

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: Scotch Plains

APPROVED

DATE: October 5, 2016

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:

Diane Toliver - Plainfield City Council
Raymond S Murray . GBFCC Chairman
Ken Herrmann . Green Brook
Robert Greco - USACE
Mark Hardenburg . Piscataway
Rob Zucker . Winning Strategies

Bill Crosby . North Plainfield
Paul Woska . Middlesex Boro
Theodore Bassman . Scotch Plains
George Ververides -Middlesex Cty Planning
Richard O'Connor - Engineer, GBFCC

MINUTES

The minutes from the August Memorial Service meeting on August 6, 2016 were approved. A copy of the approved minutes is available on the GBFCC website.

CORRESPONDENCE

Chairman Murray reported the only correspondence was a letter he sent to the Baltimore District expressing the dismay of the Commission about the length of time it was taking to finish the foreclosure process for Segment B2. Colonel Caldwell will endeavor to prod Dept of Justice to expedite the process. The GBFCC maintains a correspondence file that is available for inspection as may be necessary and upon request.

TREASURER'S REPORT

Mr. Crosby distributed the Treasurer's report, including the proposed budget for the upcoming year which is flat. It will be introduced at this meeting and voted on at the December meeting. Treasurer's report and budget is available on-line and available for inspection upon request.

Mr. Hardenburg questioned the consulting fees. Looking at consulting fees it looks like it is going to total this year more than what you have in next year's budget.

Mr. Crosby answered stating that the additional payment this year was the result of timing due to the switch in meeting dates. December items last year were paid in January. Member contributions will remain the same as they were last year.

Motion was made to introduce budget. Motion carried.

The bills have been reviewed by the Finance Committee and found to be in order. Motion was made for the bills to be paid. Motion carried.

LEGISLATIVE REPORT

No report.

NEW BUSINESS

ARMY CORPS OF ENGINEERS

Mr. Greco, Project Manager, reported the following:

USACE has updated the project cost estimates, a preliminary update, certified by a District center of expertise. Right now, project cost estimate is roughly \$650 million. USACE was tasked by Headquarters to perform the update. This is a **preliminary** cost update that cannot be released until approved by HQ USACE. Upon approval, I will release it at the PC Team meeting. I can say that the project costs did go up substantially because the original 1997 GRR anticipated 10 or 12 years worth of construction and now we are going out beyond 2050.

Mr. Grecco again emphasized it will be a preliminary estimate. Right now, we have consultants tasked with updating the hydraulics and hydrology design projects, as well as updating pump stations and structural design elements recommended post-Katrina. These must be incorporated in the project. There is going to be an official cost estimate with an H & H updated analysis coming out early next year, during first quarter of calendar year, provided by AECOM.

In addition to that, USACE has a contract going out to AECOM to update the cost/benefit analysis for the project. So, in addition to the costs for fiscal year 2017, HQ USACE also wants to see the updated cost/benefits and the updated benefit/cost ratios for the whole project. The updated BCR should come in June 2017 and the updated costs by March 2017.

Mr. Bassman asked if this was for the whole GRR as it came out or just as we are being built right now?

Mr. Grecco explained it is for the sunk costs, meaning the costs that were already expended. They included the sunk costs plus the projected costs for future construction all the way up through the Upper Basin.

Mr. Grecco stated that all projects do compete for funding nationwide and the updated estimates and B/C ratios are needed to evaluate projects.

Mr. Grecco clarifies that Green Brook is the largest civil works construction project in the New York district and HQ is paying attention to this project. They are also paying attention to future scheduling.

Mr. Grecco is trying to accelerate the progress of construction on this project.

FY17 President's Budget is \$10 million and we have carry over funds. We also are requesting funding on the Continuing Resolution Authority. We can start requesting part of that \$10 million right now.

Bound Brook

Letter of Map Revision (LOMR) was obtained by Bound Brook from FEMA on July 18, 2016. Commencing after that date the residents of the Borough of Bound Brook are eligible for greatly reduced flood insurance rates.

USACE held a Ribbon Cutting Ceremony on August 15, 2016. In attendance were Mayor Fazen, Governor Christie, Commissioner Martin, Colonel Caldwell, Brigadier General Graham, Congressman Lance, representatives for Senator Menedez and Congressman Frelinghuysen.

Segment C-H-B-D

Segment B-2: Award date of Oct. 15, 2016. Obtaining weekly updates from Baltimore District. Paperwork is over to the Dept of Justice. We were advised that no high-level official from the Corp of Engineers should directly contact any of the attorneys from Dept of Justice. It may slow up the process. I am now getting weekly updates from Dept of Justice and Baltimore District. Last update, is that DOJ will shortly be approaching property owners with a higher offer. Either they will settle or DOJ will file with the court with the US Attorney's office in Newark, NJ. Once it's filed there, we can take possession of the property needed to start construction. We don't need to wait for the process to be completed at that point. Hoping for an October award for Segment B-2.

Segment B-3: Located behind Middlesex Borough Municipal Complex and Library. Opened bids July 28, 2016. Low bidder was CMS Construction, 521 North Ave, Plainfield, NJ.

The latest estimate was around \$9.2 million. Bids were:

- CMS Construction at \$7 million
- Right Corp at \$8.5 million
- Carbro at \$9.4 million
- TriState at \$10.1 million
- An outfit from Boston at \$14 million

USACE met with CMS Construction. Had about 30 . 40 technical and contractual questions. We explained our process and they seemed very comfortable. The City of Elizabeth provided references that were acceptable. Right now, the intention is to award to CMS Construction by middle of October for Segment B-3.

Question: B-2 plans are out on the street?

Mr Grecco explained they are available on the website. Original bid opening date was October 4th but questions from contractors pushed it to October 15th. Need to incorporate additional amendments so needed a bit more time. Should open bid by late October. Very difficult area to work in because of the houses. Again, bid opening date is all dependent on obtaining the go ahead from the Dept of Justice. If we do not have that, we will not open bids in October.

FY17 . Sequencing of Construction: Initiate construction of segment B-3 & B-2 in FY16; obviously haven't left that. Have a good amount of funding that we are moving from FY16 to FY17. NAD is aware that this is beyond our control. What they want to see now is a schedule of revision, because of real estate issues. How are we going to mitigate this? To catch up as far as construction is concerned USACE will need to let 1 or 2 outside engineering/architecture/consulting contracts to perform the design, plans and specification for Segments C-2 through C-5. C-2 is South Lincoln Ave, Middlesex Borough all the way up to C-5 right by that High School. We are going to put together four distinct sets of plans and specifications for four distinct construction contracts. Looking at FY18 and beyond, we are looking at Segment C-1-B which will be a new item. Originally had C-1 for levee, floodwall & pipe crossing. After putting our schedule together, we realized the award will spill over in FY18 and that's unacceptable so we are breaking it up into multiple contracts . 2 or 3 separate contracts.

C-1-A: Pump Station. Looking to award this by September 2017.

C-1-B: Levee and Floodwall, and possibly the pipe crossing. Looking to award this in December 2017 or January 2018.

In addition, we will issue a multi-million-dollar contract, A/E Contract, or maybe 2 A/E contracts, for the development of plans and specs for C1 through C5. These are very large construction

contracts, especially because we have to build on both sides of the bank at the same time. Also, we must build Segment H.

Because these are such large contracts, the question will be funding. In each of these contracts, we can issue a base contract and then options in the contract will only be awarded if there are sufficient funds. Reasons for doing it like this: 1) Need to obtain borings; 2) Wetland delineation to determine wetlands impact and 3) Soil Analysis. Once wetland delineation is determined, then under A/E contract, they lay out the levee and the floodwall. Once we have preliminary layout, then we identify the wetland impact. Then we must acquire wetlands (wetlands mitigation bank or we create wetlands).

All these are steps to get construction moving. USACE is going to be spending quite a bit of money on design to get ahead. Once we identify properties that are going to be impacted, that's when we will activate our real estate dept. At that point, will initiate contact with property owners and let them know we are going to be placing a levee or floodwall or whatever in a portion of their yard and we start the real estate acquisition process. This way we start purchasing properties ahead of time. All this design work will carry through FY 2024-2025 for construction.

The project is in a lot of open areas near the high school so we don't have the issues that we have over on the B side, where we are impacting all these properties that are up against the stream. We should have a much easier time with the real estate process. What we are impacting is a lot of Green Acres. That's why we do all this work ahead of time and spend money on design work for the next few fiscal years so we can have plans and specs ready. If HQ has additional funds to give us, we could move much faster toward completing this project. C-H-B-D is much larger than U, R & T over in Bound Brook which took us 15 years in much smaller increments. That could take us to 2027 at \$20 million a year.

Comment: You need to remember that in Bound Brook we got it done so quickly because we received stimulus money. Without that, work would still be ongoing in Bound Brook. Knowing that USACE will be working on plans and specs, the GBFCC will not have any issue asking for money when we can look our legislators in the eye and say "this project has awarded 3 construction contracts this year (segments B-1, B-2 & C-1A) and that's the pace we are going to continue at. We need \$20 million, not \$10 million to move forward. Let's make that happen."

Mr. Grecco agrees. The big push now will be in Middlesex. This is a much larger area than we had in Bound Brook. Even at \$20 million a year, and this is a guess-timate here, it's going to take us into FY2025, FY2026 and into FY2027 for construction.

Question: Just going along the Bound Brook?

Mr Grecco says yes, that is correct. And then over to the Green Brook. This is all of C-H-B-D. If given less money annually, it is going to extend the time frame.

We checked with LURP and they are on board with our sequencing. We will continue discussions with LURP as we progress along.

Stephanie Hodges called me. She works in our real estate office. She said to put together the funds to acquire the garage right by the American Legion. Owner is willing to sell immediately and agreed to amount of appraisal. He is willing and eager to move out. Had a meeting with Engineering Division on Monday. They must put together simple demolition plans and schedule. Have identified the structures:

- Structure on Greenbrook Road -- been sitting for well over a year
- Structure on South Lincoln Ave

- Garage mentioned earlier

Question: Did Stephanie give you an idea of what the date of the acquisition of the garage would be?

Mr. Grecco stated probably late November.

Upper Basin

Feasibility and cost sharing agreement with NJDEP for study of the Upper Basin and possible impacts on Lower Basin was completed. Mailed original copies to NJDEP last Friday, September 30, 2016. Next step is for NAD to provide funds. We initiated the project management plan but they told us we need to use separate GI funding to complete the PMP.

Comment: If you need any letters of support for that GI money let us know.

Mr. Grecco said he would let the GBFCC know if he sees we are not getting the necessary funding.

Piscataway

Non-Structural meeting for Piscataway held on September 22, 2016. One property owner attended.

We are going to look at each structure individually to determine if they need:

- A ring wall, which is essentially a floodwall. Similar to the apartment complex over in Bound Brook. A floodwall protecting that commercial structure.
- Raised . most private homes are raised. If it's a sturdy commercial structure might want to just flood proof the exterior walls so they can mitigate any flooding impacting them. They would have to put flood shields up at the openings.
- Wet flooding . Move utilities up and then we allow lower area to flood. Designed that way.

E4 Sciences is going to schedule additional meetings.

Chairman Murray stated that they are going to try to combine meetings for Green Brook and Bridgewater Township since it is only a few properties (about 6 in each town). The meeting has not been scheduled yet.

Chairman Murray commented that the non-structurals for Piscataway are easier. The non-structurals in Green Brook though, may need to wait until you figure out what you are going to do in the Upper Basin.

Rob Zucker: Do you know by what time you may have a number for FY18 figures that we should float our federal elected to prime that process. The OME FY18 budget process, with the change in administration, officials may not see a budget release until a little later than normal (early February).

Mr. Grecco will release the projections upon approval by HQ USACE. NAD & HQ USACE are interested in obtaining my revised schedule. Not the detail schedule, but I am going to give them a start of construction date, bid opening date, award date, & a construction conclusion date. I am working on these very detailed schedules with our engineering division for at least Segment

C-1 and hoping to get C-1-H in there too at a detail level. Those schedules will be provided to headquarters and we'll update them on construction funding needs.

Comment: Keeping in mind that many of these contracts are carry over funds.

Mr. Woska asked when you will be demolishing the house on South Lincoln?

Mr. Grecco answered that he didn't know right now. Sandy, from our design branch, is the one who put the plan together. Once we have that demolition plan a rough guess could be early 2017.

Mr. Woska commented that most of those houses along that stream were all bought out. Three houses were demolished already on the stream in Middlesex on the C side.

WINNING STRATEGIES

Mr. Zucker reported the following:

The FY17 appropriations process has been held over as recently as last week. Congress could not get work done on time. A CR is expected by December 9th. Project was budgeted at \$7.5 million FY16. I don't know if we might face trouble as we try to get it at a higher basis for the two months during CR period.

Mr. Zucker noted the project is in House Energy and Water Appropriations Bill for \$10 million as per the full work plan. Senate Energy & Water Appropriation Bill is at \$10 million. Great likelihood is that you would see that same \$10 million carried to final bill but it is a matter of them having to get to that bill. We saw the House bill fall down on an issue over same gender bathrooms, which is an issue that has nothing to do with water projects, but it still stalled the process on what was otherwise a non-controversial bill. I'd be reporting to you right around our December meeting, if not just thereafter. We are optimistic about, before the end of the year, being able to report the \$10 million appropriation for FY17.

REPORT FROM COUNTIES

Middlesex County

Mr. Paul Woska reported that we have an agreement pretty well set with Piscataway for maintaining levee and pumps. That's moving forward.

Mr. Grecco said that once we put up Segment B-3, we are going to have grass out there. Who is going to maintain that area behind Middlesex Borough Hall? Also, as we put up Segment C, on opposite side by the NJ Transit railroad side.

Mr. Woska said Ron Sender is the one that is taking the lead on that. Maintaining grass is not as big of a deal as maintain pumps. Might want to choose to do that internally. Realizing the next construction project after that is going to be C-1-A, a pump station on South Lincoln, it will be some time before grass is an issue.

Question: Isn't there a pump station out Route 28?

Comment: There is but the B-3 that is being awarded is just the foundation of a pump station. There's no sense putting the pumps in because they couldn't tie the levees off. The structure will be built on that once ready.

Mr. Grecco explained that Segment C-1 will build that pump station. Then will build C-1-B which is the levee floodwall and then the culvert coming in under the NJ Transit line. Need an actual pump stations, because that doesn't reduce any flooding anywhere or to help dry it off.

Mr. Woska said that pump station will be operational before B-3.

QUESTIONS FROM COMMISSIONERS

None.

GBFCC ENGINEER

None.

NJ DEP

No report.

QUESTIONS/COMMENTS FROM THE PUBLIC

None.

Chairman Murray said the Nomination Committee passed a bill. John Sweeney will comprise the list of nominations for officers for next year and report those at our December meeting.

The Chairman thanked Scotch Plains for their hospitality.

Reminder that our December 7th meeting will be held in Plainfield.

We will follow same schedule of meetings as last year for 2017 as noted below. Request that those that schedule the meetings, please request use of the halls for 2017.

Listed are the GBFCC meeting dates:

December 7, 2016 – Plainfield

2017

February – Green Brook

April – North Plainfield

June – Middlesex

August - Memorial Service

October – Scotch Plains

A motion was made and approved to adjourn.

MEETING ADJOURNED: 8:29 PM