

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: North Plainfield

DATE: June 5, 2019

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 S. Murray . GBFCC Chairman
Rich O'Connor - Engineer, GBFCC
Robert Greco . USACE NY District
Paul Woska . Middlesex
John J. Sweeney - Middlesex
John Ferguson . South Plainfield
George Ververides -Middlesex Cty Planning
Pedro Estevez . Plainfield resident
Jessica Dunne - Dunellen
Alice Tempel . South Plainfield

Stacy Narvesen - Dunellen
Rob Zucker . Winning Strategies
Frank McArdle - North Plainfield
Theodore Bassman . Scotch Plains
Amada Piffo** - Middlesex resident
Rudy Marano . Green Brook resident
Melonie Marano . Green Brook resident
Eve Emos** . Green Brook resident

MINUTES

The minutes from the April 3, 2019 meeting were approved. A copy of the approved minutes is available on the GBFCC website.

TREASURER'S REPORT

Most members have paid their bill for the year. One county and one municipality are outstanding.

We have three bills which were presented to us to be paid:

- 1) Grotto Engineering, our consulting engineer
- 3) Tina Totten for mailing out our meeting notices
- 4) Winning Strategies, our consulting federal government relations firm

The bills have been reviewed and found to be in order. A motion was made to approve payment of the bills. Motion carried.

Reports:

ARMY CORPS OF ENGINEERS - Robert Greco, Project Manager

Id start by discussing funding for the Green Brook Flood Risk Management Project. In FY2019 we are receiving \$29 million in federal funds, along with \$9 million in non-fed funds. To date we have received about \$12 million in fed funds and \$7 million in non-fed funds.

Middlesex Borough

Segment B-2

Recently completed by Carbro. Performed a 9-month warranty inspection on May 1, 2019. We found some minor issues that need to be fixed and are working with contractor to remedy that.

Segment B-3

Substantially completed. Inspection there also on May 1, 2019. Contractor has addressed most of the issues and shortly will be turned over to NJ DEP for maintenance.

Segment C-2; Contract 1

Carbro is moving swiftly and are approximately 47% complete. Almost finished with floodwall along Cap Lane. Projected to finish by the end of the calendar year with landscaping coming after.

Next segment looking to award in the August/September time frame is the large area continuing with the C-2 floodwall behind Lee Drive; about 7 houses there. Will continue floodwall on the property that belongs to Jaeger Lumber. Will continue onto Clay Ave where there is a warehouse. There are trailers back behind warehouse which will need to be removed for us to work back there.

That will open up to a levee with a pump station. There will be two large culverts (over 10-feet in diameter each) traversing underneath the NJ Transit Raritan Valley line. Will have to shut down transit service for a weekend and will bus people between the Dunellen and Bound Brook station. It needs to be completed within one weekend. Start early at about 3:00 am on a Saturday and needs to be open again for the Monday morning rush hour. Contractor will coordinate with NJ Transit.

Question: Has NJ Transit been notified?

Mr. Greco: Oh yes absolutely! We met with them in November. We are coordinating with NJ Transit & Conrail. Only effecting a portion of Conrail's property; not effecting their rail lines. NJ Transit was provided with 10 sets of plans on April 23. Trying to get them to move along with the approval of those plans then we can but in the appropriate permit applications.

Question: Bob, are we talking about the early part of 2020?

Mr. Greco: Let me get back to the schedule. There has been a change. Our initial thought was the levee, pump station and culvert as the first part, or base, of the contract. What makes things tricky, is that as we build, we need to leave gaps so we will not induce additional flooding on businesses or people's homes. Our plan was to leave an opening at the flood wall and build the culvert first. However, because of real estate issues on Lee Drive, we may change the sequencing. We are thinking we may change the base contract to be for floodwall with the levee, pump station and culvert as an option to that contract.

Question: So, you are looking at Lee Drive to happen in late Autumn?

Mr. Greco: We are going to talk to the Mayor, but if we can make the switch and issue this first, yes, then Lee Drive would be in late Autumn.

Getting back to the openings, we must abide by LURP (Land Use Regulatory Program) and not induce additional flooding. When LURP gives permits to build on this side, perhaps early in 2020, we can award a good portion on the H side.

There will be a lot of construction in 2020 through the summer in Middlesex Borough, based on the current funding.

In our current schedule, assuming \$40 million each fiscal year, we will be awarding last two contracts in FY2023 & FY2024, with construction completing about two years after that. By 2026 we could have Middlesex and Greenbrook Township done, again assuming that level of annual funding and no real estate issues.

We try to plan far in advance with plans and specs to address the real estate issues far ahead of time to avoid delays. For example, we purchased a diner, where a detention pond will go, but it won't happen until 2022.

In FY2020, we will award Segment H. In FY2021, we will award remainder of Segment H, and continue with Segment C, where Carbro is working now.

By FY2022, there will be a large contract awarded which crosses over Route 28 with a floodwall, a levee and a floodwall, and pump station. Previously we put the foundation in, but not the actual pump. Wanted to maximize the pump warranty so waiting on installation until that area ready.

In the area along the Green Brook (purple area on map), Segment C & D, we completed environmental soil borings along the alignment to check for contamination. The next thing is to take spot survey elevations. We scheduled a public informational meeting on June 20 in Middlesex Borough to explain to residents that even if you are not close to the levee, still need Right of Entry to access property for surveys.

Geotechnical borings will start in September, but we already received the right of entries for those. Need all this information so we can start the plans and specs for the levee, floodwall and pump station features. Once that is complete, we can determine the impact on people's properties. Then can send out the appraisers to appraise the property impact and after that we can start sitting down with people to let them know the appraised impact. If there are not issues, the project will keep humming along. All it will take is a few people to have an issue, and this project could be stopped cold for a long time.

Upper Basin

The Upper Basin includes Segment M . a channelization in the Green Brook in Plainfield and North Plainfield as well as two dry detention sites at the Oakway and Skytop sites. These dry detention sites would be built up very high and act like levees. During a major storm they will hold back the floodwaters of the Green Brook and let it out slowly into the Blue Brook.

Back in late 1990s we were prohibited from building Oakway & Skytop. Senator Torricelli met with Mr. Connell. He doesn't like that we want to put a detention site that will impact his parking lot and block his entry way. Mr. Connell pushed back and got Senator Torricelli to issue an amendment so we could not build the Oakway and Skytop detention sites.

Fast forward to 2014, the Greek Brook Flood Commission coordinated with Congressman Lance and were instrumental in abolishing the Torricelli Amendment. Now we can build the Oakway & Skytop detention basins, however now we need to determine if it is feasible. We are conducting a validation study to determine if the detention basins are still engineeringly feasible, environmentally acceptable and economically justified.

Met with NJ DEP LURP in November and came back with comments in April. They are saying we would be impacting a lot of wildlife and habitats, especially with the Skytop portion, within the Watchung Reservation. They are not happy with this. We took their comments and are looking to update to economics based on the increase in costs to mitigate. In essence, they don't recommend the Skytop portion.

Completing the validation study, with the draft feasibility report due out in July. Entities will have an opportunity to comment on report. Will report all of those findings back to HQUSAE. If these two detention basins drop out of the project, we will not have flood protection for Plainfield or North Plainfield. In that case, we will use Investigation Funds, not Construction General Funds, which would be cost shared 50% fed / 50% non-fed, to put together various alternatives to protect Plainfield & North Plainfield. Maybe non-structural solutions, such as lifting homes.

Mr. Murray: Do you see an opportunity to possibly retain and fight for Oakway, but give away Skytop since they are not in favor of that?

Mr. Greco: I think we would have to have a public meeting about Oakway. Two years ago, Connell Corporate facility, built a beautiful promenade with waterfalls and granite tables where employees can eat lunch. I can predict there will be heavy pushback.

Question: What is the road to the East, of the two roads that go over the Brook? When I was up with the West Point cadets, we were looking at the parking lot with the cadets.

Mr. Greco: As part of a Civil Engineering course the West Point cadets were examining the area and had to make recommendations as to what they would do if they were the project engineer. What formulations would they use? How would they handle public issues? How would they address engineering difficulties? When I was with the cadets, up in that area, walking around on the Connell Corporate facility, the Watchung police came because they were called by Connell staff. I don't think they are friendly up there.

Question: Do you know the particulars of what happens if there is a street drain easement that will be going through the floodwall? That is the situation on our property. We have a collapsing street drainage that comes out under our backyard. The floodwall will go across with some sort of check valve.

Mr. Greco: Yes, they are called duckbilled valves. If you were walking on the bridge at Seabrights Mills Road, and you look down, you can see the valves. They are large. We have every so many feet, and they allow water to come out. If there is a flood event, and the valve shuts tight, and it's raining, and the water cannot get out, the water will travel along the floodwall or levee by the swale. It travels to the pump station which will pump it over to the other side.

Question: On Cap Lane, from the street to the wall, there will be a swale down in there. How deep will that swale be?

Mr. Greco: It tapers down with a gradual slope, but about 3 feet.

Mr. Bassman: Let's say for sake of argument that the whole map is done in 2025. You have to work ahead for the parts going upstream into Dunellen, etc., meaning your flood levels and levee heights would be based on what is coming out of the GRR. When does the GRR have to be done in order to start there?

Mr. Greco: An early start would be to budget for it in 2021.

Mr. Murray: Part of that answer is that in anticipating the worst, we are over-designing for C & D in case something doesn't get built immediately in Upper Basin.

Mr. Bassman: I'm worried about the forward-planning and staging.

Mr. Greco: By 2023, we would have an idea of what the Upper Basin will look like. Right now, we are working in Segments C-H-B-D. Who's to say that we must do Segment I-J-K next? We may be able to revise that sequencing plan.

Mr. Bassman: The reason I bring this up, is that when we were doing Bound Brook, all focus was to get Bound Brook done. Then all at once, we didn't have anything planned to do in Middlesex. Don't want that to happen again.

Mr. Greco pointed out that we have designs moving forward in several areas.

Mr. McCardle: Part of your design, accounts for a certain water flow coming through from Green Brook, crossing Plainfield, into Cedar Brook, wrapping into South Plainfield, the back end of Piscataway and coming right back in there. You are accounting, I presume, that your engineering studies are providing for the current flows and the anticipated flooding that is going to continue unless something is done on Blue Brook and Green Brook.

Mr. Greco: You are correct. We are using the most conservative flows for this area.

Mr. McCardle: And am I correct that your explanation on why you can't do anything on Stony Brook yet is because of the impact to Green Brook at the confluence of those two streams.

Mr. Greco: That is also correct. When we work on the GRR, it will look at the Upper Basin, but it will also look at other features, such as the Stony Brook, and Segment E-F-G & Q.

Mr. McCardle: Rob, with all due respect, you looked at it in 1986. That book that you produced at that time was a pretty good bible of what needed to be done. How much more can you revisit the same area, only to come to same conclusions.

Mr. Greco: It has been many years. Costs have increased. In 1986, we didn't have Hurricane Floyd or Hurricane Irene yet, so the H & H (hydraulics and hydrology) looks different.

Mr. McCardle: I recognize that, but over the next 15 years there will be additional storms.

Mr. Greco: That's correct. Each system we build, we update the H & H model. We use the current year H & H at the time, so different areas may be based off different H & H models. After we complete a system, we can't go back and change it. Like you said, every so often we could have a storm of historic proportions. We don't know.

Mr. Sweeney: What we have, is better than nothing. As we progressed over the years through Bound Brook, partial protection, even though the project was not complete, partial protection made a big difference.

Mr. Greco: What John is referencing is that during Tropical Storm Irene in 2011, the Raritan came up really high. NJ Transit has closure structures, where the levee system crosses over the railroad tracks, and those closure gates were not completed. When the Raritan River came up, it provided protection because there was a gap opening. They had about 3 feet of water on Main Street as compared to about 8 to 9 feet during Hurricane Floyd.

After this is all completed, and certified by FEMA, you will be able to receive flood insurance premium reduction.

WINNING STRATEGIES (WSW) - Rob Zucker

Good news since our last meeting. There was \$25 million requested in the Trump administrations FY2020 budget. Two weeks ago, when the House Appropriations Committee drafted & approved its Energy and Water Appropriations legislation it included the full \$25 million.

As people are aware, we advocated earlier this year in the neighborhood of a \$30 to \$40 million capacity with a desire to accelerate the project to the greatest extent possible. The House of Representatives has not gotten rid of the moratorium on earmarks so they are unable to allocate more than the Administration has requested.

It's a good outcome for now. We thanked all the representatives who got their way in the House, especially Rep. Bonnie Watson Coleman, who sits on the Appropriations Committee. The Bill led by the Energy and Water which will include five pieces of legislation . DOD, Labor H, Legislative Branch, Energy & Water and State Foreign Ops . will be on the floor of the House of Representatives next week. That suggests that Congress is trying to front load the process, including the bill which we care most about. The reason that would be in our favor is because last year when there was a partial government shutdown, money was put on hold until February. Because the FY19 Energy & Water bill passed in September, money was able to flow unimpeded.

So, I'm optimistic again. Last year, although to a different degree, there was \$5 million in budget, then because the administration low-balled its requests and then Congress plussed it back up to restore it. The Army Corp of Engineers based on the work they were interested in doing and the advocacy of the Senators and members of Congress were able to add another \$24 million in the work plan that followed within 60 days.

To the extent of Bob's comments hoping the funding would be \$30 million federal for several years, matched by \$10 million state funding. Once again, this year, because the administration requested \$25 million for this project, they proposed to cut USACE overall, and because the House Appropriations Committee anticipate the full House has rejected that cut and restored money back, we would be in the situation again where the USACE has the opportunity to allocate to our project, or any project, with the overage.

Senate has not acted on their appropriations. They usually go second. The only thing to note on the horizon is that there remains no agreement between the House & Senate on the budget numbers and relief from the budget control act spending caps that were enacted in 2010. If that lasts, it means sequestration and claw backs would have to happened in about February of calendar year 2020 on bills that were enacted for FY2020. That negotiation is on-going, but we are as well-positioned as can be at this time.

CORRESPONDENCE

Cycling back to correspondence. With Rob's help, we sent letters to our State legislators, and looking to meet with them over the course of the next month or so, to ask for assistance and advocating of the project to NJ DEP to ensure we can plus that number as much as we can. So that if we go to Congress and ask for more than the \$25 million, we know what the target

number should be for their share of the match on the 75/25 split. Also, to ask for consistency going forward. They have indicated, they can come up with \$12 million in FY20, but that number may drop back to the \$6 million or \$7 million range beyond that. We need to get into that \$12 million range every year, so we keep this project moving forward. And leverage the fact that they are only paying 25 cents on the dollar for this work that is going to save life and property, it will put people to work and give people piece of mind. Look forward to getting those meetings scheduled in the very near future.

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

QUESTIONS / COMMENTS FROM THE COUNTIES

Middlesex County

We continue to work with Somerset County on the landscaping and in the process of paying our portion of the contract to the DEP.

Union County

None.

Somerset County

None.

GBFCC ENGINEER

None.

QUESTIONS FROM COMMISSIONERS & PUBLIC

None.

MEETING ADJOURNED: 8:35 PM

Upcoming 2019 GBFCC meeting dates:

Saturday, August 3, 2019 9:30 AM

Memorial Service - American Legion Gazebo in Middlesex behind library

Wednesday, October 2, 2019 – 7:30 PM

Scotch Plains

Wednesday, December 4, 2019 – 7:30 PM

Plainfield Public Library