

**APPENDIX**

The Senate Environment and Energy Committee and the Assembly Environment  
and Solid Waste Committee Joint Hearing

September 30, 2013

Good morning, I am Joanne Gwin and I am here today with my husband, Steve, and we are from the Silverton section of Toms River. First of all I would like to thank you for the opportunity to testify on the recovery process of Sandy. Sandy flooded our home while we were on vacation. We returned on November 1<sup>st</sup> to find our two cars and the entire first floor(which is the main living area and three bedrooms) of our home had been flooded and all the contents/furniture destroyed. The second level was the master bedroom suite, and that was untouched.

We did what everyone else did during that time, put all our possessions on the curb and ripped apart our walls and floors trying to salvage what we could. We have a friend in the mold remediation business that came immediately and did initial treatment.

We had our builder come to assess the damage; his recommendation was to tear it down and rebuild, as there was too much damage and it was not worth repairing.

We have a \$250,000.00 Flood Insurance policy through Selective Insurance. The flood adjuster along with our hired Public Adjuster came to the home on November 28<sup>th</sup>, 2012 to assess the damage. Four months later we received a check from Selective for only \$101,000. The Public Adjuster and my husband both reviewed the loss statement and found several discrepancies, including missed wiring, no compensation for insulation and they referred to the "bathroom with the window" We DON'T have a window in the bathroom....so what house did they assess? To date: this claim is still not settled, as we have filed a Proof of Loss thorough our Public Adjuster

Since November 2012 we have lived in a hotel, and with family and friends, before moving into the rented apartment we now reside in. FEMA covered our security deposit, but have denied us any other living assistance. I made two appeals to them, and have never gotten a reply to those appeals.

We are we today? As of today September 30<sup>th</sup> 2013 we are no closer to moving back home than we were on November 2<sup>nd</sup>, 2012. We are paying our mortgage, our taxes, homeowner and flood insurance,(on a house we can no longer live in), as well as apartment rental, storage facility fees, along with two new car payments, and the normal household monthly expenses.

In February, we contacted our builder, received plans and pricing for a new home. We then contacted Wells Fargo (since they hold our mortgage) to assist us with the additional funding necessary to move forward. Unfortunately, we were met with disappointment and no assistance. We were basically advised to go to family members for the money, as the bank didn't have a program to help us. Can that right? We have never missed a mortgage payment, we have good

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credit, and there is nothing to assist us? Now on top of everything else, we are being treated as a credit risk. It just doesn't seem fair.

When the RREM Grants were announced in May, we immediately applied. We were preliminarily approved for the Grant in July. Once approved, we supplied all the necessary paperwork. We were immediately notified for a house inspection which took place on July 29<sup>th</sup>, the house was surveyed on August 2<sup>nd</sup> and the Asbestos Inspection took place on August 6<sup>th</sup>. On August 15<sup>th</sup>, I was called by a woman who identified herself as our "case manager." She told me our next inspection should be a DEP Inspection then a contractor inspection. After that they will award a grant amount and will make a decision on how to proceed. On September 13<sup>th</sup>, our case manager called to tell me I would be getting a packet in the mail that wouldn't pertain to us, but she just wanted to let me know it was coming. I took the opportunity to ask her about the status of our grant. She chuckled and said, "I've been looking at your file for a month and all I can tell you is that it is marked in Bold Red Letters that say Special Review File." She said she had no idea what that meant and neither did her supervisors. I have not heard from her since.

We were notified also in July that we were approved for the \$10,000 Resettlement Grant which we gratefully received with no problem.

Tired of waiting and needing to move forward, this past Friday, we contacted another financial institution and made another attempt to secure funds to assist in rebuilding. Unfortunately, we were told they cannot help us until we have signed contracts, and house plans in hand. Since we are now into the Grant Process, we are not allowed to do this on our own. It is our understanding that if we are approved for the grant, we will be under the guidance and rules of the program, and will have to use their approved contractors and plans.

We are now at a standstill waiting for the next step. What is the next step? Does anyone know?

We are "shore" residents and were thrilled to see the boardwalk and beaches reopen, as that is also our home. But as happy as we were to see and share that excitement, we continually ask the question, "what about us?" "What about all the others still displaced?"

We have a \$250,000.00 insurance policy, which we faithfully paid for, for 20 years. Our house was flooded; our house was destroyed and needs to be completely rebuilt. We now have a need for that money and we only received 40% of the policy, which is not enough to rebuild our home. So our only option now seems to be to use funds from a grant program, which if it all comes through as planned, combined with the settlement we have already received, will equal \$250,000.00. Why must we go through all this? Why couldn't the insurance company just write us a check for the policy we have paid for? Aren't both of these agencies government funded? Isn't it all the same money?

So we wait...

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We wait to find out what The Special Review file is?

We wait to find out if we are fully approved.

We wait to find out how much, if any, of the grant money we will receive.

We wait to knock down the existing mold covered structure, which continues to deteriorate with each passing day.

We wait to begin looking at house plans?

We wait to go home.

We are now coming up to the one year anniversary of Sandy. One year out of our home, and we are looking at another Christmas with a table top tree in our apartment instead of introducing our grandson to the nine foot Christmas tree which has always been our tradition.

Thank you for your time and anything you can do to expedite this process so that we GO HOME!



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## CONSTRUCTION CODE ENFORCEMENT

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January 2, 2013

Ocean City, NJ 08226

RE:

Dear Property Owner:

We have reviewed your recent application for a permit to repair your existing home that was damaged by Hurricane Sandy. The building is located in a mapped Special Flood Hazard Area. As required by our floodplain management regulations and/or building code, we have determined that the building has been substantially damaged. This determination is based on a comparison of the cost estimate of the work required to restore the building to its pre-damage condition to the market value of the building (excluding land value). When the cost to repair equals or exceeds 50 percent of the market value of the building, the work is repair of substantial damage.

As a result of this determination, you are required to bring the building into compliance with the flood damage-resistant provisions of the regulations and/or code Chapter XXI Flood Damage Prevention.

We would be pleased to meet with you and your designated representative (architect/builder) to discuss how to bring your home into compliance. There are several aspects that must be addressed to achieve compliance. The most significant requirement is that the lowest floor, as defined in the regulations/code, must be elevated to or above the base flood elevation (BFE) (or the elevation specified in the regulations/code). You may wish to contact your insurance agent to understand how raising the lowest floor higher than the minimum required elevation can reduce NFIP flood insurance premiums.

If the damage was caused by flooding and if you have a flood insurance policy from the National Flood Insurance Program, you should contact your adjuster to discuss the Increased Cost of Compliance (ICC) coverage. This coverage may provide a claim payment to help pay for work required to bring your home into compliance. Your adjuster can explain that the ICC claim may also be used to pay certain costs associated with demolishing and rebuilding your home, or moving your home to a site outside of the floodplain.

Please resubmit your permit application along with plans and specifications that incorporate compliance measures. Construction activities that are undertaken without a proper permit are violations and may result in citations, fines, or other legal action.

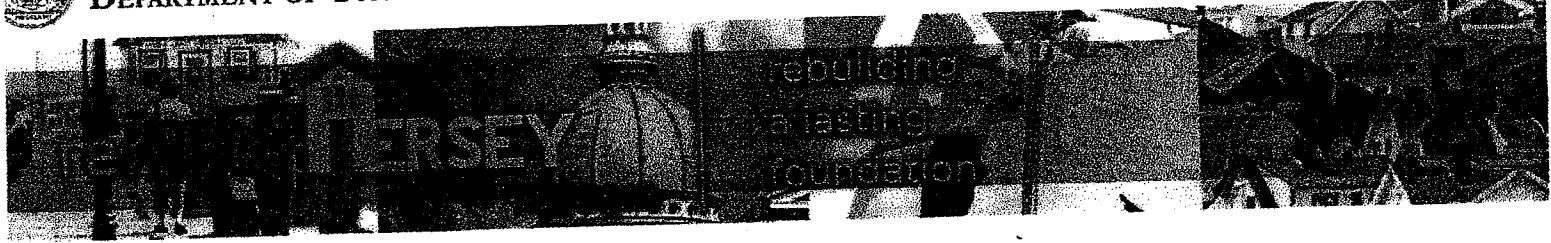
Sincerely,

Patrick W. Newton, Jr.  
Construction Official

PWN/sar

115 12<sup>th</sup> STREET, OCEAN CITY, NJ 08226  
609-525-9174 FAX: 609-399-8419

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Ocean City, NJ 08226

July 8, 2013

Dear  
Application #:

This letter is being sent in response to your recent application to the 'reNew Jersey Stronger' Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program. As set forth in the program guidelines, the RREM Program is only available to primary homeowners who registered with FEMA in one of the nine most impacted counties, had more than \$8,000 of Sandy-related housing damage, and have a household income of less than \$250,000.

Based upon our review of the information you provided and other available data, you do not meet the eligibility requirements for assistance through this program because your residence did not have sustained damage as a result of Superstorm Sandy with a Full Verified Loss (FVL) of at least \$8,000 (eight thousand dollars) or have more than one (1) foot of water on the first floor, among other possible disqualifying factors. Please be advised that proper resolution of this ineligibility determination will lead to eligibility only if there are no other reasons to support ineligibility.

This denial may be appealed, in writing, within 30 days of receipt of this letter. For more information about the appeal process, visit <http://www.renewjerseystronger.org/appeal> or call the Housing Assistance Hotline at 1-855-SANDYHM (1-855-726-3946).

Sincerely,

Richard E. Constable, III  
Commissioner

*The State of New Jersey has received federal Community Development Block Grant- Disaster Recovery (CDBG-DR) funding for Superstorm Sandy recovery efforts. The Department of Community Affairs (DCA) is administering programs to support eligible New Jersey homeowners, landlords and renters.*

reNEW Jersey Stronger  
reNEW Jersey Stronger Call Center  
1-855-SANDYHM (726-3946)  
Department of Community Affairs



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*State of New Jersey*

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125 WEST STATE STREET  
PO BOX 001  
TRENTON, NJ 08625-0001

CHRIS CHRISTIE  
*Governor*

MARC-PHILIP FERZAN  
*Executive Director*  
*Office of Recovery and Rebuilding*

September 13, 2013

Via Electronic & First Class Mail

Jeff Tittel, Director  
New Jersey Chapter of the Sierra Club  
145 West Hanover Street  
Trenton, New Jersey 08618

**Re: Superstorm Sandy Recovery**

Dear Mr. Tittel:

Thank you for your letters to Marc Ferzan and Ed Smith regarding the Hurricane Sandy Rebuilding Task Force Strategy Report recently released by Secretary Donavan. The State worked closely with the Hurricane Sandy Rebuilding Task Force as referenced throughout the document. As set forth below, the State shares your goals of building back more resiliently and in an environmentally responsible matter.

The State has infused strategy and planning in every aspect of its recovery, ensuring that we address fundamental needs, but also endeavor to rebuild back better and more resilient than before. In January 2013, the State established by emergency rule the best available data from FEMA's flood maps, plus one foot of freeboard, as the rebuilding standard. This heightened standard ensured that New Jersey homeowners and businesses would not rebuild to decades old standards. The federal government itself adopted this standard nearly two months later, and linked use of Supplemental Appropriation disaster recovery resources to compliance. Using Community Development Block Grant – Disaster Relief funds and the Hazard Mitigation Grant Program, we have encouraged flood hazard mitigation strategies through residential elevations and buyouts.

New Jersey also launched the Post-Sandy Planning Assistance Grant Program, which provides individual communities with substantial planning grants. Eligible activities include developing a strategic recovery plan, preparing community design standards specific to flood hazard areas, and analyzing local land use practices. In addition, communities are encouraged to combine their funds to pursue regional projects and solutions. Response has been very positive, and we anticipate that more than 70 communities will participate in the program.

In addition, the State is coordinating a planning grant program under FEMA's Hazard Mitigation Grant Program (HMGP), which provides eligible counties with grants to develop

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Jeff Tittel  
September 13, 2013  
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multi-jurisdictional hazard mitigation plans. These grants also encourage municipalities to collaborate with county government to develop regional resiliency plans that will help New Jersey mitigate the threat of future hazards.

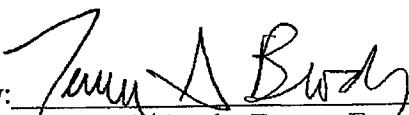
To address energy vulnerabilities and to further the Administration's goal of generating cleaner, more efficient energy, New Jersey collaborated with the U.S. Department of Energy, the National Renewable Energy Laboratory, and Sandia National Laboratories to study the State's energy vulnerabilities, and identify opportunities to leverage commercially available technologies to address back-up power generation needs at critical facilities. Looking to build upon the generous incentives offered under the Board of Public Utilities' Clean Energy Program, we are encouraging the use of innovative technologies -- including combined heat and power, fuel cells and solar power with storage capability -- which offer cleaner, more efficient energy, and greater resiliency. Earlier this month, the State announced a strategic study led by NJ Transit, the U.S. Department of Energy, and Sandia National Laboratories, to develop a first-of-its-kind microgrid that will allow NJ Transit to generate efficient and reliable energy for its critical facilities and transit system. Indeed, the Task Force Report identified New Jersey as a national leader in energy resilience.

In addition to collaborating with the U.S. Army Corps on the comprehensive study funded through the Sandy Supplemental, New Jersey has also partnered with six universities to devise flood mitigation strategies for particularly flood-prone communities throughout the State. The studies focus on repetitive flooding regions beyond what is already being addressed by current or planned U.S. Army Corps of Engineers projects. These studies will explore the potential for utilizing green infrastructure, the enhancement of wetlands for surge protection, and other state-of-the-art and environmentally friendly flood mitigation measures.

With respect to building code adoption, New Jersey is considered a national leader. As noted in the Task Force report, New Jersey adopted the 2009 version of the model building code. As I am sure you know, energy efficiency guidelines were dramatically strengthened between the 2006 and 2009 versions. The 2012 version also contains essentially the same flood resiliency standards.

Thank you again for your letter and your interest in the State's recovery from Superstorm Sandy. Please let me know if you have any questions, or would like to further discuss any of the foregoing. I may be reached at (609) 777-2615.

Very truly yours,

By:   
Terrence S. Brody, Deputy Executive Director  
Governor's Office of Recovery and Rebuilding

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**Presented to the Senate Environment and Energy Committee and the Assembly  
Environment and Solid Waste Committee  
September 30, 2013**

Good morning, and thank you Chairman Smith and Chairwoman Spencer and members of the Committee for providing the opportunity to comment on the progress of Hurricane Sandy recovery efforts. My name is Staci Berger, Executive Director, the Housing and Community Development Network of New Jersey. The Network is the statewide association of more than 250 housing and community development corporations, individuals and other organizations that support the creation of housing and economic opportunities for low- and moderate-income New Jerseyans. Our members are on the front lines in our communities, working with people to help them address the effect of the storm's devastation on their lives.

We have testified along with affected residents and community leaders at the two previous hearings in Atlantic City and Jersey City, so I will be brief here. I want to highlight a few items that have been brought to our attention.

I don't know if everyone had the chance to see the front page of today's Ledger, but on its cover there is yet another story of another family waiting to see the funds promised from the Department of Community Affairs and Governor Christie. Why are the government officials responsible for these programs, especially the RREM program, not here today – and why have they never come to answer these concerns and articulate the changes they will make to get these funds out the door?

The people of New Jersey, taxpayers across the country who are supporting this recovery and the survivors themselves deserve answers. We want Gov. Christie to show people the money.

Some small snags in the beginning of any new program are to be expected, but this kind of bureaucratic red tape is simply ridiculous, insulting and just unacceptable. It's been nearly a year since Sandy struck; it took less time to build the Empire State Building than it has for people to get the help they have been told is coming, and for which they are waiting desperately. It's great that the Governor is telling members of his own party in D.C. that they should govern. He should take his own advice and do the same here in New Jersey.

We will have an opportunity to review what has worked and what has clearly not as we prepare for the next CDBG-DR notice, which will provide funding for the next, and possibly, last tranche of support for the Sandy recovery effort. The Legislature should hold hearings on the next allotment of federal funding before the Governor submits his plan to HUD, rather than have us wait to describe the problems after the plan is approved. New Jersey should use our collective expertise and current experience to devise a plan that works rather than have to reflect on why funded programs have so

many bureaucratic guidelines that money has not been allocated for its intended purpose or on the lack of transparency so homeowners do not know why they were rejected or put on waitlists for a program that was supposed to help restore their home.

We need more help for renters, now and in the next tranche. There was no CDBG-DR money that went into immediately helping renters afford a home in the areas where they lived pre-Sandy. HUD certified counselors working with local non-profits need the resources to help people find a home they can afford.

Homeowners need to know the criteria being used to evaluate if they will receive help under the Reconstruction, Rehabilitation, Elevation and Mitigation Program (RREM). Mobile home owners should be able to access programs available to other homeowners.

Finally, the funding for Special Needs housing has to come with money for services and for rental subsidies (vouchers) so it can address the broad housing needs of this population.

Additionally, we would like you to consider ways to extend the insurance deadlines for appeals in Sandy claims. This dovetails with the bill that Assemblyman Gusciora will introduce that will require insurance companies to act in good faith especially in natural disasters like Sandy. As you have heard in testimony, many victims of Sandy continue to have problems with their insurance companies. This was a suggestion made by one of the families who testified before you in August who are still struggling to get their house back in order, literally and figuratively.

Another problem that many people are encountering is that because they didn't register with FEMA, they are now not eligible for help that they otherwise would be eligible for. Unfortunately many people did not know they had to register with FEMA. The State of NJ did not spend one dime on media, like TV and radio ads, to inform people that they needed to register with FEMA. Now people who didn't know they had to register are suffering without help to restore their home or get other aid. We need to devise a way to get the FEMA process re-opened.

While this is a hearing of the environmental committees, people having a home they can afford in the right location is an environmental issue. Our roadways are clogged and spewing pollutants because so many of our state's residents have to live far from their jobs in order to find a home they can afford. On that note, we applaud the recent Supreme Court decision that upheld the Mount Laurel doctrine that enforces a balance between housing and the environment as we rebuild after Sandy.

At the last hearing, we noted that the Fund for Restoration of Public Housing had not yet awarded any grants. We are pleased to tell you today that some progress has been made on this front. DCA and HUD have connected about the housing authorities, and that issue seems to hear their concerns and it seems that some of the major concerns have been resolved. We hope DCA will now change its application and start awarding

money to help restore and repair lost public housing as well as address infrastructure needs to be ready for the next natural disaster. Public housing addresses a critical need in New Jersey and we cannot afford to see of this housing lost. We will need additional funding in next round to realize this goal.

Thank you for the opportunity to share with you what we are learning about the issues with federally funded programs designed to address Sandy recovery for lower income families. Of course, we are available to answer your questions and work with you.