

**GREEN BROOK FLOOD CONTROL COMMISSION  
MEETING MINUTES**

LOCATION: Middlesex County Planning  
New Brunswick

DATE: September 2, 2015

MEETING CONVENED: 7:30PM

**NOTE:**

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

IN ATTENDANCE:

Ray Murray . Green Brook	Bill Crosby . No Plainfield
John Sweeney-Middlesex Boro	Robert Greco - USACE
Frank McArdle . North Plainfield	Rob Zucker . Winning Strategies
Richard O'Connor-Engineer, GBFCC	Ted Bassman . Scotch Plains
George Ververides . Middlesex Cty Planning	

CORRESPONDENCE

Chairman Murray reported no receipt of any correspondence received by the GBFCC for the months of July & August. The GBFCC maintains a correspondence file that is available for inspection as may be necessary and upon request.

MINUTES

The minutes of the 7/1/15 meeting were approved as corrected. A copy of the approved minutes is available on the GBFCC website.

TREASURER'S REPORT

Chairman Murray provided the monthly report and bills for July & August. Bills for the months of July & August were approved for payment. Copies are available for inspection upon request.

LEGISLATIVE REPORT

No report.

NEW BUSINESS

Chairman Murray received a request for an interview being conducted by Rutgers on a study of urban flood control in the Raritan/Passaic basins. Chairman Murray was chosen as an expert as well as Mr Greco for their involvement in flood control. Chairman Murray will contact Rutgers to comply.

ARMY CORPS OF ENGINEERS

Mr Greco reported the following:

On September 3, 2015 Colonel Caldwell will be touring the Peckman River project and wind thru the Passaic River basin and then into Bound Brook and Middlesex Boro. This is an internal USACE tour to familiarize Colonel Caldwell with the projects. Mr Greco will be providing the

GBFCC of available dates when the Colonel will be meeting with Congressional representatives and further tour the projects.

Cost update . USACE awarded a Cost & H&H update. The USACE anticipates the cost update and schedule by July 2016 and the final report by October 2016. Information from that report will feed into the new GRR. The GRR is GI (general investigations) funded and competes for funding with all projects throughout the nation for FY17.

Chairman Murray . If GBFCC wanted to lobby for funding, when is the best timing? Mr Greco indicated now.

Mr Zucker (Winning Strategies) . Would the GBFCC be recommending funds to be included in the investigations portion? Mr Greco stated the USACE is requesting funding in FY17 for the new GRR. They have a preliminary estimate of \$2.5 million over 3 fiscal years.

Mr Bassman . Is completion of the GRR expected in 2019? Mr Greco anticipates completion in 2019.

Mr Crosby . If the GRR was at zero, it would possibly take 3 years. Is it possible if some other projects are done, it will then speed the process? Mr Greco stated yes. The USACE may then obtain funding under a work plan that would start in FY16.

## **Bound Brook**

CLOMR/LOMR . Mr Greco sent an email to Mayor Fazen (Bound Brook) and others advising that letters need to be sent to eight (8) property owners (5 Bound Brook & 3 Bridgewater) who are impacted by induced flooding. He provided instructions, forms and template letter for their use. Once acknowledgements are signed and the letters are sent, FEMA will give USACE the CLOMR (conditional version of letter of map revision). Mr Greco provided a tentative schedule as follows:

- 9/30/15 . CLOMR approved
- 12/11/15 . final levee safety evaluation report & LOMR (letter of map revision)
- 12/14 - 12/28/15 . public notification for appeals (required by FEMA)
- 01/2016 . public meeting in Bound Brook (Mayor to invite Congressional representatives)
- 3/2016 . public appeals comments due to FEMA
- 5/2016 . issuing of LOMR

Mr Greco indicated that residents have contacted the Mayor and the USACE requesting a status of the LOMR for the purpose of having their insurance rates adjusted/removed. They were advised that it depends on the individual banks to make a decision regarding requirements for flood insurance.

Mr Greco stated that a ribbon cutting ceremony will be scheduled when the CLOMR is approved. The ceremony will be in Bound Brook and attended by Colonel Caldwell, Bound Brook officials and GBFCC. The ceremony is tentatively slated for late in 2015 or early 2016.

Segment T (levee) . Project is substantially complete. Punchlist items are expected to be completed prior to November 2015.

Segment R2 (levee tieoff) . Rencor (contractor) has ordered a trailer to store the stop logs for Somerset County. They expect to have the trailer by late September/early October. The logs will be covered and stored at a Somerset County facility.

Downtown low spot-storm sewer . 100% complete. Somerset County paved over the road in July.

Mitigation . The USACE purchased two (2) sites for Green Best in Cranbury for \$500,000. The sites will be used for the wetlands mitigation in Segment B along with those in Finderne.

## **Middlesex**

Jefferson Ave Bridge (razing) . USACE met the contractor at the project site. USACE expects to have a proposal by September 24, 2015 and award the contract by the end of September 2015.

Chairman Murray noted that a full re-paving will not be needed as expected.

Segment B2 (floodwall) . Mr Greco stated there are two (2) condemnation packages that are being reviewed by USACE headquarters. Mr Greco sent emails for a status. USACE Baltimore District has indicated there is an additional property that has a judgment against it. If the judgment is not cleared up in one (1) month, USACE will have to proceed with a condemnation package on the property.

Chairman Murray questioned if the judgment amount is small. Mr Greco stated it is \$30,000. and USACE has offered the owner \$22,000. If USACE offers more than what the judgment is worth, then a check would be cut for the judgment and the judgment would give the balance to the owner. Since it is more than what USACE offered to the owner, USACE will have to see if the owner can pay the judgment. If the owner can't pay, USACE will have to proceed with condemnation.

Chairman Murray questioned if it would work if the owner came up with the \$8,000. difference. Mr Greco will check with the Baltimore District.

At this time, Mr Greco anticipates a contract being awarded in July 2016.

Chairman Murray stated that he will send a letter to Mr Greco requesting a status on the Segment B2 real estate delay.

Chairman Murray questioned if there is an update on the Tiegen property that incorporates the Segment B4 impacts? Mr Greco stated that Mary Daley has the overlay and is acquiring the appraisal.

Segment B3 (behind library) . Mr Greco indicated that induced flooding issues resulted in the contract award being set to early 2016. The USACE has clarified the induced flooding impacts with NJDEP. If the USACE is affecting any property structures, there can be no induced flooding (0.0 feet). If there is empty land, there can be no more than 0.2 feet of induced flooding. As the USACE moves forward with their design work, the sequencing will require gaps to be filled in later on.

Chairman Murray . When you look at the sub segments, there will be different induced flooding impacts than the whole segment. Mr Greco detailed the engineering sequencing of Segments B2 & B3 to avoid such impacts.

Chairman Murray noted the Mayor has negated four (4) of the options. He suggested that an email be sent to the Mayor with four (4) options that should be studied further. Mr Greco added that USACE's Engineering is leaning toward replacing the South Lincoln Ave Bridge and

opening the space to keep the current elevation to minimize induced flooding impact to any structures.

Mr Greco noted the replacement of the South Lincoln Bridge is slated for FY17. This will require the USACE to begin design work now. He added the floodproofing and structures in Piscataway (by the railroad), replacement of the bridge and construction of Segment C1 are set for FY17. This is a \$20 million project that will require the delineation of wetlands and green acres approvals in place before construction can commence. He added that there could be delays.

Chairman Murray questioned if Segment C1 is near Lincoln Blvd? Mr Greco indicated it will be in the upper reach that USACE's Engineering has to define based on hydraulics.

Chairman Murray . What should the next request be . the continuation of the \$11 million? Mr Greco is estimating \$20 million plus per year (including wetlands) with no carryover. For FY16 the USACE has \$7.5 million from the President's budget, a carryover of \$12 million and \$4.5 million from the State. They hope to use these funds (which will include real estate) before year end. For FY17 (assuming the bulk of FY16 funds is used), the USACE will have to be receiving \$20 million increments.

Chairman Murray . Basically, USACE will be using the carryover of FY16 (\$20 million) plus the 16 which will be \$20 million during 2016 plus a fresh \$20 million for 2017. Mr Greco stated yes, plus the USACE needs matching funds from the State (\$5 million).

Mr McArdle . Those numbers do not include the down payment for the GRR? Mr Greco stated yes, it is a separate funding from GI (general investigations).

Chairman Murray stated it will be tough for the GBFCC to push for additional \$20 million when the USACE still has \$20 million available. Mr Greco noted that they have to push hard for construction to proceed on Segments B2 & B3. He added that real estate for B2 and the induced flooding impacts have held up awarding these projects.

Mr Bassman . Can you give a status of the floodproofing in Green Brook? Mr Greco stated there were indications that what was built in the upper basin could affect those structures. The USACE is unsure if that is fact until they receive the updated GRR with hydraulics modeling. The model will be tweaked by USACE for various "what ifs".

Chairman Murray . Can the three (3) Bridgewater properties be included with Piscataway and the two (2) Green Brook structures that were omitted? Mr Greco stated yes, the two (2) Green Brook structures can be added.

Mr Greco noted that the wetland mitigation costs have not been included in Segment H. As modifications (borings & wetland delineation survey) are made to Segment H, mitigation costs will be added to the contractor's costs.

Floodproofing structures in Green Brook will now be FY18. USACE will then have the results of the GRR cost update and more time to proceed.

Segment C2 & H . Construction of these projects will be occurring at the same time and may tie into the So Lincoln Ave Bridge. This construction is slated for FY18. Cost is estimated to be \$20 million. It is unknown if there will be gaps due to LURP requirements.

Segment C3, B5 & remainder of H . Construction of these projects are slated for FY19. If the landfill (B5) is not cleaned until 2020 and the levee is installed, it will cause for two tenths (2/10)

of a foot impact. Segments C3 and opposite side of Segment H should occur simultaneously in FY19. Segment B5 may finish in FY20.

Segment C4 . This project will encompass closing gaps on Segment B3 and the closure gates on Route 28 simultaneously in FY20.

Mr Crosby . When will the equipment be installed in the pumping station? Mr Greco indicated it would be done at the same time of the closing of Segment B3 (FY20).

Segment B4 & C5 . Construction will occur simultaneously in FY21.

Segments C & D (Green Brook) . Construction will occur simultaneously from FY22 . FY25.

Mr Greco added that USACE headquarters has questioned where production is on these projects as funding has been appropriated. Mr Greco provided them with details as to delays resulting from real estate, wetlands, gaps and induced flooding issues.

Chairman Murray . Is there an update on the real estate acquisition at South Lincoln? Mr Greco stated the USACE will have to modify the Segment B3 contract. He will also check with real estate for a purchase date (possibly September).

Segment H . USACE is waiting for the last right of entry (commercial property). At that time, borings must be done by the contractor before design work can commence. Geotechnical aspect must be defined on the design.

Chairman Murray . Has/will USACE modify the contract? Mr Greco stated USACE is modifying the contract to include wetlands delineation of Segment C. The extent of the delineation may not require all of Segment C. Mr Greco added that after the borings are done, the USACE can begin design work on Segment H along with the bridge.

## **Upper Basin**

Mr Greco indicated the draft project management plan (PMP) will be reviewed internally before being released. PMP details the schedule & costs to put the GRR together. USACE will then provide the draft PMP to NJDEP in mid October 2015. The draft will be provided to GBFCC by November/December 2015. When they tweak the design in the upper basin, it may require modifications that could impact in other segments of the project.

Mr McArdle . How did the original plan include the provision that more water be accommodated coming out of the upper basin to accommodate the lower basin of Green Brook, Dunellen, Bound Brook and Middlesex? Mr Greco stated that based on the current plan there is nothing built in the upper basin and has to be verified by updated hydraulics. USACE's H&H personnel noted they are too far downstream by Segment B to cause any effect. It is thought any effect would be at Segments C & D on the Green Brook.

Mr McArdle professed the benefits of retaining water in the upper basin to minimize flooding downstream. He noted that some \$100 million has been spent to protect Bound Brook, but that little is being done to protect the Upper Basin despite a 5:1 population advantage. Mr Greco stated that USACE is updating the H&H information to account for recent storms including Floyd and Irene.

Mr McArdle theorizes that this update may result in a determination that nothing can be done upstream because of potential impacts to work which has been completed downstream. He

expressed dismay that the schedule has been continually extended and that this has not yet been fully addressed. Mr Greco noted that USACE is pursuing the project as quickly as is possible given the various constraints many of which are beyond the control of USACE. He acknowledged that project costs will escalate the longer the project is drawn out.

Mr McArdle requested that USACE share data with the GBFCC regarding the recent flooding event in Scotch Plains. Mr Greco said USACE will provide copies of data which reportedly indicates localized storm information with the magnitude of a 1000 year storm.

#### REPORT FROM MIDDLESEX COUNTY

Mr Ververides stated that Middlesex Engineering is working with NJDEP on an agreement to be established as to the County maintaining project elements in Middlesex. Mr Greco questioned if Somerset County is to maintain the projects. Mr O'Connor stated that Middlesex is negotiating with Somerset on an inter-local agreement.

Mr McArdle noted that despite last week's rain event there is no representative from Plainfield or Union County attending the GBFCC meeting. He questioned what has to happen for them to help GBFCC to help them. Mr Crosby stated there has to be communication between them.

#### QUESTIONS FROM COMMISSIONERS

None.

#### QUESTIONS FROM SOMERSET COUNTY

None.

#### GBFCC ENGINEER

None.

#### NJ DEP

No report.

#### Winning Strategies

Mr Zucker reported the following:

FY16 funding of 7.5 million is in both the House & Senate as per the work plan. There is uncertainty of how the fiscal year will end. As continuing resolution including a full year continuing resolution is a possible eventuality. Senator McConnell (Senate Majority Leader) has said to reduce the percentage because he wants to cut a deal with the White House, House of Representatives & Senate to avoid a shutdown and come to some broad resolution. There is 7.5 million at stake plus the 16 million in process that a full continuing resolution will result in USACE receiving 15 million. USACE will determine what was able to be funded as opposed to provisions in the actual FY16 bill.

Mr Zucker will be meeting with Senator Menendez's office regarding the FY17 budget process. Funds that are being put forward to O&B will be explored by Winning Strategies to see whatever they can do to support the process.

He noted that a tour date for Congresswoman Watson-Coleman was cancelled. They are looking to re-schedule later on. Chairman Murray will provide dates to Colonel Caldwell and Congresswoman Watson-Coleman for touring the projects. Tour will be based on their availability.

#### QUESTIONS/COMMENTS FROM THE PUBLIC

None.

Chairman Murray thanked all who attended the Memorial Service in Middlesex. He noted there was representation from Jerry Green's office. Mr McArdle noted there were family members of victims of the 73 flood event. Mr Crosby added that a member of the Press also attended.

Chairman Murray indicated that a nominating committee needs to be established. He nominated Bill Crosby, Frank McArdle and Ted Bassman to serve. All of the members accepted.

Mr McArdle suggested that the bi-monthly meeting months be changed to even numbered instead of odd months. He noted that many holidays (July 4, Labor Day) fall on odd months where people have vacations, etc. Chairman Murray & members did not have any conflict with the change. Chairman Murray will bring a vote at next month's meeting.

**\*\*Meeting dates below are tentative based on outcome of the vote\*\***

Chairman Murray thanked Middlesex County Planning for the use of their facility and their continued support of the GBFCC.

Listed are the GBFCC meeting dates:

**2015**

**November 4 – Plainfield \*\***

**2016**

**January 6 – Green Brook \*\***

A motion was made and approved to adjourn.

MEETING ADJOURNED: 8:47 PM