

MINUTES
Morris County - Flood Mitigation Committee (FMC)
30 Schuyler Place - 4th Floor, Morristown, New Jersey
April 15, 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
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
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.

MINUTES

The Minutes of the March 16, 2012 meeting are not yet available.

PROGRAM UPDATE

- **Appraisal Review Policy** – Ms. McCulloch presented a revised Appraisal Policy to replace Section 6.13 in the Flood Mitigation Program (FMP) Rules and Regulations. (doc. A) FMP special counsel, John Napolitano and Robert Schwarz, Morris County review appraiser provided valuable input in drafting this document. Our goal with this revised and expanded policy is to make it clear that FMP properties be appraised at today's values, in a pre-flood condition.

It also delineates that appraisals in the CORE program are subject to appraisal review before any offers to homeowners are made. The result of this review is an "Accepted Market Value" (AMV) which is the value that Morris County cost-share participation will be based on. If the municipality would like to make an offer *before* this appraisal review, then an "At-Risk Authorization" letter shall be sent notifying the community of

their liability for any difference between the appraised and AMV amounts. We also inserted an informational note regarding NJ-DEP Green Acres funding that directs applicants to the NJ-DEP website for their rules and regulations.

Ms. Szwak asked about the length of time (potentially multiple years) that could possibly elapse between the first and third appraisals; does the valuation date ever change? Ms. McCulloch informed the FMC that all appraisals must have a valuation date within one year of the application date, regardless of when that appraisal is actually conducted.

It was agreed that improvements to the residential structure, post-flood, will not be included in the valuation; we are looking at the 'pre-flood' condition only. The relationship between Morris County's AMV, and NJ-DEP Green Acres Certified Market Value (CMV) was also discussed. Ms. McCulloch stated that in the MATCH program, Morris County is the subordinate funder, and as such defers to the valuation accepted by the lead funder. In the CORE Program, Morris County is the lead funder and would conduct its own appraisal review; in this case each funding agency would cost share based on their own valuation.

Ms. McCulloch will confirm these discussion items with Mr. Schwarz, and if necessary make additional revisions to the Appraisal Policy to clarify these issues.

At 5:43 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the FMC unanimously approved the revisions to the Flood Mitigation Program Appraisal Policy and recommended that the Board of Chosen Freeholders (BCF) review and take action on said policy.

- **Flood Mitigation Committee Membership** – Ms. McCulloch directed the FMC's attention to the revised language provided for FMC membership in Section 6.11 of the FMP Rules and Regulations. (doc. B) Membership will no longer be confined to current members of the Open Space Committee (OSC); a new member need only be a resident of Morris County, although members of the OSC are in no way restricted from serving on the FMC. The Morris County BCF will appoint members annually.

Term length is set at three years; members may serve up to 2 consecutive terms, then the member must be off the FMC for one year before serving again. Once this revised rule is adopted by the BCF, there will be an initial staggering of terms for the space of one, two, and three years to assure the continued stability of the FMC. The current rules regarding the election of officers remains the same.

Ms. Szwak raised the question of how to maintain the flow of information between the OSC and FMC long term, noting that all other programs in the Preservation Trust have a designated member on the OSC. Ms. Leary stated that she would look into how a similar role could be created for an FMC liaison on the OSC. This would most likely involve an OS Program Rules and Regulations revision next fall to formally create this liaison role in the OSC membership. Subsequent revisions may be necessary to the FMC Rules and Regulations as well.

CLOSED SESSION

At 5:59 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 6:30 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 2013-20: Parsippany-4021 Project Area - 4 Cherokee Ave – FAST TRACK** acquisition funding in the amount of \$42,327.50 to cover Morris County's 25% cost-share and a recommendation that the corresponding Grant Agreement with the Township be executed. At 6:31 p.m., on a motion by Julie Baron, seconded by Paula Danchuk, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-21: Township of Parsippany-Troy Hills – East Parsippany Project Area - Flood Acquisition Plan (FLAP) and CORE** Application for \$671,456 with an estimated match of \$194,625 derived from homeowner's donation of value. At 6:32 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the committee granted Preliminary Approval of this FLAP and CORE application by unanimous roll call vote.
- **Resolution 2013-22: Township of Pequannock – Route 23 Project Area - CORE** Application for \$409,688 with an estimated match of \$118,750 derived from a NJ-DEP Green Acres Planning Incentive Grant. At 6:33 p.m., on a motion by Paula Danchuk, seconded by Laura Szwak, the committee granted Preliminary Approval of this CORE application by unanimous roll call vote.
- **Resolution 2013-23: Lincoln Park-4021 Project Area – 14 Walnut Street – FAST TRACK** acquisition funding in the amount of \$44,999.69 to cover Morris County's 25% cost-share and a recommendation that the corresponding Grant Agreement with the Township be executed. At 6:34 p.m., on a motion by Paula Danchuk, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-24: Lincoln Park-4021 Project Area – 45 Pequannock Avenue – FAST TRACK** acquisition funding in the amount of \$97,971.12 to cover Morris County's 25% cost-share, and a recommendation that the corresponding Grant Agreement with the Township be executed. At 6:35 p.m., on a motion by Julie Baron, seconded by Ted Eppel, the committee granted Final Approval by unanimous roll call vote.
- **Resolution 2013-25: Lincoln Park-4021 Project Area – 51 Pequannock Avenue – FAST TRACK** acquisition funding in the amount of \$85,762.63 to cover Morris County's 25% cost-share, and a recommendation that the corresponding Grant Agreement with the Township be executed. At 6:36 p.m., on a motion by Ted Eppel, seconded by Laura Szwak, the committee granted Final Approval by unanimous roll call vote.

CORRESPONDENCE

There was no correspondence to review.

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion by Julie Baron, seconded by Paula Danchuk, the meeting was unanimously adjourned at 6:37 p.m.

NEXT MEETING DATE

The next regular meeting is scheduled for Monday, May 20th 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