

**PUBLIC COMMENT ON ANY CDA RESOLUTION (S) LISTED BELOW:**

- CDA #1 Ratifies Members and Officers of the Riverhead Community Development Agency
- CDA #2 Authorizes Chairman to Execute Contract of Sale for a 755+/- Parcel of Property Within the Planned Recreational Park Portion of the EPCAL Site with Riverhead Resorts LLC
- CDA #3 A Resolution Designating Riverhead Resorts LLC as a Qualified and Eligible Sponsor for the Redevelopment of Approximately 755 Acres of Property Within the Planned Recreational Park Zone District of the EPCAL Site

**PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION(S) LISTED BELOW:**

- Res. #1 Authorizes the Supervisor to Execute Contract of Sale of 755+/- Parcel of Property Within the Planned Recreational Park Portion of the EPCAL Site with Riverhead Resorts LLC
- Res. #2 Designates Funds from Riverhead Resorts, LLC for Specific Municipal Purposes
- Res. #3 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (§108-64 Prefabricated Dwellings)
- Res. #4 Reappoints Town Historian (Georgette Case)
- Res. #5 Transfer of an Account Clerk Typist to the Accounting Office (Kathleen Schroeder)
- Res. #6 Appoints Official Newspaper
- Res. #7 Calverton Enterprise Park (Calverton Camelot) Budget Adjustment

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY**

**RESOLUTION #1**

**Ratifies Members and Officers of the Riverhead Community Development Agency**

\_\_\_\_\_ **COUNCILWOMAN BLASS** \_\_\_\_\_ offered the following resolution,  
which was seconded by \_\_\_\_\_ **COUNCILMAN DUNLEAVY** \_\_\_\_\_

**WHEREAS**, pursuant to Article 15-A and 15-B of the General Municipal Law, and pursuant to the Town of Riverhead Municipal Home Rule Request, Assembly Bill #6115 and Senate Bill #3418, and pursuant to Law signed by the governor on July 13, 1982, Title 116 of the General Municipal Law was enacted thereby establishing the "Town of Riverhead Community Development Agency;" and

**WHEREAS**, Resolution #1 (1982) - Community Development Agency of the Riverhead Community Development Agency adopted, ratified and approved By-Laws stipulating the structure and organization of the Community Development Agency; and

**WHEREAS**, the By-Laws of the Riverhead Community Development Agency stipulate that the Agency shall consist of five (5) members, including the Supervisor, who shall be its Chairman, and the four Town Board Members, or their respective successors to office; and

**WHEREAS**, the By-Laws of the Riverhead Community Development Agency further stipulate that the officers of the Agency shall be a Chairman (Supervisor), a Vice-Chairman who shall perform the duties of the Chairman in the absence or incapacity of the Chairman, and a Secretary-Treasurer who shall also be the Director; and

**WHEREAS**, to ensure proper functioning of the Agency, in order to undertake certain Urban Renewal activities, annual clarification of those members and officers currently serving the Riverhead Community Development Agency is appropriate; and

**WHEREAS**, since 1982 the CDA has operated as the economic development agency of the Town of Riverhead and as such undertook the development of the aquarium, downtown revitalization and public improvements including the Vail Leavitt restoration, pursuant to the East Main Street Urban Renewal Plan, Railroad Station restoration and urban renewal activities on Railroad Avenue, including the solicitation of the county court room expansion for Riverhead, pursuant to the Railroad Avenue Urban Renewal Plan, affordable housing and neighborhood revitalization pursuant to the Millbrook Gables Urban Renewal Plan and the acquisition and redevelopment of the Naval Weapons Industrial Reserve Plant (Calverton Enterprise Park) based on

January 2, 2008

Congressional recognition of the CDA as the town's "economic development agency" in Public Law 103-c337 and pursuant to the Calverton Urban Renewal Plan; and

**WHEREAS**, the CDA undertook to prepare and submit an application to the New York State Empire State Development Corporation in 1997 for the designation of 1,248 acres of the Calverton Enterprise Park as an Economic Development Zone to provide significant incentives to encourage the redevelopment of this facility; and

**WHEREAS**, said application was approved in 1998 and the town undertook to administer the economic development zone, now known as the Calverton/Suffolk County Empire Zone, by contract between the CDA and New York State; and

**WHEREAS**, the CDA pursued and secured \$1.8 million in funds from the U.S. Department of Commerce Economic Development Administration for the extension of public water to the Calverton site to increase its economic development potential, as well as additional funding to support other site improvements.

**THEREFORE, BE IT RESOLVED**, that the current members of the Riverhead Community Development Agency are: Phil Cardinale, Barbara Blass, John Dunleavy, Timothy Buckley, and James Wooten.

**AND BE IT FURTHER RESOLVED**, that the Riverhead Community Development Agency hereby appoints the following officers of the Agency: Phil Cardinale as Chairman, Barbara Blass as Vice-Chairman and Chris Kempner as Director, Secretary-Treasurer.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a notification of this resolution to Town Attorney Dawn Thomas and Community Development Agency Director Chris Kempner.

**THE VOTE**

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Wooten ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED**

January 2, 2008

TOWN OF RIVERHEAD

Adopted

CDA RESOLUTION #2

AUTHORIZES CHAIRMAN TO EXECUTE CONTRACT OF SALE FOR A 755+/- PARCEL OF PROPERTY WITHIN THE PLANNED RECREATIONAL PARK PORTION OF THE EPCAL SITE WITH RIVERHEAD RESORTS LLC

**COUNCILMAN DUNLEAVY**

\_\_\_\_\_ offered the following  
resolution, which was seconded by **COUNCILMAN BUCKLEY**

WHEREAS, the Town of Riverhead Community Development Agency owns, among other properties at the Enterprise Park at Calverton, some 755 acres of property located in the Planned Recreational Park Zoning District, south of Route 25, Calverton, New York; and

WHEREAS, RIVERHEAD RESORTS LLC has submitted to the Community Development Agency (the "Agency") a proposal for the redevelopment of the approximately 755 acres of property as a multi-use resort destination comprised of uses described in the Hotel-Conference Center Subdistrict, the Sports Park Subdistrict and the Family Entertainment Center Subdistrict of the Zoning Code; and

WHEREAS, the Town Board, as the governing body of the Agency, by Resolution #12 dated September 19, 2007, determined that proceeding with contract negotiations authorizing the transfer to this property with RIVERHEAD RESORTS LCC was consistent with the goals and objectives of the Comprehensive Reuse Plan (1996), the Calverton Enterprise Park Urban Renewal Plan (1998), the Planned Recreational Park Zoning Use District, and in the best interests of the Town of Riverhead taxpayers and residents; and

WHEREAS, the Agency authorized the Chairman to proceed with contract negotiations for that purpose; and

WHEREAS, a contract has been negotiated with terms satisfactory to the Agency, conditioned upon RIVERHEAD RESORTS LCC being determined by this Agency to be a Qualified and Eligible Sponsor pursuant to Section 507 of the New York General Municipal Law; and

WHEREAS, the contract will be executed on behalf of RIVERHEAD RESORTS LCC prior to the Chairman executing it on behalf of the Agency.

NOW, THEREFORE BE IT RESOLVED,

That the Chairman is hereby authorized to execute a conditional contract of sale substantially in the form and content as annexed hereto; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York 11901, Don Secunda, Esq., Weber Law Group, 201 North Service Road, Suite 300, Melville, New York 11747-3126; Andrea Lohneiss, Director of the Community Development Agency; Richard Hanley, Director of Planning; and Dawn C. Thomas, Esq., Town Attorney.

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

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

January 2, 2008

TOWN OF RIVERHEAD

Adopted

CDA RESOLUTION # 3

A RESOLUTION DESIGNATING RIVERHEAD RESORTS LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE REDEVELOPMENT OF APPROXIMATELY 755 ACRES OF PROPERTY WITHIN THE PLANNED RECREATIONAL PARK ZONE DISTRICT OF THE EPCAL SITE

**COUNCILMAN BUCKLEY**

\_\_\_\_\_ offered the following resolution, which was seconded by **COUNCILMAN WOOTEN**

WHEREAS, the Town of Riverhead Community Development Agency owns, among other properties at the Enterprise Park at Calverton, some 755 acres of property located in the Planned Recreational Park Zoning District, south of Route 25, Calverton, New York (hereinafter "the Property"; and

WHEREAS, RIVERHEAD RESORTS LLC has submitted to the Community Development Agency (the "Agency") a proposal for the redevelopment of the Property as a multi-use resort destination comprised of uses described in the Hotel-Conference Center Subdistrict, the Sports Park Subdistrict and the Family Entertainment Center Subdistrict of the Zoning Code; and

WHEREAS, the Agency believes the redevelopment is consistent with the goals and objectives of the Comprehensive Reuse Plan (1996), the Calverton Enterprise Park Urban Renewal Plan (1998), the Planned Recreational Park Zoning Use District, and in the best interests of the Town of Riverhead taxpayers and residents; 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 #2, dated January 2, 2008, authorized the Chairman to execute a conditional contract of sale for the subject property, which

was expressly conditioned upon the designation of RIVERHEAD RESORTS LLC 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 December 27, 2007 to hear testimony and review documents and related submittals on the question of designating RIVERHEAD RESORTS LLC as a Qualified and Eligible Sponsor for the redevelopment of the Property located within the Planned Recreational Park District at EPCAL; and

WHEREAS, said hearing having been duly closed; and

WHEREAS, the sale of the Property and the designation of RIVERHEAD RESORT LLC 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 20005 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 on December 27, 2007, held by the Agency at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at 2:15 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 RIVERHEAD RESORTS 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. That the Town Clerk is hereby directed to forward a certified copy of this resolution and attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York 11901, Don Secunda, Esq., Weber Law Group, 201 North Service Road, Suite 300, Melville, New York 11747-3126; Andrea Lohneiss, Director of the Community Development Agency; Richard Hanley, Director of Planning; and Dawn C. Thomas, Esq., Town Attorney.

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

THE VOTE  
Buckley Abstein yes no Wooten yes  no  
Dunleavy  yes no Blass  yes no  
Cardinale  yes no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED