

**GREEN BROOK FLOOD CONTROL COMMISSION  
MEETING MINUTES**

LOCATION: Scotch Plains

DATE: October 2, 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:

George Ververides -Middlesex Cty Planning  
Theodore Bassman . Scotch Plains  
Alek Peterson . USACE NY District  
Raymond S. Murray . GBFCC Chairman  
William Crosby - GBFCC  
Paul Woska . Middlesex  
Lou Piffer, Middlesex resident

John J. Sweeney - Middlesex  
Alice Tempel . South Plainfield  
Pedro Estevez . Plainfield resident  
Rebecca Williams . Freeholder Board  
Jessica Dunne - Dunellen  
Stacy Narvesen - Dunellen  
Rich O'Connor - Engineer, GBFCC

MINUTES

The August 2019 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. The finances are in good order and we should have enough money to last to the end of the year.

Proposed budget for 2020 was handed out. The proposed budget is essentially flat, with only a small \$200 change. The proposed contributions for 2020 for the member municipalities remain unchanged, as they have for the past 5 or 6 years. In December we will revisit the budget.

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

***Reports:***

ARMY CORPS OF ENGINEERS . Alek Peterson, Project Manager

Mr. Murray introduced the new Project Manager, Mr. Alek Peterson. He has been involved with the project for quite a while, most recently spear-heading the study of the Upper Basin. Robert Greco, the previous Project Manager, has moved positions and is now working for HQ USACE.

- Completed construction in Borough of Bound Brook (Segments U, R, T) consisting of levees, floodwalls, closure gates and pump stations.
- Currently working in Borough of Middlesex (Segments C, H, B, D).
  - Completed Segment B-1 & B-2. Due to real estate acquisitions issues we skipped B-4; partially constructed B-3. We are sequencing the system to avoid induced flooding on opposite banks or downstream.
  - Currently Carbro Construction is building Segment C-2 on the right bank of the Bound Brook, both the base & the option. Consists of floodwall, with a pump station.
  - Just awarded construction sequence for Segment C-1 consisting of about 900-feet of floodwall, back behind Jaeger Lumber. Three options to the contract, consisting of a small floodwall, a pump station and a culvert under the NJ Transit railroad tracks.
  - Have all the real estate necessary so we were able to award on the last day of the fiscal year (Sept. 30, 2019). We try to award as much as we can with the current year's funding. Projects compete for funds nationwide, so if you don't spend it you jeopardize funding.
  - We need a few additional real estate acquisitions but don't anticipate any issues. Also need pipeline occupancy permit from NJ Transit in order to install the 130-foot of pre-cast box culvert, which will provide additional capacity under the tracks.
  - Property at 207 Pond . need it to build the levee and pump station . that may take time. As soon as we have real estate, will can award the options. Our goal is to award in FY2020.
- In this current fiscal year, have awarded design contracts for Segment C-2, Contract 2 and Segment H, Contract 1 on the opposite side of C-1 & C-2. Pending acquisition of environmental permitting, real estate and any other issues.
- Currently designing Segment C-2, Contract 3 and Segment H, Contract 2.
- Segment C-3 & Segment C-4 are also in design right now.
- Typically, once USACE reach about 65% of plans and specs, then we will be reasonably confident in our design, and we can start acquisition of real estate.
- Looking for a design contract for the levee segment C-5, within Middlesex. That will leave C-6, C-7 and D as the remaining sections.
- Current anticipation for construction sequencing assumes getting \$40 million per year. (\$30 million federal & \$10 million non-federal). It is cost-shared 75%/25%.
- We are seeking \$30 million this year and hoping to then get the matching \$10 million of non-fed DEP funds. Hoping for same next year too.
- Awarded the base for C-1 for over \$12 million to Carbro Construction. They are the current construction contractor here for C-2. Hopefully we can award the options this year.
- Non-Structural measures in Piscataway. Putting together a schedule to do design / build whereby we simply award a contractor of the design and the construction. Then they go

out and get an architect engineering firm to do the design. Schedule being put together. This may or may not start in FY20 depending on how the schedule shapes out.

- Have about \$13 million in carry over from FY19. If we get the full \$40 million it gives us about \$53 million in funding for this fiscal year.
- Options for C-1, the levee, pump station and culvert, are \$16.7 million per the construction contract. Have rough ballpark estimates for Segment C-2 Contract 2 and Segment H Contract 1, although not approved yet, maybe about \$25 million. Approximately \$46 million could be used for the options for C-1, Segment C-2 Contract 2 and Segment H Contract 1 as well as for some of the needed real estate acquisitions.

## QUESTIONS / COMMENTS FROM THE COUNTIES & PUBLIC

*Mr. Lou Piffer, Resident at 147 Lee Drive asks:* I live in the area of that extension of the C-2 area, where they are working right now. I believe that plan was to have a gap, and then later continue it. Was that the contract that was just let out for C-1?

Mr. Peterson, Mr. Murray & Mr. Piffer discuss project sequencing for the area, which seems to have changed, and the need to leave gaps open so to avoid induced flooding. Mr. Piffer is trying to ascertain the specific time frame for his backyard to be affected. It is suggested that contact information be exchanged between Mr. Piffer & Mr. Peterson. Mr. Peterson can check with the design people and follow up directly with Mr. Piffer with a more specific time frame.

### **Middlesex County**

*Mr. Paul Woska asks:* When do you anticipate being done in Middlesex Borough?

*Mr. Peterson:* One thing we have been trying to do is get real estate acquisition in a timely manner. If we advance the plans to 90%, and then we identify real estate, that can present an issue because sometimes you have hold outs where we might have to go to condemnation. If that happens, it could be a two-year DOJ process. Instead, what we are now doing is trying to acquire real estate at the 65% design level. Trying to minimize any impacts to implementation of construction. Assuming the current funding projections of \$40 million, and no major show-stopping issues, we would be looking to award construction in FY23 or FY24. An ideal timeframe for completion would be 2025 - 2026.

Someone commented that the construction seems to be moving fast. Mr. Peterson agrees that it is moving quickly and C-2 is ahead of schedule. Since the same contractor will be used for next part, and they know what they are dealing with, hoping to keep the pace moving.

The most challenging piece will be putting in the culvert under the railroad tracks. The pipeline occupancy permit from NJ Transit, as well as the real estate at 207 Pond, the warehouse, may present challenges.

### **Union County**

None Present.

### **Somerset County**

None Present.

## GBFCC ENGINEER

None.

### WINNING STRATEGIES (WSW) . *Ray Murray gives the report for Rob Zucker*

As reported in May, the House Appropriations Committee approved FY2020 Energy & Water Bill. It included \$25 million for the Raritan River Basin, Green Brook Sub-Basin NJ Project. The funding level was consistent with the FY2020 USACE budget request. After the June meeting, the House of Representatives packaged together four FY20 spending bills in an effort to increase the chances of approval. A similar maneuver was made successfully in FY19. This year the FY20 Bill was Energy & Water; Defense; Labor, Health & Human Services and State & Foreign Operations Appropriations.

On June 19<sup>th</sup> the House passed this Bill, including the funding for the Green Brook Project. The vote was 226-203. Despite the House actions on the Energy & Water Appropriations Bill for FY20, the Senate refused to act of the spending bill, insisting first that an agreement be reached on relief from spending caps and budget controls.

Act of 2010, which otherwise would have led to significant spending cuts in FY20 in defense & homeland security funding and non-defense domestic discretionary funding, just before the August recess the House, the Senate & White House reached the agreement on spending levels for FY20 and beyond, which cancels the spending caps. President Trump signed the agreement into law on August 2<sup>nd</sup>.

Senate majority leader has ended the blockade on work on the annual spending bills. When the Senate returned to action after the August recess, went to work in rapid fashion. The first week back the panel released the fiscal year Energy & Water Bill, which included the \$25 million for Green Brook. Consistent with the House version. It was reported out favorably by Senate with a 31-0 vote on Sept 12<sup>th</sup>. It is unclear if Senate Majority Leader McConnell intends to bring the bill or any other bills to the floor individually or as part of a package.

#### *Mr. Murray Comments:*

We will probably make another trip to Washington DC this Fall. Just to keep the pressure up on our congressional delegations to make sure we can maintain the \$30 million spending level going forward.

Likewise, we have reached to our Senators and State Assembly people. The other part of this equation is the 25% match from the DEP. Want to make sure they are in good fashion, have the money set aside, or are willing to work to put that money aside. We will follow up in the Fall with that as well. Will try to see if our Senator & State Assembly can help to arrange a meeting with DEP Commissioners and possibly the Assembly Speaker too.

Last year, because of the increased funding, they had to come up with extra money. They utilized the three-month overlap in the State fiscal year ending on June 30<sup>th</sup> and the Federal fiscal year ending September 30<sup>th</sup> so the Corps still got the full match, but it hits in two budget years on the State side. Received \$2.3 million through June 30 and then \$2.7 million was given between July 1<sup>st</sup> and September 30<sup>th</sup>. The problem is that if we keep doing that, we will run into a problem where we are already in the hole for \$2.7 million for the match for this year. Looking to get DEP to set aside a bit money so we don't have a chasing-tail effect there. Made a first reach out earlier in the year, about time to reach out again to set the meeting.

*Mr. Bassman:* Just for the record, there is no change in what is going on with the Upper Basin is there?

*Alek Peterson:* We have prepared a validation report to study the feasibility of the channel modifications in Plainfield and the detention Oakway & Skytop basins in the Watchung Reservation. We are looking to see if they are engineeringly feasible, economically justified, & environmental acceptable. The report is not approved yet. We have done an internal review on it and have sent it to the Division level, hopefully for approval, but that is still on-going. But, if Oakway & Skytop are not justified, what we are looking to do is to initiate a General Reevaluation Report to study alternatives in the Upper Basin.

Discussion continued about the difficulties of the Upper Basin and assorted possibilities, but it is all speculative at this point.

Mr. Murray assures that we are going to continuing working as fast as we can in the lower basin, while we figure out the upper basin, to get as much protection for as many people as we can, as quick as we can. Going to keep fighting to get as much protection as we possibly can. It is not going to be an easy challenge with the Upper Basin the way it is, but we are certainly not giving up hope for getting some measure of protection approved and underway in the Segment M area.

Mr. Murray thanked Scotch Plains for their hospitality and announced upcoming meetings. He forgot to mention earlier that we need to establish a nominating committee for next year. He asked Bill, Ted & George to serve on the nominating committee. The three gentlemen agreed. He asks them to get together to put together nominations for the officers for next year.

MEETING ADJOURNED: 8:10 PM

Upcoming 2019 GBFCC meeting dates:

**Wednesday, December 4, 2019 – 7:30 PM**  
*Plainfield Public Library*

**Wednesday, February 5, 2020 – 7:30 PM**  
*Green Brook Municipal Building*