

**BOROUGH OF LINCOLN PARK
OFFICE OF THE COUNCIL PRESIDENT**

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E-MAIL: LJPEPE@BOLP.ORG

September 13, 2011

To: Governor Chris Christie
Congressman Frelinghuysen
Senator Joe Pennacchio
Assemblyman DeCroce
Assemblyman Webber

RE: Flood Damage Prevention Resolution

Gentlemen:

On behalf of the Mayor and Council and the citizens of Lincoln Park, I would like to reiterate our position on the need for action regarding implementation of the Advisory Committees 15 point recommendation, attached please find our Resolution R11-146 regarding this matter as approved at our May 16, 2011 meeting.

Additionally strong consideration should be given to a regulatory measure capping the amount of capacity all reservoirs are permitted to maintain. The logic behind this measure would provide a reserve capacity to withstand any significant rainfall event.

Sincerely,

Cc: Mayor Runfeldt
All Council Members
All MC Municipalities



Louis J. Pepe, Council President
Borough of Lincoln Park

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LINCOLN PARK, NEW JERSEY

RESOLUTION NO. R11-146

FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED PURSUANT TO SECTION N.J.A.C. 40:48-1, NEW JERSEY CODE ANNOTATED, FOR THE PURPOSE OF ESTABLISHING REGULATIONS DESIGNED TO PROMOTE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF ITS CITIZENRY.

WHEREAS, the residents of Lincoln Park continue to be impacted by significant flooding that has intensified with the construction of the Pompton Lake Dam Floodgate Project in August 2007 with three major floods in the past five years (2007, 2010 and 2011) all recorded well above major flood stage of 19' (22.11 ft., 22.78 ft. and 21.72 ft. respectively); and

WHEREAS, the *PASSAIC RIVER FLOOD ADVISORY COMMISSION* has issued a **15-POINT PLAN TO MITIGATE IMPACT OF FLOODS IN MORRIS, PASSAIC AND BERGEN COUNTIES**; and

WHEREAS, an Advisory Commission, as directed by Governor Christie through Executive Order 23, has considered the causes and impacts of flooding, and to come up with potential long- and short-term remedies to help minimize a problem that has long impacted many towns, communities and residents of Morris, Passaic and Bergen counties; and

WHEREAS, the 15-point package of recommendations includes enhanced efforts to buy flood-prone properties, elevate homes in flood areas, improve the operation of the Pompton Lake floodgates, increase river de-snagging and shoal dredging efforts, create larger flood water storage areas, steer future development away from flood zones, create better water flow in Passaic Basin rivers, and directs the DEP to expedite permits for county and municipal projects aimed at eliminating or reducing flood; and

WHEREAS, the Department of Environmental Protection has approximately \$31 million dollars for State wide acquisition of properties through the Blue Acres program with much of these funds earmarked to buy out properties that are vulnerable to flooding and storms to get people out of harm's way along and within the Passaic River Basin; and

WHEREAS the residents of the Borough of Lincoln Park and other communities in Morris, Passaic and Bergen Counties continue to experience personal injury, property damage/loss, loss of wages, income/revenue and inconvenience due to significant road closures of major highways and arteries without any real assistance to remediate or mitigate the continual flood threat that has significantly lowered home values and placed additional hardships on public operations within those communities such as emergency services (police/fire/first aid), hospitals, schools, mail service and other vital support services;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, in the county of Morris, and State of New Jersey, that we support the recommendations advanced by the Passaic River Basin Flood Advisory Commission calling for a realistic package of recommendations (15 recommendations in total) that will help to minimize the impact of flooding in the Passaic River Basin;

BE IT FURTHER RESOLVED that the recommendations and initiatives of the Passaic River Basin Flood Advisory Commission be acted upon without delay in order to prevent and or minimize the impact of future flooding within the region by calling upon the continued support of Governor Christie, along with our legislators and senators

District 25 - (Morris) Boonton, Boonton Township, Denville, Dover (Morris), Jefferson, Mendham Township, Mine Hill, Morris, Morristown, Mount Arlington, Mountain Lakes, Randolph, Rockaway, Rockaway Township, Roxbury, Victory Gardens, Wharton

District 26 - (Morris and Passaic) Bloomingdale, Butler, Chatham Borough, East Hanover, Florham Park, Hanover, Kinnelon, Lincoln Park, Montville, Morris Plains, Parsippany-Troy Hills, Pequannock, Pompton Lakes, Riverdale, West Milford

District 27 - (Essex) Caldwell, Essex Fells, Fairfield (Essex), Livingston, Maplewood, Newark, North Caldwell, Orange, Roseland, South Orange, West Caldwell, West Orange

District 35 - (Bergen and Passaic) Glen Rock, Haledon, Hawthorne, North Haledon, Paterson, Prospect Park, Totowa

District 40 - (Bergen, Essex and Passaic) Cedar Grove, Franklin Lakes, Little Falls, Mahwah, Midland Park, Oakland, Ridgewood, Ringwood, Verona, Wanaque, Wayne, Wyckoff

Eighth Congressional District

ESSEX COUNTY: Belleville, Bloomfield, Cedar Grove, Glen Ridge, Maplewood (part), Montclair (part), Nutley, South Orange (part), Verona, West Orange (part)

PASSAIC COUNTY: Clifton, Haledon, Little Falls, North Haledon (part), Passaic City, Paterson, Pompton Lakes, Prospect Park, Totowa, Wayne, West Paterson

Eleventh Congressional District

ESSEX COUNTY: Caldwell, Essex Fells, Fairfield, Livingston, Millburn (part), North Caldwell, Roseland, West Caldwell

MORRIS COUNTY: All

PASSAIC COUNTY: Bloomingdale

SOMERSET COUNTY: Bernards Twp., Bridgewater (part), Raritan, Somerville

SUSSEX COUNTY: Byram, Hopatcong, Ogdensburg, Sparta, Stanhope

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Authorization.

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Council of the Borough of Lincoln Park, of New Jersey does ordain as follows:

Findings.

1. The flood hazard areas of the Borough of Lincoln Park are subject to periodic flooding which results in injury and loss of property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

Statement of Purpose.

It is the purpose of this resolution to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To heighten awareness for short and long term relief of communities continuously impacted by significant flooding.
2. To ensure community support for the work of the Passaic River Basin Flood Advisory Commission and to make certain that this awareness and focus remain in effect until an acceptable relief system is in place.

Objectives.

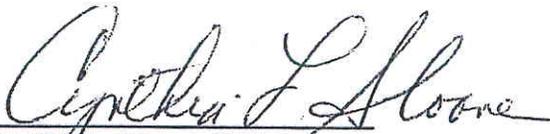
The objectives of this Resolution are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area and the methods set forth to reduce continued flood losses;
8. To maintain eligibility for participation in the NFIP.

BE IT FURTHER RESOLVED that the Clerk is hereby directed to forward a copy of this Resolution to all Municipal Clerks in Morris County, Clerks in Portions of Essex County, Bergen County, Passaic County and Somerset County.

ATTEST


Raymond T. Kerwin
Acting Council
President



Cynthia L. Sloane, R.M.C.
Deputy Borough Clerk

I, Cynthia L. Sloane, Deputy Borough Clerk of the Borough of Lincoln Park, County of Morris, do hereby Certify the foregoing to be a true and correct copy of a Resolution Adopted by the Governing Body at the April 18, 2011 Regular Meeting.



Cc:

Cynthia L. Sloane, R.M.C.
Deputy Borough Clerk
BOROUGH OF LINCOLN PARK