

RESOLUTION NO. 126 -2012, AUTHORIZING A TWO-YEAR EXTENSION FOR THE DEVELOPMENT OF THREE PARCELS OF LAND TRANSFERRED PURSUANT TO THE 72-H AFFORDABLE HOUSING PROGRAM TO THE VILLAGE OF SOUTHAMPTON AND AN INCREASE IN THE INCOME LEVELS OF ELIGIBLE OCCUPANTS FOR SUCH AFFORDABLE HOMES

WHEREAS, Suffolk County Administrative Code § A36-2 (B) sets forth the criteria for New York State General Municipal Law § 72-h transfers for Affordable Housing; and

WHEREAS, pursuant to A36-2 B (2) (a) (1) (b) and (d) and § A36-2 B (2) (a) (2) (a) and (d), as applicable, construction must be completed and occupancy established within three years of the date of the transfer to a municipality and homes must be transferred to eligible individuals whose income does not exceed 80% of the HUD established income limits for Suffolk County; and

WHEREAS, Suffolk County Administrative Code § A36-2 (B) allows for an extension of time for construction and occupancy where the three year period is exhausted; said extension shall not exceed two two-year extensions unless approved by duly enacted resolution; and

WHEREAS, Suffolk County Administrative Code § A36-2 (B) allows the Suffolk County Director of Affordable Housing, subject to Legislative approval, to issue a waiver and to increase the permitted income limits from 80% of the HUD established income limits for Suffolk County up to 120% of the HUD established income limits for Suffolk County; and

WHEREAS, the County of Suffolk transferred three (3) parcels of property, identified by SCTM Nos.: 0904-001.00-01.00-028.000; 0904-001.00-01.00-029.000; and 0904-001.00-01.00-030.000 (the "Subject Parcels") to the Village of Southampton for affordable housing development and occupancy; and

WHEREAS, all time periods for construction and occupancy under § A36-2 B have expired and the Village of Southampton has requested an extension of time for the development of such parcels; and

WHEREAS, the Village of Southampton, following its survey and analysis of the demographics of individuals who live, work and/or volunteer in and around the Village of Southampton, has requested that the targeted income levels for potential occupants of the homes be increased and designated as follows: one household targeted at up to 80% of the HUD established income limits; one household targeted at up to 100% of the HUD established income limits; and one household targeted at up to 120% of the HUD established income limits; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has worked diligently with the Village of Southampton, the Southampton Housing Authority, the Long Island Housing Partnership and other interested non-profit housing organizations preparing a viable plan to develop, as affordable housing, the Subject Parcels; and

WHEREAS, the Village of Southampton and the County of Suffolk are seeking to continue working together to develop affordable housing on these parcels which will benefit the residents of the County; and

WHEREAS, a legislative resolution is necessary in order to extend the construction and occupancy time for the parcels and to increase the permissible targeted income levels; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing, and the Director of Affordable Housing, are hereby authorized and empowered to extend the time for construction of and occupancy of the Subject Parcels for two years, effective as of the date this Resolution is approved, and to authorize the transfer of the Subject Parcels from the Village of Southampton to the Southampton Housing Authority for development of the Subject Parcels in accordance with Article XXXVI of the Suffolk County Administrative Code and the resolutions contained herein; and be it further

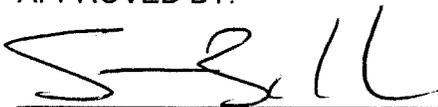
2nd **RESOLVED**, this Legislature hereby approves an adjustment to, and increase in, as applicable, the targeted household income levels for potential occupants of the three homes proposed to be constructed on the Subject Parcels as follows: one home shall be targeted to eligible individuals whose income does not exceed 80% of the HUD established limits for Suffolk County, adjusted by family size; one home shall be targeted to eligible individuals whose income does not exceed 100% of the HUD established limits for Suffolk County, adjusted by family size; and one home shall be targeted to eligible individuals whose income does not exceed 120% of the HUD established limits for Suffolk County; and be it further

3rd **RESOLVED**, that the Commissioner of Economic Development, the Director of Affordable Housing and the County Attorney are hereby authorized and directed to take such further actions and to execute and deliver such further documentation as may be necessary or desirable to effectuate the purposes and intent of the resolutions contained herein; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c) (20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: March 13, 2012

APPROVED BY:


County Executive of Suffolk County

Date: 3.27-2012

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 March 13, 2012 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1127

Res. No. 124

March 13, 2012

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE						
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Thomas MURATORE						
5	Kara HAHN						
6	Sarah S. ANKER						
7	Rob CALARCO						
9	Ricardo MONTANO						
10	Thomas CILMI						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
15	DuWayne GREGORY						
16	Steven H. STERN						
17	Lou D'AMARO						
18	William SPENCER						
14	Wayne R. HORSLEY, 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