

**GREEN BROOK FLOOD CONTROL COMMISSION  
MEETING MINUTES**

LOCATION: Virtual Meeting

DATE: December 1, 2021

MEETING CONVENEED: 7:30PM

Chairman Murray opened the meeting and took role call along with leading the Pledge of Allegiance. He recited compliance with the Open Public Meeting Act.

IN ATTENDANCE:

Raymond Murray . GBFCC Chairman - GB	Jessica Dunne . Dunellen
William Crosby . GBFCC Treasurer- NP	Paul Woska . Middlesex
Rob Zucker . Winning Strategies	Adrian Mapp . Plainfield
Alek Peterson . USACE NY District	Theodore Bassman . Scotch Plains
Frank Farrell - Engineer, GBFCC	Alice Tempel . South Plainfield
Doug Greenfield . Middlesex County	John Ferguson . South Plainfield
Joe Skupien . Somerset County	Bud & Louise Creedy . Middlesex
Dale Leubner . Bound Brook	Bernice Dieter . Union County

MINUTES

The October minutes were approved. A copy of approved minutes is available on the GBFCC website.

CORRESPONDENCE

The Commission received correspondence since the last meeting, as did many of the entities participating in this project. The Commission, and several members of the project team, received a notice of intent to file a tort claim resulting from the train being stuck on the tracks in Bound Brook. On behalf of the Commission, I spoke with the Green Brook Township attorney. The gist of what the attorney said was that the Commission had no control over the project, no insurance, or insurable interests in the project. We are essentially a group of appointed volunteers that lobby for funding for the project and we are in no way in control of the project. As you go through your due diligence, please note that the Commission really had no ability to affect this incident in one way or another.

In the next round of notices, the Commission did not get served. The Green Brook Flood Damage Project & Green Brook Flood Control Project got notices at this address. I sent a paper letter saying these aren't real entities, just the current and former names of the federal project and reiterated that the Commission had no ability to control any of this so going forward leave us out because we don't have any insurance and have no stake in this. Assuming that should be sufficient going forward.

There's plenty of people with deeper pockets that have anything to do with the events of September 1<sup>st</sup>, namely the Federal Government, the State of New Jersey, NJ DEP, New Jersey Transit all of which were named in the tort claim. I'm sure somebody has insurance somewhere along the line and will hire counsel and defend this, but hopefully it will not in any way effect the Commission.

Other than that, I have no other correspondence received in the past two months.

*Mr. Bassman* - If you have look at the legislation that forms these boards, it states in there that the towns and the counties don't have to do anything that the Commission says.

*Mr. Murray* - Right. The enabling legislation from the early seventies, we have a copy of that. More importantly, we don't control the project. We are just here to support and be a point of contact between the Federal sponsors and the local residents and to lobby the Federal Government and the State for funding.

We don't control the project. We don't control the operation. We don't control the maintenance. We really have no control whatsoever in the process. We let the people that built it and maintain it and the train defend the lawsuit.

They're not going to get any money out of the Commission. Our pockets aren't really that deep.

### TREASURY REPORT

Everything has balanced out. For the year, all dues were paid. We have five bills: Courier News, Grotto Engineering, Tina Totten for the secretarial services, postal service, and Winning Strategies. The bills were all found to be proper, and I make a motion that they get paid. Motion carried.

### BUDGET

Distributed with the meeting notice was a budget for the 2022 year. It indicates an increase of 2% for the member contributions for the upcoming year. By way of comparison, in prior years, we restructured how things were done and we had a decent amount of excess money. So, we cut the budget several years in a row to reflect the fact that we weren't spending at the rate at which we were billing. The budget that has existed from 2014 to 2021 was flat for member contributions. Each year surplus was reduced. There was no sense having a significant amount of money sitting there.

At the same time, over that eight- or nine-year period, we had several changes in how we do business. We had an increase in the cost for our government relations consultant which we just absorbed into the budget and the amount of surplus that we were using towards the budget each year.

Before we get to a point where we've whittled away all the surplus, and then have to do a more dramatic increase, the Executive Board recrafted the budget to have a 2% increase for member contributions. The budget was distributed through email and posted on the website.

The lion's share of our expenditures goes towards the consulting services. And even within that, most of those consulting services are for our government affairs / lobbyists. We are making sure that the project keeps getting funded by the Federal Government each year. Much of the State lobbying we've been doing on our own, but in the future, we may have to engage a bit more to make sure that the State share keeps increasing in proportion to the Federal share. The bulk of that, about \$70,000 out of the \$76,000 that's budgeted, is going for that on an annual basis.

The other contingent that's built in here is because of an issue with the advertising of the RFPs for the upcoming year, we had to push back the receipt of the RFPs to allow the vendors, to submit proposals for 2022 in adequate time to get those proposals together and get them into the commission. We are looking to adopt a budget two weeks from today on the 15<sup>th</sup>. The

budget was crafted knowing that there might be a little uncertainty there if the consultant's monetary desires increase. We should be able to cover any modest increase in those numbers with this budget. We advertised in this last notice that we're going to look to bring you all back for a quick meeting on the 15th to review the RFPs, award those for 2022 and adopt the final budget as presented here tonight.

Any questions from the Commissioners or residents on the 2022 budget?

Someone didn't receive the email, but Mr. Murray explained the proposed budget has also been posted on the website, on the finances page. It gives you the approved 2021 budget, projected totals for 2021 and then the proposed 2022 budget.

Mr. Murray explained anticipating \$11,000 utilized from surplus monies from prior years in this budget. We shaved a little off by doing a modest increase in the contributions. Again, we have about a \$90,000 sum of money that the State government gave us decades ago just in case we ever had any issues with members not paying their contributions. That money has been safely sitting there for years. At one point our engineer/lobbyist/consultant was costing us over \$100,000 a year and was not nearly as good of an advocate as our current providers.

A 2% increase is not out of line. It'll help reduce the amount of fund balance that we have to use in the upcoming year and will keep us from having any kind of a dramatic increase at any point in the future.

*Mr. Greenfield* - I'm looking at the budget and 2021 projected actual versus 22 proposed. It is not a 2% difference in terms of total revenue. It's only about a \$60 difference.

*Mr. Murray* - The difference is the 2% increase is only on the member lines. If you look at the second line on there. The fund balance number went down and the sum of all the member contributions went up to accommodate that. If you compare the Middlesex County number of \$18,600 to the \$19,000 that's the 2% increase that each member has. And the reduction was the amount of fund balance that we're going to use to balance the budget.

Make sure you mark your calendar because we're not going to spend an extra 50 bucks to have Tina send you another reminder in two weeks. So, mark your calendars and we'll address the budget, in two weeks on the 15th after we get the RFPs back and we've had a chance to review those. It will be at 7:30 and hope to be very quick. It is the same zoom link that is up on the website.

With the passing of John Sweeney this past year, we've been operating with a two man board, which is not ideal. I'm going to turn it over to Mr. Crosby on behalf of the Nominating Committee to talk about what we're going to do to fill the void for the 2022 year if all are in a concurrence.

*Mr. Crosby* . The recommendation for the coming year is Ray Murray as Chair. Paul Woska from Middlesex, who was John's strong right-hand man for numerous years. We're nominating Paul as Vice Chair and myself as Treasurer.

Mr. Murray - Are there any other nominations for any of the positions? Seeing or hearing none. I would close the nominations.

Motion carried and the slate for 2022 will be:  
Mr. Murray, Chair

Mr. Woska, Vice Chair  
Mr. Crosby, Treasurer

ARMY CORPS OF ENGINEERS . Alek Peterson, Project Manager

Construction within Middlesex is ongoing.

Segment B1 - floodwall, pump station and levee in the area of Sebring's Mill and Starlet Drive is completed; followed by an additional 500 feet of flood wall where B1 leaves off.

Segment B3 - Flood wall and a pump chamber behind the borough hall. Waiting until other gaps and sequences are complete before we put the pumps and the electronics in, as those have a five-year warranty.

Segment C2, Contract 1 is complete. We have done a final walkthrough with Carbro, our contractor, and we're coordinating with him to get as-built drawings of the contract. Then most likely early calendar year 2022 we'll be able to close that contract successfully.

Segment C1 consisting of the base flood wall is largely complete. It is stained, painted, graded, and seeded. The only remaining piece is to install fencing per the real estate agreements. We executed with the homeowners for the backyards of Lee Drive. The fencing contractors are backed up because of Ida and everything else going on. We anticipate putting those fences in the February timeframe.

Segment C1 options. Work is ongoing. The contractor placed the culvert in the New Jersey transit railroad embankment in May. The additional culvert segment and the wing walls are done. The only things that remain are some erosion protections for the south side and a couple of railings up top on the south side to help prevent vehicles from going over the edge of the culvert up on the embankment. Then an I-beam will be on the north side of the column to prevent small embankment stone from coming down into the culvert. The pump chamber itself is largely formed. The contractor has a few more pours to finish the headwall by the Bound Brook and the roof. We anticipate those options and any work on C1, would be complete early in calendar year 2022 and then potentially closing the contract out by Spring.

We left the base gap open. We are not building an additional piece of the flood wall, the levee and the generator building on top of the levee for a couple of reasons. Those pieces under the Segment C2 and H are hydraulically dependent. We want to close those at the same time.

Any remaining C1 options will be options under our next contract, which is C2 and H. As well as the Segment H levee. The levees west of South Lincoln would be an additional option.

There's a couple of properties in there that we're working with Middlesex to clear up some title issues and transfer those properties to the Corps. The base contract for Segment C2 and H would consist of the north closure gate, the south closure gate, both to be put in at the same time to minimize traffic disruptions, as well as the supporting remaining Floodwall monoliths for the gates.

There's about 300 feet of flood wall to go in. We've been meeting internally with our commander and the path forward is to execute the base either as a standalone contract or as a base

contract with all the remaining options in it. We're coordinating on that. We hope to have a refined schedule soon for when C2 and H would be awarded.

We're also working on C3 and C4 which is anticipated for FY23. We have to make a couple of revisions to the C3 and C4 design based on Engineering's analysis and coordination with DEP. We need to shift the alignment of the flood wall and the levee a little bit and add some erosion protection. Right now, that design is at 90%, once we have 95% design, we're going to coordinate with DEP to put in the permit application for Flood Hazard Act and Freshwater Wetlands. And then look to award C3 and C4 all as one.

One other thing on C1. The other reason we can't build some of the C1 options and we have to put it under C2 and H is that we are in the process of condemning 207 Pond Avenue. It has been going on for quite a while. The condemnation package right now is with our Division. They raised a couple of concerns. One of which was a report of historic fill on the property. We've been working with the LSRP (licensed site remediation professional) to issue a response back to DEP hopefully indicating there's no issue with that report of potential historic fill. As well as clearing an easement on the Verizon property where the Verizon cable used to be located. When we began constructing the base, that cable was relocated off 207 Pond using directional drilling, so we didn't have to go on the property, but the easement still exists and we're working with Verizon hopefully to vacate that.

Once those two concerns are answered, we'll get back to our Division level with the documentation for why we think the package should be passed on to Headquarters and then hopefully onto Department of Justice. There is some uncertainty in the schedule for condemnation. Leaving things as an option under C2 and H, it gives us flexibility.

Segment C5 is under design. We are finalizing a 35% design. We've met with DEP to talk about the alignments, and any concerns that LURP (Land Use and Regulatory Program) might have. We think we have a potential alignment. We have a meeting next week with Middlesex Borough to discuss that alignment and other items on the project.

Segment B4 is at 90% design. Once C5 design catches up, we will revisit B4 and finish the design in tandem. We want to put in both C5 and B4 at the same time due to hydraulic dependency and not inducing flooding.

We had a consultant, called Baird, out doing investigations for C6, C7 and D. We took borings and did environmental delineations. Baird is about to go back again. The real estate folks are working on Rights of Entries (ROEs).

Due to internal analysis with hydraulic models within the Corps, we've realized that we have to construct System IJK before we can initiate putting in C6, C7 and D. We've been meeting internally identifying locations within the IJK area, where we're going to do HTRW and geo-tech borings. We have an environmental delineation. The only thing that's needed is just some final work there.

I believe our Real Estate office has begun giving ROEs to Ray for properties which we need entry for IJK. That's the overall schedule of the project and the main items.

Upper Basin . We completed a validation report, submitted it to Headquarters and Headquarters concurs with our conclusion. We should continue building the Lower Basin and Stony Brook without the need to reauthorize Stony Brook. As well as recommending a General

Re-evaluation Report to look at flood risk management in the Upper Basin, including the Plainfield area. We anticipate this year, hopefully we're going to be getting some funding on that and we'll be able to update a PMP (project management plan), outlining the tasks and costs for that study and then get going on that effort.

Bethany McClanahan is the project manager for the Upper Basin portion of the project. We have her at our regular monthly meetings; the next one is Thursday of next week at 9:30.

### QUESTIONS for ARMY CORPS of ENGINEERS

*Ms. Jessica Dunne, from Dunellen* - With respect to IJK, I know we had talked a while ago about having a public meeting for the residents of Dunellen. I'm just curious as to where that is on the timescale of everything that you just talked about, Alek.

*Mr. Peterson* - I can give a little bit more detail there. Before Thanksgiving week, people from Engineering, Environmental Analysis Branch and myself met, with Real Estate Division present. We received from input where the wetland delineations would be and what block and lot numbers we would need ROEs for.

We have some hypothetical boring locations to do our HDRW and geo-tech borings. Those only need a little bit of confirmation. Once we have that, our Real Estate office should be in a position to finish generating the ROEs for all the properties in IJK. Our schedule for FY22 calls for issuing a task order to an architect engineering company to go out to award in May of 2022.

Between when we finalize all the properties for which ROEs are always are needed and before May would be a good time to have the meeting. The ROEs would likely be sent out to all of the required residents prior to the meeting. Then we bring the ROEs to the meeting and any that are not signed, hopefully we could get as many signatures at a public meeting there. All well in advance of May. So probably a public meeting sometime in the February to March timeframe. As we move forward, we'll coordinate internally, and get an actual date on the calendar. Ray will help with coordinating a place for the meeting, thinking perhaps a school auditorium.

*Ms. Dunne* - That's helpful. Thank you.

*Mr. Murray* . In the past week, Green Brook Township received I guess it's a redo on a ROE for a parcel that we own in segment D. We also received 4 ROE requests for stuff that's in the IJK area. Baltimore District may have started the process of sending request for ROEs out. I know that you have Whitney, and you've given her my number. She's going to be reaching out. I'll follow up with her. I have four parcels that are in IJK that the Township owns that I received ROE requests for. We actually have that on our public meeting for Monday night, for approval for the mayor to sign those. Then I'll be sending that, along with the one in Segment D back to Whitney. I think that their process was kind of like, let's send those out and then we can have the public meeting with the ones that we've got not gotten back yet in hand and try to get people to sign them there at the meeting and answer any questions that they have.

*Mr. Peterson* - Thank you, Ray. It doesn't make sense to wait till we have all the ROEs to start getting them signed and getting access. They are not all going to be generated at the same

time. We just probably want to be careful because sometimes people get a letter in the mail, and they may misread it.

*Mr. Murray* - I'll send a note out to the Clerks and the Municipalities, just to let them know that these may be coming. They can refer the folks to either me, or you or Whitney at the office there. Just so that they understand that this is just the first step in trying to move the design process forward.

*Ms Dunne* - Just to follow up on that, when you get the final list of properties, it would be good to send it to our Municipal Clerk and Business Administrator here in Dunellen.

*Mr. Peterson* - Is there a number or an email I should get for that, Jessica?

*Ms Dunne* . It is Bill Robbins. I can either email you his contact or Ray has it.

*Mr. Murray* - I'll send a note to all the Clerk's offices, so they know it's coming, and copy Alek and Whitney as well. I'll send it to Middlesex, Dunellen, Plainfield, and North Plainfield. When they have a more thorough lists of the properties that will be receiving them, then they can just turn them around and send them back to us so that we're aware of which of our residents might get them.

*Mr. Peterson* - We know which properties we're going to need ROEs for the wetland and environmental delineations. It's just when we picked the locations for the HTRW and geo-tech borings within IJK, sitting in an office, looking at a map, you can't always tell what's updated. You don't always know if you have access to that property through other properties or whether the map is current. There might just need to be one or two days out in the field just to confirm those.

*Mr. Bassman* - Seeing all this money sloshing around for the project - \$85 million. It's just way more than what we've ever seen before. I have to get curious as to why we have so much, it seems unreal. It's almost like there's something going on that we aren't hearing about to push this out and get this done. Now, I've been upended by middle managers and literally used without being told why this is being done now. I'm not a conspiracy theorist. Yes. I've had no practical experience getting a bird like this. I have to wonder if we aren't trying to push this whole thing out and get to where we can channelize this thing and say, that's it. Let's move on to other projects.

*Mr. Murray* - Fair question. I think that was certainly a concern that both the New York District had and that the Commission had when all of a sudden, we saw a \$157 million appropriation and that was somebody's idea of basically shut up money. We're going to get the project complete through a certain point and then that's going to be the end of it, and we can walk away. That was very concerning. We've been making our continued pitch that; it's not done until the whole project is done. You can't lop off Stony Brook and say, well, it's a separate thing and you can't lop off the Upper Basin to be its own separate thing.

We have been continually writing letters and making overtures to our Congressional delegation that it's not done until we get all the way up to the Upper Basin complete. I think if you did the

math on the upcoming construction schedule, you'll see that C2 and H is a substantial segment. There was some amount of building carry forward money to be able to do that all at once, but not purposely, more a victim of circumstance in having some real estate issues. The Corps had to rearrange how they would handle base contracts and options based on real estate.

There's a sizable amount of money being carried forward into this fiscal year. We are not taking no for an answer until it's completed all the way up into the Upper Basin.

*Mr. Peterson* . I just want to add we carried \$45 million from FY21 into FY22. We expect an additional \$40 million - \$30 million federal & \$10 million non-fed. We'll probably have around \$85 million this fiscal year to work with. The bulk of that could be spent on the construction contracts for all C2 and H and for C3 and C4. If things go according to the schedule, I think once we hit FY23, we'll have already awarded C2 and H or at least the base. Then be in a position to either award any remaining C2 and H options in FY23 and also award C3 and C4 and get that money obligated and keep construction going.

*Mayor Mapp* – I just heard conversations about millions of dollars and I can help but ask: what's our expectation in terms of funding from the Infrastructure Bill or the Build Back Better Bill? What can our lobbyists tell us about expectations and what money we might receive to expedite this project and get it up to the Upper Basin . Plainfield, Scotch Plains, and all of the other municipalities on the eastern side of the brook . so they are able to get some relief.

*Mr. Murray* . I can let Rob answer to the funding portion of that, but I will say that I have been somewhat vocal with Alek and other folks in the District office about trying to leverage with shovel-ready projects for some of the Build Back Better money. Making sure that these real estate issues don't stand in our way. If we can latch on to any of that money, I want to be sure we are not handcuffed by not having all our ducks in a row. That's why the big push for IJK real estate notices to go out especially recently so that we can move. If we can be in a position to accept federal dollars, we can't go asking for funds as the rules aren't completely known yet, and we certainly can't go asking if we don't have shovel-ready projects. Let's face it, if we can get a hundred percent funding, out of another source and we don't have to rely on DEP for a match, like we did with President Obama's ARRA funding. If we can pay for it with somebody else's dollars, then we prefer to do that.

Rob, if you have any thoughts or comments on the Build Back Better Bill. I'm assuming it's going to be shovel-ready stuff, not like in the Upper Basin where we have to restudy the Upper Basin because of the deterrents to building what was originally planned.

#### WINNING STRATEGIES . Rob Zucker

*Mr. Zucker* - I'll put it as matter-of-factly as I can, Mayor and others. First, just looking at the package that was signed into law on the 15<sup>th</sup>. Build Back Better, let's set aside cause that's not done yet. We're just talking about what has generally been referred to as the bipartisan Infrastructure Framework. The Army Corps has allocated \$11.6 billion for construction. \$2.55 billion of that is for coastal and hurricane related projects. \$2.5 billion is for inland waterway projects. There are subsets of that overall larger number. Alek, if I'm going to mischaracterize anything, according to your understanding, I hope you will please correct me.



That's for construction and there isn't yet construction money, Mayor, for the Upper Basin. I think that the members of Congress and even the most ardent proponents of the legislative package have been cautious not to call it stimulus or shovel ready. I've seen them take pains, not to refer to things as shovel-ready projects, unlike 2009. They do intend that this is going to take years in a good way. They look at it as a beneficial thing, because they want this to be generational investment in infrastructure. If you do the math, the Corps is getting a relatively modest amount overall of the funding in this very large and expensive package.

I think the latest part of your question, until the Upper Basin gets through the investigation phase and has a recommended plan for construction, it's not eligible to benefit from any of those construction dollars yet. I'm just trying to say, straightforwardly, that is the case.

The current work is eligible for some of that large, one-time investment in the Army Corps construction. I have a hard time believing that it's going to be anything that we contribute to because we win like we're submitting a competitive grant. It will be the Corps choosing what projects across the country can benefit from that large one-time, multi-year investment of construction dollars. There, I don't want to put words in anybody's mouth, let alone Aleks, but I think we can make the case, as we did see as recently as a year ago, where a large-scale, not enough to finish the entire Lower Basin but they had proposed and then pulled back from like \$157 million investment in this project alone.

I think of those coastal hurricane related projects, I think New Jersey will qualify as among the states that have been hard hit by hurricane for some of kind of special category of dollars. A lot of others will throughout the country too. I think the Army Corps will be evaluating now that it has been given money. It will be evaluating whether projects like ours are going to be appropriate candidates for that large scale investment. I want to give you a chance to respond. Does that answer your question?

*Mayor Mapp* - It does in some ways. And I would pose this follow-up - what will it take to move the study of the Upper Basin forwards so that we can get to the state of shovel readiness? What is holding that up?

*Mr. Zucker* . I hesitate for anyone to get the word shovel-ready in their mind as the key thing there. I mean the Army Corps has multiple billions of dollars worth of projects that are authorized for construction that have no funding for them. My guess is that it will be looking at some of those projects as well as ours, which is ready for construction, but not on the Upper Basin. Alek spoke earlier about what ways that the Corps is trying to get that. We need a GRR and another study to delineate the contours of what would be constructable. That study has to be done in order to allow that next step to be taken for it to fund construction of a project in the Upper Basin. I don't think there was any guidance on this, Mayor, and I think it also addresses aspects of what Ted has said. The Corps is not under a mandate to spend all of that money within 12 months, or within six months, or within 18 months. This is a large investment in resilience and in flood control and in efforts that will prepare for, or respond to, flooding from coastal or hurricane related flooding. They don't have to push it out the door. They don't have to necessarily push it out the door other than within the five-year authorization essentially of this bill. Alek talked about a path of getting a GRR and a study done in a fashion that's happening relatively soon. And if it gets get to a point of agreement, could be ready for that construction funding. But Alek, you tell me if I'm off base or if there's ways to elaborate on some aspect of it.

*Mr. Peterson* - No, I think you captured it very eloquently. I would just say the GRR is the report that hopefully identifies a viable plan that's recommended for design and construction. Then, we will have a basis and a cost and a conceptual plan so then you can authorize the construction of the project in a WRDA Bill. And before you construct, you design. I'll talk to Bethany, project manager for the Upper Basin, and I'll inquire as to how much money we expect this fiscal year, and I can get back to everybody as to what the scope of that study would likely be. I know we're in a phase where we're just starting to scope it.

*Mr. Murray* . What I would add on the opposite side of that coin is that to the extent we can benefit from any work that is already approved in lower basin, it would expedite the timeline. If we keep going at the same clip, we will get to construction of Upper Basin that much sooner if we are able to capture any of these funds along the way. Basically, we are doing our homework ahead of time here and it is going to give us more time to study for the next exam later on.

*Mr. Zucker* . Maybe you said it earlier, Ray, and I'm sorry if I've missed the way you said it. Essentially one of the reasons I think that this project was invested in, in 2009, when it was the point of stimulus, when it was the point to get dollars out the door quickly is they knew our project was ready to go. It was doing a good job and it was a quality project. It didn't have problems associated with it and there wasn't a hesitation by headquarters to invest additional funds and resources into it. I think if we can keep getting our job done well over here, we will earn that prioritization going forward too.

*Mr. Peterson* - I think generally speaking, Rob, the faster you execute or obligate money, the more people who fund see that and the more likely they are to put us in a bill or continue funding.

*Mr. Zucker* - Which is a reason we don't love having large chunks of unspent dollars, because it might leave to those people writing budgets each year, to think that they don't need more money because they haven't spent all that they have. We have been in a fortunate position lately of having both large chunks of dollars on an annual basis allocated to the project and finding ways to get increasingly large state matches also out the door so this project can keep moving forward without hesitation.

*Mr. Greenfield* - I heard a term today %shovel worthy+. That's the discussion. They are not necessarily looking for shovel ready, they're looking for shovel worthy. Have you heard anything about that?

*Mr. Zucker* - I haven't heard that. Isn't the backlog of authorized for construction, but not constructed projects, about \$8 billion overall at the Corps?

*Mr. Peterson* - I don't know the figure off hand, but it's large.

*Mr. Zucker* - I think that's what I've heard. Generally, Doug, there's somewhere in the neighborhood of a billion dollars that Congress has given to construction, knowing there's still a very large amount of projects authorized for construction, but that are not funded and the gap is substantial. I'd rather be where we are, which has been a project that the Corps has been continuously funding, and at rather large clips, year after year after year in its own budget. Then any of those projects out there that have been authorized for construction, but without funding to proceed, because they haven't had a chance to prove how worthy they are.

I feel comfortable saying this. There is a very large appetite within the New Jersey Congressional delegation coming out of Hurricane Ida, if anything, to speed the pace of anything related to flood protection in our state. They saw the very stark, negative consequences in areas that don't have protection from flooding. They don't want to experience that again before future storms. We know that protection from flooding that's been afforded to this project, saved a lot of people, saved a lot of property, even with the problem that occurred because of the train at the flood gate in Bound Brook.

They literally just got the dollars agreed upon and signed into law 15 days ago. It's a little too soon and I don't think the Corps has given any additional guidance on how they intend to go through the process of evaluating and prioritizing how these large magnitude resources will be deployed. It is something that we will be talking about with our elected officials over these next several months. There's going to be a ravenous appetite among New Jersey delegation members, who see infrastructure as one of the few areas of federal investment that New Jersey does disproportionately well, and they don't want to fall down in that regard.

In terms of FY22 legislation we are in good shape in terms of the \$30 million in the House Energy and Water Bill, and \$30 million in the Senate Energy and Water Bill. The only place I must be a wet blanket is that Congress overall is disagreeing, and they are well into overtime now on what the final versions of these spending bills for FY22 should look like. The general contours of that disagreement are Democrats, who aren't in control, and want to see non-defense discretionary spending, which does include Energy and Water and Army Corps money included among it, get a disproportionately large increase in the FY22 measures; and Republicans who want to see defense spending grow at a similar clip, even though defense spending has grown at a clip that exceeds that of non-defense discretionary spending going back to 2010. We don't know where it's going to end.

The latest interim spending bill is supposed to expire December 3<sup>rd</sup>. A group of Republican senators is trying to block, both federal government and federal contractor, vaccine and testing mandates from advancing. They may try to shut the government down protesting that mandate, even though that mandate has been put on hold by court cases. There's this effort to hold up the entire spending, even just the temporary spending, not the final resolution.

We could see a shutdown over a weekend when generally it's less high stakes because a lot of functions of government are not open on the weekend. Stakes get higher if they don't resolve by Monday. The latest proposals that have been talked about would be another temporary funding measure that would tide us over until the third or fourth week of January without giving the negotiators an opportunity to come up with some kind of an omnibus deal. This latest curve ball about trying to shut the whole government down over those vaccine or testing mandates happened within the last 48 hours. Apparently, nobody wants to do anything in Washington without taking hostages these days.

*Mr. Bassman* - I guess this is a good time to bring it up. This is true in a whole lot of towns. We just don't have a big engineering staff. Only staff for one day per week. When we get these town meetings, I get on the hot seat, to talk about flooding and about FEMA and all of the other things. I know I'll have to give a formal presentation on this. So, I've been pouring over the FEMA maps, and the risk analysis. They have some good maps, Adrian. It's amazing how much Scotch Plains water flows into Plainfield. It's a huge flow. I'm personally not optimistic about anything being done in the Upper Basin or done all that fast.

Scotch Plains is odd. The part of town that's north of Fanwood is in the Green Brook basin and the part south of Fanwood is in the Rahway River basin. It actually goes into the Robinson sub-branch, which isn't part of the Rahway River project. We found cracked basements going down there in the southern part of town.

Given my thoughts about the prospects of the upper basin, I think its time to ask the County what they are going to do to help. Some of these things might have to be fixed on non-federal projects. I don't know.

*Mr. Peterson* . Ted, I'll talk with Bethany, as mentioned before, and I'll see if I can get some sort of timeline forward. I know we haven't put a BMP together for the GRR for the Upper Basin, but let me find out what I can.

*Mr. Bassman* - Well, let's put it this way. Personally, I'm going to turn 77 in a few months, so I'd be past the age of 80 by the time this is done. I don't see anything happening within my working life here. Believe me those new FEMA maps are good. They really are. I would encourage people to look at them. There are some other maps where you can look at the flood risk at individual a properties. They have them gradated. Rather than look in terms of 100-year floods like we do, they look at the risk over a 30-year mortgage, which gets into the flood insurance rates. It is interesting to look at these because we do everything in terms of channelizing the Green Brook and we're being pushed into a wider world than just that.

*Mr. Peterson* - I'll find out what I can, Ted. The first thing is just trying to get the study done. We do expect funding this year for it.

#### COMMENTS FROM THE COUNTIES

##### **Middlesex County – Doug Greenfield**

Nothing to report.

##### **Somerset County – Joe Skupien**

The public works guys are still trying to catch up on the cleaning from what Ida did. DEP and the Corps are moving on funding to come out and help with that effort, but other than that things are fine.

##### **Union County – Bernice Dieter**

We are putting together a list of bridges, structures, and parks that were damaged during Ida and we are going to apply for some funding to get reimbursed for some of the damage that was done. That's as far as we've done for the County. I only started about three months ago with the County and I'm still learning what was done prior to me.

##### GBFCC ENGINEER . Frank Farrell

Nothing to report.

#### QUESTIONS / COMMENTS for the COMMISSION

None.

Mr. Murray thanked everyone for joining the meeting and gave a reminder to mark calendars for two weeks from tonight for a very brief meeting to award the RFPs and adopt the budget.

MEETING ADJOURNED: 8:45 PM

**Upcoming GBFCC meeting dates:**

Wednesday, December 15, 2021, at 7:30 pm - RFP Award & Budget Adoption

Wednesday, February 2, 2022, 7:30 pm

Wednesday, April 6, 2022, 7:30 pm