

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 12:00 p.m. on the 1st. day of November, 2007 and do consent to the holding of such meeting for the purpose of:

COMMUNITY DEVELOPMENT AGENCY:

RES. #16 A RESOLUTION DESIGNATING REPCAL, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE REDEVELOPMENT OF APPROXIMATELY 300 ACRES OF PROPERTY WITHIN THE LIGHT INDUSTRIAL ZONE DISTRICT OF THE EPCAL SITE.

SPECIAL TOWN BOARD MEETING:

RES. #1005 APPROVING THE ACTION TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY OF THE TOWN OF RIVERHEAD IN DESIGNATING REPCAL, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR TO DEVELOP SOME 300 ACRES OF PROPERTY WITHIN THE LIGHT INDUSTRIAL PORTION OF THE EPCAL SITE

RES.#1006 GRANGEBEL PARK PHASE III CAPITAL PROJECT BUDGET ADJUSTMENT

RES.#1007 APPOINTS ACCOUNT CLERK TYPIST IN THE ACCOUNTING DEPARTMENT (L. Hall)

RES.#1008 RATIFIES PUBLICATION AND POSTING OF NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2008 PRELIMINARY ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD

RES.#1009 AUTHORIZES AMENDMENT TO THE 2008 TENTATIVE BUDGET

Dated: Nov. 1, 2007
Media Notified by
Supervisor

TOWN BOARD MEMBERS
of Riverhead, New York

Supervisor

Councilman

Councilwoman

Councilman

Councilman

November 1, 2007

TOWN OF RIVERHEAD

Adopted

CDA RESOLUTION # 16

A RESOLUTION DESIGNATING REPCAL, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE REDEVELOPMENT OF APPROXIMATELY 300 ACRES OF PROPERTY WITHIN THE LIGHT INDUSTRIAL ZONE DISTRICT OF THE EPCAL SITE

COUNCILMAN BARTUNEK

_____ offered the following
resolution, which was seconded by **COUNCILWOMAN BLASS**

WHEREAS, the Town of Riverhead Community Development Agency owns, among other properties at the Enterprise Park at Calverton, some 300 acres of property located in the Light Industrial Zone, south of Route 25, Calverton, New York (hereinafter "the Property"; and

WHEREAS, REPCAL, LLC has submitted to the Community Development Agency (the "Agency") a proposal for the redevelopment of the Property as an industrial development of approximately 2,500,000 square feet of industrial space construction; and

WHEREAS, the Agency believes the redevelopment is consistent with the purposes and objectives of the Calverton Enterprise Park Urban Renewal Plan (1998) and the Light Industrial Zoning Use District; and

WHEREAS, Section 507(2)(d) of the General Municipal Law requires that a person, firm or corporation which proposes to develop municipally owned property within an Urban Renewal Area be designated as a Qualified and Eligible Sponsor pursuant to the rules and procedures of the Agency prior to the transfer of property to said person, firm or corporation pursuant to Section 507(2)(d) of the General Municipal Law; and

WHEREAS, the Town Board, as the governing body of the Agency, by CDA Resolution #15, dated October 4, 2007, authorized the Chairman to execute a conditional contract of sale for the subject property, which was expressly conditioned upon the designation of REPCAL as a Qualified and Eligible Sponsor pursuant to Section 507(2)(d) of the General Municipal Law; and

WHEREAS, after due public notice, the Agency conducted a hearing pursuant to Section 507(2)(d) of the General Municipal Law on October 16, 2007 to hear testimony and review documents and related submittals on the question of designating REPCAL, LLC as a Qualified and Eligible Sponsor for the redevelopment of the Property located within the Light Industrial Zoning District at EPCAL; and

WHEREAS, said hearing having been duly closed; and

WHEREAS, the sale of the Property and the designation of REPCAL as a Qualified and Eligible Sponsor for this redevelopment project is in conformance with the conditions and thresholds established in the Final Generic Impact Statement (FGEIS) of October 6, 1998, as supplemented by the Final Supplemental Environmental Impact Statement (FSEIS) of September 2005 adopted in conjunction with the adoption of Town Code Article XXVII (Light Industrial District), and therefore pursuant to SEQRA regulations (6 N.Y.C.R.R. 617.10(d)(1) no further SEQR review is required for this action. Site specific SEQRA review will be conducted as required in connection with the Sponsor's applications for approvals for the redevelopment project.

NOW, THEREFORE BE IT RESOLVED, by the Members of the Agency, as follows:

1. Based upon the public hearing held by the Agency at the Wading River Congregational Church, North Country Road, Wading River, New York, on October 16, 2007 at 7:40 p.m. prevailing time, and upon all the documentation and information received by the Agency, the Town Board, as the governing body of the Agency, hereby designates REPCAL, LLC as a Qualified and Eligible Sponsor pursuant to the rules and procedures of the Agency and Section 507(2)(d) of the General Municipal Law for the redevelopment of the Property.

2. The Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York 11901, Guy Germano, Esq., Germano & Cahill, PC., 4250 Veterans Memorial Highway, Suite 275, Holbrook, New York 11741; Andrea Lohneiss, Director of the Community Development Agency, and Dawn C. Thomas, Esq., Town Attorney.

THIS RESOLUTION HAS BEEN PREPARED BY FRANK A. ISLER,
SPECIAL COUNSEL.

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED