

MINUTES
Morris County - Flood Mitigation Committee (FMC)
30 Schuyler Place - 4th Floor, Morristown, New Jersey
September 21, 2015

The meeting was called to order at 5:35 p.m. by Chair Louise Davis.

Members present:

Julie Baron	Ted Eppel
Paula Danchuk	Thomas Pepe
Louise Davis	Laura Szwak

Members with an excused absence

Gary Large

Also attending:

Christine Marion, Director, Planning & Preservation Division
Jennifer McCulloch, Coordinator, Flood Mitigation Program (FMP), Planning & Preservation Division

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 15, 2015 meeting were reviewed and on a motion by Ted Eppel, which was seconded by Tom Pepe, the Committee approved said Minutes.

PROGRAM UPDATE

Ms. McCulloch provided the following updates:

- **Insider article, Association of State Floodplain Managers (ASFPM) [doc. A]** – This article appeared in the July 2015 ASFPM publication, *The Insider*, it details the completion of the National Flood Insurance Program (NFIP)’s “Programmatic Environmental Impact Statement” (PEIS).

The PEIS could trigger changes to minimum floodplain management standards across the country based on Sea Level Rise (SLR) and extreme rain events. In New Jersey, data analysis from 1895 to 2014, shows a 15” SLR. Additionally, evaluation of data from 1958 to 2014 indicates that NJ’s annual rainfall has increased by 4”. Extreme rain events, during the same 56-yr time period, have increased by 71% and constitute the majority of NJ rainfall.

Based on PEIS findings, the NFIP recommends focusing on relocation/buyouts and prioritizing natural approaches; these include returning floodplains to their natural function.

- **NJ-DEP – Flood Inundation Mapping** [*Doc. B*] – This August 24th NJ-DEP press release announced new “Interactive Flood Warning Maps” for the Passaic River Basin, also known as ‘flood inundation maps’. Municipalities included within Morris County (MC) are: Chatham, Millington (Long Hill), Pompton Plains (Pequannock) and Riverdale; these sites include the Passaic, Pompton and Pequannock rivers. Noteworthy in their absence were the following rivers and corresponding flood-prone municipalities: Rockaway River (Boonton, Denville and Parsippany), Passaic River (Lincoln Park, Stirling section of Long Hill), and the Whippany River (East Hanover, Morristown, Morris Township).
- **Harris County Flood Control District/Harris County, TX vs. Edward and Norma Kerr** [*Doc. C*] – June 2015 *Insider* article by ASFPM Director regarding a precedent-setting case before the Texas Supreme Court regarding liability for allowing development which increased flooding on other properties.

This case demonstrates that communities must recognize the property rights of existing and future downstream and upstream property owners. The area currently experiencing flooding (as a result of the development) was not considered in the floodplain, pre-development. The ASFPM Director advises, “You are more likely to be sued for permitting risky development that results in increased damages than for denying or preventing it.”

- **FEMA’s NFIP / Community Rating System (CRS) Training** – Ms. McCulloch attended Federal Emergency Management Agency (FEMA) training on the NFIP/CRS programs at FEMA’s Emergency Management Institute in Maryland from July 26th - 30th. Since the driver behind many of the ‘points’ gained within the CRS program (which in turn lowers insurance rates) are derived from effective GIS mapping. Successful completion of MC’s Flood Insurance Rate Maps (FIRM) will be critical to any CRS endeavor.
- **Preliminary FIRM Status** – On September 4th MC staff had a conference call with FEMA and their myriad consultants on the status and quality issues seen in the Preliminary FIRMs released in March 2015. FEMA has assured MC that FIRM updates will include 100% of MC, quality issues will be addressed, MC will be proactively included; the maps should be ready by late fall/early winter.
- **New Jersey Association of Floodplain Managers (NJAFM) Conference** – Ms. McCulloch will be attending this state-level floodplain managers conference from October 20-22 and will be advising the FMC of any pertinent information/trends discussed.
- **Great Swamp Watershed - Municipal Alliance presentation** – Ms. McCulloch has been asked to make a presentation on flooding in NJ and the MC Flood Mitigation Program to the Municipal Alliance, a consortium of municipalities.

CLOSED SESSION

At 5:45 p.m., on a motion by Julie Baron, seconded by Tom Pepe, 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 wherein the subject of real property acquisition shall be discussed.

RETURN TO OPEN SESSION

At 6:05 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the FMC returned to open session by unanimous vote.

The following action was taken:

- **Resolution 2015-09 – Long Hill-Stirling – 329 Mercer Street – Final Approval - CORE** acquisition funding in the amount of \$227,255 to cover Morris County’s 75% cost-share and a recommendation that the corresponding Grant Agreement with Long Hill be executed. On a motion by Julie Baron, seconded by Tom Pepe, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2015-10 – Long Hill-Stirling – 335 Mercer Street – Final Approval - CORE** acquisition funding in the amount of \$228,750 to cover Morris County’s 75% cost-share and a recommendation that the corresponding Grant Agreement with Long Hill be executed. On a motion by Julie Baron, seconded by Paula Danchuk, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2015-11 – Long Hill-Stirling – 339 Mercer Street – Final Approval - CORE** acquisition funding in the amount of \$243,750 to cover Morris County’s 75% cost-share and a recommendation that the corresponding Grant Agreement with Long Hill be executed. On a motion by Julie Baron, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2015-12 – Long Hill-Stirling – 344 Mercer Street – Final Approval - CORE** acquisition funding in the amount of \$225,000 to cover Morris County’s 75% cost-share and a recommendation that the corresponding Grant Agreement with Long Hill be executed. On a motion by Julie Baron, seconded by Tom Pepe, the committee granted Final Approval by unanimous roll call vote.

CORRESPONDENCE

There was no correspondence to review.

NEW BUSINESS

There was no new business to review.

ADJOURNMENT

On a motion by Paula Danchuk, seconded by Laura Szwak, the meeting was unanimously adjourned at 6:11 p.m.

NEXT MEETING DATE

The next regular meeting is scheduled for Monday, October 19th at 5:30 pm in the 4th Floor Conference Room of the Offices of Planning & Public Works, located at 30 Schuyler Place, Schuyler Annex Building, in Morristown, New Jersey.

Respectfully submitted,

Jennifer N. McCulloch