

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: Plainfield

DRAFT

DATE: December 4, 2019

MEETING CONVENEED: 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:

Rich O'Connor - Engineer, GBFCC
Alek Peterson . USACE NY District
William Crosby . GBFCC Treasurer
Theodore Bassman . Scotch Plains
Adrian O. Mapp . Mayor of Plainfield
Lou Piffer, Middlesex resident
Linda Piffer, Middlesex resident
John J. Sweeney - Middlesex
John Ferguson . South Plainfield

Rob Zucker . Winning Strategies
Greg Cosentino . Middlesex
Paul Woska . Middlesex
Pedro Estevez . Plainfield resident
Alice Tempel . South Plainfield
Jazz Clayton-Hunt - Plainfield
Jessica Dunne - Dunellen
George Ververides -Middlesex Cty Planning
Brian Wahler . Mayor of Piscataway

MINUTES

The October 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

Financial report and budget were distributed. All entities have paid their dues for the year. The finances are in good order. Bills presented were reviewed and found to be in order. A motion was made to approve payment of the bills. Motion carried.

RFP

The Request for Proposals for 2020 for Engineering Services and Government Consulting were put out. The only responses for each were the current companies. The recommendation is to re-appointment Grotto Engineering and Winning Strategies. A motion was made to approve the reappointment. Motion carried.

NOMINATING COMMITTEE

Attempts were made to reach out to new members, but for assorted reasons, no new members could accept a position. May have changes coming in the new year but will keep you updated. A vote on the slate was unanimous. Board will remain as:

Chairman . Raymond Murray
Vice Chair . John Sweeney
Legislative Chair . Frank McArdle
Treasurer . William Crosby

Plainfield Mayor Mapp extended everyone a welcome to the City and thanked the Commission for their work.

Reports:

ARMY CORPS OF ENGINEERS . Alek Peterson, Project Manager

A quick overview of the project:

- In 2015, completed construction in Borough of Bound Brook (Segments U, R, T)
- Currently working in Borough of Middlesex (Segments C, H, B, D).
 - Completed Segment B-1, B-2, & B-3.
 - B-4 is schedule for future years and B-5 is not built yet.
 - The construction contractor, Carbro Construction, is currently building floodwall both west and east of South Lincoln Ave. The portion west of South Lincoln has been essentially completed and they are just doing finishing work.
 - The floodwall on other side of South Lincoln is schedule to finish in May 2020. They are ahead of schedule, so may complete sooner.
 - All the piles (the posts that root into the bedrock) are in. Most of the monoliths (the floodwall sections between the piles) have been poured. Only about 7 or 8 left in area of Lee Drive.
 - Awarded base contract for Segment C-1 on Sept 30, 2019 consisting of about 900-feet of floodwall. There are options to this contract consisting of a small floodwall, a levee, a pump station and a culvert under the NJ Transit railroad tracks. Need more real estate and the permits from NJ Transit before the options can be awarded.
 - Construction will continue with levees and floodwalls on both the C-2 & C-3 segments on the left & right banks of Bound Brook.
 - C-2 on the East/North bank - we are looking at that in possibly FY21, depending on funding and acquisition of real estate.
 - C-3 & C-4 . floodwall and levees just north of South Avenue is in design now.
 - C-5, C-6, C-7 on the Green Brook and D are all for future years.

Based on the amount of available funding I have this year, with the carry-over and what is in the President's budget (which will be released in February) we have enough to award options for Segment C-1. If we can't get the real estate in time this year, we have the money to award all of C-2 contract 2 and H contract 1. (South of where contractor is now). It's a back-up plan if the real estate doesn't come through. If we can award the options, then we would be able to partially construct C-2 contract 2 and H contract 1. I'd prefer to do the C-1 options because we have already put them out to bid, spent a lot of time on permits, and acquired real estate to do that.

We are assuming a budget of \$40 million per year - that is \$30 million in federal funds and \$10 million non-federal (cost shared 75/25 by DEP). The potential issue is real estate and that can take a while. If you have one or two hold outs in the area, it can delay the award of a contract. We try to acquire the real estate in advance once we get to 65% plans & specs.

Another thing we must do is avoid inducing additional flooding, either upstream, downstream or on the opposite bank. As we have advanced this project, you may notice there are gaps. Those are intentional so we don't induce flooding on opposite bank.

Upper Basin . We have been conducting a validation report for the Upper Basin. We need to determine whether the segments in the Upper Basin remain feasible, environmentally acceptable and economically justified. Right now, in the course of completing that, it indicates that Segment M, O, and S are not economically justified. We would have issues constructing dams up there, and getting the necessary real estate. Segment O, a detention basin on the Green Brook, is in the area of the Connell Corporate Park; Skytop is within the Watching Reservation; and then you have channelization in Plainfield. Report identifies them as economically unjustified because the benefit is lower than the cost.

It recommends a General Reevaluation Report (GRR) to look at alternatives in the Upper Basin that are not authorized. M, O, S were the authorized plan. We could investigate other structural solutions, as well as non-structural solutions. I think we have just realized that M, O, S are not feasible. Practically it would be difficult, and it does not meet the economic criteria. That said, it is a flooding problem . 6 people died in the Plainfield area in 1973 storm - we want to do something there. We want to get funding, both federal & non-federal, to move forward with the GRR and hopefully identify something we can do in that area.

Comment: This has been up with North Atlantic Division since October. Do we have their blessing on this?

Mr. Peterson: We are working with them. Have a meeting with Division folks to work on wording of the report so we leave it as open-ended as possible. I don't have a final date, but based on holidays, thinking sometime in early 2020 before we get something approved.

The problem is that even channel modifications in Plainfield will present troubles. It's a system. The two detention basins . O & S . work with Plainfield to provide flood risk management in Plainfield and in the overflow area. If you were to just build the channel alone, it would induce flooding downstream and we can't do that.

QUESTIONS / COMMENTS FROM THE COUNTIES

Middlesex County

Still continuing to work with Somerset County on landscaping and maintenance.

Union County.

None

Somerset County

None

GBFCC ENGINEER

None.

WINNING STRATEGIES (WSW) . Rob Zucker

Where we stand right now with FY20 appropriations - the fiscal year ended on September 30, so we are technically in FY20, but we don't have resolution on the Energy & Water Appropriations bills which funds this project yet, nor do we have it on any bills that are required. There has been continued impasses. As you may remember from last year, it didn't affect this project as we had our funding prior to the end of the fiscal year for 2019. There is continued

impasse over the President's desire for changes on the Southern border and Congress is being upset at the reprogramming of dollars. It's not problems with the project or with the Energy & Water bill themselves.

As a reminder, the House & Senate versions of the FY20 legislation was for \$25 million for the Greenbrook project, which is good news. The House & Senate could not agree on common numbers to work from. It was reported that they came to some agreement on some of the allocations over the Thanksgiving weekend.

House Democrats just yesterday took the position that they don't want any bills to move forward unless they can all move at once. That could complicate matters. The interim funding bill that is in place runs until Dec. 20th. That is the next deadline we are looking at. We are optimistic that the final bill will fund us at the \$25 million level because both the House & Senate version of the legislation include funding for construction activities above and beyond what was requested in the President's FY20 budget for USACE.

For those here tonight that don't know, last year, we saw a lower funding in the budget, and then Congress appropriated dollars that was beyond what was requested. The Corps and its workplan that followed the resolution, was able to allocate an additional \$24 million to this project. The Corps saw fit to spend the money on this project because the intention was to build in \$40 million segments (\$30 million federal & \$10 non-federal).

Ray Murray came down to Washington and I accompanied him on visits on Capitol Hill in November making the case to our NJ legislators in the House & Senate to continue to push for funding for our project so we can continue to meet those milestones. Those visits in November sets us on a path for FY21 funding budget planning. Typically, that planning happens at beginning of February, if there is a lack of resolution on the FY20 funding bills we can see that budget get pushed back.

In our meetings, when looking at FY21, there was discussion about the Upper Basin. Can you comment for us if you think that any modifications to the authorization of this project are required for you to proceed with that GRR? If not, 2020 puts us on a path for another reauthorization of the Water Resources Development Act, which is what authorizes the Corps activities. If you can think about that and advise back to Mr. Murray.

I know that the Environment and Public Works committee that Sen. Booker sits on has already crafted preliminary language for inclusion in its version of the Water reauthorization. I met with staff from the Transportation Infrastructure Committee also so if there are any changes please keep us informed.

QUESTIONS / COMMENTS

Mr. Bassman: For years the Cranford project, or the Rahway River project, has been mentioned. All you really have today is news from the local paper. Our paper covers from Cranford, Westfield, and Scotch Plains. The Rahway River project has been in there regularly for years. We don't hear boo about our project. In the last two months the Army Corps of Engineers shot down a proposal (won't go into details). But you don't read about the headline that says "County asks DEP to step in after USACE cancels flood project+.. we are in same kind of situation. We are oblivious in our area as to what is going on with regards to this project and that includes the County Freeholder Chairman. What are we prepared to do to move this forward? It has been a long time since we have had a major flood and I hate to wish a flood here publicly, but we are in a public relations bind here. It isn't like the insiders we had 20 years

ago. We cannot count on being strong within the Republican party within Somerset County as they have all turned Democrat. What was working 20 years ago may not be working now. May have to cultivate new things. One of the Assemblyman that we have for Bound Brook, Middlesex and going up stream, is from Rahway. What is he hearing about this?

Discussion continues about local newspapers as a way to disseminate this type of news and information. The Rahway River gets a lot more coverage than the Green Brook project.

Mr. Sweeney: Blame part of it on gerrymandering. Blame part of it on the decline in local newspaper reporting, but no doubt about it, we should be tooting our own horn about this more.

Mr. Zucker: During his meetings with staff in Washington, Ray talked about an integrated site tour among the Corps and DEP and state agencies involved. There is a continued effort for getting state officials aware of the value of what has been achieved, the impact for their constituents in terms of flood insurance and protections and also on the large scale of what can be done, so they continue to allocate funds to make progress.

Discussion continues about the need to get the word out about the Green Brook project.

Question: With regard to the C-1 segment, do you need to get the options issued before the extension of the Lee Drive area can be started?

Mr. Peterson: We are able to award the base, the 900-foot of floodwall behind Lee Drive, because we had all the real estate under contract. The real estate we are still trying to acquire is in the area of the options. The contractor will plan to move forward with that.

Question: Can that work be done parallel with C-2 or does one have to be completed first? Trying to get an idea when we will see actual work being done in that area.

Mr. Peterson: The contractor can be working on both, if it times that way. There is a Verizon line where the base floodwall is to go that needs to be relocated because we can't put the floodwall over the line. There may be some real estate issues that need to be coordinated with that. The property for the floodwall itself has been acquired.

Mayor Mapp questions: When you gave your report, you talked about wanting to do something in Plainfield, but you weren't sure what was going to happen due to cost issues. I'm trying to understand what all this means for us in Plainfield, Scotch Plains, Fanwood regarding the Upper Basin.

Mr. Peterson: The last decision document was the General Reevaluation Report (GRR) from 1997. That recommended channel modifications (segment M), meaning to change the cross section of the channel of the Green Brook through Plainfield to allow water to convey during a storm so it doesn't over top the banks. By NJ law, and by our own regulations, we cannot induce flooding elsewhere, so it had been designed to work in tandem with the two detention basins which are up in Berkley Heights and in the Watchung area (Segment O & S). Those would be intended to work in tandem so we would provide Flood Risk Management (FRM) in Plainfield without inducing flooding elsewhere. But that was in the 1997 GRR. In 1998, Senator Torricelli had language passed in an appropriations bill that prohibited the use of funding to build Oakway & Skytop (segments O & S). So that language prohibited the use of funds to construct the detention basins. In 2001, we had started working with an architect engineering firm to look at alternatives for Plainfield, Scotch Plains-Fanwood areas. Time passed and through the lobbying efforts of the Green Brook Flood Control Commission, the Water Resources Development Act of 2014 repealed that 1998 language and removed the legislative barrier to

build Oakway and Skytop. So that meant the recommended plan as presented in the 1997 GRR is still the authorized plan. We have been conducting what is called a validation study of those segments in the Upper Basin to determine 1) the engineering feasibility, 2) the environmental acceptability and 3) the economic justification. The study found those segments are not economically justified . meaning the benefits, or damages avoided, were significantly less than the costs. In reality, there are a lot of practical barriers to implementing the detention basins.

Once you finish the validation study report and it says the recommended plan is not viable, the next step is to initiate a GRR to look at unauthorized alternatives to provide Flood Risk Management in those areas. That GRR, assuming we get permission from our Headquarters and funding to do it, would look at structural solutions, such as floodwalls, levees, as well as non-structural solutions such as raising houses, and try to identify something that would work and meets the criteria. Until that report is done, I cannot comment on what can be done.

Greg Cosentino from Middlesex Borough: I do volunteer stream monitoring for Lower Raritan Watershed Partnership and I am responsible for setting up 9 sites . starting in Green Brook, Watchung Reservations, Cedar Brook, Stoney Brook, etc. We go into the stream at same time every year and measure the depth, flow, pollution, liter, cover on the banks, and ideally, we also collect insects. What insects survive gives information about how clean the water is. This has to be done every year at same spot. I don't want to set this up so we do it one or two years, then there's a wall there and I can't get to the stream. I would like to know if there is a levee or a floodwall there, would we be allowed to go over it to get our measurements without being arrested or will there be a public spot where I can gain access in future. Middlesex Borough Library has maps from 1997, I'm guessing there has been changes since then. Where can I get a hold of maps, so I can find spots where I will be able to get to?

Mr. Peterson says he will be able to meet him separately to get him the maps that they are using, and we'll go from there

Mr. Sweeney thanked the City of Plainfield for their hospitality and wished everyone a happy holiday and a happy New Year.

MEETING ADJOURNED: 8:25 PM

Upcoming 2020 GBFCC meeting dates:

Wednesday, February 5, 2020 – 7:30 PM

Green Brook Municipal Building

Wednesday, April 1, 2020 – 7:30 PM

Middlesex

Wednesday, June 3, 2020 – 7:30 PM

North Plainfield

Saturday, August 1, 2020 – Memorial Service

Middlesex Borough Gazebo, behind library

Wednesday, Oct 7, 2020 – 7:30 PM

Scotch Plains

Wednesday, December 2, 2020 – 7:30 PM

Plainfield