

**RESOLUTION NO. 372 -2015, AUTHORIZING EXECUTION OF
AN INTERMUNICIPAL AGREEMENT PURSUANT TO § 119-o
WITH THE TOWN OF BROOKHAVEN FOR SHARED
COMPUTER NETWORK INFRASTRUCTURE**

WHEREAS, sub-division (1) of section 119-o of the General Municipal Law provides, in part, that “[i]n addition to any other general or special powers vested in [M]unicipal [C]orporations and districts for the performance of their respective functions, powers or duties on an individual, cooperative, joint or contract basis, [M]unicipal [C]orporations and districts shall have power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service ...”; and

WHEREAS, the County of Suffolk and the Town of Brookhaven, at no cost to either party, wish to enter into an Intermunicipal Agreement for the purpose of sharing County computer network infrastructure and connectivity between the County and the Town in order to continue the collection of tax revenue and to utilize the County’s data centers and network infrastructure to provide disaster recovery, business continuity, remote backup and redundancy to support the ongoing operations of the Town in the event of a natural disaster or other unforeseen event; and

WHEREAS, the County will provide space in its Data Center(s) to the Town which will enable the Town to continue essential business operations in the County’s controlled secured environment and provide continued internet connectivity in the event of a computer network failure due to a natural disaster or unforeseen event; and

WHEREAS, the Town will provide access to Town facilities during a disaster for County staff to access County systems and deliver continued services, which will increase the County’s ability to continue to operate during a large scale incident or natural disaster; and

WHEREAS, pursuant to Town Board Resolution No. 2014-599, the Town Board has authorized the Town Supervisor to enter into an Intermunicipal Agreement with the County for use of the County’s computer network infrastructure to utilize the County’s data centers and network infrastructure to provide disaster recovery, business continuity, remote backup and redundancy to support the ongoing operations of the Town in the event of a natural disaster or other unforeseen event; now, therefore be it

1st **RESOLVED**, the County Executive is hereby authorized, empowered, and directed to enter into an Intermunicipal Agreement, in a form substantially similar to the draft attached hereto, subject to the approval of the County Attorney, pursuant to §119-o of the General Municipal Law with the Town of Brookhaven, to utilize the County’s data centers and network infrastructure to provide disaster recovery, business continuity, remote backup and redundancy to support the ongoing operations of the Town; and be it further

2nd **RESOLVED**, that such agreement shall provide the Town limited license rights for the purpose set forth herein subject to such other terms and conditions; and

3th **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 (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: May 12, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 28, 2015