

**MINUTES**  
**Morris County - Flood Mitigation Committee (FMC)**  
**30 Schuyler Place - 4th Floor, Morristown, New Jersey**  
**May 20, 2013**

The meeting was called to order at 5:30 p.m. by FMC Chair, Louise Davis.

Members present:

Julie Baron  
Paula Danchuk  
Louise Davis  
Ted Eppel

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.

**MINUTES**

The Minutes of the March 18, 2013 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 April 15, 2013 meeting were reviewed and on a motion by Julie Baron, which was seconded by Ted Eppel, the Committee unanimously approved said Minutes.

**PROGRAM UPDATE**

**Appraisal Review Policy** – In anticipation of her absence at this meeting, Ms. Szwak had asked via e-mail [prior to the meeting] about the length of time that could possibly elapse between the first and third appraisals; does this mean that the valuation date could ever change? Ms. McCulloch informed the FMC that the first appraisal must have a valuation date within one year of the application date, and that all appraisals to follow must have the exact same valuation date as the first appraisal.

As directed by the Committee, Ms. McCulloch provided the proposed revisions to the Appraisal Review Policy to the Freeholders, who adopted these changes on May 6, 2013. This policy is now up on the website, and in full force; Ms. McCulloch expressed

gratitude for all the hard work that went in to creating such a thorough policy that closes any foreseeable loopholes.

**Flood Mitigation Committee Membership** – Ms. McCulloch stated that after the April FMC meeting, staff discussions took place on this matter. In 2014, the FMC membership will remain the same; in 2015 membership could potentially change. Since the Open Space Committee has 2 at-large members, one of those positions could potentially become a Flood Mitigation Committee member/liaison. As such, no immediate action is necessary, but this issue should be addressed in the Fall of 2014 when the Open Space Committee for 2015 is being formulated.

### **CLOSED SESSION**

At 5:34 p.m., on a motion by Julie Baron, 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 5:55 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.

- **Resolution 2013-26: Lincoln Park-4021 Project Area – 204 Riveredge Road** – FAST TRACK acquisition funding in the amount of \$18,706.28 to cover Morris County's 25% cost-share and a recommendation that the corresponding Grant Agreement with the Borough be executed. At 5:56 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-27: Lincoln Park-4021 Project Area – 5 Birch Street** – FAST TRACK acquisition funding in the amount of \$51,982.43 to cover Morris County's 25% cost-share and a recommendation that the corresponding Grant Agreement with the Borough be executed. At 5:57 p.m., on a motion by Ted Eppel, seconded by Paula Danchuk, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-28: Pequannock-4021 Project Area – 24 Madison Street** – FAST TRACK acquisition funding in the amount of \$15,359 to cover Morris County's 25% cost-share, and a recommendation that the corresponding Grant Agreement with the Township be executed. At 5:58 p.m., on a motion by Paula Danchuk, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-29: Pequannock-4021 Project Area – 30 Hampton Avenue** – FAST TRACK acquisition funding in the amount of \$55,000 to cover Morris County's 25% cost-share, and a recommendation that the corresponding Grant Agreement with the Township be executed. At 5:59 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.

Mr. Eppel asked what the consequences were, if any, of the Lincoln Park homeowners were to withdraw from the program. Ms. Leary stated that all of the Lincoln Park projects are currently in the FEMA HMGP program with Morris County providing MATCH funding. She does not believe that those homeowners would be excluded from consideration in the future, or that a specific amount of time would have to pass before they are considered for funding. As per Morris County rules and regulations, she does not recall any penalty or waiting period required after withdrawing either.

Ms. McCulloch agreed with Ms. Leary's comments and added that in the FEMA program, the homeowner is only penalized if a *final offer* has been made; e.g. an appraisal has been done, the Duplication of Benefits process is completed and a formal sales offer has been made. In this scenario, a homeowner's flood insurance rates would increase automatically as a result of this offer's rejection. Ms. Leary asked for clarification on the Lincoln Park homeowners' withdrawals; Ms. McCulloch stated that they withdrew once they learned of the appraised value of their home, before any offer had been made.

Ms. Leary also stated that the County was contacted by a member of the Morris County Improvement Authority (MCIA) because the MCIA was asked if they would be interested in funding elevation projects by providing low interest loans, since the MC FMP does not finance elevations. Ms. McCulloch and Christine Marion (Director, MC Planning Board) researched whether this would be a worthwhile investment for the MCIA. Unfortunately, data on the re-sale value of elevated homes indicated a lower interest from buyers and lower re-sale values overall for these homes – despite the recent, expensive renovations. Based on this, Ms. Leary stated that this is probably something the MCIA will not consider at this point. Additionally, Ms. Leary pointed out that the real estate taxes are probably higher for elevated homes since they have been improved.

Ms. McCulloch relayed the current difficulty Morris County municipalities are having with completing home elevations given the intensity of effort down at the NJ Shore by construction and demolition companies; much of the equipment and personnel are currently unavailable in our area.

## **CORRESPONDENCE**

There was no correspondence to review.

## **NEW BUSINESS**

Ms. McCulloch reviewed the speaking engagements she has in the month of June:

- Association of State Floodplain Managers - National Conference in Hartford, CT
  - o leading a workshop
  - o giving a plenary (keynote) address to the convention
- 2013 NJ State Planning Summit (hosted by the NJ-OHSP & OEM) – keynote speaker
- Morris County OEM/local OEM officials – present FMP program for future use

It was decided, based on Ms. McCulloch's schedule in June that the next meeting of the FMC will be in July. If there are matters that require immediate action, a vote on any resolutions will be conducted via e-mail, as has been done previously. Ms. McCulloch will also be filing an abstract for the NJ State Floodplain Manager Conference in October as a potential presenter.

**ADJOURNMENT**

On a motion by Julie Baron, seconded by Paula Danchuk, the meeting was unanimously adjourned at 6:10 p.m.

**NEXT MEETING DATE**

The next regular meeting is scheduled for Monday, July 15th 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