

MINUTES
Morris County-Flood Mitigation Committee (MC-FMC)
30 Schuyler Place – 2nd Floor, Morristown, New Jersey
October 21, 2019

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

Members present:

Louise Davis	Tom Pepe
Betty Cass-Schmidt	Joseph Pawelczyk
Andrew Crawford	Gary Large
Julie Baron	

Also attending:

Christine Marion, Director, Office of Planning & Preservation
Joseph Barilla, Assistant Director, Office of Planning & Preservation
Virginia Michelin, Flood Mitigation Program Coordinator, Office of Planning & Preservation
Jason Rotter, Assistant Planner, Office of Planning & Preservation

OPEN PUBLIC MEETING STATEMENT

Louise 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 August 12th meeting were reviewed and on a motion by Julie Baron, seconded by Joseph Pawelczyk, the Committee approved said Minutes. The closed session minutes were reviewed and on a motion by Julie Baron, seconded by Joseph Pawelczyk, the Committee approved said Minutes.

PROGRAM UPDATE

Virginia Michelin provided the following updates:

NJDEP Partial Map Revision (PMR) – No update at this time. NJDEP estimates that draft maps will take 1½ - 2 years to complete.

FEMA pFIRMS / SRP – FEMA will convene a Scientific Resolution Panel (SRP) to hear the municipalities appeals of FEMA’s original decision to reject the towns’ proposed changes to the pFIRMs. Once the SRP committee is formed with experts in floodplain mapping and related technical fields, they will have 3 months to render their decisions. The SRP will be an independently managed committee by the nonprofit National Institute of Building Sciences (NIBS). Official letters have not yet been sent to the towns by FEMA with additional information about the SRP or scheduled dates.

If any municipalities disagree with the outcomes of the SRP, they have the option to challenge FEMA in federal district court. Virginia will follow this process to see when the SRP is convened and work with FEMA to determine when the pFIRMS can be adopted. At this point she does not expect the maps to become effective (adopted) until 2021 (they were noticed in 2017).

CRS Users Group – Next meeting is November 12th, which will be right before the Morris County OEM Hazard Mitigation Plan meeting at the Morris County Public Safety Complex. We have updated the CRS graphic showing discounts for municipalities' participating in the CRS program. First done in 2018, now updated for 2019 data. NFIP participation is down 6% from last year in Morris County's CRS communities, and therefore these municipalities are saving slightly less than in 2018. Reasons for the decrease in participation may include paid-off mortgages, the increasing time since the last major disaster (Hurricane Irene) and also private insurance, which is difficult to track and less regulated than the NFIP. Virginia is looking into NJ's regulations of private flood insurance. Statistics regarding the number of private policies are not publicly available. The fact that many homeowners are unaware that their NFIP rates are subsidized may become problematic, as people will pay the full rate if they leave the NFIP and decide to come back.

Morris County Hazard Mitigation Plan (HMP) Update – The MCOEM has published an online survey which takes about 10-15 minutes to complete and is open for Morris County residents. It is available on the Morris County planning website, the MCOEM site, and flyers are posted in the County Administration and Records building. Virginia encourages FMC board members to complete as well. Efforts on the 2020 HMP update began August 1st and the Steering Committee and county/municipal representatives will continue to meet at regularly scheduled meetings until the update is complete, currently expected to be August 2020. The survey will collect vital information on a wide variety of hazards and help to bring public input into the Plan.

NFIP Update / Risk Rating 2.0 (RR 2.0) – Current extension of NFIP reauthorization expires November 21st. Congress hasn't made any progress with the reforms introduced in the House and Senate earlier this year. The NFIP made updates which will increase insurance premiums and are unrelated to Risk Rating 2.0. RR 2.0 rates are expected to be released April 1, 2020 and go into effect October 1 2020. There are concerns related to the possibility that rate increases will encourage more people to leave the program and that people will be less prepared for the next flooding event.

NJAFM Conference / CRS Training – Virginia helped the NJAFM coordinate two separate two-day CRS training courses in Parsippany and Linden, NJ. Virginia took part in a presentation at the NJAFM conference about CRS Users Groups in New Jersey along with Monmouth and Ocean Counties in which she discussed the Morris County CRS Users Group. Forerunner and FEMA gave presentations as well on this panel, it was well received. Louis Davis asked who else has a CRS Users Group in the state. Virginia responded that Middlesex has a group (meets once annually). Bergen and Passaic have expressed an interest in starting groups. Cape May and Atlantic Counties has a Coastal Coalition. (NJ Coastal Coalition is the official name.) It is more involved that a CRS Users Group.

USACE Technical Assistance – Virginia provided the draft agenda for the upcoming kickoff meeting on October 24th in Lincoln Park with the Borough of Lincoln Park, MC Planning Staff, NJDEP, Rutgers Cooperative Extension and US Army Corps of Engineers. The meeting will begin the process of setting timelines and delegating the work involved in drafting and implementing post-acquisition plans, including floodplain restoration. The plan will work to include floodplain restoration including the potential creation of Blueways and Greenways, as per the Borough's Open Space Element.

Rule Revision / Diversion Discussions – Virginia has been in contact with John Napolitano, Esq. to discuss a potential policy in order to prevent diversions in acquired areas via the FMP. Originally, there was some thinking that for certain storm water/utility projects in might be useful to have a diversion policy in place. The NJDEP currently has no policy in place regarding diversions of floodprone properties. After some discussions, we are looking to remove all mention of diversions from the rules and grant language. Virginia is continuing to discuss this issue with Mr. Napolitano and will keep the FMC updated.

Duplication of Benefits – FEMA has taken the database of insurance claims offline insurance (NFIP claims). [Morris County only needs information for Hurricane Irene claims]. There is no set date for when the new database will be up and running. The data is used to satisfy the FMP’s requirements for homeowners to provide duplications of benefits (DOB), which verify that public funds given in the wakes of disasters are accounted appropriately (i.e. receipts and invoices). Without the database, it is difficult to confirm or deny whether property owners filed claims or received public funds. In cases where funds were given but cannot be accounted for, the money is deducted from the County’s buyout offers to homeowners. Virginia cannot get information from FEMA while the database has been offline, and at this time the FMP will move forward without the duplication of benefits for any new pre-Irene owners entering the Program. At this point, there are no new houses coming into the program that this will effect, but that could change at any time.

Virginia also asked the committee about their recollection of how the DOB progress came into the FMP. The committee discussed it being a fairness issue. Homeowners received federal monies (NFIP claim) and it should be spent on repairing their houses.

Pluvial / Urban Flooding – There is a nationwide trend where developed areas not historically prone to flooding are beginning to experience stormwater overflow (urban flooding). A combination of factors including increased rainfall and inadequate stormwater systems is causing flooding in areas outside of floodplains. Virginia indicated that at some point this could become an issue in more urbanized places in the County such as Morristown, Dover, etc. Virginia will monitor the issue and its potential impacts on the FMP, especially if homes in these areas become repetitive / severe repetitive loss properties.

CLOSED SESSION

At 5:49 p.m. on a motion by Tom Pepe, seconded by Betty Cass-Schmidt, 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 6:01 p.m. on a motion by Joseph Pawelczyk, seconded by Tom Pepe, the FMC returned to open session by unanimous vote.

The following actions were taken, as a result of Closed Session deliberations:

- **Resolution 2019-06 – Lincoln Park – Central-5 Project Area – 21 Bank Lane – Final Approval** – CORE acquisition funding in the amount of \$37,500 to cover Morris County’s 75% cost-share and a recommendation that the corresponding Grant Agreement with Lincoln Park be executed. On a motion by Betty Cass-Schmidt, seconded by Joe

Pawelczyk, the Committee granted Final Approval by unanimous roll call vote.

CORRESPONDENCE

There was no new correspondence to discuss.

NEW BUSINESS

There was no new business to discuss.

ADJOURNMENT

On a motion by Tom Pepe, seconded by Joseph Pawelczyk, the meeting was unanimously adjourned at 6:04 p.m.

NEXT MEETING DATE

The next regular meeting is scheduled for Monday, November 18th in the 2nd Floor Conference Room of the Schuyler Building, located at 30 Schuyler Place, Schuyler Annex Building, in Morristown, New Jersey.

Respectfully submitted,

Virginia Michelin, CFM