

Minutes of the Community Development Agency held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on December 19, 2017 at 7:00 p.m.

**PRESENT:**

Sean Walter	Chairman
John Dunleavy	Member
James Wooten	Member
Jodi Giglio	Member
Timothy Hubbard	Member

**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

**Resolution # 14**

Dawn Thomas: “Good evening. CDA Resolution #14, a Resolution Calling a Public Hearing of Calverton Aviation & Technology LLC, a Joint Venture to be Formed by Luminati Aerospace, LLC and Triple Five Ventures Co., LLC, as a Qualified and Eligible Sponsor for the Purchase and Development of Approximately 1,643 plus or minus acres Located Within the Premises Known as the Enterprise Park at Calverton (EPCAL) Consistent with the Goals and Objectives of the Planned Development (PD) Zoning District Adopted on August 16, 2016, the Town of Riverhead Comprehensive Master Plan, as Amended on August 2, 2016 and the Town of Riverhead Calverton Enterprise Park Urban Renewal Plan as Amended on August 2, 2016.

Member Dunleavy: “So moved.”

Member Wooten: “I’ll second.”

Chairman Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard.”

Member Hubbard: “In order to vote yes to this and to move this endeavor on for a qualified and eligible hearing, one has to really agree in substance to the contract that has been presented to us in the proceedings that have taken place over the past ten months. I stated from the beginning that I did not want any residential housing on the EPCAL property, it does not belong there. We do not need the increased enrollment in our schools. That property is for industrial and manufacturing and no sooner you build a house then you’re getting calls that there’s too much noise in my neighborhood, that’s not what it’s for; it’s for economic generation, be an economic generator and to help this town out down the road. In this contract they are agreeing not to build any residential housing up there, so that’s ok. The second thing that I was very concerned about

was the fact that we're selling sixteen hundred and forty-three acres or more in this total package. Approximately six hundred acres are developable today, the rest are restricted with DDT sanctions, today. That does not mean that in a year from now or two years from now, five years from now those sanctions don't get lifted and we've basically then given Luminati sixteen hundred and forty-three acres at an extremely discounted rate, so my request was to receive financial reimbursement from Luminati in this contract should that land be developable down the road. Luminati refused to do that. Based on that situation that's extremely important to me and I think it's extremely important to the town and I think with that I have to vote no to let this process go through."

Vote Continued: "Giglio."

Member Giglio: "Well I can say I voted no for the zoning because it did have residential and retail in it and I don't believe residential and retail belong there. I have been repeatedly shut down in executive session with ideas things that I think can make the contract better because I was constantly reminded that I was a minority vote and that there were other Board members who wanted to move the contract forward as it was. One of the reasons why EPCAL was given to us was for job creations for the jobs that were lost when Grumman left and there has been, there aren't any performance standards or job creation standards in the contract. There's no revert clause that it comes back to the town if they fail to create those jobs. The purchaser has not lived up to his expectations. That since we have given him the runway agreement he has promised to create a certain number of jobs and build expansions onto buildings and it's like all the promises that he made have not come to fruition. I had also asked for what Tim had asked for which was the additional acreage that we get a fee for the additional acreage to be developed at the market value at that particular time, it was rejected. I know that there are other offers that we are out there that we are not aware of what those offers exactly are and I think it's important to explore those. I think its just been too long going on, too many extensions without any money down. The town has not prospered in any way, shape or form since this Luminati contract has been constructed. I don't agree with the terms that are in the contract. I don't agree with scheduling it for a qualified and eligible before our Supervisor-elect and our Councilwoman- elect and they can weigh in on the terms of the contract and for that reason I'm voting no."

Vote Continued: "Wooten."

Member Wooten: "I can tell you that EPCAL or at least my ten years here have always been a (inaudible) yet they did wait for me to vote against the Riverhead Resort which I got outvoted on but I thought that was a bad move for Riverhead. Luminati impressed me, not the person, the project impressed me. The fact that he wasn't going to put forty lots up there and there wasn't going to be forty subdivisions. There was going to be two lots and undeveloped because he wanted aviation use, and aviation technology. That was perfect for me. I enjoyed that. Housing is not a big issue for me, the Board decides not to have housing, so be it. It's an accessory at that. That's not a game stopper for me. The fact that it's less development, the reason the forty million dollars I can live with is because we're talking about five hundred and ninety-three acres that was studied. That's what the map includes. Yes, is it sixteen hundred acres, yes there is. None of that other stuff has been studied in any SEQUA. If anyone wants to go outside of what's been studied they have to have their own independent SEQUA study. They're going to have to basically go through all that expense in order to develop those

properties and that's taxable rateables for the town any way if they do build. It's not as if the (inaudible) wouldn't get anything if they decided to expand beyond what's been studied or what's part of that map. For me the next process is the Q&E. We've been bantering this, we even brought in on behest of the Board an additional lawyer in to sit down and negotiate this contract, to be a second set of eyes because there was some question as to whether the integrity of our current attorney who was working on it, which I felt slighted by but. So we had two sets of eyes on this. They went back and forth with this contract, back and forth, back and forth until finally they acquiesced, we don't want any residential up there, three hundred houses, whatever it is, three hundred apartments, so it came down to who's going to buy it. Where is the money coming from, that's what I hear about? Who is backing this project and when you're backing this project what do you want to put there? What is your intention for your forty million dollars. Put your money down and tell me what you want there. What is your vision for the Town of Riverhead for the next ten, twenty, thirty years? That's what the Q&E is for. The Q&E has a right. Just because (inaudible) doesn't mean it's yours. It gives us a chance and the public a chance to ask questions; who are you, what are you doing, where's the money coming from, what is your plan, what are you doing? That can all be stipulated. The next process is to bring them here. I can live with the contract the way it's written. The lawyers going back and forth, and we had good lawyers, ones we paid extra lawyers to do it so this is the next process. In Riverhead you have to look at the future. Where is this town going in the future because I tell you most people in this room when EPCAL gets developed, we won't be here. It's going to be my daughter right there who's going to be here and reap the benefits of what we're going to put in EPCAL. So, I definitely support the next step in the process that's been kicked round for ten years and even further and George I appreciate what you did but it wasn't about what Riverhead can make with that money. I don't care if we get any money from that property to be honest with you. It was never about what we could sell that property for but what can be created there. What kind of economic engine can be created there not only for Riverhead but for the County, job creation, technology. The world is a whole different now than it was fifteen years ago, trust me, it's a whole different world and it's getting different day by day. So, it was never about what we can sell that property for. It's not supposed to be a land grab for the Town of Riverhead, it's supposed to be an economic engine for us, the tax payers and for the County. So I think the next step is certainly in line and I think we worked very hard to make sure that we're at this step so I support it, yes."

Vote Continued: "Dunleavy."

Member Dunleavy: "I've been here twelve years. EPCAL has been in negotiations for more than twelve years. We did the sports park, Congressman (inaudible) said we have ten million dollars from them but nobody wanted it so we put it out for more, we didn't get anything. Now we put out again and we got aviation back here again, high paying jobs. I voted no for these extensions, but the Town Board voted yes for the extensions, so we gave them an extension. This here is not saying yes to this contract all this is giving them a hearing. Now the Supervisor-elect and the Councilwoman have met with our attorneys. They went over this with our attorneys. So this isn't new to them. They have discussed it with our attorneys, so they know what this is all about. The Q&E is where they ask the questions of what they're going to do with this property and what they're going to, how much money they're going to have to spend and how long it's going to take for them to do it. So, it's nothing new. I mean we all had to sign an affidavit that we weren't going

to tell anybody until the Q&E comes up and then the public can know about it and I've been telling the public, I was on the radio telling the public that you have questions come to the Q&E on the sixteenth or call one of your councilpersons or the Supervisor and give them the question or e-mail them a question and let them answer questions that you want. I do not want a hearing this year because I'm not going to vote on this. Have the Q&E next year so everybody can answer their questions and ask their questions and have to get the answers. They're the ones who have to accept them. They can get rid of this after the Q&E. They can leave the meeting open for another month or two, give them good questions have them investigate the questions and then if they don't like the answers they know but in the process you have to have a Q&E, you have to have it. So, anybody from the public that thinks that the new Supervisor or the Councilwoman doesn't know anything about this they're wrong. I know, I spoke to the attorneys right after they did and he told me they were there and he went over the contract with them but they can't tell anybody because they had to sign that they couldn't speak about this. I know we get these people who come up here, this is why EPCAL has never been sold. Actually, the federal government said to us, you don't have to sell the property, just get some industry here to bring the taxes back to you. So, selling the property is a bonus for us and the forty million if we get it and we don't know because we're not going to approve it. These council people and the new councilwoman and the new Supervisor are the ones who are going to approve this, we're not going to approve it. All we're doing is setting a hearing up so they can answer they're questions. They know what the contract says, they give good questions. So, I don't know why we're having this discussion. This I why EPCAL never sold and why if somebody wants to buy it now why didn't they come when it was up for sale? Why does everybody wait until after it's finished and then come. That's why there are public hearings. Public hearings are for you to come in and speak but nobody comes and then after the public hearing it's, why did you do that, I didn't want that. Well then why didn't you come to the public hearing? We're not doing anything with this. All we're doing is giving it a hearing date, that's all we're doing. Where you should be speaking is at the public hearing and that's all I got to say and I have to vote yes for the public hearing to give the new Supervisor, the Councilwoman and the rest of the Board an opportunity to ask questions and to approve it or disapprove it. They can get rid of this contract in thirty days. This is not a sealed thing. Anybody who thinks it is wrong. I'm not afraid to say that. I'm not a politician, I'm just a regular guy but I've been here for twelve years and I see what's happened in twelve years and this is what happens in twelve years. That's why EPCSL has never been sold, nothing has been developed there so let's go with this Q&E. If you have questions call the councilwoman up, call these council people up or e-mail or give the Supervisor a call. That's who you have to get involved with for the 16<sup>th</sup> for this hearing. I vote yes."

Vote Continued:

"Walter, no speech, yes."

Councilwoman Giglio: "I have a question for you. Is the proposed contract going to be attached to this resolution so that the public can prepare their questions for the qualified and eligible?"

Supervisor Walter: "The contract is going to be made available to the public as part of the public hearing, yes."

Councilwoman Giglio:

"I think it should be made available ahead of time."

Supervisor Walter: "It will be Jodi."

Dawn Thomas: "Resolution was adopted."

Member Dunleavy: "I make a motion we close the CDA meeting and reopen the  
Town Board meeting, so moved."

Member Wooten: "I'll second."

Chairman Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes."

Diane Wilhelm: "The Town Board meeting is now reopened."