

**Town of Olive  
RESOLUTION #28 of 2017**

**SUPPORTING PARTICIPATION IN THE  
NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR  
4046 State Route 28 Boiceville, NY**

**WHEREAS**, the Town of Olive 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 Olive has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

**WHEREAS**, the property at 4046 State Route 28, Boiceville, NY (SBL 36.11-1-30.100) has been recommended for consideration for buyout in the LFA and the Town has been approached by Art Haver, the owner of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

**WHEREAS**, we understand that this City-owned property will be managed by the New York City Department of Environmental Protection (the “DEP”) as open space. Minimal management of the property will be performed such as maintaining boundary lines, posting signs, and annually inspecting the property. At some point in the future, should the Town want the property actively managed; i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town. However, the City has the right to approve or reject any such request.

**NOW, THEREFORE BE IT RESOLVED**, the Town of Olive Town Board approves owners of 4046 State Route 28, Boiceville, NY 12412 to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

**AND MOVES ITS ADOPTION**

Motion made by:

Seconded by:

**A Vote was Duly Taken:**

	AYE	NAY	ABSENT
Sylvia Rozzelle, Supervisor	_____	_____	_____
Jim Sofranko, Board Member	_____	_____	_____
Andrew Boggess, Board Member	_____	_____	_____
Scott Kelder, Board Member	_____	_____	_____
Peter Friedel, Board Member	_____	_____	_____

Dated this 12<sup>th</sup> day of December 2017

\_\_\_\_\_  
Dawn Giuditta, Town of Olive Town Clerk