

**RESOLUTION NO. 551 -2016, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A START-UP NY AFFILIATION AGREEMENT WITH SUFFOLK COUNTY COMMUNITY COLLEGE FOR THE PURPOSE OF INCLUDING COUNTY OWNED LAND, LOCATED ADJACENT TO THE AMMERMAN CAMPUS (SELDEN), IN THE COLLEGE'S START-UP NY CAMPUS PLAN FOR DESIGNATION AS A TAX-FREE NEW YORK AREA**

**WHEREAS**, the New York State Legislature has determined that to revitalize the economy of the State of New York, it is necessary and appropriate to promote entrepreneurship and job creation by transforming public higher education institutions through the establishment of tax-free areas, to attract high tech businesses, startup companies, venture capital, new business and investments from around the world; and

**WHEREAS**, in furtherance of this objective, the State Legislature created the START-UP NY Program (the "Program"), in accordance with Chapter 68 of the Laws of 2013 (the "Act") which authorizes the creation of tax-free New York areas on eligible campuses in New York State, including SUNY and community college campuses, for new and expanding businesses to both foster job creation and enhance the academic mission of the participating universities and colleges; and

**WHEREAS**, Suffolk County Community College (the "College") wishes to participate in the Program, however it lacks "on-campus" space on its Ammerman Campus, located in Selden, NY, to include in its Plan for Designation of Tax-Free Areas (the "Plan") as described by the Act; and

**WHEREAS**, the Act allows the inclusion of property not owned by or on the campus of a college to be included in the College's Plan, by entering into a START-UP NY Affiliation Agreement (the "Agreement") with property owners, including Suffolk County; and

**WHEREAS**, Suffolk County owns vacant land located adjacent to the College's Ammerman Campus in Selden; and

**WHEREAS**, Suffolk County, through its Department of Economic Development and Planning (the "Department") is interested in entering into a START-UP NY Affiliation Agreement with the College to further the purposes of the Act which are consistent with the mission of the Department; and

**WHEREAS**, the Legislature agrees that the inclusion of the Premises in the Program is in the best interest of the County and its taxpayers, as well as in furtherance of the mission of both the College and the Department; now, therefore be it

**1st RESOLVED**, the County Executive, or his designee, is hereby authorized and empowered to enter into the Agreement with the College outlining the responsibilities of the parties with regard to the College's Plan and approving the use of the Premises, as described therein, for inclusion in the College's Plan for the duration of the agreement; and be it further

**2nd**           **RESOLVED**, that the County Executive, or his designee, is authorized and empowered to make such changes to the Agreement as is deemed necessary and appropriate to effectuate the purposes of this resolution, subject to the approval of the Department of Law and the Commissioner of the Department, and the execution and delivery of such agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by the Legislature; and be it further

**3rd**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this Project constitutes both Type II and Unlisted Actions, pursuant to Section 617.4 and 617.5 of Title 6 of New York Code of Rules and Regulations ("NYCRR"). The contractors for this project shall be solely responsible for all activities and costs necessary to obtain a SEQRA determination of significance and will prepare all necessary documentation to meet SEQRA requirements.

DATED: June 21, 2016

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: June 22, 2016