

PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR the TOWN HALL/ HIGHWAY GARAGE COMPLEX- SBL#'s 5.18-2-32, 5.18-2-33, 5.18-2-34 and 5.18-2-35

WHEREAS, the Town of Shandaken is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories - 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Shandaken adopted a Local Flood Analysis (LFA) and mitigation plan that evaluated a range of potential flood mitigation options and the LFA recommends that the Town Hall and Highway Garage complex be relocated and considered for flood buyout; and

WHEREAS the Town Hall and Highway garage complex is situated on the following tax lots, identified as SBL#'s 5.18-2-32, 5.18-2-33, 5.18-2-34 and 5.18-2-35 (collectively "Property"), comprising an estimated 3.21 acres; and

WHEREAS, the Town of Shandaken is willing to retain ownership of the Property and has the desire to use this Property for future recreation and flood mitigation activities, and

WHEREAS Town of Shandaken is interested in participating in the NYCFFBO program for the Town Hall/ Highway Garage Complex properties, under Category 1, Hydraulic Study; and

WHEREAS, to meet current NYCFFBO program requirements, a third party (to be determined) will serve as an intermediary owner to support the Town of Shandaken in the NYCFFBO program, and

WHEREAS, the Property will be managed in conjunction with a Re-Use Plan that identifies the community's long-term plan for the management, use and development of these parcels, which may include future flood mitigation activities and public recreation activities. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders concerning the New York City-Funded Flood Buyout Program (Side Agreement), Page 5 (1) a., i. , ii., iii., iv., and v., and

WHEREAS, the owner of the Property, either the Town of Shandaken or the intermediary owner, is required to grant New York State Department of Environmental Conservation a conservation easement for the Property and may, but is not required to, place a conservation easement on the Upland portion as defined in the Side Agreement; and

NOW, THEREFORE BE IT RESOLVED; The Town of Shandaken Town Board approves Town Hall/ Highway Garage Complex (Property) to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the NYCDEP to begin assisting them in the real estate process and that an intermediary owner (to be determined) would take ownership of the property with the management conditions identified in the Re-Use Plan.

AND MOVES ITS ADOPTION