

**RESOLUTION NO. 1023 -2015, AUTHORIZING FUNDING OF  
INFRASTRUCTURE IMPROVEMENTS AND OVERSIGHT OF  
REAL PROPERTY UNDER THE SUFFOLK COUNTY  
AFFORDABLE HOUSING OPPORTUNITIES PROGRAM  
(COPIAGUE COMMONS)**

**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 and infrastructure improvements for the development of affordable housing through the use of capital bond proceeds; and

**WHEREAS**, the County Department of Economic Development and Planning, the Town of Babylon together with the Community Development Corporation of Long Island, a New York not-for-profit corporation and Conifer, LLC (the “Developers”) have identified a site in the County of Suffolk which would be appropriate for development as affordable housing and is identified by Suffolk County Tax Map Numbers: 0100-178.00-01.00-030.000, 0100-178.00-01.00-042.001, 0100-178.00-01.00-042.002 and 0100-178.00-01.00-029.001 (the “Subject Premises”); and

**WHEREAS**, the affordable housing development will be known as Copiague Commons and contemplates the construction of 90 affordable rental units, as more particularly described in the Development Plan attached hereto as Exhibit “1”; and

**WHEREAS**, the Subject Premises will require infrastructure improvements to facilitate the construction of the affordable housing development and, in connection therewith, the Developers have requested infrastructure funding from the County in the amount of up to Seven Hundred and Fifty Thousand Dollars (\$750,000); and

**WHEREAS**, the Developers and the County are negotiating the terms of a Development Agreement, a copy of which in substantially final form is attached hereto as Exhibit “2”, which shall be executed; and

**WHEREAS**, Resolution No. 950-2014, appropriated the proceeds of \$2,500,000 in Suffolk County Serial Bonds to fund the infrastructure improvements 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 specific infrastructure improvements to be made in connection with such affordable housing developments; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that the development of Copiague Commons 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 of Copiague Commons and the requested funding thereof in the amount of up to Seven Hundred and Fifty Thousand Dollars (\$750,000) for infrastructure improvements in accordance with the Development Plan; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Development Agreement is hereby approved in substantially the form as attached hereto; and be it further

**3<sup>rd</sup>** **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, and each other document contemplated to be executed and delivered in connection therewith, with such changes thereto as may be necessary or desirable, consistent with the Development Plan, in order to effectuate this overall affordable housing project and transactions contemplated hereby; and be it further

**4<sup>th</sup>** **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, in order to effectuate the purposes and intent of the foregoing resolution, including, but not limited to, payment of expenses such as costs associated with surveys, appraisals, environmental audits, title reports and insurance; and be it further

**5<sup>th</sup>** **RESOLVED**, that, subject to the terms of the fully executed Development Agreement, the County Comptroller and County Treasurer are hereby authorized to reserve and pay up to Seven Hundred and Fifty Thousand Dollars (\$750,000) in connection with infrastructure costs associated with the development of Copiague Commons from previously appropriated funds in Capital Project No. 525-CAP-6411.313; and be it further

**6<sup>th</sup>** **RESOLVED**, the Planning Board of the Town Board of Babylon, as lead agency, on September 21, 2015, issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Planning Board of the Town of Babylon is binding on the County, as an involved agency, pursuant to Title 6 of the New York Codes, Rules and Regulations (NYCRR) § 617.6 (b) (3) (iii) and, therefore, SEQRA is complete.

DATED: December 1, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: December 16, 2015