



**Luzerne County Flood Protection Authority**  
1989 Wyoming Avenue  
Forty Fort, PA 18704

**Minutes**  
**July 16, 2024 Regular Session**

**Call to Order**

On July 16, 2024, at 1:01 P.M., the Luzerne County Flood Protection Authority Board convened their regular monthly meeting at the Luzerne County Flood Protection Authority Administrative Offices, 1989 Wyoming Ave, Forty Fort. It was noted that all meetings are electronically recorded.

Mr. Yannuzzi, Chairman, called to order the July 16, 2024 meeting.

**Pledge of Allegiance and Moment of Silence**

**Present**

Mr. Dominic Yannuzzi, P.E., Chairman  
Mr. William Hardwick  
Mr. Jay Delaney  
Mr. John Maday - *Absent*  
Mr. Coray Mitchell

**Also Present**

Christopher Slusser, Esq., Slusser Law Firm, LCFPA Solicitor  
Amy Grevera, CPA, Grevera and Associates, LCFPA Accountant  
Laura Holbrook, LCFPA Deputy Director  
Deana Prochaska, LCFPA Administrative Assistant (Recording Secretary)  
Kayla Roselle, LCFPA Project Engineer  
Jen Andes, Reporter, Times Leader  
Eric Mark, Reporter, Citizens Voice  
Sondra Riviello, Municipal Administrator, Kingston Borough  
Nancy Cooper, Vice President, Kingston Borough Council  
Adam Gober, DPW Director, Kingston Borough  
Public

**Public Input**

**Sondra Riviello:** I think at this point, we are all wondering, what the status is of the appeal? We were supposed to hear back sometime in June but haven't heard anything. Do we have any status on the appeal?

**Laura Holbrook:** The LCFPA put in a request with USACE to have a study performed on the interior drainage flooding. We requested from Kingston, Forty Fort, Swoyersville, Exeter and other municipalities behind the levee reach that were going to be impacted to provide us with their respective municipal stormwater infrastructure updates.

That has been done and has been given to the USACE for incorporation into their hydraulics and hydrology (H&H) model, however the study is still underway. I reached out to them last week and they expect to have results by the end of this year.

We are waiting for the final report and upon completion will need to be reviewed, approved, and signed. If the results of the interior drainage study support a revision to the current flood maps, the USACE will submit a Letter of Map Revision (LOMR) to FEMA. Approval of the LOMR by FEMA will formally revise the flood maps. From a timeline standpoint, we are still looking at quite a few months until this process is completed.

**Sondra:** Until the analysis is done?

**Laura:** Yes, and then the map revision.

**Sondra:** And they have until the end of the year to do that?

**Laura:** Well, they don't have a deadline but that is what we are anticipating. Of course, we can apply some pressure and try to speed that up as much as possible but that is the latest from USACE, who are performing the study.

**Mr. Hardwick:** If I may, for those of us who are kind of new to the conversation, how did we get to where we're at with what is being done.

**Laura:** The previous flood maps that became effective in November 2012 did not reflect the effects from the 2011 Tropical Storm Lee Flood. This and other data has now been incorporated into the new FEMA flood maps. Right now, the USACE are taking into account the new information that the municipalities have provided. Once the USACE completes the analyses with your pump station updates and stormwater mitigation they will send it to FEMA.

**Sondra:** The 2011 event?

**Laura:** Yes, correct. Those were not incorporated in the 2012 maps because at that point it takes them several years to do the analysis.

**Sondra:** So, what was the assessment period for the 2012 map?

**Laura:** FEMA is required to review a community's flood maps every five years. The agency must then decide whether to update or change them. FEMA must reassess flood maps regularly because flood don't remain the same.

**Sondra:** OK, so for the 2024 maps the assessment period goes all the way to the last high water event which was 2011. Is that the case for all communities?

**Laura:** Yes. In the development of the new flood maps, FEMA is taking into account prior flood events, the effects of climate change, land development in the watershed, and other flood factors. What has happened in the past and what we are going to see.

**Sondra:** Are there any other contacts or anyone else we could reach out to? In the interim to kind of keep the pressure, to let them know we are still waiting and anxious to get these results.

**Laura:** Sure, that is what we can do as the LCFPA. We requested that the study be done so we can and will do that. FEMA is the one who put out the maps so they would be able to give you more information about how they came up with their results.

**Sondra:** I spoke to several people at FEMA, so should I be reaching back out to them because the thing that concerns me is if the assessment period is 5 years, or the last 5 years for the 2012 map, wouldn't that have included the 2011 high water event?

**Laura:** It didn't.

**Sondra:** It did not?

**Laura:** Correct.

**Sondra:** So, what is it based on then? What is the new 2024 map based on then if it's not taking into consideration that high water event in 2011?

**Laura:** I'm sorry but I believe you misunderstand. The new 2024 flood maps **do** take into consideration the 2011 Tropical Storm Lee Flood event.

**Sondra:** OK so then the assessment period is a lot longer than 5 years, if they are going all the way back to 2011 or prior to that?

**Laura:** For the new flood maps, FEMA would be taking into account numerous factors since the issuance of the previous maps. In their analysis, these factors include that the frequency and severity of storms have increased, there has been land cover changes in the watershed and changes to the river.

**Sondra:** Well, that's what I am asking, if they are basing it on an assessment period. I mean they are going back to the last high-water event, which was 2011, but we had no ponding, no issues there. We have done everything we can at this point, getting them to give us an answer. Especially if they ordered another study to be done but we still don't have any answers, and now it's going to take another 6 months according to what they told you.

**Laura:** Just to be clear, it is not just based on the last event. We requested the interior drainage study on behalf of the municipalities located behind the Kingston to Exeter levee reach and will cost share with the USACE its \$190,000 estimated cost. We will ask for an update and try to move the timeline along.

**Sondra:** So, for all of the local municipalities, you are really the only point of contact?

**Laura:** Yes, we will put more pressure on the USACE to complete the study.

**Sondra:** Thank you.

**Mr. Hardwick:** I think unfortunately, some part of this is that federal agencies may not move as fast as we would like to see them move. I think everyone is aware that FEMA has been taxed with a lot of natural disasters and things, that have probably used up quite a bit of funds. I'm not suggesting that they are redoing items to create revenue but they're certainly not doing them to reduce any of the revenue that goes to FEMA. To Laura's point as well, I think we need to make sure it's clear, it isn't if a high-water event occurred, was there a flood vs they look and say is there a risk of? What I learned is, you all have done whatever is necessary to mitigate that risk, so that's why I suggested coming in because I do think it's possible if we remind everybody and stay on top of this, we might be able to get it to move along a little quicker or at least remind everyone we are watching and there are folks that need some answers.

Three years and the dollars that have been invested by both the municipalities and the LCFPA, I think maybe it's time we reach out within the federal government and see what type of assistance and how much input we can get with some help there because it doesn't sound like they are in any need to fast track anything, no offense to the efforts anyone has been doing. I just don't see results very quickly coming along. Being my second term on the Board, I have come to learn that it seems like some of the federal agencies unfortunately conduct their business that way.

I will do whatever I can within this Board to help you folks to try and get this resolved. I know when Laura and I talked the other day she said we would do what we could and would continue to push or at least remind everyone that we are waiting for some answers. And they are deserved answers, whatever direction it goes, it shouldn't take this long to finalize something like this, in my humble opinion.

**Mr. Delaney:** I would also offer that not only does it affect Kingston, but these new maps affect every community along the Susquehanna River. You are not in it alone, there are a lot of other communities that share the same concerns you have.

**Sondra:** I understand, do we know how many other communities are affected by the new flood maps? How many appeals are out there locally?

**Laura:** Locally, I know Exeter has. I am not aware of others, but I believe any active appeals are posted online on FEMA's website. The last update that I received about the interior drainage study, is that the Baltimore District is reviewing the study and report, so the report I believe is nearly complete.

**Nancy Cooper:** I have lived in my house for 52 years and we have never ever had a drop of water. We were in the 'A7' zone from the very beginning when flood insurance became available to Kingston, we paid all those high rates until we were put in "Zone X" in 2012. We never asked FEMA for anything and then when we filed the appeal, that had a deadline and if we didn't meet it I guess you were probably out of luck.

I just don't feel like they feel they owe us an answer after 3 years of this appeal, I just don't understand it. It is very frustrating. I want to know what they are doing with our flood insurance, those of us who are in "Zone AE". Like if someone calls for flood insurance and they have this latest map, what kind of quotes are they getting. To me if you have an appeal, it should place "on hold" any changes that are supposed to be made. Do you know the answer to that?

**Laura:** I do not but I could try and find out. I don't believe that an appeal will prevent flood insurance rates from being applied to homeowners based on the new 2024 maps. Once you begin the letter of map revision process, it may, but that's only after the study is approved. Right now, the study is active and ongoing. Once the study is formally approved and signed that may occur but I can't speak to that internal process.

**Nancy:** I talked to Mr. Belleman several times probably starting in December or January, and his answer to me was that they didn't finish the survey or analysis they were doing. It was taking longer than he had anticipated. Is this letter of map revision (LOMR) done after this analysis?

**Laura:** The study has to be formally approved and signed. The USACE essentially provides the information to FEMA, and then FEMA goes through their process in order to accept the study. If the results of the study support a change to the flood maps, the USACE would develop the LOMR and issue to FEMA.

**Nancy:** But in the meantime, they could be charging us high rates because of being located in a "Zone AE" designation?

**Laura:** To my knowledge, yes.

**Nancy:** That doesn't seem right to me but whatever. Plus, they didn't have our pumps, our pumps are how old Adam, several years right? They didn't even have all the pumps we have on their maps. They are working with information that is not up to date.

**Laura:** If that information was provided to the LCFPA, then it was passed on to the USACE and would be used in the analysis that is currently underway. So, that would be reflected in any future revised flood map(s). The interior drainage study is taking a little longer than anybody anticipated.

**Nancy:** I really think that a lot of people who are now going to be located in a "Zone AE" designated area are not aware. Wait till they start getting the bills, they are going to up our bills just because of the "AE" zone. There is no history, do they check claims that came in the areas, because I can't imagine there were many claims?

**Laura:** Does who check the claims?

**Nancy:** FEMA or USACE, to determine the zones.

**Mr. Hardwick:** I think unfortunately some of these questions, I don't believe we know all of FEMA's steps in evaluating and coming to what they do. The more I sit here and listen, I think how do we get these groups together. I know it's been a while but maybe the next 30 days or so, if there is no action, because we have reached out already, then maybe it's time we try to pull the parties together for some answers. I understand the frustration.

**Nancy:** All of those years we had to pay the 'A7' zone rate, never had any claims. Finally, we get relief in 2012, this was from 1978 – 2012. Then we finally got relief, and we were the same as the rest of the town. We thought all different reasons why we were 'A7', Toby's Creek, then they redid the impounding basin in Pringle, that was another thing they cited was a problem. Then they told us the bridge that goes from Union Street into Pringle, it was lower on our side then it was on the Pringle side. So, it is hard to have a lot of faith in the USACE or FEMA, if you have been through what we have been through. Paid and paid and paid.

**Mr. Hardwick:** Do we know how many properties?

**Nancy:** 387 I think are in the "Zone AE" designation.

**Mr. Hardwick:** In this area?

**Nancy:** Just by us. Like I said I'm sure many people are not aware of the reclassification and us being put in a new zone, we are back in the high zone. I think flood insurance for a lot of people is going to be unaffordable. We don't have a mortgage, so we don't need it because we have been there for 52 years. However, who's going to buy our house knowing the rate of flood insurance, that's a deal breaker.

**Mr. Delaney:** I agree with everything you have said. Understand this is not just a Wyoming Valley and/or Luzerne County issue, these new flood maps go from California to New Jersey, every state in the US has the upgraded flood mapping and I imagine these appeals are just pouring into FEMA. I fully understand your case, Wilkes-Barre, Hanover Twp, Exeter, W. Pittston, Plymouth, Plymouth Twp all have these same issues but as I jump into it these new flood maps are United States not just here. So, I don't know if that is the holdup.

**Nancy:** But to go forward, I always thought an appeal puts a hold on any process that is intended to go through, but to then raise our rates, what happens if we win our appeal? Do they refund the difference? I doubt it, so I am surprised that they would go forward with charging the higher rates before our appeal, which was due 3 years ago, costing our town over \$70,000 or more.

**Mr. Hardwick:** And we invested...

**Laura:** \$95,000.

**Mr. Hardwick:** So there is money, resources, and people's lives affected. Again, as one Board member I will work as much as I can with you to try and bring this to some sort of resolution, may not be the best resolution for everyone but if we get to a resolution at least then everybody knows where they're at.

**Nancy:** Thank you.

**Adam:** So, the conveyance system, my biggest concern as a public works director is the pump stations in the 'A7' zone. The balance of our systems are in that zone and they pump across into other towns. We pump water to Edwardsville, Church Street Station, and directly into the Susquehanna River. The conveyance system that basically gets into that Mercer/Poplar system, (inaudible), is that the property of the LCFPA or is it just the outflow side that is? I can't find a document anywhere.

The reason I am questioning that is because as you know we do a lot of maintenance in those stations and our storm drains. To get the water to the station we want to achieve as much volume and capacity as possible. My question is though the conveyance system that moves water from town to town, is that an LCFPA system or is it a Kingston, Forty Fort, Swoyersville, Edwardsville system?

**Laura:** I am not 100% sure what you are talking about.

**Adam:** The Mercer Tube, I know when I look on GIS Mapping, wherever that tube is it says LCFPA property.

**Mr. Yannuzzi:** You said it is?

**Laura:** Are we talking about what comes out of Toby's Creek and into our pump station?

**Adam:** Talking about both of them, Toby's Creek and the Mercer/Poplar Station.

**Mr. Yannuzzi:** Please make an appointment with Laura, to go over all of that. We could try and come up with a resolution, and then you could express your concerns and if you are concerned about who maintains it after your pump station then we could look into that. If we maintain it, we will make sure it is properly maintained. If it is someone else, we will make sure to work with you so that it is properly maintained, if it is another entity.

**Mr. Hardwick:** And you are talking about the tube, the inlet is over by Gerrity's, and the outlet is over by Lowe's?

**Adam:** I'm talking about that one but I'm also talking about, the large (inaudible) site that comes under the railroad tracks at Division St. through the re-development and then gets into the LCFPA right there on Brook St.

**Mr. Hardwick:** It's a good question, we should probably all know who has responsibility and for what parts.

**Adam:** I am just wondering and the only reason I know this is because of the MS4 process and writing that plan years ago, we had to identify those maintenance agreements.

**Mr. Yannuzzi:** If you get together with Laura, she will help figure it out and I believe Chris is going to be back tomorrow. We will work with you to figure it out, as well as the mapping issue.

No more input was offered from the public. Mr. Yannuzzi thanked everyone for their questions and comments and moved on to the regular meeting.

### **Regular Meeting**

**Motion was made to ratify the minutes of the Authority meeting held on June 18, 2024.**

Motion by: Mr. Delaney

Second by: Mr. Hardwick

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

### **LCFPA Activities/Projects**

A. Staff Activities/Project

B. Board Activities/Project

### **Bills and Communications**

**Motion was made to approve the payment of the bills as presented.**

Motion by: Mr. Yannuzzi

Second by: Mr. Hardwick

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

### **Report of the Treasurer**

**Motion was made to submit the report of the Treasurer into the record as stated.**

Motion by: Mr. Hardwick

Second by: Mr. Yannuzzi

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

### **New Business**

**Motion was made to approve Change Order #1 with Solid Wall LLC, 55 Moreland Road, Huntingdon Valley, in the amount \$46,465.00 on the "Wilkes-Barre Flood Wall Expansion Joints Replacement Project". This change order request is for out-of-scope additional joint sealant work completed on the flood wall along Riverside Drive. This project was identified for reimbursement under our ARPA grant award.**

Motion by: Mr. Yannuzzi

Second by: Mr. Delaney

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

**Motion was made to approve the purchase of a Quality trailer #FP5.2K20PK, 10k GVWR deck over trailer 20' long, from Powell's Sales and Services, Inc., 7402 Justus Blvd, Clarks Summit, PA 18411, in the amount of \$8,633.00. The purchase is under the COSTARS procurement program.**

Motion by: Mr. Delaney

Second by: Mr. Yannuzzi

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.



**WVLRP Mitigation Program**

Motion was made to authorize the implementation of Luzerne County; PIN #02-24-0001 “*Wilkes-Barre City Brookside Levee Rehabilitation Project*”, in the estimated amount \$666,000.00.

Motion by: Mr. Yannuzzi

Second by: Mr. Hardwick

Motion passed by a vote of 3-1. “AYES” – YANNUZZI, HARDWICK, MITCHELL.  
“ABSTAIN” - DELANEY

Motion was made to authorize the implementation of the following (5) properties:

- Luzerne County; PIN #02-24-0002 “*Residential Acquisition and Demolition, 74-76 Allen Street, West Nanticoke*”, in the estimated amount \$180,000.00.
- Luzerne County; PIN #02-24-0003 “*Residential Acquisition and Demolition, 12 South Mill Street, West Nanticoke*”, in the estimated amount \$193,000.00.
- Luzerne County; PIN #02-24-0004 “*Residential Acquisition and Demolition, 390 East Canal Street, West Nanticoke*”, in the estimated amount \$125,000.00.
- Luzerne County; PIN #02-24-0005 “*Residential Acquisition and Demolition, 242-246 U.S. Route 11, Hunlock Creek*”, in the estimated amount \$257,000.00.
- Montour County; PIN #03-24-0001 “*Residential Acquisition and Demolition, 24-34 River Drive, Bloomsburg*”, in the estimated amount \$141,689.00.

Motion by: Mr. Delaney

Second by: Mr. Hardwick

Motion passed by a vote of 4-0. “AYES” – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

On the question:

**Mr. Hardwick:** All of these properties are out of our mitigation funds?

**Laura:** Correct.

**Mr. Hardwick:** So, at this point, owners of the properties have been notified and there are agreements?

**Laura:** Owners have given us their voluntary participation form, meaning that they are interested in the process at this point, next we get appraisals and make them offers, that they choose to accept or deny. Then we purchase the property, perform hazardous material identification and abatement (asbestos), and then demolish the properties and perform site stabilization.

**Mr. Hardwick:** These property values are based on appraisals?

**Laura:** Yes. They are based on formal appraisals. The hazardous material abatement/removal and demolition contracts are bid out.

**Mr. Hardwick:** OK. Thank you.

**Mr. Delaney:** This is directed towards the Solicitor. If I want to make an amendment to the original motion, when can I do that?

**Mr. Slusser:** Now.

**Mr. Delaney:** OK, my amendment is to keep the Wilkes-Barre City separate, and the remaining (5) properties can be one vote.

**Mr. Slusser:** Your motion is to vote on the Wilkes Barre City one separately?

**Mr. Delaney:** Yes.

**Next Regular Meeting**

August 20, 2024 at 1:00p.m.

1989 Wyoming Ave

Forty Fort, PA 18704

**Adjourn**

**Motion was made to adjourn the July 16, 2024 meeting of the Luzerne County Flood Protection Authority Board.**

Motion by: Mr. Yannuzzi

Second by: Mr. Hardwick

Motion passed by a vote of 4-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MITCHELL.

Meeting adjourned at 1:41 P.M.

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Respectfully submitted,



Deana Prochaska  
Recording Secretary