

EAST BRANCH Flood Commission Minutes - 2.23.12

Present were: Middletown Supervisor Marjorie Miller, Highway Superintendent John Biruk, Emergency Service Officer Nelson Delameter, Code Enforcement Officer C. Patrick Davis, Margaretville Village Trustee John Van Benschoten, and Public Works' Henry Friedman as well as Village Planning Board Member Phil O'Beirne, Fleischmanns' Deputy Mayor Todd Pascarella and Planning Board Member Larry Reilly, Catskill Mt. News Editor Dick Sanford, Code Enforcement Officer for Hardenburgh Karl Von Hassel, MCS Board member Lee Austin, Halcott Supervisor Innes Kasanof, NYS DEP Tom Blanchard and Stream Management Program's Phil Eskeli, Delaware County Emergency Services Head Rich Bell and Public Works' John Reynolds, Tetra Tech's Jonathan Raser, Delaware County Soil & Water's Graydon Dutcher and Jessica Rall, Delaware County Watershed Affair's Dean Frazier and Planning Department members Shelly Johnson, Kent Manuel and Mike Jastremski.

The meeting was called to order by Supervisor Miller at 9:10a.m. The Supervisor and Graydon Dutcher spoke briefly regarding the purpose of the meeting and the several ideas and motivations behind forming a local regional Commission as well as speaking to the history of the Walton Commission. This was followed by individual introductions by all of those present with affiliations. Supervisor Miller then asked Graydon Dutcher to read the charge, which was accepted by the assembled group with the caveat that we have a period of comment and input regarding the same up to the next meeting, perhaps to expand the mission and reach of the commission.

Our Mission Statement (draft) -

Charge:

- Identify flood risks in the Town of Middletown, Villages and outlying areas (Roxbury, Halcott, Hardenburgh)
- Educate and inform residents, businesses, government officials and local agencies of flood risks
- Work with local, state and federal officials and agencies to:
 1. Identify projects and programs that reduce the incidence and impacts of flooding and
 2. Work together regionally to fund these projects and associated programs throughout our area and
 3. Enhance and encourage economic development in flood safe areas and
 4. Educate the wider public regionally as to the mitigation & flood planning and recovery efforts that are in process

It was proposed that Miller serve as Chair of the Commission, responsible for inviting municipal members with Nelson Delameter suggested as Vice-Chair, both of which appointments were accepted. Mike Jestremski of Delaware County Planning will invite and keep track of official/non-municipal members of the group.

- Carl Patrick Davis then gave an overview of Flood Laws currently under review for adoption by local municipalities as well as their relationship to Code Enforcement, FEMA, NFIP and the FEMA CRS (Community Ratings System) Program. He also spoke to updated Flood Maps, which are adopted as a part of the Flood Laws pertaining to each municipality and the establishment of a set of standards for compliance re: construction both commercial & residential in the floodway & on the floodplain. Where there is *current* you have the *floodway (generally mid-river)*, the flood plain is the storage area for h2o outside the area of the floodway/active current. Davis also spoke regarding flood plain development permits re: temporary storage of materials and the same re: mobile homes and campers. He also mentioned NYS building codes in 2010 being written to reflect flood law compliance
- Tom Blanchard spoke to additional language a.k.a. optional pieces to add to flood laws – if you adopt this more restrictive language it decreases the likelihood of flood damage and helps lower flood insurance rates within the CRS system. Outreach & information regarding compliance community-wide helps FEMA get other towns in the compliance system.
- Shelly Johnson spoke to Middletown’s infrastructure having the means/personnel to support entering the CRS program and as need for the outreach to all involved to support compliance and the code enforcement officer in meeting those rules. She also spoke to the Commission being the tool for educating municipal planning boards regarding flood plain development as well as the community as a whole re: same and the importance of supporting the CEO on the local level in meeting compliance rules and continuing to require education and training for same
- Rich Bell spoke briefly as to the issues relating to a lack of compliance re: flood plains and FEMA rules in Sidney NY & the consequences - as well as Delaware County being one of the top 3 in the state for emergency disaster declarations

Supervisor Miller spoke to flood plain development training possibilities for local CEOs via a grant she is writing for the Flood Commission & all related expenses as well as Middletown’s website having a commission page.

Dean Frazier spoke to a Delaware County position paper regarding land acquisition program monies being put toward mitigation efforts in the county. What the county is trying to do is to create an institutional framework for mitigation in reference to water quality and NYS among others being vested in that as a priority and including all of the watershed counties west of the Hudson.

Graydon Dutcher spoke to the Stream Corridor Partnership and projects currently underway locally regarding EWP sites of which there are 32 county-wide, with 16 total of those located in Middletown (13 in Fleischmanns, 3 in Middletown including 1 in Arkville). Fleischmanns flood study has been commissioned and Graydon proposed presenting the Commission with approx. 30 slides per month explaining stream corridor management techniques as part of the standing agenda, which was agreed to going forward.

Innes Kasanof, Supervisor of Halcott Center, spoke to the help Delaware County Soil has given them regarding a bridge structure in that Greene County Town and her hope that the Commission can have as a goal helping local responders re: FEMA and other entities as back-up/added clout to local plans around mitigation efforts & etc. along with the possibility of shared services from Del County especially the Public Works Department.

Dick Sanford spoke to the 800lb. gorillas in the room as in unaddressed issues in a community-wide forum regarding whether or not villages such as Mville/Flmns should rebuild and regarding mitigation costs being higher than the value of the buildings we are protecting, also, should Freshtown be where it is? Miller suggested that the anniversary meeting is for that purpose, in part, a community-wide discussion, & Sanford spoke to the perfect storm of economic recession and the flood exacerbating the post-flood effects. Dutcher suggested that the monthly meetings build toward that conversation as well as deepening the understanding of the issues that can be achieved by the group as it expands, given market decisions, private property ownership & community vision.

Shelley Johnson spoke of the long-term nature of mitigation projects and planning of smart development in communities *by* the communities acknowledging that all decisions have long term, reverberating effects.

Pat Davis and Jonathan Raser spoke to the increase in flooding in the Village of M'ville re: trees below McIntosh and a study done by consultants to FEMA regarding the same, also mentioning that they are doing flood studies of the

entire watershed from the Pepacton to Roxbury that will be released to the community sometime next year, with accompanying maps to be adopted in 2014. There will be a component of the work that is being done which will give the community clearly delineated options regarding flood damage prevention and decreasing liability. These studies (HecMac?? HazMac?? Hazus?) can let us know how to get the most bang for our mitigation buck – bridges, narrow path, structure blockages, where damage will be & how much the cost will be so that property owners can make better plans & the municipality can more specifically control building permitting in flood plain etc. – Pat spoke about the blockages for water alleviated by the removal of the rear of the DeBari Building as well as a proposed removal of a section of the rear of the Lumia Building that is unused and also creates blockages as well as the need to continue to get better at flood recovery via the learning process related to the Commission and other regional goals.

John Biruk updated the group on highway flood repair projects including Hog Mt Road and Huckleberry Brook. He also did river relocates & is looking at rock retention plans for same to keep them where they are post-relocation.

Jonathan Raser of Tetrattech hired by the county to help them update their Hazard Mitigation Plan. The Feds created a pool of grants for Hazard Mitigation projects with the requirement that the local municipalities come up w appropriate mitigation plans and strategies. Current priorities are acquisitions of substantially damaged and repeatedly damaged properties in the flood plain as well as structural elevations. County approved the current Hazard Mitigation Plan in 2005, a new one (they must be updated and made current/relevant every 5 years) is being worked on and specific mitigation projects must be identified in the plan in order to get access to the funding from the Hazard Mitigation grants. Risk assessment, what is cost effective regarding repair projects (cost benefit analysis tool) followed by a list of initiatives and actions at county & local level including regulatory changes to prevent future damages, public education, outreach. Currently wrapping up risk assessment portion of latest plan – general plan, risk assessment at the county level, including NFIP, long term redevelopment strategies etc. with every community having a short chapter in the overall plan (annexes) in which there are points of contact & etc. Mike Jestremski had ten copies of each municipality's annex, which were distributed and will get Roxbury's to them. Communities can add whatever information they wish to add to this snapshot including new development. The disaster history (declared events) is also added to the plan with levels of damages related to same, not just flooding but all events, weather (ice storms, severe snowstorms), fire, landslide, etc. Vulnerability assessment is gauged by TetraTech (?) and or the county? Capability assessment – along 3 lines: 1. legal

& regulatory, emergency management plans, current or not? A prerequisite of CRS is that we be in compliance w NFIP. 2. Administrative and engineering capabilities – surveyors re: elevation, grant writing abilities 3. Fiscal capabilities as in the 25% matching monies required by hazard mit. grants, can they be covered/found – many different funding sources – county, bonding etc. Community rating system – who is in i.e. other communities in county in CRS program – 1 currently (Walton²), insurance rates, code enforcement etc. What were past mitigation activities – FEMA likes to see proactive communities & that the projects selected by the community in the Haz Mitigation plan relate back to the identified local vulnerabilities in the plan. Then the most important part is the strategy – long and short term goals around mitigation, internal and external funding – key is to identify all projects – particularly those for which we can grant funding. They have added a lot of initiatives garnered through risk assessment. Emphasis on cost benefit. Given the flood pat Davis asked if we can add newly identified projects and J Raser answered absolutely. And Davis suggested we have a meeting to make sure all mitigation projects make it into the plan, which was agreed to. Raser spoke abt general initiatives (acquire or elevate flood prone properties) asking for as many specifics as can be identified. NFIP compliance issues as in don't say we will continue to be in the program but rather here are the actions we are taking to improve our compliance.

A meeting was set for 3/29/12 at 6pm during which Graydon Dutcher will give the 1st of several audiovisual presentations. All Municipalities and their Boards are encouraged to attend; we will also be inviting other local stakeholders (real estate agents, Interfaith Council etc.) as participants and Commission members, keeping in mind our mission of community outreach and education.

N.B.: A tentative Public Event commemorating the Flood has been scheduled for August 30, 2012 at MCS in the new gym.