . GBFCC Treasurer
Joe Skupien . Somerset County
John J. Sweeney - Middlesex
Jessica Dunne . Dunellen
Harry Allen . North Plainfield
Doug Greenfield . Middlesex Cty Planning

MINUTES

The August 2020 minutes were approved. A copy of the approved minutes is available on the GBFCC website.

CORRESPONDENCE

None.

The GBFCC maintains a correspondence file that is available for inspection as may be necessary and upon request.

TREASURER'S REPORT

All entities have paid their dues for the year 2020. The finances are in good order. Proposed 2021 budget was distributed and will be up for approval at next meeting. It is also posted on the GBFCC website. Budget is basically flat . assessments for communities & counties remain the same.

Bills presented were reviewed and found to be in order. A motion was made to approve payment of the bills. Motion carried.

NOMINATING COMMITTEE

Mr. Murray asks Mr. Crosby, Mr. Bassman & Mr. Ververides if they would handle the nominations for 2021.

ARMY CORPS OF ENGINEERS . Alek Peterson, Project Manager

Borough of Middlesex (Segments C, H, B, D).

- Contracts B-1, B-2 & B-3 are complete.
- B-4 is schedule for future years and B-5 is not built yet.

- Carbro Construction is finishing completing C-2, contract 1. (consists of floodwall west of South Lincoln Ave. & heading up towards Lee Drive)
- Sept. 30, 2019 contract awarded for 900-feet of base floodwall behind Lee Drive, toward Clay Ave. Construction of the floodwall monoliths have been completed there. The contractor is putting in two drainage structures through the wall and those will become operational when the pump station goes online.
- Segment C-1 option consists of 125-feet of linear floodwall, levee & pump station, and culvert under the railroad tracks. The levee & optional floodwall and pump station lie on the property of 207 Pond, which the Corps is in condemnation proceeding for.
- The culvert options under the NJ Transit railroad tracks have been awarded for \$7.8 million in August. Carbro Contractors beginning to mobilize to begin that.
- The next contract would be C-2 & H and that would be a base with options. The base contract we anticipate awarding June 2021 and that would likely consist of closure gates across South Lincoln on both the north & south sides, and any accompanying monoliths to support it. As much of the work as possible would be held in options for that contract as we acquire real estate in the area.
- Construction of the eastern portion of the levee heading towards where C-1 is designed to be implemented in tandem with some of the C-1 options and closing off the open base gap segment C-1 base. We would close that 390 ft that the contractor has left in the C-1 base, then the optional floodwall with the segment H levee would be done in tandem next year to avoid inducing flooding.
- Next, we would look to award C-3 & C-4.
- Anticipate a design contract to be awarded in November for C-5.
- B-4 is at 90% design now, so those would be coordinated to be done at same time.
- We have begun investigations in the upper portions of Middlesex C & D.
- Prior to design, we have done environmental delineations, engineering borings, HTRW testing for hazardous materials to determine if there are issues with the design so know as soon as possible of any potential problems.

Our priority in the coming year (2021) would be to complete as many of the C-1 options as we can, award the C-2 & H base and award the segment H levee if possible.

We have carryover funding going into next year and anticipate federal funding in FY21. Currently coordinating with NJ DEP on funding capability for FY21 and several years out.

More specifically on the on-going contracts:

For C-2, contract 1 all the anti-graffiti coating & staining has been done. Contractor is coordinating with property owners on Lee Dr to restore fences per the signed real estate agreements. Then we need to demolish 174 South Lincoln.

For C-1 . just completing the two drainage structures.

Upper Basin

Completed validation report to examine the viability for Segment M, O, S for flooding in Plainfield. We have been putting together a directors report which is a shorten version of the validation report. The basic finding is that construction in the lower basin at Stony Brook can continue. The certified costs in that report hopefully would be used by Congress to recertify the project costs which have increased over time. Also made a recommendation that a General Reevaluation Report (GRR) be initiated to examine unauthorized alternatives in the Upper Basin so we may provide flood risk management in that area.

Ms. Tempel: On one of the distributed maps, South Plainfield is part of the Lower Basin project. Is that correct?

Mr. Murray: Which map are you looking at?

Comment: It is the Overview GB Basin map.

Mr. Peterson: Yes. Segments E, F, G are in the Lower Basin.

Ms. Tempel: All these years, I have been hearing that South Plainfield referred to as part of the Upper Basin because flooding in South Plainfield comes down the Cedarbrook, from Scotch Plains & Plainfield area. Did South Plainfield used to be included in Upper Basin?

Mr. Peterson: I am not sure that South Plainfield was ever included in the Upper Basin. As far as I know, it has always been considered in the Lower Basin. You do get flooding in the Upper Basin coming from the Plainfield area and overflow from the Scotch Plains/Plainfield area that feeds into the Bound Brook in the Borough of South Plainfield. Segments B, C, D and some of the non-structural measures (ie. elevating homes, buyouts) are all to help Segments P & Q in Lower Basin .

Mr. Allen: She brings up an important point though. When the peak flow on the Green Brook comes down out of the mountain, goes into Scotch Plains, it jumps the basin, and then goes down into the Cedar Brook. Originally the estimate of the peak flow in the Green Brook in North Plainfield was underestimated because they didn't count the additional 5,000 or 7,000 cfs that jumps the basin and goes into the Cedar Brook. So, if the Upper Basin plan for the Green Brook is to capture that peak flow, then the Cedar Brook & South Plainfield can be considered part of the Lower Basin. But until that is under control, technically it is flow from the Upper Basin.

Mr. Peterson: That is correct. You can see in the recommended plan that we have been building it is the authorized level of performance based upon what we did not do in the Upper Basin. When Segments M, O, S were still realized as part of the plan, they were designed to work in tandem, as to not induce flooding in the Lower Basin. The project is authorized on a level of performance and not a set design height, there is some flexibility in the sizing of the current hydraulic effects. We have taken the Cedar Brook overflow coming from the Upper Basin into the Lower Basin into account. If we can get the GRR initiated with HQ for the Upper Basin that will let us look at alternate solutions there.

Mr. Allen: Is there flooding in South Plainfield when the flow does not jump the basin and come in through the Cedar Brook?

Ms. Tempel: We have some flooding which is apparently due to an undersized culvert on New Market Ave. New Market Ave floods frequently. The major flooding, that inundates our municipal building, that is Cedar Brook flow.

Mr. Allen: So, it is really only when it exceeds peak flow in the Green Brook, above Scotch Plains. You might very well have plenty of flooding without that. That is why I am asking. I have another similar question. I have a copy of several versions of the flood control plan going way back to when I moved here in 1974. What is the current plan that includes section M, O, S? What date would that be?

Mr. Peterson: I can give you a brief overview of the project would that help?

Mr. Murray: I believe the answer you are after is that the current approved plan for M, O, S is the 1997 GRR.

Mr. Allen: OK, I think I have that version.

Mr. Peterson: That report identified a recommend plan for 150 years of performance in the Lower Basin (Segment E, F, G), 25 years at the Stony Brook (Segment L) and 20 years for Upper Basin (Segment M, O, S). The only change is that instead of M, O, S, since we realize they are not economically justified and there are barriers to implementation, we are recommending a new report for alternatives.

Mr. Allen: OK I understand. I am glad you are doing that because I have some ideas about the Upper Basin. We will get to that some other time.

Mr. Peterson took Mr. Allen's name for future discussions.

Mr. Murray & Mr. Peterson summarized details about the Upper Basin because one person did not hear that segment due to video/audio trouble.

Mr. Murray: The Green Brook Flood Damage Protection Project, the current federal moniker, played host to some dignitaries. We met in Bound Brook, showed some picture boards of completed areas and then headed over to Middlesex to see some portions that are under construction. With us yesterday was Colonel Matthew W. Luzzatto and Lieutenant General Scott A. Spellmon.

Lieutenant General Scott A. Spellmon assumed duties as the 55th Chief of Engineers and Commanding General of the United States Army Corps of Engineers (USACE) on September 10, 2020. Colonel Matthew W. Luzzatto assumed command of the U.S. Army Corps of Engineers, New York District, on June 25, 2020.

Folks to be honest with you, the men from the USACE could hardly contain themselves, fawning over the progress and taking pictures. Very impressive to see someone high up the food chain at the federal level, taking such an interest in what is going on right here on the ground in Green Brook sub basin. John Moyle from NJ DEP was there as well representing the assistant commissioner who was unable to attend on short notice. Alex do you want to expand on that?

Mr. Peterson: It was the highest-ranking officer I have ever had the chance to interact with. It went very well. Met at the segment R-2 pump station in Bound Brook, briefed the General of the project. We were able to show pictures of flooding from Tropical Storm Irene in August 2011 that showed flooding from the Raritan River coming up right against the flood wall by R-2 by the pump station. Then we proceeded over to the active construction sites, principally by C-1 down Clay Ave and explaining the Middlesex plans and challenges. Overall, it was a very good day.

Mr. Murray: In discussion with the Colonel, I was able to explain our biggest issue was real estate acquisition on the Federal side. And in talks with Mr. Moyle, I mentioned the state funding match as we have talked about in our last couple meetings. The upcoming Federal allocation is \$157 million, which they are not intending to spend in one year as they do not have that capacity, but the state match for that is \$52 million. I was putting another tickler in NJ DEP's ear that going forward, the more they can get to us, the quicker we can get this project done. His suggestion was to reach out to the state legislators to get them singing from the same choir book with more money in the DEP budget going forward.

Mr. Peterson: We are coordinating now with NJ DEP to forecast funding capability in FY2021 & the following few years to hopefully help expedite things.

Mr. Murray: That will be great because it gives them the ability to set the stage on what they will need in each year and move the chess pieces around the chess board, if you will.

NJ DEP . Tom Slowinski

All the paperwork for the C-1 NJ Transit permit has been sent to Transit, along with a check from the contractor. This has been on-going since 2018. Here it is two years later, and we are finally getting final plans and other paperwork including insurance information. Hope they have all they need to get rolling with that. You think of it, this would have been the ideal time to construct as hardly anyone is taking the train. It will be temporary bus service on those three days over a weekend. On the other side, regarding funding, the money is so unknown, and everything is up in the air. We have Rep. Bonnie Watson Coleman & Rep. Tom Malinowski on our side, and we need them to give residents a nudge to let them know this project is moving along and we do not want to stall it. If everyone can reach out to your constituents, send letters maybe, whatever you can do to help promote the project moving forward.

Alek, one other thing, I had a call with Land Use today. They are reviewing a permit for Area P & Q in South Plainfield. Looks like what they are doing is grabbing samples for now. This might be one of the final phases. I believe the EPA was involved in that, but the Corps has a contractor now. It may be one of the final clean ups along the Cedar Creek. Would you have any projection as far as time on that? We are calling for flood walls in the area in South Plainfield, correct?

Mr. Peterson: I would have to check on that.

Mr. Slowinski: I want to get back to Land Use. You can disregard for now and I will email you tomorrow. Dennis is just reviewing permit for sampling now. You can disregard for now and I will email you tomorrow. If we can get a rough date for hard structures in South Plainfield, that would be helpful.

Mr. Allen: The Cornell-Dubilier site is south of Spring Lake. As far as I understand, the next phase of that Super Fund cleanup will be the land fill. The land fill is down Metuchen Road between the railroad and Metuchen Road . where the pink line is on the map. You can see the tributary coming in just north of Spring Lake and that is the tributary that goes down the road. They have already done the site, and the neighborhood.

Ms. Tempel: Excuse me, Harry, the next phase of the Cornell-Dubilier cleanup is the Bound Brook. The site you are talking about upstream, off Woodbrook Road, that is a completely different cleanup. It is just sitting there because there is no funding for it.

Mr. Allen: OK. I am sorry. What section of the Bound Brook are they doing?

Ms. Tempel: Right now, they are doing a section of the Bound Brook which is just slightly upstream of the Cornell-Dubilier site.

Mr. Allen: That would be the little yellow dots on the map. Where section G is . you can see Spring Lake there.

Ms. Tempel: No. That is nowhere near there. It is to the South of that. Not on Spring Lake at all. There is a section of the Bound Brook which is right on the Cornell-Dubilier site slightly upstream, which was not treated, and they are doing it now.

Mr. Allen: OK I understand. We had students from my wife's class in 1973 doing a clean-up in there. So, they are not in the Cedar Brook or Spring Lake.

Ms. Tempel: People who grew up in this town, grew up swimming in there. They are not proposing any levees along that section.

Mr. Slowinski: This permit is for along the Bound Brook.

Ms. Tempel: Where exactly along the Bound Brook?

Mr. Allen: According to the map, it is West of the Cornell-Dubilier site.

Mr. Slowinski: I will get more information tomorrow.

Ms. Tempel: They are sampling down south of the Cornell-Dubilier because this is the last phase of the cleanup to dredge the sediment out of the brook.

COMMENTS FROM THE COUNTIES

Somerset County – Joe Skupien

We received the final version of the directors report, thanks to Tom Slowinski, which gave us a chance to look at the final numbers and be able to give the County an estimate for how much their share of project will go up. Alice & Harry brought up a very good point regarding the impact of not doing the Upper Basin in the segments through South Plainfield. Interested to follow that as well.

Middlesex County –

George Ververides (former Planning Director) & Doug Greenfield (new Planning Director) Doug introduced himself. Started with the County in January but has not been able to meet anyone in person. Nothing to report.

Union County –

Not represented.

GBFCC ENGINEER . Rich O'Connor

No report.

WINNING STRATEGIES (WSW) . Rob Zucker

We would normally have hoped that Congress would have finished the FY21 appropriations process, where we have \$157 million requested in the USACE work plan & Trump Administration budget. We have a House of Representatives having passed the FY21 Energy & Water Appropriations Bill that meets that request. The Senate has not released any FY21 Appropriations Bills. In September, Congress failing to reach agreement on a Coronavirus Relief Bill, which would have been the precursor to the Senate acting, we face the same situation in being held over. Congress passed a Continuing Resolution funding the Federal Government through December 11 at current rates. Been given no reason to believe that at the current rate we cannot do what we are doing. That is fine. The most likely scenario, if I had to guess, is that Congress would come back after the elections and attempt to finalize Bills. If there is a change in control from Republicans to Democrats in the Senate, that would probably complicate efforts to do a final Bill before the end of the calendar year. I think Democrats believe they will have

control and control the Appropriations Committee. There were no Bills written for FY21. They would prefer to wait until they take office after January 4th and write their own Bills to conference with the House. From a technical standpoint, the Congress would be over, and the Bills were not acted on making them mute, although they would represent a starting point to jump away from. We will be watching and pushing for those things to be completed but are subjected to larger forces.

We will be continuing our advocacy with both the House & Senate with those that represent the Green Brook Flood Control Commission. The Water Resources Development Act, in the 2020 rewrite in July, the House advanced a Bill both through the Transportation, Infrastructure & Resource Committee and then in the House, that had language about the GRR & the Upper Basin. We proposed, in concert with the folks from USACE, language that would change the cost cap. Been waiting on that DirectorsqReport to be ratified. The Hill has been briefed on from the Corps. We have reason to believe that if the Directors Report is finalized and squared away before the Water Resources Development Act of 2020 is finalized, the authorizing committees on Senate EPW, on which Sen. Booker sits and has been briefed on, as well as the House T & I committee which Rep Malinowski sits, they know the appropriate language, they are just waiting for it to be final.

QUESTIONS / COMMENTS

None.

Mr. Murray thanked everyone for attending and invited anyone to feel free to reach out to via email if any questions should arise.

MEETING ADJOURNED: 8:30 PM

Upcoming 2020 GBFCC meeting dates:

Wednesday, December 2, 2020 – 7:30 PM
Virtual Meeting

February 3, 2021 – 7:30 PM