

**At a Regular Meeting of the Town  
of Middletown held on June 14, 2017  
at 6:00P.M. at the Middletown Town Hall,  
Margaretville, NY**

**RESOLUTION #4 OF 2017  
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF  
MIDDLETOWN IN THE MATTER OF THE ADOPTION OF THE LOCAL  
FLOOD ANALYSIS FOR FLEISCHMANN'S, CLOVESVILLE AND ARKVILLE**

**WHEREAS**, the NYCDEP allocated funding to watershed communities that incurred heavy flooding impacts in 2011 for the development of a Local Flood Analysis (LFA);

**WHEREAS**, the Village of Fleischmann's was granted funding to retain the consulting firm of Malone & MacBroom for the development of the LFA which includes part of the Town of Middletown in the Hamlet of Clovesville; and

**WHEREAS**, the Town of Middletown was granted funding to retain the consulting firm of Malone & MacBroom for the development of the LFA in the Hamlet of Arkville; and

**WHEREAS**, both the Town of Middletown and the Village of Fleischmann's are member communities of the East Branch Flood Commission, which participated in the development of both LFAs; and

**WHEREAS**, the Town of Middletown is considering adoption of the Village of Fleischmann's and Clovesville Local Flood Analysis and the Hamlet of Arkville Local Flood Analysis, which is the result of a multi-year long effort with input from a variety of participants including the East Branch Flood Commission; and

**WHEREAS**, the Town Board has reviewed and considered the proposed Local Flood Analysis prepared for the Village of Fleischmann's and Clovesville and the Local Flood Analysis prepared for the Hamlet of Arkville; and

**WHEREAS**, a properly noticed public hearing on the proposed Local Flood Analysis documents was held on April 6, 2016 at the Town of Middletown Town Hall; and

**WHEREAS**, the Town Board reviewed and considered all public comments received on the proposed Local Flood Analysis documents; and

**WHEREAS**, both proposed Local Flood Analysis were on file for inspection at the Town Clerk's office prior to the hearing and during the public review process; and

**WHEREAS**, both proposed Local Flood Analysis serve as tools to consider when making decisions/efforts to strengthen and protect the Town’s environmental resources, public safety, health and welfare; and

**WHEREAS**, the Town Board has caused to be prepared a Long Environmental Assessment Form (EAF) pursuant to the mandates for the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) for the proposed adoption of the Arkville Local Flood Analysis and the Village of Fleischmanns has completed a Long Environmental Assessment Form (EAF) pursuant to the mandates for the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); issuing a negative declaration on, August 8, 2016 ; and

**WHEREAS**, the Town board has duly considered the contents of the EAF for the adoption of the Arkville Local Flood Analysis and completed Parts 2 and 3 thereof; and

**WHEREAS**, the Town Board has issued a negative declaration under SEQRA for the adoption of the proposed Arkville Local Flood Analysis and accepted the findings of the Village of Fleischmanns negative declaration for the Village of Fleischmanns and Clovesville Local Flood Analysis, thereby complying with the mandates of the State Environmental Quality Review Act.

**NOW THEREFORE, BE IT RESOLVED** that the Town of Middletown hereby determines that the proposed Village of Fleischmanns and Clovesville Local Flood Analysis and the Arkville Local Flood Analysis, attached hereto and made a part hereof, is hereby adopted; and

**IT IS FURTHER RESOLVED**, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution and effect adoption of both Local Flood Analysis.

Town Board Member Michael Brian Sweeney so moved; Town Board Member Michael Finberg seconded, and the Town Board voted as follows:

|  | Aye          | Nay   |
|--|--------------|-------|
| Supervisor Carl Patrick Davis - Absent | _____        | _____ |
| Kenneth R. Taylor                      | <u>  X  </u> | _____ |
| Brian Sweeney                          | <u>  X  </u> | _____ |
| Michael Finberg                        | <u>  X  </u> | _____ |
| Jacob Rosa                             | <u>  X  </u> | _____ |

Signed this 14th day of June, 2017


  
*Patricia F. Kelly*  
Patricia F. Kelly, Town Clerk

STATE OF NEW YORK }  
COUNTY OF DELAWARE }  
TOWN OF MIDDLETOWN }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of Middletown at a regular meeting held June 14th, 2017, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

| MEMBERS PRESENT               | MEMBERS ABSENT | VOTE    |
|-------------------------------|----------------|---------|
| Supervisor Carl Patrick Davis | Absent         | Aye/Nay |
| Kenneth R. Taylor             |                | Aye/Nay |
| Brian Sweeney                 |                | Aye/Nay |
| Michael Finberg               |                | Aye/Nay |
| Jacob Rosa                    |                | Aye/Nay |

Witness my hand and the seal of the Town of Middletown, this 14th day of June, 2017.

  
*Patricia F. Kelly*  
PATRICIA F. KELLY, TOWN CLERK  
TOWN OF MIDDLETOWN