

**RESOLUTION NO. 806-2010, AUTHORIZING FUNDING OF
INFRASTRUCTURE IMPROVEMENTS AND OVERSIGHT OF
REAL PROPERTY UNDER SUFFOLK COUNTY AFFORDABLE
HOUSING OPPORTUNITIES PROGRAM (CABRINI GARDENS -
CORAM)**

WHEREAS, Local Law No. 13-2000 as amended in its entirety by Local Law No. 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 Brookhaven have identified a site in the County of Suffolk, to be known as "Cabrini Gardens", which would be appropriate for development as workforce housing and are identified by Suffolk County Tax Map Number: 0200-452.00-01.00-015.000 (the "Subject Premises"); and

WHEREAS, Cabrini Gardens will require infrastructure improvements to facilitate the construction of the workforce housing development and, in connection therewith, the Developer has requested infrastructure funding from the County in the amount of One Million Three Hundred Twenty Seven Thousand Four Hundred Eighty Eight (\$1,327,488) Dollars; and

WHEREAS, the Developer and the County are negotiating a development agreement to be executed by the Developer and the County (the "Development Agreement"), which incorporates a development plan (the "Development Plan"), each of which is in substantially final form, as attached hereto, detailing the funding of certain infrastructure improvements to the subject premises, and the subsequent development of 66 rental units; and

WHEREAS, pursuant to Resolution, dated September 16, 2002, the Town of Brookhaven 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. 1421-2005, appropriated the proceeds of \$5,000,000 in Suffolk County Serial Bonds to fund the infrastructure improvements in connection with the properties acquired, funded, constructed, reconstructed or rehabilitated in connection with the Workforce Housing Program subject to further Legislative approval of a resolution authorizing the funding of specific infrastructure improvements to be made in connection with such workforce housing acquisitions; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that Cabrini Gardens 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 Cabrini Gardens; 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 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 authorized, empowered and directed to take such other actions, make such changes, 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 aforesated authorizations and duties; and be it further

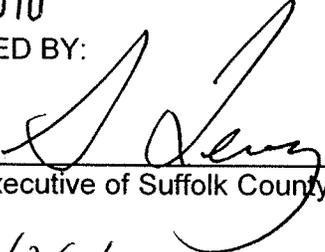
4th **RESOLVED**, that, subject to the terms of the Development Agreement, the County Comptroller and County Treasurer are hereby authorized to reserve and pay One Million Three Hundred Twenty Seven Thousand Four Hundred Eighty Eight (\$1,327,488) Dollars in connection with infrastructure costs associated with the development of Cabrini Gardens from previously appropriated funds in Capital Project No. 525-CAP-6411.310; and be it further

5th **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

6th **RESOLVED**, pursuant to Resolution, dated September 16, 2002, the Town of Brookhaven 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: **AUG 17 2010**

APPROVED BY:



County Executive of Suffolk County

Date: 8/26/10

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 17, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1797 Res. No. 806

August 17, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
6	Daniel P. LOSQUADRO	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Lynne C. NOWICK	✓				
14	Wayne R. HORSLEY	✓				
15	DuWayne GREGORY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	Jon COOPER	✓				
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

MOTION

Approve

Table: _____

Send To Committee

Table Subject To Call

Lay On The Table

Discharge

Take Out of Order

Reconsider

Waive Rule _____

Override Veto

Close

Recess

APPROVED FAILED _____

No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED

NOT ADOPTED

Tim Laube

 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote