

**RESOLUTION NO. 1 OF 2013**

**RESOLUTION SUPPORTING THE CONTINUANCE  
OF NFIP SUBSIDIES AND FOR AN IMMEDIATE START TO  
THE NATIONAL ACADEMY OF SCIENCES STUDY ON THE  
AFFORDABILITY OF FLOOD INSURANCE**

**WHEREAS**, the “Biggert-Waters Flood Insurance Reform Act of 2012” (the Act) passed by Congress became effective July 1, 2012 and included changes to the National Flood Insurance (NFIP); and

**WHEREAS**, the Act removes subsidized rates for several classes of structures such as; any residential property that is not the primary residence of an individual, any severe repetitive loss property, any property that has incurred flood related damages that cumulatively exceed the fair market value of the property, any business property, any new or lapsed policy or any policy for a newly purchased property, any property that after the date of the Act has incurred substantial damage or has experienced substantial improvement exceeding 30% of the fair market value of the property, any policy for which the owner has refused a FEMA mitigation offer under HMPG, or for a repetitive loss property or severe repetitive loss property, and allows rates to increase by 25% per year until actuarial rates are achieved; and

**WHEREAS**, many towns in Delaware County contain flood prone areas that in recent years have suffered millions of dollars in losses due to devastating weather events such as, Hurricane Irene; and

**WHEREAS**, precipitation has increased over the last decades for a variety of reasons, making us more vulnerable to high water events; and

**WHEREAS**, Towns in Delaware County, through a variety of methods, has made flood mitigation a priority, planning long and short term remedies to the destruction of residential and commercial properties, entering FEMA’s Community Rating System (CRS) program, as well as appointing CRS coordinators and trained Flood Plain Managers; and

**WHEREAS**, Towns in Delaware County, such as Walton and Middletown, along with various regional partners and the neighboring Towns of Ulster and Greene County, have formed, respectively, the West and East Branch Flood Commissions toward coordinated local and regional flood mitigation planning; and

**WHEREAS**, the removal of flood insurance subsidies would profoundly and negatively impact our Town and region i.e. when new/revised flood maps are issued and property changes ownership, making it more difficult to sell homes in the Special Flood Hazard Area, due to the removal of “grandfathering” for existing policies, as well as the

loss of subsidies for business properties when many of our businesses are already struggling from the last flood and other economic factors,

**THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Middletown, Delaware County formally requests that the Governor of the State of New York, the Board of Supervisors of Delaware County and publicly elected and appointed officials at all levels advocate for the continuation of National Flood Insurance subsidies as well as for an immediate start to the National Academy of Sciences study on the affordability of flood insurance; and

**BE IT FURTHER RESOLVED**, that this resolution be forwarded to the NFIP, our elected State and Federal representatives and involved state and federal agencies.

Dated: March 12, 2013

Motion made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Resolution adopted by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays

I hereby certify that the above resolution was duly adopted by the Town Board of the Town of Middletown at its regular meeting held on March 12, 2013.

\_\_\_\_\_  
Patricia Kelly, Town Clerk  
Town of Middletown

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