

Intro. Res. No. 1666-2010

Laid on Table 6/8/2010

Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 632 -2010, AUTHORIZING FUNDING, ACQUISITION, CONVEYANCE, DEVELOPMENT AND OVERSIGHT OF REAL PROPERTY UNDER SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM (CORTLAND SQUARE – BAY SHORE)

WHEREAS, Local Law 13-2000 as amended in its entirety by Local Law 17-2004, known as Suffolk County Administrative Code (“SCAC”) Article XXXVI, as amended, found and determined that there was a need for the County to aid municipalities in providing affordable housing and established the Suffolk County Affordable Housing Opportunities Program; and

WHEREAS, SCAC § A36-2(C) provides a statutory framework for land to be acquired and infrastructure improvements to be made for Suffolk County’s Workforce Housing Program through the use of capital bond proceeds; and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Town of Islip have identified a certain site in the County of Suffolk, to be known as “Cortland Square,” which would be appropriate for development as workforce housing and which is identified by the Suffolk County Tax Map No. as follows: 0500-393.00-02.00-118.002 (formerly SCTM Nos.: 0500-393.00-02.00-116.000 and 0500-393.00-02.00-118.001) (the “Subject Premises”); and

WHEREAS, pursuant to Section 36-2 C of Article XXXVI of the Suffolk County Administrative Code, it is proposed that the County acquire the Subject Premises at a purchase price of One Million Five Hundred Thousand (\$1,500,000) Dollars and transfer such parcel to Nassau-Suffolk Partnership Housing Development Fund Company, Inc. (the “Developer”); and

WHEREAS, the Environmental Trust Review Board reviewed the appraisals, reviewed the report of the Internal Appraisal Review Board, approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition on March 19, 2010; and

WHEREAS, the Town of Islip has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; and

WHEREAS, Resolution No. 741-2009 authorized planning steps for acquisition of the Subject Premises for the Cortland Square affordable housing development; and

WHEREAS, pursuant to Resolution No.11 dated June 8, 2010, the Town of Islip Board, as lead agency, issued a SEQRA negative declaration which completed the environmental review; and further the negative declaration issued by the Town Board is binding on the County, as an involved agency, pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 617.6 (b) (3) and, therefore, SEQRA is complete; and

WHEREAS, Resolution No. 83-2008 appropriated the proceeds of \$4,500,000 in Suffolk County Serial Bonds for Workforce Housing acquisitions under the Suffolk County

Workforce Housing Program subject to further Legislative approval of a resolution authorizing the planning, funding and/or acquisition of specific projects; now, therefore be it

1st **RESOLVED**, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that Cortland Square meets the requirements of the Suffolk County Affordable Housing Opportunities Program for its Workforce Housing Program, and the need to fill the critical shortage of affordable housing in the County and, accordingly, authorizes the development of Cortland Square; and be it further

2nd **RESOLVED**, that the Development Agreement and the Development Plan are hereby approved in substantially the same form as attached hereto; and be it further

3rd **RESOLVED**, that the Subject Premises are hereby authorized to be acquired, conveyed, developed, supervised and managed subject to the Development Agreement and Development Plan, subject to a final survey, for a total purchase price of One Million Five Hundred Thousand (\$1,500,000) Dollars; and be it further

4th **RESOLVED**, that pursuant to Suffolk County Charter §§ C35-2(V) and (Y), and SCAC § A36-2(C), the Department of Economic Development and Workforce Housing and its Commissioner, and the Division of Affordable Housing and its Director of Affordable Housing are hereby authorized, to acquire and convey the Subject Premises, as necessary, and the same are hereby further authorized, empowered and directed to make such changes, take such other actions, enter into such other agreements, and execute such other documents as are required to effectuate this overall affordable housing project and transaction, and to pay such additional expenses which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance as may be necessary and appropriate to accomplish the aforestated authorizations and duties; and be it further

5th **RESOLVED**, that, subject to the terms of the Development Agreement, the County Comptroller and County Treasurer are hereby authorized to reserve and pay One Million Five Hundred Thousand (\$1,500,000) Dollars for the purchase price of the Subject Premises from previously appropriated funds in Capital Project No. 525-CAP-8704.212; and be it further

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management or her designee, pursuant to Suffolk County Charter § C42-2C(3)(d), is hereby authorized and empowered, and her actions are hereby ratified and adopted, to negotiate the purchase price for the initial acquisition of the Subject Premises, in accordance with the terms of the Development Agreement, and further to provide whatever additional support is requested by the Department of Economic Development and Workforce Housing and its Division of Affordable Housing, and by the County Attorney pursuant to Suffolk County Charter §C16-2 and the Department of Public Works pursuant to Suffolk County Charter §C8-2(W); and be it further

7th **RESOLVED**, that the County Executive, the County Attorney, the Commissioner of the Department of Economic Development and Workforce Housing and the Director of Affordable Housing are hereby authorized, respectively, to take such further actions as may be necessary or desirable to effectuate the purposes and intent of the foregoing resolutions and to execute any and all documents necessary and/or desirable to effectuate the purpose and intent of the workforce housing development referred to in this Resolution; and be it further

8th **RESOLVED**, pursuant to Resolution No. 11 dated June 8, 2010, the Town of Islip Board, as lead agency, issued a SEQRA negative declaration which completed the

environmental review; and further the negative declaration issued by the Town Board is binding on the County, as an involved agency, pursuant to Title 6 of New York Codes, Rules and Regulations (NYCRR) § 617.6 (b)(3) and, therefore, SEQRA is complete.

DATED: June 22, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2010