

RESOLUTION NO. 840 -2016, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A REVISED AGREEMENT WITH THE ISLIP FOREIGN TRADE ZONE AUTHORITY

WHEREAS, a Foreign Trade Zone (FTZ) is a designated location in the United States where eligible companies can access benefits that help encourage U.S. business activity in competition with foreign alternatives; and

WHEREAS, the fundamental benefit of the Foreign Trade Zone program is to allow U.S. based companies the ability to defer, reduce and/or eliminate customs duties on products admitted to a zone, without effect on a company's tax or other legal liabilities in the County and State; and

WHEREAS, pursuant to Order No. 150 issued by the U.S. Foreign Trade Zones Board ("FTZ Board") on December 13, 1979, Suffolk County received approval to operate a general-purpose foreign trade zone, in Islip, New York, adjacent to the New York City Customs port of entry, designated as Foreign Trade Zone 52 ("FTZ 52"); and

WHEREAS, the Islip Foreign Trade Zone Authority, a Public Benefit Corporation, was duly created pursuant to New York General Municipal Law §975 and authorized to contract with Suffolk County for the operation of FTZ 52; and

WHEREAS, the Islip Foreign Trade Zone Authority and Suffolk County entered into an Agreement dated September 28, 1981, for operation of the zone site located at Long Island MacArthur Airport; and

WHEREAS, in 2009 the FTZ Board adopted the Alternative Site Framework ("ASF") (15 CFR Sec. 400.2) as an option for the establishment or reorganization of zones; and

WHEREAS, pursuant to Resolution No. 198-2013, Suffolk County applied to the FTZ Board, and was granted authority to re-organize under the ASF, re-designating the zone site at Long Island MacArthur Airport as a magnet site with permanent status; and

WHEREAS, as a result of Suffolk County's re-organization under the ASF and the re-categorizing of the Zone Site at MacArthur Airport from a general-purpose to a magnet site the parties deem it practicable to terminate the 1981 Agreement and enter into a Foreign Trade Magnet Site Operating Agreement for operation of the magnet zone site located at 1 Trade Zone Drive, Ronkonkoma, NY; now, therefore be it

1st **RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute a revised agreement on behalf of the County of Suffolk with the Islip Foreign Trade Zone Authority, providing for their continuing participation in the Suffolk County Foreign Trade Zone under the Alternative Site Framework, and in substantially the same form annexed hereto; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution

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 (“NYCRR”) in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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 resolution.

DATED: October 5, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 20, 2016