

MINUTES
Morris County - Flood Mitigation Committee (FMC)
30 Schuyler Place - 4th Floor, Morristown, New Jersey
November 19, 2012

The meeting was called to order at 5:36 p.m. by the FMC Chair, Louise Davis.

Members present:

Julie Baron
Paula Danchuk
Louise Davis
Ted Eppel
Laura Szwak

Also attending:

Deena Leary, Director, Morris County Department of Planning & Development
Ray Chang, Director, Morris County Preservation Trust
Jennifer McCulloch, Flood Mitigation Program Coordinator, Morris County Preservation Trust
John Napolitano, Esq., Special Counsel to Flood Mitigation Program

OPEN PUBLIC MEETING STATEMENT

Chair Davis announced that in accordance with the Open Public Meetings Act, adequate notice of this meeting had been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

PUBLIC COMMENT

There were no members of the public present.

APPROVAL OF MINUTES

The Minutes of the June 18, 2012 meeting were reviewed and on a motion by Julie Baron, which was seconded by Ted Eppel, the Committee unanimously approved said Minutes.

The Minutes of the August 20, 2012 meeting were reviewed and on a motion by Julie Baron, which was seconded by Ted Eppel, the Committee unanimously approved said Minutes.

PROGRAM UPDATE

Closing Process and Documents Required

Ms. McCulloch introduced the recently developed Flood Mitigation Program closing process, and the documents that will be required for staff to conduct a final review before making a recommendation to the FMC regarding Final Approval. The “Steps to Closing” and the “Closing Documents Required” guidance materials were provided to the Committee for their deliberation and comment. (doc. A)

If the FMC decides to give Final Approval, then a recommendation to the Freeholders will be made via resolution for Board of Chosen Freeholder consideration of funding approval, grant agreement execution and release of funds.

In brief, the process and documents required are as follows:

1. Preliminary Approval – Flood Mitigation Committee (FMC) and Freeholders (BCF)
2. Municipal and homeowner notification of Preliminary Approval
3. Procedural e-mail sent to Municipality – with guidance documents attached
4. Appraisals conducted
5. Initial Offer made by Municipality to the Homeowner
6. Municipality proceeds with: Survey, Title Search, Environmental Analysis
7. Duplication of Benefits determined
8. Final Offer/Sales Contract executed between Municipality and Homeowner
9. Grant Agreement (between Morris County and Municipality)
10. Municipal Ordinance to Purchase
11. Flood Mitigation Committee – Final Approval
12. Freeholder Final Approval, Grant Agreement executed
13. Closing Date Set – 2 weeks prior to closing
14. Funds Released to Municipality
15. Soft Cost Reimbursement
16. Recorded Deed/Demolition – within 90 days of closing

Ms. Szwak asked what happens if there is a need for a Phase II Environmental Analysis. Ms. McCulloch said that the process stops until the issues are resolved; Morris County will only provide open space preservation funding for ‘clean’ properties.

Ms. Baron inquired as to when homeowners get their money; Ms. McCulloch replied that they receive the funds at the property closing, just as they would if they were selling their home privately.

Ms. Szwak asked if the appraisals we receive are reviewed by a professional. Ms. McCulloch responded that if the appraisals were not reviewed by another funding agency involved in the project, i.e. FEMA or NJDEP-Green Acres, then Morris County would have its own review appraiser, Robert Schwartz, conduct a formal appraisal review.

Addition of Alternate Properties to Current Project Areas

The Board of Chosen Freeholders (BCF) approved the addition of alternate properties to the Preliminary Approval lists for Parsippany, Pequannock and Lincoln Park at their October 24, 2012 meeting. Each municipality had 4 properties, which were already approved by FEMA as qualified “Alternates”, that were added to their MATCH- Fast Track Project Area lists.

Congratulations Letters Sent to Homeowners

While attending joint municipal/homeowner meetings, Ms. McCulloch realized that homeowners were not aware they were receiving Morris County grant funding toward the buyout of their homes. In fact, without exception the homeowners thought all of the buyout funding came from FEMA alone. This was even true of CORE applicant projects that were not receiving any FEMA funding at all, in which Morris County was providing 75% of the acquisition funds.

To rectify this misperception, “congratulations letters” (doc. B) from Freeholder Director Chegwidden were sent to homeowners who have received Preliminary Approval for County flood mitigation funding. This notification will be part of our regular process going forward.

FEMA Benefit-Cost Analysis Course

Morris County Staff members, Ms. McCulloch and Ms. Tina Boyer, attended an intensive 2-day training course for Benefit-Cost Analysis at FEMA headquarters in New York City. Both staff members successfully completed this training and received certification.

Meeting – NJ-Office of Homeland Security and Preparedness/MC-OEM Director

Ms. McCulloch received a request from the NJ-Office of Homeland Security and Preparedness to meet and provide an overview of Morris County's Flood Mitigation program and suggestions for increased efficiency in flood mitigation grant administration. A meeting was scheduled in Morris County offices on October 18th.

Ms. McCulloch invited Jeffrey Paul, Morris County's new OEM Director, to this meeting to introduce him to the Flood Mitigation Program and to colleagues at the state level. Ms. Tina Boyer, Preservation Trust Associate, attended this meeting as well.

The beneficial connections established in this meeting have led to increased inclusion on state and federal discussions/conferences/webinars on flood mitigation/disaster response that have contributed significantly to staff's continuing education in this field. Mr. Paul, as a result of this meeting, requested flood mapping in preparation for Hurricane Sandy to be used if evacuation was required. MC-GIS provided this information to MC-OEM.

CLOSED SESSION

At 5:48 p.m., on a motion by Julie Baron, seconded by Paula Danchuk the FMC closed the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, and per the Committee's standard resolution language voted to conduct a closed session.

RETURN TO OPEN SESSION

At 6:28 p.m., on a motion by Julie Baron, seconded by Paula Danchuk the FMC returned to open session by unanimous vote.

The following actions were taken, as a result of Closed Session deliberations. On a motion by Paula Danchuk, seconded by Julie Baron, at 6:29 p.m., the Committee granted Final Approval to the following slate by unanimous roll call vote.

- **Resolution 2012-11: Denville - 4021 Project Area – 24 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$87,543.00 to cover Morris County's 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-12: Denville - 4021 Project Area – 22 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$78,889.35 to cover Morris County's 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.

- **Resolution 2012-13: Denville - 4021 Project Area – 20 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$50,538.29 to cover Morris County’s 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-14: Denville - 4021 Project Area – 18 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$77,633.60 to cover Morris County’s 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-15: Denville - 4021 Project Area – 16 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$80,752.50 to cover Morris County’s 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-16: Denville - 4021 Project Area – 23 Riverside Drive – FAST TRACK** acquisition funding in the amount of \$59,418.74 to cover Morris County’s 25% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-17: Denville - Riverside Drive Project Area – 25 Riverside Drive – CORE** acquisition funding in the amount of \$220,736.32 to cover Morris County’s 75% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-18: Denville - Riverside Drive Project Area – 15 Riverside Drive – CORE** acquisition funding in the amount of \$192,491.09 to cover Morris County’s 75% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-19: Denville - Riverside Drive Project Area – 19 Riverside Drive – CORE** acquisition funding in the amount of \$248,034.72 to cover Morris County’s 75% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-20: Denville - Riverside Drive Project Area – 27 Riverside Drive – CORE** acquisition funding in the amount of \$176,012.26 to cover Morris County’s 75% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.
- **Resolution 2012-21: Denville - Riverside Drive Project Area – 33 Riverside Drive – CORE** acquisition funding in the amount of \$196,425.00 to cover Morris County’s 75% cost-share and soft cost reimbursement, and a recommendation that the corresponding Grant Agreement with the Township be executed.

CORRESPONDENCE

There was no correspondence to review.

NEW BUSINESS

There was no new business to discuss.

ADJOURNMENT

On a motion by Ted Eppel, seconded by Paula Danchuk, the meeting was unanimously adjourned at 6:30 P.M.

NEXT MEETING DATE

The next regular meeting is scheduled for Monday, December 17 at 5:30 p.m. in the 4th Floor Conference Room of the Offices of Planning & Development, located at 30 Schuyler Place, Schuyler Annex Building, in Morristown, New Jersey

Respectfully submitted,

Jennifer N. McCulloch