

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1090 -2014, AUTHORIZING FUNDING OF LAND ACQUISITION AND OVERSIGHT OF REAL PROPERTY UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM AND EXECUTION OF AGREEMENTS (HIGHLAND GREEN RESIDENCE-MELVILLE)

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 provide assistance in creating affordable housing and established the Suffolk County Affordable Housing Opportunities Program; and

WHEREAS, SCAC § A-36-2 provides a statutory framework for land to be acquired in conjunction with a property owner or developer pursuant to the Suffolk County Affordable Housing Opportunities Program through the use of capital bond proceeds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning, the Town of Huntington, the Long Island Housing Partnership and D&F Development Group, LLC and its affiliates (the “Developer”) have identified an approximate 8-acre site in Melville which would be appropriate for development as affordable housing and is identified by Suffolk County Tax Map Numbers: 0400-267.00-01.00-034.002; 0400-267.00-01.00-034.003; 0400-267.00-01.00-034.004; 0400-267.00-01.00-062.000; and 0400-267.00-01.00-063.000 (the “Subject Premises”); and

WHEREAS, the affordable housing development, to be known as “Highland Green Residence” (the “Affordable Housing Development”) contemplates the construction of 118 one, two and three bedroom units, including 1 superintendent’s unit, 117 of which will be limited equity cooperative units marketed to households under certain income limits, including preferences for veterans and handicapped individuals, all as more particularly described in the Development Plan attached hereto as Schedule “A” (the “Development Plan”); and

WHEREAS, pursuant to SCAC Section A-36-2 D, in order to facilitate the construction of the Affordable Housing Development, it is proposed that the County provide funds to subsidize the land costs for the Subject Premises in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) (the “Land Development Subsidy”); and

WHEREAS, Resolution No. 818-2014 authorized Planning Steps in connection with the Subject Premises and the Affordable Housing Development; and

WHEREAS, on November 14, 2014, the Environmental Trust Review Board reviewed the appraisals, reviewed the report of the Internal Appraisal Review Board and approved an appraised amount of the Subject Premises or portion thereof; and

WHEREAS, Highland Green Residence, LLC, HG Housing Development Fund Company, Inc. and the County will execute and deliver a Development Agreement (the “Development Agreement”) which will incorporate the provisions of the Development Plan and

which will set forth the funding requirements for the Subject Premises and the development of the Affordable Housing Development consistent with Article XXXVI of the Suffolk County Administrative Code and the Development Plan; and

WHEREAS, pursuant to Resolution No. 2000-729, the Town Board of the Town of Huntington, as lead agency, on September 26, 2000, issued a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA) which completed the environmental review; and further the negative declaration issued by the Town Board of the Town of Huntington 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) (iii) and, therefore, SEQRA is complete; and

WHEREAS, Resolution No. 83-2008, appropriated the proceeds of \$4,500,000 in Suffolk County Serial Bonds to fund costs in connection with the properties acquired, funded, constructed, reconstructed or rehabilitated in connection with the Affordable Housing Opportunities Program subject to further Legislative approval of a resolution authorizing the funding of a specific affordable housing development; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that the development referred to herein meets the requirements of the Suffolk County Affordable Housing Opportunities Program and the need to fill the critical shortage of affordable housing in the County and, accordingly, authorizes the development referred to herein and the requested funding thereof in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) to fund a portion of the land costs for the Subject Premises in accordance with the Development Plan; and be it further

2nd RESOLVED, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to negotiate, execute and deliver the Development Agreement, which shall incorporate the provisions of the Development Plan substantially in the form presented herewith, consistent with Article XXXVI of the Suffolk County Administrative Code, and each other document contemplated to be executed and/or delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent herewith, in order to effectuate this overall affordable housing project and transactions contemplated hereby; and be it further

3rd RESOLVED, that the County Executive, the Department of Economic Development and Planning, its Commissioner, its Director of Real Estate and the County Attorney are authorized, empowered and directed to take such further actions and execute such additional documents as may be necessary or desirable, consistent with the Development Plan, and Article XXXVI of the Suffolk County Administrative Code, in order to effectuate the purposes and intent of the foregoing resolutions, including, but not limited to, payment of the Land Development Subsidy and related expenses such as costs associated with surveys, appraisals, environmental audits, title reports and insurance; and be it further

4th RESOLVED, that, subject to, and in accordance with, the terms of the fully executed Development Agreement, the County Comptroller and County Treasurer are hereby authorized to reserve and pay One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) in connection with the land costs associated with the development referred to herein from previously appropriated funds in Capital Project No. 525-CAP-8704.212; and be it further

5th RESOLVED, pursuant to Resolution No. 2000-729, the Town Board of the Town of Huntington, as lead agency, on September 26, 2000, issued a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA) which completed the environmental review; and further the negative declaration issued by the Town Board of the Town of Huntington 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) (iii) and, therefore, SEQRA is complete.

DATED: December 2, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 5, 2014