

**MINUTES**  
**Morris County - Flood Mitigation Committee (FMC)**  
**30 Schuyler Place - 4th Floor, Morristown, New Jersey**  
**December 17, 2012**

The meeting was called to order at 5:33 p.m. by the FMC Chair, Louise Davis.

Members present:

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  
Barbara Murray, Open Space Program Coordinator, Morris County Preservation Trust  
Tina Boyer, Program Assistant, 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 November 19, 2012 meeting were reviewed and on a motion by Laura Szwak, which was seconded by Ted Eppel, the Committee unanimously approved said Minutes.

**PROGRAM UPDATE**

**Closings in Denville**

Ms. McCulloch reported that the first closings in our program occurred in Denville 2 weeks ago. In total, four (4) properties have closed in Denville Township; two (2) from the FAST TRACK program, and two (2) from the CORE program. One additional property is expected to close in the next month or so. The remaining 6 properties are short sale situations and thus will take longer to bring to a close. Denville is working with Rutgers Cooperative Extension to create a community garden when all properties have been preserved.

**Biggert-Waters Act 2012/Advisory Base Flood Elevations**

Ms. McCulloch presented a summary of federal flood insurance reform legislation that went into effect in July 2012. The major elements include: an extension of the National Flood Insurance

Program, the elimination of flood insurance premium subsidies and discounts, increases in insurance rates that reflect the actual risk level, an intense focus on quickly updating flood mapping nationwide, and the consolidation of three non-disaster FEMA programs into one program called the “National Flood Mitigation Fund”.

In the wake of Superstorm Sandy, FEMA released a statement regarding the use of Advisory Base Flood Elevations (ABFEs) in the towns hardest hit by the storm; Morris County will not be receiving ABFE’s. There was an acknowledgement that current Flood Insurance Rate Maps (FIRMs) are profoundly out of date; Morris County’s FIRM is 31 years old. FEMA expects FIRMs in NJ to be updated within the next 1-2 years, and BFEs are expected to rise by 1-4 feet. Communities are required to adopt the new FIRMs and amend their floodplain management regulations to incorporate this new data. Flood insurance rates will remain the same until new FIRMs are developed.

FEMA will be focusing more on acquisitions than elevations in the future, homeowners should expect significant increases in their insurance rates when the new FIRMs are adopted, and future development in flood-prone areas will most likely be constrained.

A written overview with further details on both these items was provided to the FMC at this meeting ([doc. A](#))

### **Disaster Resilience Conference**

Ms. McCulloch attended a national conference held in Washington, DC on Disaster Resilience via webcast. The keynote speakers highlighted that 2011 was a record-breaking year for national disasters; there were 100 declared disasters in all, 14 of which had damages of over \$1 billion *each*. These 14 disasters affected 67% of the U.S. population. Extreme weather events have become the ‘new normal’ and it requires resilience at all levels from individuals to the federal government.

The conference was focused on creating a culture of disaster resilience in our country as opposed to citizens who wait for instructions before taking action when a disaster strikes. Given the scope and frequency of current disasters, FEMA and OEM departments nationwide can no longer provide the complete protection or responsiveness, that was once expected.

Key elements of a disaster resilient culture include: building capabilities and relationships ‘pre-need’, a forthright public acknowledgement of the risks we face, and the developments of specific actions to mitigate these risks before the disaster strikes.

Ms. McCulloch will continue to reach out to municipalities, making them aware of our program and how it can benefit their community ‘pre-need’ so that they are aware of their flood mitigation options in the wake of a flood event.

### **2012 in Review**

The progress and accomplishments of the Flood Mitigation Committee in the first 9 months since this program’s inception were reviewed. Highlights include: review of 79 applications and 3 Flood Acquisition Plans from municipalities, Preliminary Approval of 77 applications, Final Approval of 11 applications and 4 closings. Of the \$16 Million allocated by the Board of Chosen Freeholders in March 2012, \$7.475 million (47%) has been encumbered. ([doc. B](#))

## **CLOSED SESSION**

At 6:30 p.m., on a motion by Paula Danchuk, seconded by Ted Eppel, 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 6:50 p.m., on a motion by Laura Szwak, seconded by Paula Danchuk, the FMC returned to open session by unanimous vote.

The following action was taken, as a result of Closed Session deliberations:

- **Resolution 2012-22: Town of Boonton – Harrison St – Flood Acquisition Plan (FLAP) and CORE Application for \$528,700 with an estimated match of \$68,750 derived from Homeowners donation of value.** At 6:51 p.m., on a motion by Paula Danchuk, seconded by Ted Eppel, the committee granted Preliminary Approval of this FLAP and CORE application by unanimous roll call vote.

## **CORRESPONDENCE**

There was no correspondence to review.

## **NEW BUSINESS**

Morris County staff has been informed of a new Flood Acquisition Plan and CORE Application request that should be expected in January/February 2013.

Ms. Leary informed the FMC that Ms. McCulloch will be making a presentation on the progress of the Flood Mitigation Program to the Board of Chosen Freeholders on December 27, 2012; FMC members are encouraged to attend if possible.

## **ADJOURNMENT**

On a motion by Paula Danchuk, seconded by Ted Eppel, the meeting was unanimously adjourned at 6:53 p.m.

## **NEXT MEETING DATE**

The next regular meeting is scheduled for *Tuesday*, January 22nd at 5:30 p.m. in the 4<sup>th</sup> 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