

(c)

*cc: Adams*

Resolution No. 08-160

**RESOLUTION OPPOSING CURRENT FEMA  
FLOOD ZONE MAP AND REQUESTING  
RECONSIDERATION**

**WHEREAS**, most of the existing Federal flood zone maps are more than ten years old and, because of physical changes in the coastline and flood plain areas caused by development, erosion, and natural forces, the Federal Emergency Management Agency (FEMA) has undertaken a national effort, called the Flood Map Modernization Program, to update the data and information so as to produce more reliable flood risk data and convert the data to a digital format, and

**WHEREAS**, the overall purpose of this project is beneficial as it will enable communities to overlay and analyze the updated flood data with other digitalized information bases, such as street layouts, infrastructure, evacuation routes and development information, and will also allow easier access and production of timely updates to maps as flood risks change, and

**WHEREAS**, this Flood Map Modernization Program has resulted in tentative mapping for the Bayshore area of Middletown, along with surrounding communities, and upon preliminary review it appears there are potentially substantial inconsistencies or inaccuracies in the data and proposed flood zones which require further comment and study, and that large areas, including over 2000 homes in Middletown, are now included in the mapped flood zones, which were not previously in such zones, apparently due to inadequacies in the Federal Flood levies that were built a number of years ago and which have not been adequately upgraded or maintained, and

**WHEREAS**, the consequences of the failure to upgrade the levies to more current standards and the apparent mapping inconsistencies and inaccuracies will be to require numerous property owners, not previously in designated flood hazard areas, to now obtain flood insurance or pay higher rates for flood insurance, and this additional flood designation and insurance requirement will inflict a substantial financial hardship on the residents of these areas as a result of these higher flood insurance costs and increased regulatory burdens for construction or additions to houses, and

**WHEREAS**, the Township acknowledges and shares the concerns expressed by the neighboring communities of the Bayshore and welcomes the opportunity to work with the neighboring municipalities to suspend the implementation of the new maps, as the implementation of these new maps comes at a time of economic downturn, when many of the residents of the Township have already been forced to make difficult budgetary decisions; and

**WHEREAS**, before such requirements are implemented by FEMA, the logical course would be for the Federal and/or State Government to appropriate the necessary funds for the Army Corp of Engineers or other appropriate Federal agency to upgrade the existing levy system so as to reduce or eliminate the potentiality for flooding in these areas, and the Army Corp and FEMA should undertake an immediate review of such a levy upgrade and other options that could be implemented so as to eliminate and reduce the flood risk rather than allow that risk to continue and impose substantial insurance costs on the effected property owners, and

**WHEREAS**, Federal and State Legislators representing the Bayshore area have raised concerns and questions to FEMA that remain to be answered, have requested FEMA to impose a moratorium on the implementation of this new flood map until

there is more extensive notification, studies and hearings so that the effected communities and property owners can investigate their options and the propriety of inclusion in these proposed expanded flood zones, and have indicated the intended introduction and pursuit of legislation to mandate such a moratorium and more expanded review and hearing process, and the Township supports these efforts and legislative initiatives.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Township of Middletown requests that the appropriate Federal agencies, including the Federal Emergency Management Agency and the Army Corp of Engineers, establish a moratorium on the imposition of the proposed FEMA flood mapping, and those agencies are requested to extend immediate priority to an appropriate project to upgrade the existing flood levy system now in place so as to reduce and eliminate the flood hazard to the Bayshore area.

**BE IT FURTHER RESOLVED** that the Middletown Township Committee respectfully requests the Federal and State Legislators representing Middletown Township and the entire Bayshore area, including Congressman Frank Pallone and Assemblywoman Amy Handlin who have already proposed or endorsed moratoriums to the proposed FEMA Maps, to give immediate priority to the legislative approval for the funding of appropriate flood hazard and levy reconstruction projects in this area that would extend relief to the residents from the risk of floods and the imposition of additional financial burdens through flood hazard insurance requirements and expanded flood zone areas.

**BE IT FURTHER RESOLVED** that the Township's and Bayshore's Federal and State Legislators are supported in their efforts to raise concerns and inquiries to FEMA and the Army Corp of Engineers, and the Township endorses their efforts to obtain a moratorium on the imposition of these new flood zones and maps and requests and supports the introduction and pursuit of appropriate legislation by these Legislators to establish such a moratorium and more appropriate procedures for notification, review and comment on any such proposed new flood zone mapping.

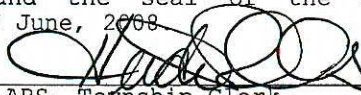
**MIDDLETOWN TOWNSHIP COMMITTEE**

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill	X			
S. Byrnes	X			
T. Wilkens	X			
P. Short	X			
Mayor Scharfenberger	X			

**CERTIFICATION**

I, Heidi Abs, Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their public organization meeting held on June 2, 2008.

**WITNESS**, my hand and the seal of the Township of Middletown this 2nd day of June, 2008.

  
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 HEIDI ABS, Township Clerk