

**GREEN BROOK FLOOD CONTROL COMMISSION
MEETING MINUTES**

LOCATION: Virtual Meeting

DATE: June 1, 2022

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	Melonie Marano . Somerset County
Paul Woska . GBFCC Vice-Chair-Middlesex	Terri Albertson . Dunellen
William Crosby . GBFCC Treasurer- NP	Harry Allen . North Plainfield
Alek Peterson . USACE NY District	Terri-Briggs-Jones . Plainfield
Nate Wales - USACE	Alice Tempel . South Plainfield
Tom Slowinski . NJDEP	John Ferguson . South Plainfield
Jack Hoffman . NJDEP	Freddy Hayeck - Watchung
Rich O'Connor . Engineer, GBFCC	
Rob Zucker . Winning Strategies	Roger Reffler . Green Brook resident
Doug Greenfeld . Middlesex County	Golda Harris . North Plainfield resident

MINUTES

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

TREASURY REPORT . Mr. Crosby

Money is coming in. Two counties and only two municipalities are yet to pay.

Expenses from the normal three bills to be paid . Grotto Engineering, Secretary for sending out notices, and our consultant Winning Strategies. Bills were reviewed & motion to pay. Motion carried.

Mr. Murray added in regard to dues, a purchase order had been received from one of those counties and one of the municipalities.

CORRESPONDENCE

Primarily just internal correspondence and some reminders on dues.

ARMY CORPS OF ENGINEERS . Alek Peterson, Project Manager

Mr. Peterson shared the bubble map on screen and reviewed each section of the project that has been completed, what is in the works now and what is upcoming.
(This map can also be found on the website at www.gbfcc.org)

Segments U-R-T: Borough of Bound Brook . completed 2016.

Segment C-H-B-D: Borough of Middlesex . . ongoing construction efforts.

Segment B1, B2, B3 are completed.

Segment C2, Contract 1 - Consisting of a floodwall starting west of South Lincoln Ave. & north of the Bound Brook. Floodwall has been placed. Completed final walk throughs with contractor. As-builts have been provided and accepted. Minor punch list items to be fixed. In the process of closing this contract out.

Segment C1 . Base floodwall has been placed. Fencing for Lee Drive backyard residents is done. Closure of the base gap will be done contiguous with Segment C2 & H. C1 options . small floodwall, levee with a generator building and fuel cell for the C1 pump chamber which Carbro has finished placing behind the 207 Pond Ave area. Also placed the culvert in the railroad tracks in May 2021.

Working with Carbro to extend contract to February 2023 to give us time to acquire the real estate interest in 207 Pond Ave. We need that property so we can build the levee, generator building, fuel cell and close the base gap. Condemnation package is being updated to include new appraisal. Anticipate resubmitting back to Division level by this September. If they are satisfied the package would move on to headquarters, and then on to the Assistant Secretary of the Army for Civil Works, and then onto DOJ where a Federal judge would hear this case and grant the Corps access to the property.

Segment C2 & H - This would be the next contract and would be finished in tandem with the remaining C1 work just mentioned. Consists of two closure gates, one on North side and one on South side, so in a flooding event you could close the gaps. Under the base, would be flood wall monoliths to support those closure gates. There are options for the Segment H levee, East of South Lincoln on the bank of the Bound Brook across from C1.

Aiming to award the base for C2 in September (FY22) and award the option for Segment H in FY23 because we need time to acquire the real estate and finish C1.

Remaining optional levees under C2 & H West of South Lincoln. Those would be additional options and we expect to exercise those around the Summer 2023.

Segment C3 & C4 – Anticipating an award in FY23. Only one property which needs to be acquired & previously have negotiated with homeowner, who has been very amenable. Just making slight design changes.

Segment B4 & C5 – Design for this is at 90% now. We have determined with our drainage analysis for the C5 levee, a pump station will be needed.

Segment I-J-K: (Dunellen, Green Brook, & North Plainfield) Need to start and finish with Segment I-J-K before we finish C-H-B-D. Most particularly C6 & C7 & the D levee, so we do not induce flooding up the Green Brook.

Still working to finish design contracts for C2 & H, C3, C4, C5 & then get construction contracts awarded for those. Engineering Division is finishing hydraulic modeling. Looking to confirm the sequencing early this month to complete to the Lower Basin and Stony Brook. Once we have that result, we would be able to pencil in some milestones for the remaining construction contracts for the Lower Basin & Stony Brook.

By the next meeting, there is a good chance we could have a schedule.

Last week, had a successful public meeting regarding Segment I-J-K. The meeting was held in the Borough of Green Brook at the middle school. Mr Murray was helpful in getting that set up. We had about 50-60 people attend. The purpose of the meeting was to familiarize the residents with the project in I-J-K. We also need to obtain Rights of Entry from residents in the I-J-K area to access their property. Not to do construction, but to do surveys, topography, environmental surveys, etc. to help us determine where to lay out the features and minimize any impacts or mitigations needed. It helps to be able to inform our design teams.

We have most of the Rights of Entry that we need for both the I-J-K areas & also for C6, C7 & D. Our contractor Baird is going out to finish some remaining topography surveys.

We are at the point where we can make a decision to send contractors out to start surveying. Hoping to get that underway next week. After the surveys are done for I-J-K, we would move into design phase which takes a couple years.

Upper Basin: Disaster Relief Supplemental Appropriations Act (DRSA) has also budgeted \$3.2 million to initiate and complete a General Reevaluation Report (GRR) for the Upper Basin. I believed we have received some of that money to begin. Nate Wales has initiated efforts to update the feasibility cost sharing agreement with NJDEP to serve as a sponsor on the study. Also, to update the Project Management Plan for that study which lays out the costs, schedule & tasks.

Headquarters approved the validation report in September 2021. The report concluded that the Upper Basin features of the recommended plan are not economically justified. We cannot build them, therefore initiating a GRR to look at new, unauthorized alternatives in the Upper Basin to provide protection.

Looking for flood risk management for the Plainfield area & also for the Cedar Brook overflow area.

Nate Wales: Alek has already talked about the scope of the GRR for Upper Basin to provide flood risk management for the Plainfield area & also for the Cedar Brook overflow. Need solutions that are economically justified, engineeringly feasible and environmentally acceptable.

The \$3.2 million DRSA funding will be at a 100% Federal expense. No matching funds needed from the NJDEP. We have drafted a feasibility cost sharing agreement that needs to be signed by NJDEP as the non-federal sponsor, even though it shows that there is zero expense to State of NJ. Need a few other items signed by the DEP as next steps. Goal would be to kick off the study in August or September. Study will take about three years to come up with recommended alternatives.

Mr. Murray: The notable difference, to me, between the old & new bubble map is the non-structurals in Green Brook Township and the non-structurals in Piscataway / Middlesex border by the Conrail line, are no longer shown. What is the timeline for those items?

Mr. Peterson: I still need to work that out. I took them off the map because the location was incorrect. But I will work to get you a timeline.

Mr. Murray: We don't want to forget about the request to look at the hydrology of the area west of Sebrings Mills to see if it would be possible to take the non-structurals and make that into an actual structural portion, by putting levees instead of the flood-proofing.

Mr. Peterson: I will note that and keep it on the radar and see if I can establish a schedule & timeline for that.

I also want to note, that for the overall CG efforts in the Lower Basin, the initial \$496 is Federal funding. That includes the Federal and non-Federal share. That is most of funding needed to complete Lower Basin & Stony Brook. The way the implementation guidance is written, Green Brook is specifically called out. The money is considered Continuing Construction. The non-Federal sponsor would be expected to pay back their portion of the \$496 million within 30 years of completion of the construction. That is the way the guidance is worded, still need to get questions answered as we move forward.

Just wanted to touch on damage due to Hurricane Ida in the Borough of Bound Brook - Segment U-R-T. The project functioned as it was designed. It saved the Borough from devastation. During Hurricane Floyd, there was 13 to 14 feet of water on Main St in Bound Brook. When Hurricane Irene & Ida happened, it was similar levels of water pooling up against the unprotected side of the floodwalls and levees so U-R-T did save that area twice. Ida did some damage. Working with DEP as the sponsor about the necessary fixes.

Mr. Greenfeld: At the public meeting in Green Brook about I-J-K, was there anyone from Dunellen present?

Mr. Murray: Yes. There were residents as well as several members of the Borough Council and Mayor Cilento. The primary touchpoint for the evening was to get information out to the residents that had received the requests for rights of entry. It was a chance to explain the process and to encourage them to send those back so we can get into design.

Mr. Peterson: I think we have most of the Rights of Entry that we need for I-J-K, C6, C7 & D so we need to confer internally and see if we can have our contractors begin the survey efforts.

Roger Reffler: I was at Tuesday's meeting and questioned people about the hydraulics. I have a question for Alek. There is an open, unprotected section near Segment D. With the data research done for I-J-K, how far east will you go to gather that information? Will you go all the way to D? That open section is all wetlands. My property does back up to it and I am hoping that I will be part of I. Don't think that area needs to be leap frogged. It needs to be part of I.

Mr. Peterson: I am going to make a note about that. Another participant at the meeting has a concern about flow washing down a road just east of the segment K. They had questions about interior drainage. My response to them was that this is a conceptual plan. As we finish survey efforts and move into design, we will develop a much more detailed plan. The conceptual plan was based on a 25-year old feasibility level effort. It is valuable that you are saying this. Between D & I there is a low-lying, wetland. I want to make sure that when we do our surveys and hydraulic modeling that we look at that and take it into account. I will pass your comment onto our Civil Resources Branch. They are the people that do our hydraulic modeling and I want them to be aware.

Golda Harris: First, I say ditto to his question. Second, how do I email you because I do have a few other questions? And third, about 15-20 years ago I was a member of the Commission and

had one of those big thick green books. Is there someone in your organization that I could contact to get a copy of that book?

Mr. Peterson: There is an email we have set up for the project so that a number of us internally can access, and then respond to it collectively. As soon as I can find, I'll let you know. As for the report you asked about, I don't know what that is.

Ms. Harris: It is not a report . it is book. When the Army Corps first came out, we used to meet in Plainfield and then we would meet in Green Brook. I was literally a member of the Green Brook Flood Control Project when it first started. The Army Corp gave us a binder with the area mapped out, and the original plans. I would like to see the original plan of where it started from.

Mr. Peterson . Let me ask around and see if I can get you that book, perhaps an electronic copy.

Mr. Murray . I just put the email address up in the chat. The website has been giving me trouble with getting things posted but as soon as I can, I will also add to the Commission website.

NJ DEP . Tom Slowinski

Mr. Slowinski: NJDEP: There has always been, what felt like, three anchors holding us down . the funding, the real estate, and the permits. Now the funding has the green light. The permits and real estate are still tough. 175 South Lincoln . we tried to get that before there was any issue at 207 Pond and we are still don't have it. Unfortunately, the owner died before signing off on it and now it's in probate, so we hope to get it soon. The condemnation at 207 Pond will take about a year once with the Department of Justice. Stay positive and we will keep moving with that.

We are supposed to get an event tonight or tomorrow. Predicted to be a small storm, but the way things hover up there near Route 22, you never know. Make sure your towns are set and the Public Works Departments are doing their due diligence, cleaning out catch basins and what not. We will have a lot more of these nuisance storms, we will get flooding because the project is not rounded out yet. Enforce with your towns to adopt the Floodplain Ordinances. They are very important. The system works with that as long as all the rules are abided by. Even when you do have an event, you hope to minimize problems.

COMMENTS FROM THE COUNTIES

Somerset County –

Deputy Director Marano: Thank you to all the people that presented in Green Brook Township at the meeting last week. It was really valuable to the public. If I may, a bit of constructive criticism for the future. The people going there are worried about their own property and what is going to happen to them. They are worried about a wall or levee in their backyard. Just a note of advice to perhaps be a little clearer in the presentation as to where things are going to be. Give points of reference, i.e. this is Warrenton Road or this is Greenbrook Road. Then folks will be able to really understand what is happening. They are fearful, don't understand the project and don't understand what is going to happen to their property line. They are happy to get flood protection, but the flip side is they are concerned about having a wall in their backyard. Just sharing feedback that I have heard. Other than that, thank you so much for coming out as it really was valuable.

Middlesex County –

Doug Greenfeld: Nothing to add. Minor note on invoicing for next year that it will go to the Planning Office instead of the Engineering Office.

Union County – No representative present

GBFCC ENGINEER . Rich O'Connor

Nothing to report.

WINNING STRATEGIES . Rob Zucker

The main thing I have been working on with Ray relates to the ways the DRSA funding is being allocated to the Green Brook project, as well as a handful of other projects around the county, as it relates to whether or not a state cost-share is necessary. We have been informed through discussion with Corps that certain projects, including the Green Brook Project, are not going to be 100% Federal funded. It is a great deal of money, and we are very grateful for it. One of the ways that it has been explained is that the funding that is being allocated to the project will not complete the project, but there are different ways of thinking of that. We will be talking with members of the congressional delegation on that front. One possibility is that last year we had \$30 million in the pipeline through the annual appropriations process for FY23; that was reduced going into the final appropriations bill by negotiators on Capitol Hill. We think out of an understating that the money from DRSA would complete the project. We need clarity on that.

It is our understanding that it does not interfere with the project going forward in any fashion right now. But it does affect the go-forward costs over time for our non-Federal sponsor, NJDEP and the State of NJ, if it remains as is. As it was mentioned earlier by Alek, the project has been given about \$40 million a year in the past years (\$30 million Federal & \$10 million State) has allowed larger and larger portions to be done, but still not the entirety of what could possibly be done.

We know the benefits to the project if we are able to do larger chunks together. We are seeing the opportunity for the State of New Jersey to at least petition and explore with elected officials the chance for this project to be treated as other projects around the country that are 100% federal cost treatment and could save the taxpayers in New Jersey a substantial amount of funding. This does not stand in the way of any progress right now. We will be exploring to get the most advantageous treatment of our project. That is a natural thing to do in the way of advocacy on behalf of the project.

Mr. Peterson: Regardless of how the cost share for the non-federal sponsor works out, the intent of DRSA was at least to get all of the funding (federal & non-federal) advanced so that construction could begin without waiting on the non-federal share, regardless of whether it has to be paid back.

Mr. Zucker: That is super helpful. We will continue our outreach and schedule some time with both Senate offices and members of Congress whose Districts are touched and affected by the project just to get it on their radar. Very reassuring to hear the regardless of the cost-share status it doesn't impede progress of project.

ADDITIONAL QUESTIONS / COMMENTS

None.

Mr. Murray reminded everyone of the in person Memorial Service on Saturday, August 6 at 9:30 am. Mr. Wolska will look into securing the outdoor area near the American Legion.

MEETING ADJOURNED: 8:25 pm

Upcoming GBFCC meeting dates:

Saturday, August 6, 2022, 9:30 am (in person)

Wednesday, October 5, 2022, 7:30 pm

Wednesday, December 7, 2022, 7:30 pm