

STRICKEN END OF YEAR
AMENDED COPY AS OF 10/5/2009

Intro. Res. No. 1771-2009
Introduced by Legislator Browning

Laid on Table 8/18/2009

**RESOLUTION NO. -2009, ESTABLISHING A YAPHANK
DEVELOPMENT OVERSIGHT TASK FORCE**

WHEREAS, the County Executive has announced the outlines of a major residential and commercial development project in Yaphank; and

WHEREAS, the development is proposed to occur on several hundred acres of County-owned land in Yaphank; and

WHEREAS, the County Executive's proposal is the result of an RFP process;
and

WHEREAS, the proposed development location was studied by the Yaphank Center Development RFEI Outreach Committee ("Outreach Committee") established by this Legislature through the enactment of Resolution No. 236-2006; and

WHEREAS, the Outreach Committee submitted a report to the County Executive and the Suffolk County Legislature in 2006 which included specific recommendations for the development in order to provide the most benefit to the residents of Suffolk County; and

WHEREAS, prior to moving this project forward, it is essential that this Legislature determine whether the recommendations of the Outreach Committee were considered in formulating the development plan, consider the impact the project will have on the surrounding communities, and solicit input from residents; and

WHEREAS, to accomplish these goals it is necessary and appropriate to form a new task force to study and assess the County Executive's proposed Yaphank development; now, therefore be it

1st RESOLVED, that a special Suffolk County Yaphank Development Oversight Task Force is hereby created to analyze how the subject land was acquired by the County and the purposes for which it was acquired; consider whether the land may be needed by the County for other purposes in the future; examine the recommendations of the Yaphank Development Review Committee to determine whether the Committee's recommendations were adhered to in the development of this project; solicit input from the surrounding community and the Town of Brookhaven regarding this project; determine the impacts this project may have on the surrounding communities and school districts; determine the regional impact of the project, based on its size and scope; and assess whether the proposed development is in the best interests of the residents of Suffolk County; and be it further

2nd RESOLVED, that this Task Force shall consist of the following eleven (11) members:

- 1.) the chairman of the Suffolk County Legislature's Labor, Workforce and Affordable Housing Committee, or his or her designee from among the committee members;

- 2.) the chairman of the Suffolk County Legislature's Economic Development, Higher Education and Energy Committee, or his or her designee from among the committee members;
- 3.) a representative of the majority caucus of the Suffolk County Legislature;
- 4.) a representative of the minority caucus of the Suffolk County Legislature;
- 5.) a representative from the South Yaphank Civic Association;
- 6.) a representative from the Yaphank Taxpayers Civic Association;
- 7.) a representative from the South Country School District;
- 8.) a representative from the Longwood School District;
- 9.) a representative from the environmental community, to be selected by the Suffolk County Legislature;
- 10.) a representative from a labor organization, to be selected by the Suffolk County Legislature; and
- 11.) a representative from emergency services organizations servicing the area surrounding the proposed development site, to be selected by the Suffolk County Legislature

and be it further

3rd **RESOLVED**, that the chairperson of the Task Force shall be selected by a majority of the membership of said Task Force; and be it further

4th **RESOLVED**, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the chairman of the Task Force, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

5th **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that six (6) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

8th **RESOLVED**, that the Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Five Thousand (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

9th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the Department of Planning, and stenographic services shall be provided by the County Legislature; and be it further

10th **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least two (2), but no more than four (4), public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

14th **RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

15th **RESOLVED**, that the Suffolk County Legislature shall take no action on any resolutions brought before this body pertaining to this development project prior to the submission of the Task Force's written report; and be it further

16th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of March 1, 2011, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

17th **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

18th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) 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, and 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:

APPROVED BY:

County Executive of Suffolk County

Date: