

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: Green Brook

DATE: April 5, 2017

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:

Richard O'Connor - Engineer, GBFCC
Robert Greco - USACE
Rob Zucker . Winning Strategies
Bill Crosby . North Plainfield
Mark Hardenburg . Piscataway
Thomas G. Lynch . Middlesex
Carl Andreasson . Somerset County
Joe Skupien . Somerset County/SWM

Steve Pote . Watchung
Alice Tempel . South Plainfield
Theodore Bassman . Scotch Plains
John J. Sweeney . Middlesex Boro
Frank McArdle . North Plainfield
Raymond S Murray . GBFCC Chairman
Paul Woska - Middlesex

MINUTES

The minutes from the Feb. 1, 2017 meeting were approved. A copy of the approved minutes is available on the GBFCC website.

CORRESPONDENCE

The estate of the former GBFCC Engineer, Mr. Wylie, has requested that the GBFCC acknowledge that Mr. Wiley has given us all known documents. Mr. Murray believes all documents to be safely stored at the Green Brook municipal building and therefore does not have a problem with the request.

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

TREASURER'S REPORT

Mr. Crosby said the bills were reviewed and found to be in order. Bills were paid to Grotto Engineering, Winning Strategies, Tina Totten our Corresponding Secretary, and to Ray Murray for his trip to Washington, DC to represent the Commission. Motion was made for bills to be paid. Motion carried.

Treasurer's report and budget is available on-line and available for inspection upon request.

Mr. Crosby shared that Mayor Giordanno welcomes the GBFCC to North Plainfield and sends his thanks to the Commission for the good works done over the years and for the continued support to North Plainfield.

ARMY CORPS OF ENGINEERS

Mr. Greco, Project Manager, reported the following:

Bound Brook – Basically, the project here is completed. Official turnover letter is expected to be signed by Colonel from the USACE NY District and the project will then be turned over to NJ DEP.

Middlesex --

Rights of Entries – We have obtained rights-of-entries to enter properties to take surveys and borings to begin design work along the 2-mile alignment of Segment C1-C5 & H. Still have about 7 or 8 properties which need the rights-of-entries. Mr. Greco contacted the Mayor of Middlesex for assistance with getting those rights-of-entries. Want to avoid any delays or additional charges for the rigs having to come back at different times.

Segment B2 – Carbro contract awarded on Feb 24th. Currently Carbro is mobilizing on site. Waiting for the soil erosion control permits, then they will begin excavation for the floodwall. Also, will take a part of Segment B1 levee and cut it back. They will be tying into the B1 levee with the floodwall, then will build a portion of that levee around the floodwall.

Segment B3 -- CMS has mobilized behind Middlesex Borough Hall. Waiting on the soil erosion control permits.

Have been in touch with the Freehold Soil Conservation District. Was told that permits would be available in about two weeks. By the end of next week are hoping we have permits for both B2 & B3. Contractors are eager to get started.

Segment C1, Contract 1 – Pump station and part of levee. Reaching out to the Philadelphia District for help putting together plans and specifications for this contract. This will be an in-house design. Should get a schedule next week from the Philadelphia district as to when all the plans and specs will be ready. The only portion we will be handling is the controls and electrical for the pump station.

Segment C1, Contract 2 – Part of levee and a floodwall. This contract will be in-house design work. The borings mentioned earlier are needed for soil analysis and then can move forward with design work.

Segment C1, Contract 3 – Pipe Crossings/Culverts under the NJ Transit railroad crossings of the Raritan Valley Line. This is under negotiations with SUR Joint Venture which is Leonard Jackson and AECOM. Hope negotiations are concluded by next week and contract can be awarded by first week of May.

Segment C2 & H . We are in negotiations with Jacobs Engineering. This contract is going to be incorporated into SUR Joint Venture. We had an IDC (Indefinite Delivery Contract) with Jacobs which expired. We reached out to SUR Joint Venture because we had an IDC with them which expires in late May. The two will combine efforts and work together. Hoping to award this by late May.

Segment C3-C5 - This contract cannot be awarded to Jacobs. Looking to possibly reach out to another AE contractor, might be firm that Werner Mueller works for up in Rockland or Orange County in New York. That firm has people familiar with the Green Brook project.

FY18 – We plan to award C2 & H in FY18 for construction so we need to start the design work in this fiscal year. To be able to begin design work, we need the borings, and for that we need the rights-of-entries. It all ties in. We don't want delays in design work because of borings, but if necessary, will have to ask E4 Sciences for a third mobilization.

Demolition Contracts . Modifications have been made to the CMS & Carbro contracts to include the demolition of two structures. The Carbro contract will demo 292 Greenbrook Road, Green Brook. The CMS contract will demo 1204 Bound Brook Road, Middlesex, the garage right by Borough Hall & the American Legion. The remaining structure, 225 South Lincoln Ave, Middlesex, will become USACE Green Project Field Office until the completion of Segments CHBD. It is centrally located and the house has never been flooded. Will have Carbro move us into that space. We hope to move in there at end of May.

Upper Basin . We were supposed to release the draft PMP on March 30th. Working on finalizing it tomorrow with Alec Peterson at 9:30. We have some minor tweaks and then we will release on Tuesday of next week, April 11th. Will release to the NJ DEP and GBFCC at same time so we can get concurrent reviews. Will also go out to our vertical team, which is North Atlantic Division, and to HQUSACE. Will solicit comments which may take about a month. Then the final PMP should be completed by end of May.

The amount is around \$5 million for the draft PMP; that will be cost-shared 50/50 with the NJ DEP. Certainly eager to get started, but do expect a lot of comments. Will also need a waiver request because we are exceeding \$3 million in three years. Schedule looks to be about 4 to 4 ½ years in duration.

Meeting with Residents . The meeting with the residents of Middlesex last Thursday regarding Segment B2 was very productive. Some residents were not happy, but we did our best to address their concerns. Going forward, will hold a nightly meeting once a month with the residents to keep them updated. Will see how that is received and perhaps go to once every other month as things progress along.

QUESTIONS FROM THE COUNTIES

Somerset County

Mr. Joe Skupien reported:

Long conference call last week with a lot of comments regarding the Upper Basin. Haven't seen the draft PMP yet. We used as a baseline for the new GRR, the old screening report and study. The idea being . do we have all the right alternatives so when we are done, we can say that we looked at a full range of alternatives and this is what we think is best. The screening committee did just that and even some ideas that were dead on arrival were included and went on record. It was refreshing to read the screening report which covers so much ground and so many ideas. I'd like this to do the same.

Question asked: In the draft coming out, how many different plans / options will be included?

Mr. Greco: Right now, we are looking at five options. Each will have a description of design work at a feasibility level, not a plans & specs level, a description of work and the costs of each different task along with a schedule to perform the work to put this GRR together for this Upper Basin.

Mr. Skupien: I can add that there are five general options/alternatives, but each of those five options has a few variations.

Question asked: Did you take the original five options from years ago and expand on them or are these totally different?

Mr. Skupien: This screening report and this draft PMP is a condensation of the original alternatives. Some of the ideas the screening committee looked at were obviously not going to work, i.e. bringing a tunnel down Route 22. Some other ideas are variations on the original proposed ideas which we know are feasible. Instead of trying to come up with brand new ideas, it takes these and builds upon ways of how we can do it better or perhaps slightly different. The screening report was very helpful.

Mr. McArdle: Is the intended report going to include the projections for cost factors as to what each of the plans will cost if brought to fruition?

Mr. Greco: The PMP is our labor services for putting together this product, the GRR. Once you have a GRR, that will include the numbers for the feasibility cost estimates for construction.

Mr. McArdle: These are updated numbers which you were supposed to have provided three years ago to the DEP?

Mr. Greco: No. That is different. Those were provided to DEP last year at a draft level.

Mr. Skupien: What they are working on now is a GRR. Just like what was done going back in the 90s for what we are building right now. The GRR for Upper Basin will be a four-year effort and about \$5 million. The report that will come out in draft form this week is the Project Management Plan (PMP) to perform the work in the GRR. It is a road map.

Mr. McArdle: Are you expecting to receive appropriate resolutions from the involved municipalities? Are you seeking that type of comment?

Mr. Greco: No. We will get input from GBFCC & NJ DEP and our vertical team (meaning NAD & HQ USACE).

Middlesex County

None.

Union County

None.

GBFCC ENGINEER

None.

WINNING STRATEGIES

Rob Zucker reported the following:

It has been an eventful period of time in Washington, with respect to our projects at work and the FY17 and FY18 process. In this interval, we took a trip to Washington on March 1 to directly make a case on behalf of the project to the elected officials of the Congressional delegation. Although not for me to characterize its success, I think it was a good day.

We met with representatives from:

- Office of Congressman Rodney Frelinghuysen, Chairman of the House Appropriations Committee. We saw and updated Chairman Frelinghuysen directly. Even though the project is not his district anymore, he still views it with a great deal of ownership.
- Office of Senator Bob Menendez. Met with the Chief of Staff.
- Office of Senator Cory Booker.
- Office of Congresswoman Bonnie Watson Coleman. Met with Chief of Staff. The bulk of our project resides in her district now.

We received positive feedback everywhere on our message to see this through to the end of FY17 to make sure that the \$10 million in progress is included in the final version of the legislation.

We gave an extremely detailed, even more than prior years, overview of the capacity and utilization of funding for FY18 if sufficient funds are forthcoming. We were basing that on feedback from the Corps on what could be done on the \$30 to \$40 million capacity. Not just FY18, but with a theme throughout our meetings, that successive years will also be at that kind of clip. That is the idea that resonated throughout the day. Particularly in an office that could appreciate the extent to which the project could be accelerated for the Middlesex Borough component and the potential for efficiency and cost savings of compressing the work.

Key take away from the day is that the Appropriations Committee in House is giving all members of Congress the opportunity for member testimony days before the various sub committee meetings. We encouraged, and respectfully requested, Congresswoman Bonnie Watson Coleman to participate in the Energy & Water Appropriations member testimony day. Her chief of staff was open to this, and the Congresswoman agreed. Bonnie Watson Coleman did appear before the Energy & Water Appropriations sub-committee in the House and directly detailed the significance in her district of continuing the robust funding. There is not similar power on the Senate side so we concentrated efforts on the House side.

Deadline for the Energy & Water House Appropriations budget requests to be submitted is either today or tomorrow. These deadlines were set back in January or February by the overall House Appropriations Committee. Congresswoman Bonnie Watson Coleman staff contacted me directly and they are submitting requests for our project. Usually by this time of year, we have budget requests that would include FY18 requests on behalf of the Federal Government, USACE and its work plan for our project. Because of the earmark ban, we do not have that today.

Although we have heard it reported, but not directly, that it is a %skinny budget+at least on FY18, it is rather discouraging because it cuts funding for the Army Corps of Engineers from about \$6 billion to about \$5 billion. For our purposes, and for the Congresswoman's purposes in making the request, it doesn't include a work plan or project level guidance. So how does Bonnie Watson Coleman submit a request for a sufficient amount of money for a deadline tomorrow and not run afoul with the earmark provision?

My understanding is that members are expected to be given other opportunities to weigh in with the Appropriations Committee upon receipt of the actual budget. We urged Bonnie Watson Coleman in the letter to use figures citing all our prior work. Including the fact that we were authorized for construction as well as the fact that USACE has consistently requested more funding for the project for successive years and that we anticipate them doing so again. And finally, that we will return when we have a program number.

I do point out for everyone here for the GBFCC, if the Army Corps dollar amount funding is cut by a billion dollars (from \$6 billion to \$5 billion) it would naturally have to affect us just as it would affect all of the Army Corps projects in the country. However, I would say that with the receipt of the skinny budget by Congress, I can't recall and neither can many people that have been around longer than I, a budget from a President to a majority of the same party on Capitol Hill where the reception was dead on arrival. In the proposed budget, the USACE actually made out well with only \$1 billion cut, where other entities had much more cut. Only mentioning this because we will be eagerly awaiting the full budget in May or June. Senate Appropriations Committee has taken a prudent approach saying the Energy & Water FY18 deadline will be two weeks after the budget comes out.

From talking to staffers at Sen. Menendez office, I can share with you that Colonel Caldwell visited that office to reinforce the importance of this very large scale project. I can also tell you that I have received additional questions and have provided additional information to the staff we met with at Sen. Booker's office. It was an effective day.

The message take-away, as per Ray and Bill, is that there is excitement and a sense of opportunity for this project given the winding down of the Harbor Deepening project and the accomplishments of the Bound Brook turnover last year. Want to stay with that mind set of getting large scale funding, not just this year, but in years to come.

Mr. Murray: I completely agree. It was dumbfounding not to have anyone bat an eye when you said \$30 million to \$40 million a year. This is the capacity the Corps is telling us they could carry out in the next five to six years to keep the momentum going. And no one was shocked at the scale of the numbers.

Mr. Greco: Just want to say that is the importance of the Upper Basin. If they fund us at \$30 million to \$40 million a year for the next four years, we are going to be up at the Green Brook by the high school.

Mr. Murray: You are going to need the Upper Basin report to finish out the levee heights on Segment C & D.

Mr. Crosby: As Ray said, no one batted an eye, that is because they understood that in a way we have been under-funded but also realize to get it done quicker, it will save money in the long run.

Mr. Zucker: Several members of staff had a couple additional questions which we provided info on (i.e. if you indeed got this money what is the time frame, etc.) Again, even if we get funding in FY18, it doesn't necessarily carry into FY19.

Last thing to mention is that we will continue to track whether this administration will put together a large-scale infrastructure investment plan. A common theme at our meetings was water infrastructure, not just roadway infrastructure, should be considered an eligible use of dollars. We reinforced to every office, especially since several offices were not here in 2009, that this project was able to receive stimulus money and process it quickly. In other words, we made good use of the dollars received. We would be poised to do that again if that opportunity were to come about again.

Yesterday, I understand from an NPR report, President Trump spoke briefly about the infrastructure plan. He was speaking to some executives and used the term shovel-ready. Our project could do well if that is the criteria used.

Mr. Crosby: Now we have a track record. They didn't believe us the first time. We asked for a lot more money than we got . they said we could not spend it . and we proved we could.

Another person commented: He did make it clear however in his address to the Building Trades Union that is exactly what he is looking for. Presumably that money will be separate, and distinct from, the 2018 regular budget.

Mr. Zucker: Of course, we have heard the number is about \$1 trillion but there's no source of this funding identified yet. Of all the private public partnerships, that have been talked about a lot, I am not aware of a revenue stream that would be derived by this investment. We would be protecting a whole lot in terms of potential losses but we are not a port that would get a container tax per assessment and get money back or something like that.

QUESTIONS FROM THE COMMISSIONERS

None.

QUESTIONS/COMMENTS FROM THE PUBLIC

None.

A motion was made and approved to adjourn.

MEETING ADJOURNED: 8:10 PM

Upcoming 2017 GBFCC meeting dates:

June 7 – Middlesex

Saturday, August 5, 9:30 am - Memorial Service

October 4 – Scotch Plains

December 6 - Plainfield