

Please note that the information provided below is to be helpful and informative and should not in any way be considered legal advice. You should consult with your own legal counsel regarding the legal issues discussed herein.

- 1. What can the town do to help defray the increases residents will likely see in their flood insurance policies due to claims they submitted for damage from Hurricane Ida?**

The Township does not have a process to help fund any premium increases because of claims due to Ida. It is undetermined even if premiums will rise from one storm. However, even if they are raised it is not always a permanent increase.

- 2. FLOOD INSURANCE- What happens when the homeowners living in a flood zone lose their flood insurance due to multiple claims? If you have a mortgage and live in a food zone, must you carry flood insurance?**

In the situation of multiple claims, it is true that private insurance companies may drop coverage. However, FEMA cannot and will not drop flood insurance coverage.

- 3. If this happens and a homeowner can't find affordable flood insurance is there a way to have the town or county subsidize the homeowners flood premium or give a decrease in yearly taxes?**

Currently there is no direct subsidy program of the Township, County or State because of increased flood insurance premiums. Affected homeowners could possibly get a reduction in their real estate taxes by seeking a tax appeal through the court system. Diminution in value because of flooding or higher premiums may be argued as a reason to lower a homeowner's assessed value.

- 4. If these two instances can't be met, is the next step to start the process of buying the property through FEMA grant money? Who is responsible for starting that process?**

The process to have FEMA, i.e. the Federal Government, purchase private property is very complicated, long term and extensive. It involves the Federal, State, County, and Municipal governments. They will be required to perform benefit/cost analysis based on loss history. These buyouts usually involve properties where there is extensive damage and/or first floor flooding occurs.

The responsibility to start the buyout process is not focused on one entity. Funding for buyouts is very limited both on the Federal and State level. As a result of Ida, approximately 100 homes in Nutley had reported flooding, mostly in basements. On Stager Street, approximately 2-3 homes reported basement flooding. Under these circumstances, even despite the personal hardships endured by those families affected by the storm, it is very unlikely that a buyout application, for those and similar homes, would be considered competitive for any of the Federal or State grant money.

5. FEMA GRANTS TO BUY PROPERTY- What is the criteria to be eligible to apply for a grant for FEMA to buy your house?

Unfortunately, the FMA (Flood Mitigation Assistance) grant is not currently open and is dependent on Federal budget appropriations. The next enrollment period may be in the late fall or winter of 2022. This grant is a national competitive grant that provides money to homeowners, through the Township, to flood proof (raise etc.) or acquire the structure. Homeowners must have flood insurance in order to be considered in the grant process and the grant is submitted through the Township to the State of New Jersey first. The State will rank the project and dependent on this ranking the project may be submitted to the Federal Government for consideration or denied.. This grant is awarded by the Federal Government via a point system. To maximize points the home would have to be considered either a Severe Repetitive Loss (SRL) or a Repetitive Loss (RL). Loss runs for all homes in the project will be submitted through the grant as a criteria for consideration.

Sever Repetitive Loss(SRL):

a. For which four or more separate claims payments (includes building and contents) have been made under flood insurance coverage with the amount of each

such claim exceeding 5,000 and with the cumulative amount of such claims payments exceeding \$20,000, or

b. For which at least two separate claims payments (includes only building) have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Repetitive Loss (RL):

a. Has incurred flood-related damage on two occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and; at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

6. COMMUNICATION- How can the township communicate to their flood population about the ongoing tasks and evaluations that they are currently exploring? What has the township done or what are they currently doing?

The Township hired Pennoni Associates to conduct a Hydraulic and Hydrologic (H&H) comprehensive study to see if there is a way to reduce flooding. The Township is also applying for 406 hazard mitigation to improve infrastructure. 406 hazard mitigation is any sustained action taken to reduce or eliminate long term risk to people and property from natural hazards and their effects and is directly tied to damages incurred to public property due to flooding during the storm. In addition, to mitigate future drainage issues the Department of Public Works will be continually checking catch basins to ensure they are free of debris which allow water to flow more efficiently during storms.

7. When will progress be reported to the community?

Both the H&H study, and 406 hazard mitigation application process takes time. We will update the public through the normal modes of communication including updates on the Township websites and through email communications.

8. How will the flood mitigation project of the Peckham River (Little Falls) to the Passaic River effect

our township? <https://www.northjersey.com/story/news/passaic/little-falls/2022/01/31/peckman-river-flood-project-funds-little-falls-nj/9255403002/>

According to the Township engineers, this project should not affect, either positively or negatively, our township at all. The Engineering department is continuing to monitor the project on Nutley's behalf.

9. PARKING DURING FLASH FLOODS- Many people lost their cars during Ida. Why can't the people who are located in a flood zone move their cars to higher ground closer to their homes? Why are we asked to move our cars to Municipal Lot 1 by the Park Diner? There should be an exception to the flooded homeowners. There needs to be a better protocol for our flood population during flash flood warnings. Very insensitive to call a car in for overnight parking up on higher ground and to be told very sternly "no, you must move your car to municipal lot one" which clearly is an inconvenience for anyone living a distance from the diner.

The Township is going to look into more areas that we can allow residents to park during possible flooding. The problem with residents parking on the street during flash flooding situations is because people should not be on the road moving their cars. Residents need to be aware that flash flooding presents significant dangers to residents and emergency personnel.