

Adopted

02/15/05

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution # 5

At a meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on February 15, 2005 at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Cardinale, and upon roll being called, the following were

PRESENT:

Chairman Philip J. Cardinale
Member Rose Sanders
Member Barbara Blass
Member Edward Densieski
Member George Bartunek

ABSENT:

The following resolution was offered by Member COUNCILMAN BARTUNEK
who moved its adoption, seconded by Member COUNCILWOMAN SANDERS, co-wit:

RESOLUTION DATED FEBRUARY 15, 2005

AUTHORIZES THE CHAIRMAN TO EXECUTE ALL REQUIRED DOCUMENTS AND TO EXPEND THE AGREED UPON FUNDS TO CLOSE UPON THE PURCHASE OF A PORTION OF THE REAL PROPERTY ADJACENT TO THE SUFFOLK THEATRE OWNED BY THE RIVERHEAD PUBLIC PARKING IMPROVEMENT DISTRICT

WHEREAS, by Articles 15 and 15-A and Section 680-c of Article 15-B of the General Municipal Law of the State of New York, as amended (collectively, the "Act"), the Town of Riverhead Community Development Agency (the "Agency") was created with the authority and power to, among other things, acquire, construct, reconstruct and equip certain projects in accordance with the Act and to issue its revenue bonds or expend monies to pay the costs of such projects; and

WHEREAS, The Agency is the owner of certain real property located at 118 East Main Street, Riverhead, New York, more particularly described as SCTM Parcel No. 0600-129-1-7 and more commonly known as the "Suffolk Theatre"; and

WHEREAS, the Town of Riverhead (the "Town"), on October 19, 1993 adopted the East Main Street Urban Renewal Plan (the "Plan"), which Plan includes the redevelopment and reuse of the Suffolk Theatre in the Central Business District Urban Renewal Area of the Town (the "Area"); and

WHEREAS, the redevelopment and reuse of the Suffolk Theatre will arrest and prevent conditions of deterioration or blight in the portion of the Area in which the same is proposed to be located and is necessary for the overall redevelopment of the Area, which entire Area, including the portion in which the Suffolk Theatre is located, has been determined in the Plan to be vastly under utilized; and

WHEREAS, the Agency has entered into an Agreement for the sale of the Suffolk Theatre to Pike Realty Company, LLC, which requires the Agency to acquire a portion of the land owned by The Riverhead Public Parking Improvement District No. 1 located adjacent to the Suffolk Theatre on East Main Street, Riverhead, New York, to merge said land with the Suffolk Theatre property and to dispose of same as part of the sale of the Suffolk Theatre to Pike Realty Company, LLC pursuant to said Agreement of Sale, a copy of which is on file with the Town Clerk; and

WHEREAS, Sections 555(2), 556(2), and 507(2)(c) of the General Municipal Law require that a public hearing, following at least ten (10) days public notice,

be held by the Agency on the question of acquisition and disposition of property; and

WHEREAS, a public hearing was held by the Agency at a meeting on December 21, 2004, at 2:15 o'clock P.M. Prevailing Time, to hear all persons interested on the question of the acquisition of 6,882.39 square feet of certain real property adjacent to the Suffolk Theatre and owned by The Riverhead Public Parking Improvement District No. 1, which hearing was attended by all Members of said Agency and, PRIOR TO the time of said meeting, a public notice of the time and place of said hearing was published on December 9, 2004 in the News Review, the newspaper designated as the official newspaper for this purpose and one having a general circulation in, and available to residents of the Town; and

WHEREAS, the Town, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA"), by Town Board Resolution #949 adopted October 19, 2004, declared itself "lead agency" for the conveyance of the Suffolk Theatre and determined said conveyance to be an unlisted action without a significant impact on the environment; and

WHEREAS, the Agency, by Resolution #2. of 2005, authorized the expenditure of \$14,000.00 to acquire 6,882.39 square feet of certain real property adjacent to the Suffolk Theatre, which property is a portion of premises owned by The Riverhead Public Parking Improvement District No. 1 and known as SCTM Parcel No. 0600-128-06-66.2, and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board, and to dispose of said real property to Pike Realty Company, LLC as part of the sale of the Suffolk Theatre pursuant to the Agreement of Sale with Pike Realty Company, LLC, a copy of which is on file with the Town Clerk and to take such action thereon as is required or authorized by law;

NOW, THEREFORE, BE IT RESOLVED by the Members of the Town of Riverhead Community Development Agency that the Chairman of the Agency is hereby authorized to execute all required documents and to expend \$14,000.00 to purchase a portion of the real property adjacent to the Suffolk Theatre owned by Riverhead Enterprises known as SCTM Parcel No. 0600-129-01-8.1, and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board; and be it further

RESOLVED, that the Secretary of the Agency is hereby directed to forward a certified copy of this resolution to Riverhead Enterprises, Mergim Bazhdari, Esq., the Attorney for Pike Realty Company, LLC, the Town Attorney, the Director of the Community Development Agency and the Town Financial Administrator.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Member Bartunek _____
Member Sanders _____
Member Blass _____
Member Densieski _____
Member Cardinale _____

THE VOTE

Bartunek yes ___ no ___ Sanders yes ___ no ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Adopted

02/15/05

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution # 6

At a meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on February 15, 2005 at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Cardinale, and upon roll being called, the following were

PRESENT:

Chairman Philip J. Cardinale
Member Rose Sanders
Member Barbara Blass
Member Edward Densieski
Member George Bartunek

ABSENT:

The following resolution was offered by Member COUNCILMAN DENSIESKI
who moved its adoption, seconded by Member COUNCILWOMAN BLASS, to-wit:

RESOLUTION DATED FEBRUARY 15, 2005

**AUTHORIZES THE CHAIRMAN TO EXECUTE ALL REQUIRED
DOCUMENTS AND TO EXPEND THE AGREED UPON FUNDS TO CLOSE
UPON THE PURCHASE OF A PORTION OF THE REAL PROPERTY
ADJACENT TO THE SUFFOLK THEATRE OWNED BY RIVERHEAD
ENTERPRISES**

WHEREAS, by Articles 15 and 15-A and Section 680-c of Article 15-B of the General Municipal Law of the State of New York, as amended (collectively, the "Act"), the Town of Riverhead Community Development Agency (the "Agency") was created with the authority and power to, among other things, acquire, construct, reconstruct and equip certain projects in accordance with the Act and to issue its revenue bonds or expend monies to pay the costs of such projects; and

WHEREAS, The Agency is the owner of certain real property located at 118 East Main Street, Riverhead, New York, more particularly described as SCTM Parcel No. 0600-129-1-7 and more commonly known as the "Suffolk Theatre"; and

WHEREAS, the Town of Riverhead (the "Town"), on October 19, 1993 adopted the East Main Street Urban Renewal Plan (the "Plan"), which Plan includes the redevelopment and reuse of the Suffolk Theatre in the Central Business District Urban Renewal Area of the Town (the "Area"); and

WHEREAS, the redevelopment and reuse of the Suffolk Theatre will arrest and prevent conditions of deterioration or blight in the portion of the Area in which the same is proposed to be located and is necessary for the overall redevelopment of the Area, which entire Area, including the portion in which the Suffolk Theatre is located, has been determined in the Plan to be vastly under utilized; and

WHEREAS, the Agency has entered into an Agreement for the sale of the Suffolk Theatre to Pike Realty Company, LLC, which requires the Agency to acquire a portion of the land owned by Riverhead Enterprises located adjacent to the Suffolk Theatre on East Main Street, Riverhead, New York, to merge said land with the Suffolk Theatre property and dispose of same as part of the sale of the Suffolk Theatre to Pike Realty Company, LLC pursuant to said Agreement of Sale, a copy of which is on file with the Town Clerk; and

WHEREAS, the Agency has entered into an Agreement for the purchase of 653.09 square feet of the land owned by Riverhead Enterprises located adjacent

to the Suffolk Theatre on East Main Street, Riverhead, New York and the payment of monies in connection therewith; and

WHEREAS, Sections 555(2), 556(2), and 507(2)(c) of the General Municipal Law require that a public hearing, following at least ten (10) days public notice, be held by the Agency on the question of acquisition and disposition of property; and

WHEREAS, a public hearing was held by the Agency at a meeting on December 21, 2004, at 2:20 o'clock P.M. Prevailing Time, to hear all persons interested on the question of the acquisition of 653.09 square feet of certain real property adjacent to the Suffolk Theatre and owned by Riverhead Enterprises, which hearing was attended by all Members of said Agency and, PRIOR TO the time of said meeting, a public notice of the time and place of said hearing was published on December 9, 2004 in the News Review, the newspaper designated as the official newspaper for this purpose and one having a general circulation in, and available to residents of the Town; and

WHEREAS, the Town, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA"), by Town Board Resolution #949 adopted October 19, 2004, declared itself "lead agency" for the conveyance of the Suffolk Theatre and determined said conveyance to be an unlisted action without a significant impact on the environment; and

WHEREAS, the Agency, by Resolution #1 of 2005, authorized the expenditure of \$24,000.00 to acquire 653.09 square feet of certain real property adjacent to the Suffolk Theatre, which property is a portion of premises owned by Riverhead Enterprises and known as SCTM Parcel No. 0600-129-01-8.1, and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board, and to dispose of said real property to Pike Realty Company, LLC as part of the sale of the Suffolk Theatre pursuant to the Agreement of Sale with Pike Realty Company, LLC, a copy of which is on file with the Town Clerk and to take such action thereon as is required or authorized by law;

NOW, THEREFORE, BE IT RESOLVED by the Members of the Town of Riverhead Community Development Agency that the Chairman of the Agency is hereby authorized to execute all required documents and to expend \$24,000.00 to purchase a portion of the real property adjacent to the Suffolk Theatre owned by Riverhead Enterprises known as SCTM Parcel No. 0600-129-01-8.1, and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board; and be it further

RESOLVED, that the Secretary of the Agency is hereby directed to forward a certified copy of this resolution to Riverhead Enterprises, Mergim Bazhdari, Esq., the Attorney for Pike Realty Company, LLC, the Town Attorney, the Director of the Community Development Agency and the Town Financial Administrator.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Member Bartunek _____
Member Sanders _____
Member Blass _____
Member Densieski _____
Member Cardinale _____

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED