

RESOLUTION LIST  
SPECIAL TOWN BOARD MEETING  
JUNE 7, 2012

- Res. #456      Offers Support to New York State Legislature to Amend the General Municipal Law in Relation to Establishing the Enterprise Park at Calverton Reuse and Revitalization District (Senate Bill #S.7289—A/Assembly Bill #A.10072—A)
- Res. #457      Authorization to Publish Advertisement of a Request for Proposals for Landfill Renewable Energy Project
- Res. #458      Resolution Authorizing the Town of Riverhead to Lease Landfill located at Youngs Avenue, Riverhead, NY for Development, Construction, Installation, and Management of a Renewable Energy Project (“Solar Photovoltaic Energy System” or “Systems”) by a Firm to be Selected by the Request for Proposal Procedure, Subject to Permissive Referendum

TOWN OF RIVERHEAD

Resolution # 456

**OFFERS SUPPORT TO NEW YORK STATE LEGISLATURE TO AMEND THE  
GENERAL MUNICIPAL LAW IN RELATION TO ESTABLISHING THE ENTERPRISE  
PARK AT CALVERTON REUSE AND REVITALIZATION DISTRICT  
(Senate Bill #S.7289--A/Assembly Bill #A.10072--A)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, legislation has been introduced in the New York State Senate and Assembly with the intent to promote the expeditious and orderly conversion and redevelopment of the Enterprise Park at Calverton Reuse and Revitalization District (EPCAL) in the Town of Riverhead, Suffolk County;

**WHEREAS**, this legislation will facilitate the reuse of EPCAL as provided for in the conveyance of the property by the Navy and articulated in the Enterprise Park at Calverton Reuse and Revitalization District plan. It provides incentives to attract private businesses to locate and expand insures consistency with existing law and achieves economic growth for the region; and

**WHEREAS**, a Home Rule request has been received by the Town of Riverhead in support of the above captioned legislation.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby supports the efforts of the New York State Legislature to amend the General Municipal Law, in relation to establishing the Enterprise Park and Calverton Reuse and Revitalization District; and be it further

**RESOLVED**, that the Town Board authorizes the Supervisor to execute a Home Rule Request supporting this proposed State legislation; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Senator Kenneth P. LaValle, 325 Middle Country Road - Suite #4, Selden, NY, 11784, Assemblyman Fred W. Thiele, Jr., 2302 Main Street, P.O. Box 3062, Bridgehampton, NY, 11932; the Community Development Office and the Office of the Town Attorney.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

## BILL TEXT:

## STATE OF NEW YORK

S. 7289--A  
Cal. No. 839

A. 10072--A

## SENATE - ASSEMBLY

May 2, 2012

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

IN ASSEMBLY -- Introduced by M. of A. THIELE, LOSQUADRO, MURRAY -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to establishing the Enterprise Park at Calverton Reuse and Revitalization District

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and intent. The former Calverton Naval  
2 Weapons Industrial Reserve Plant in the town of Riverhead, county of  
3 Suffolk (hereinafter "EPCAL"), was formerly owned by the Navy and leased  
4 by the Grumman Corporation. In 1998, Northrop Grumman closed nearly all  
5 facilities located on Long Island and chose not to renew its lease for  
6 the EPCAL site causing economic dislocation and unemployment for resi-  
7 dents of the town of Riverhead and the surrounding region. The Navy  
8 conveyed 2900 acres to the town of Riverhead Community Development Agen-  
9 cy ("CDA") for no consideration conditioned upon the town's reuse of the  
10 property for economic development.

11 In 2011, the town and CDA re-dedicated their efforts and invested  
12 significant funds to update, develop and implement a reuse and revitali-  
13 zation plan to meet the current economic, market and site conditions.  
14 The town and CDA, with the assistance of a firm with expertise in plan-  
15 ning and environmental analysis for large scale revitalization and  
16 development projects, updated the real estate market study; retained  
17 experts in the field of engineering, survey and topographical analysis;  
18 retained experts in the fields of sewer and water; and met with state,  
19 regional and local departments, agencies and special interest groups to  
20 identify, address, remedy or mitigate all concerns and potential adverse

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 impacts related to the town and CDA's goal of economic development at  
2 the EPCAL site. The comprehensive and extensive analysis of economic,  
3 market, environmental, traffic, sewer, water, and myriad other factors,  
4 together with participation of state, regional, local departments, agen-  
5 cies, and special interest groups, including but not limited to New York  
6 state department of transportation, New York state department of envi-  
7 ronmental conservation, Suffolk county planning and public works depart-  
8 ments, town of Riverhead planning, engineering, water and sewer depart-  
9 ments resulted in a reuse and revitalization plan that meets the  
10 economic and urban renewal goals of the original conveyance and will  
11 assist the state, county, and town to recapture potential investment,  
12 growth and employment opportunities for this region.

13 It is the purpose of this act to promote the expeditious and orderly  
14 conversion and redevelopment of EPCAL for uses including, but not limit-  
15 ed to, housing, industrial, institutional, educational, governmental,  
16 recreational, conservational, commercial or manufacturing uses, in order  
17 to prevent further blight, economic dislocation and additional unemploy-  
18 ment, and to aid in strengthening the New York state economy, the  
19 regional economy and the economy of the town of Riverhead. It is also  
20 the purpose of this act to provide an interim governmental structure for  
21 EPCAL which will assume specified local authority and duties, in recog-  
22 nition of the state and local partnership necessary for the successful  
23 redevelopment of EPCAL.

24 § 2. Title 116 of article 15-B of the general municipal law is amended  
25 by adding a new section 680-cc to read as follows:

26 § 680-cc. Enterprise Park at Calverton Reuse and Revitalization  
27 District. 1. Definitions. For the purposes of this section, the follow-  
28 ing words and phrases shall have the following meanings:

29 a. "District board" shall mean the governing body of the Enterprise  
30 Park at Calverton Reuse and Revitalization District established pursuant  
31 to subdivision two of this section.

32 b. "Enterprise Park at Calverton Reuse and Revitalization District" or  
33 "EPCAL" shall mean the regional development zone created by this  
34 section, including all easements, reservations and rights appurtenant  
35 thereto, and all buildings, structures, utilities and improvements  
36 located thereon comprising all or a portion of the former Northrop Grum-  
37 man facility and formerly within the ownership, control and jurisdiction  
38 of the United States government. The boundaries of which include all the  
39 land area of EPCAL more particularly described as follows:

40 All that certain plot, piece or parcel of land, situate, lying and  
41 being at Calverton, Town of Riverhead, County of Suffolk, State of New  
42 York as shown on a survey prepared by L.R. McLean Associates, P.C. dated  
43 October twenty-first, two thousand eleven. Said parcel being more  
44 particularly bounded and described as follows:

45 Beginning at a point formed by the intersection of the westerly bound-  
46 ary line of Peconic Avenue (not-open), and the northerly boundary line  
47 of Grumman Boulevard (River Road);

48 Said point of beginning being at coordinates N. 271,175.86, E.  
49 1,326,712.70 in the New York State Plane Coordinate System, Long Island  
50 Zone, NAD 1983.

51 Thence from said point of beginning westerly along said northerly bound-  
52 ary line of Grumman Boulevard (River Road), the following ten (10)  
53 courses and distances;

54 i. North 69° 21' 24" West, a distance of 3.10 feet to a point, thence  
55 ii. North 84° 02' 24" West, a distance of 616.74 feet to a point,  
56 thence

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1 iii. South 87° 05' 16" West, a distance of 602.20 feet to a point,  
2 thence  
3 iv. South 85° 37' 16" West, a distance of 313.16 feet to a point of  
4 curvature, thence  
5 v. Westerly along the arc of a curve bearing to the right having a  
6 radius of 614.17 feet, an arc length of 99.78 feet to a point of tangen-  
7 cy, thence  
8 vi. North 85° 04' 14" West, a distance of 732.38 feet to a point,  
9 thence  
10 vii. North 71° 24' 04" West, a distance of 91.27 feet to a point,  
11 thence  
12 viii. North 71° 22' 44" West, a distance of 418.08 feet to a point,  
13 thence  
14 ix. South 69° 37' 16" West, a distance of 674.80 feet to a point,  
15 thence  
16 x. North 62° 22' 44" West, a distance of 43.38 feet to a point formed  
17 by the intersection of the aforementioned northerly boundary line of  
18 Grumman Boulevard (River Road) and the easterly boundary line of The  
19 Wells Family Cemetery;  
20 Thence along said boundary line of the Wells Family Cemetery, the  
21 following two courses and distances;  
22 i. North 2° 22' 14" West, a distance of 286.12 feet to a point, thence  
23 ii. South 85° 20' 16" West, a distance of 90.00 feet to a point formed  
24 by the intersection of the northerly boundary line of The Wells Family  
25 Cemetery and the easterly boundary line of lands of The United States of  
26 America (Navy Parcel "B");  
27 Thence northerly along said easterly boundary line of lands of The  
28 United States of America (Navy Parcel "B") the following three courses  
29 and distances;  
30 i. North 4° 39' 44" West, a distance of 114.29 feet to a point, thence  
31 ii. North 66° 46' 00" West, a distance of 1108.62 feet to a point,  
32 thence  
33 iii. North 53° 05' 17" West, a distance of 66.28 feet to a point  
34 formed by the intersection of the easterly boundary line of lands of The  
35 United States of America (Navy Parcel "B") and the southerly boundary of  
36 Map of Calverton Camelot II, Filed in The Suffolk County Clerk's office  
37 March 9, 2007 as Map No. 11500;  
38 Thence along the boundary of said Map of Calverton Camelot II, the  
39 following nine courses and distances;  
40 i. South 89° 01' 31" East, a distance of 1480.82 feet to a point,  
41 thence  
42 ii. North 69° 37' 16" East, a distance of 318.93 feet to a point,  
43 thence  
44 iii. North 49° 39' 50" West, a distance of 8453.30 feet to a point,  
45 thence  
46 iv. South 40° 20' 10" West, a distance of 3321.67 feet to a point,  
47 thence  
48 v. South 4° 05' 28" East, a distance of 2564.03 feet to a point,  
49 thence  
50 vi. North 90° 00' 00" East, a distance of 330.33 feet to a point,  
51 thence  
52 vii. South 30° 00' 00" East, a distance of 318.71 feet to a point,  
53 thence  
54 viii. North 82° 58' 57" East, a distance of 1633.67 feet to a point of  
55 curvature, thence

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1 ix. Easterly along the arc of a curve bearing to the right having a  
2 radius of 3,634.79 feet, an arc length of 400.24, to a point on the  
3 westerly boundary line of Burman Boulevard, said curve having a chord  
4 bearing of North 86° 08' 14" East and chord distance of 400.04 feet;  
5 Thence South 4° 07' 36" East along said westerly boundary of Burman  
6 Boulevard, a distance of 721.60 feet to a point formed by the inter-  
7 section of the westerly boundary line of Burman Boulevard and the north-  
8 erly boundary line of Grumman Boulevard (Swan Pond Road);  
9 Thence along said northerly boundary line of Grumman Boulevard (Swan  
10 Pond Road) the following two courses and distances;  
11 i. Westerly along the arc of a curve bearing to the left having a  
12 radius of 2,914.79 feet, an arc to a point of tangency, said curve  
13 having a chord bearing of South 86° 33' 36" West and chord distance of  
14 363.75 feet, thence  
15 ii. South 82° 58' 57" West, a distance of 1069.85 feet to a point  
16 formed by the intersection of the northerly boundary of Grumman Boule-  
17 vard (Swan Pond Road) and the easterly boundary line of lands of The  
18 United States of America (Navy Parcel "A");  
19 Thence along said lands of The United States of America (Navy Parcel  
20 "A") the following five (5) courses and distances;  
21 i. North 4° 20' 00" West, a distance of 525.31 feet to a point, thence  
22 ii. North 90° 00' 00" West, a distance of 560.57 feet to point, thence  
23 iii. North 30° 00' 00" West, a distance of 436.40 feet to a point,  
24 thence  
25 iv. North 90° 00' 00" West, a distance of 790.00 feet to a point,  
26 thence  
27 v. South 0° 00' 00" West, a distance of 1099.72 feet to a point formed  
28 by the intersection of the westerly boundary line of said lands of The  
29 United States of America (Navy Parcel "A") and the northerly boundary  
30 line of Grumman Boulevard (Swan Pond Road);  
31 Thence along said northerly boundary line of Grumman Boulevard (Swan  
32 Pond Road) the following eight courses and distances;  
33 i. South 82° 58' 57" West, a distance of 243.60 feet to a point of  
34 curvature, thence  
35 ii. Westerly along the arc of a curve bearing to the left having a  
36 radius of 11,509.16 feet, an arc length of 176.33 feet to a point of  
37 tangency, said curve having a chord bearing of South 82° 32' 37" West  
38 and chord distance of 176.33 feet thence  
39 iii. South 82° 06' 17" West, a distance of 2226.10 feet to a point of  
40 curvature, thence  
41 iv. Westerly along the arc of a curve bearing to the right having a  
42 radius of 2,241.83 feet, an arc length of 504.77 feet to a point of  
43 tangency, said curve having a chord bearing of South 88° 33' 18" West  
44 and chord distance of 503.70 feet, thence  
45 v. North 84° 59' 41" West, a distance of 2,524.17 feet to a point of  
46 curvature, thence  
47 vi. Westerly along the arc of a curve bearing to the left having a  
48 radius of 2,341.83 feet, an arc length of 215.04 feet, to a point of  
49 tangency, said curve having a chord bearing of North 87° 37' 31" West  
50 and chord distance of 214.96 feet, thence  
51 vii. South 89° 44' 39" West, a distance of 974.35 feet to a point,  
52 thence  
53 viii. North 48° 03' 55" West, a distance of 107.56 feet to a point  
54 formed by the intersection of said northerly boundary line of Grumman  
55 Boulevard (Swan Pond Road) and the easterly boundary line of Wading  
56 River - Manorville Road (C.R. 25);

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1 Thence northerly along said easterly boundary line of Wading River -  
2 Manorville Road (C.R. 25) the following five courses and distances;  
3 i. North 5° 25' 40" West, a distance of 730.69 feet to a point of  
4 curvature, thence  
5 ii. Northerly along the arc of a curve bearing to the left having a  
6 radius of 868.51 feet, an arc length of 317.24 feet to a point, said  
7 curve having a chord bearing of North 15° 53' 32" West and chord  
8 distance of 315.48 feet, thence  
9 iii. North 6° 15' 09" West, a distance of 124.46 feet to a point,  
10 thence  
11 iv. North 32° 55' 09" West, a distance of 97.96 feet to a point,  
12 thence  
13 v. North 59° 52' 49" West, a distance of 289.20 feet to a point formed  
14 by the intersection of the southerly boundary line of lands of Henry  
15 Zebrowski and the easterly boundary line of Wading River Manorville Road  
16 (C.R. 25);  
17 Thence North 30° 07' 11" East along said southerly boundary line of  
18 lands of Henry Zebrowski, a distance of 200.00 feet to a point,  
19 Thence North 59° 52' 49" West along the easterly boundary line of lands  
20 of Henry Zebrowski and then along lands of Bridgette Lynn Associates,  
21 Inc., a distance of 354.90 feet to a point,  
22 Thence South 30° 07' 11" West along the northerly boundary line of lands  
23 of Bridgette Lynn Associates, Inc. a distance of 192.28 feet to a point  
24 formed by said northerly boundary line of lands of Bridgette Lynn Asso-  
25 ciates, Inc. and the easterly boundary line of Wading River - Manorville  
26 Road (C.R. 25);  
27 Thence northerly along said easterly boundary line of Wading River -  
28 Manorville Road (C.R. 25) the following two courses and distances;  
29 i. Northerly along the arc of a curve bearing to the right having a  
30 radius of 904.93 feet, an arc length of 576.68 feet to a point of  
31 tangency, said curve having a chord bearing of North 34° 06' 33" West  
32 and chord distance of 566.98 feet thence  
33 ii. North 15° 51' 10" West, a distance of 1320.93 feet to a point  
34 formed by the intersection of the southerly boundary line of Middle  
35 Country Road (N.Y.S. Rt. 25) and the easterly boundary line of the  
36 forementioned Wading River - Manorville Road (C.R. 25);  
37 Thence easterly along said southerly boundary line of Middle Country  
38 Road (N.Y.S. Rt. 25) the following nine (9) courses and distances;  
39 i. North 53° 57' 26" East, a distance of 153.37 feet to a point of  
40 curvature, thence  
41 ii. Easterly along the arc of a curve bearing to the left having a  
42 radius of 5,769.65 feet, an arc length of 407.82 feet to a point of  
43 tangency, thence  
44 iii. North 49° 54' 26" East, a distance of 41.47 feet to a point,  
45 thence  
46 iv. South 40° 05' 34" East, a distance of 85.30 feet to a point,  
47 thence  
48 v. North 49° 54' 26" East, a distance of 147.64 feet to a point,  
49 thence  
50 vi. North 40° 05' 34" West, a distance of 85.30 feet to a point,  
51 thence  
52 vii. North 49° 54' 26" East, a distance of 690.89 feet to a point of  
53 curvature, thence  
54 viii. Easterly along the arc of a curve bearing to the right having a  
55 radius of 1,392.69 feet, an arc feet to a point of tangency, thence

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1 ix. North 60° 22' 23" East, a distance of 1935.68 feet to a point  
2 formed by the intersection of the westerly boundary line of lands of  
3 Island water Park Corp. and the aforementioned southerly boundary line  
4 of Middle Country Road (N.Y.S. Rt. 25);  
5 Thence along said boundary line of lands of Island water Park Corp. the  
6 following seven courses and distances;  
7 i. South 6° 07' 37" East, a distance of 1100.62 feet to a point,  
8 thence  
9 ii. South 8° 18' 58" East, a distance of 1088.48 feet to a point,  
10 thence  
11 iii. South 6° 06' 42" East, a distance of 1143.05 feet to a point,  
12 thence  
13 iv. South 84° 59' 41" East, a distance of 815.30 feet to a point,  
14 thence  
15 v. North 6° 06' 42" West, a distance of 2222.50 feet to a point,  
16 thence  
17 vi. North 84° 59' 41" West, a distance of 832.48 feet to a point,  
18 thence  
19 vii. North 6° 07' 37" West, a distance of 1116.41 feet to a point  
20 formed by the intersection of the southerly boundary line of Middle  
21 Country Road (N.Y.S. Rt. 25) and the easterly boundary line of said  
22 lands of Island water Park Corp;  
23 Thence easterly along said southerly boundary line of Middle Country  
24 Road (N.Y.S. Rt. 25) the following three courses and distances;  
25 i. North 60° 22' 23" East, a distance of 407.76 feet to a point of  
26 curvature, thence  
27 ii. Easterly along the arc of a curve bearing to the right having a  
28 radius of 5689.65 feet, an arc length of 304.56 feet to a point of  
29 tangency, thence  
30 iii. North 63° 26' 24" East, a distance of 307.82 feet to a point  
31 formed by the intersection of the southerly boundary line of Middle  
32 Country Road (N.Y.S. Rt. 25) and the westerly boundary line of lands of  
33 The Riverhead Water District,  
34 Thence along said boundary lines of lands of The Riverhead Water  
35 District, the following three courses and distances;  
36 i. South 6° 32' 47" East, a distance of 304.98 feet to a point, thence  
37 ii. North 83° 27' 13" East, a distance of 465.80 feet to a point,  
38 thence  
39 iii. North 6° 32' 47" West, a distance of 434.49 feet to a point  
40 formed by the intersection of the southerly boundary line of Middle  
41 Country Road (N.Y.S. Rt. 25) and the easterly boundary line of said  
42 lands of The Riverhead Water District;  
43 Thence easterly along said southerly boundary line of Middle Country  
44 Road (N.Y.S. Rt. 25) the following eleven courses and distances;  
45 i. North 70° 28' 19" East, a distance of 704.60 feet to a point of  
46 curvature, thence  
47 ii. Easterly along the arc of a curve bearing to the left having a  
48 radius of 5,769.65 feet, an arc to a point of tangency, thence  
49 iii. North 62° 56' 21" East, a distance of 537.40 feet to a point of  
50 curvature, thence  
51 iv. Easterly along the arc of a curve bearing to the right having a  
52 radius of 1870.08 feet, an arc length of 273.06 feet to a point of  
53 tangency, thence  
54 v. North 71° 18' 19" East, a distance of 484.30 feet to a point of  
55 curvature, thence

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1 vi. Easterly along the arc of a curve bearing to the right having a  
2 radius of 5,689.65 feet, an arc length of 334.34 feet to a point of  
3 tangency, thence  
4 vii. North 74° 40' 19" East, a distance of 2552.80 feet to a point of  
5 curvature, thence  
6 viii. Easterly along the arc of a curve bearing to the right having a  
7 radius of 5,689.65 feet, an arc length of 622.32 feet to a point of  
8 tangency, thence  
9 ix. North 80° 56' 20" East, a distance of 1395.90 feet to a point of  
10 curvature, thence  
11 x. Easterly along the arc of a curve bearing to the left having a  
12 radius of 11,499.19 feet, an arc length of 525.22 feet to a point of  
13 tangency, thence  
14 xi. North 80° 10' 09" East, a distance of 155.88 feet to a point  
15 formed by the intersection of the westerly boundary line of lands of the  
16 State of New York and the southerly boundary line of Middle Country Road  
17 (N.Y.S. Rt. 25);  
18 Thence along said boundary line of lands of the New York State the  
19 following three courses and distances;  
20 i. South 13° 18' 00" East, a distance of 2246.37 feet to a point,  
21 thence  
22 ii. South 90° 00' 00" East, a distance of 970.64 feet to a point,  
23 thence  
24 iii. North 13° 18' 00" West, a distance of 2333.65 feet to a point  
25 formed by the intersection of the southerly boundary line of Middle  
26 Country Road (N.Y.S. Rt. 25) and lands of The State of New York;  
27 Thence easterly along said southerly boundary line of Middle Country  
28 Road (N.Y.S. Rt. 25) the following two courses and distances;  
29 i. North 88° 00' 13" East, a distance of 1015.57 feet to a point,  
30 thence  
31 ii. North 88° 34' 37" East, a distance of 1511.20 feet to a point on  
32 the westerly boundary of lot 6 as shown on Map of James H. Smith's Farm,  
33 filed with the Suffolk county Clerk's office on December 15, 1894 as  
34 file No. 491;  
35 Thence South 5° 43' 17" East along the westerly boundary line of lot 6  
36 as shown on said Map of James H. Smith's Farm, a distance of 2164.07  
37 feet to a point;  
38 Thence North 86° 48' 00" East along the southerly boundary of said lot 6  
39 and through lot 7 as shown on said Map of James H. Smith's Farm, of a  
40 distance of 321.08 feet to a point;  
41 Thence South 6° 34' 40" East along the westerly boundary of lot 7 as  
42 shown on said Map of James H. Smith's Farm, a distance of 503.88 feet  
43 to a point;  
44 Thence North 83° 46' 40" East through lots 7, 8, 9, 10 & 11 as shown on  
45 said filed map and continuing through the southerly boundary of lot 1 as  
46 shown on "Map of Property of Edwin Brown" filed with the Suffolk county  
47 Clerk's office on March 21, 1920 as file No. 761, a distance of 1628.84  
48 feet to the southerly boundary line of lot 2 and the northerly boundary  
49 line of lot 5 as shown on the aforementioned filed map;  
50 Thence along the boundary lines of lot 5 as shown on said "Map of Prop-  
51 erty of Edwin Brown" the following four courses and distances;  
52 i. South 6° 14' 40" East, a distance of 1656.83 feet to a point,  
53 thence  
54 ii. South 83° 36' 20" West, a distance of 265.45 feet to a point,  
55 thence

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1 iii. South 6° 24' 00" East, a distance of 499.92 feet to a point,  
2 thence  
3 iv. North 83° 21' 52" East, a distance of 1721.36 feet to a point  
4 formed by the intersection of the southerly boundary line of lot 5 as  
5 shown on said "Map of Property of Edwin Brown" and the westerly boundary  
6 line of Peconic Avenue (not open);  
7 Thence along the westerly boundary line of Peconic Avenue (not open) the  
8 following five courses and distances;  
9 i. South 6° 04' 58" East, a distance of 2077.59 feet to a point,  
10 thence  
11 ii. South 13° 07' 16" West, a distance of 77.19 feet to a point,  
12 thence  
13 iii. South 5° 57' 48" East, a distance of 639.29 feet to a point,  
14 thence  
15 iv. South 6° 35' 47" East, a distance of 657.42 feet to a point,  
16 thence  
17 v. South 6° 02' 13" East, a distance of 744.57 feet to the point or  
18 place of beginning.  
19 Said parcel containing 92,535,335+ square feet or 2,124.319+ acres  
20 more or less.  
21 c. "Reuse and revitalization plan" shall mean the plan for the reuse  
22 of EPCAL prepared by the town of Riverhead and town of Riverhead commu-  
23 nity development agency.  
24 2. Establishment of Enterprise Park at Calverton Reuse and Revitaliza-  
25 tion District. There is hereby established an Enterprise Park at  
26 Calverton Reuse and Revitalization District. The governing board of the  
27 district shall be a body corporate and politic.  
28 a. The governing board of the district shall consist of seven members:  
29 five members of the town board of the town of Riverhead; one member  
30 appointed by the governor with experience and expertise in economic  
31 development, environment, and planning; one member appointed by the  
32 county executive of Suffolk county with experience and expertise in  
33 economic development, public works, or health services; and, two ex-of-  
34 ficio, non-voting members of a civic, protective or service association  
35 located in the town of Riverhead or providing service within the town of  
36 Riverhead to be selected by majority vote of the members identified  
37 above.  
38 i. The initial members shall be appointed for the following terms: the  
39 members of the town board shall continue to serve as members of the  
40 district board throughout their respective terms. An appointment to fill  
41 a vacancy shall be made in the identical manner of initial appointment.  
42 In the event a vacancy exists in the membership of the town board of the  
43 town of Riverhead then the majority of members of the town board may  
44 vote to appoint a member of the district board until such time as the  
45 vacancy is filled by appointment or election.  
46 ii. A majority of the voting members of the district board shall  
47 constitute a quorum for the transaction of any business or the exercise  
48 of any power or function of the district board. An act, determination  
49 or decision of the majority of members present and entitled to vote  
50 during the presence of a quorum shall be held to be the act, determi-  
51 nation or decision of the district board.  
52 iii. The district board shall appoint a chairperson of the district  
53 board to serve for a two year period. All members of the district board,  
54 including the chairperson, shall serve without compensation but may be  
55 reimbursed for expenses necessarily incurred in the performance of their  
56 duties.

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1 iv. The district board shall appoint an executive director and such  
2 other individuals or staff deemed necessary to administer the provisions  
3 of this act.

4 3. Powers of the district board. The district board shall have the  
5 power to:

6 a. Adopt, amend, or repeal such rules and regulations related to the  
7 internal management of EPCAL consistent with this section, as it deems  
8 necessary to administer this section, and to do any and all things  
9 necessary or convenient to carry out the purpose and policies of this  
10 section to exercise all powers granted by law. The reuse and revitaliza-  
11 tion plan and rules or regulations adopted by the district board shall  
12 be the principal means for controlling the land development activities  
13 within EPCAL, and the regulations may contain duties of the district  
14 board to be undertaken in the exercise of the power granted by this  
15 section.

16 b. The district board shall promulgate rules and regulations consist-  
17 ent with all local, county, state and federal laws to achieve the goals  
18 set forth in this section.

19 c. i. The district board shall make an omnibus application for all  
20 subdivisions of land, conceptual development plan, including designated  
21 or permitted zoning uses, dimensions, lot area, lot coverage, necessary  
22 infrastructure improvements, including sewer and water, and such other  
23 development or improvements proposed and set forth in the reuse and  
24 revitalization plan to all such state, regional and local departments  
25 and agencies having jurisdiction to review, comment, or approve develop-  
26 ment proposed within EPCAL and such state, regional and local depart-  
27 ments and agencies shall not unreasonably withhold, deny or delay  
28 approval provided the omnibus application is consistent with the reuse  
29 and revitalization plan and consistent with any applicable local, state  
30 or federal law or regulations.

31 ii. All licenses, approvals, permits or decisions issued or granted as  
32 a result of such omnibus applications or proceedings shall inure to the  
33 district board and further inure to and for the benefit of and be bind-  
34 ing upon any person leasing, acquiring, constructing, maintaining, using  
35 or occupying any lands in EPCAL.

36 d. Encourage, cooperate with, aid and assist the town of Riverhead in  
37 the preparation and adoption of zoning laws and other local legislation  
38 regulating, restricting or controlling uses of real property within  
39 EPCAL. The town of Riverhead shall retain all powers relating to the  
40 enactment and amendment of zoning for lands within EPCAL, enforcement of  
41 building and fire codes for all development projects and applications  
42 for improvement to property within EPCAL.

43 e. Make maps and plans for proposed subdivisions, lots for development  
44 within EPCAL consistent with the zoning districts adopted by the town of  
45 Riverhead.

46 f. Make and execute contracts and all other instruments necessary and  
47 convenient for the exercise of its powers and functions under this  
48 section.

49 g. Establish and maintain such facilities as may be necessary for the  
50 transacting of its business.

51 h. Utilize, to the extent feasible, the staff and facilities of the  
52 town of Riverhead, pursuant to an allocation to be made to the town  
53 board of the town of Riverhead.

54 i. Hold hearings in the exercise of its powers, functions, and duties  
55 provided for by this section.

56 j. Contract for professional and technical assistance and advice.

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- 1 k. Sue and be sued in its own name, plead and be impleaded.
- 2 l. Acquire easements and other interest in real property contiguous or  
3 adjacent to EPCAL in conformance with the reuse and revitalization plan.
- 4 m. Enforce the reuse and revitalization plan, regulations, policies  
5 for the regulation of its affairs and the conduct of its business.
- 6 n. Adopt and collect reasonable fees, including subdivision, and plan  
7 and project review fees, to defray its operating expenditures. Any such  
8 fees shall be in addition to any applicable local, state or federal  
9 fees.
- 10 o. Receive for the purposes of exercising its powers under this act  
11 any funds or moneys from any source, including grants, bequests, gifts  
12 or contributions made by any individual, association or corporation, or  
13 by any municipal, county, state or federal governments provided that  
14 whenever the terms of such grant, bequest, gift or contribution require  
15 the grants to be a municipality, municipal agency or unit of local  
16 government, the district shall be so considered.
- 17 p. Borrow money and issue bonds or other obligations.
- 18 4. Applications for development within EPCAL. a. The district board  
19 shall have jurisdiction to review and approve all proposed development  
20 within EPCAL and applications shall be made to the district board on  
21 forms and in such manner as the district board shall designate.
- 22 b. The district board shall dispose of applications submitted for  
23 development or improvement of the property as follows:
- 24 i. If the application is consistent with the preapproved applications  
25 of the district board issued by the state, regional and local depart-  
26 ments and agencies, the district board after making a determination of  
27 consistency with the use and revitalization plan, shall refer the appli-  
28 cation to the town of Riverhead for compliance with its building code  
29 and any other applicable provisions of the town code for the town of  
30 Riverhead.
- 31 ii. If the application is not consistent with the preapproved applica-  
32 tions of the district board issued by the state, regional and local  
33 departments and agencies, the district board, after making a determi-  
34 nation of consistency with the use and revitalization plan, shall  
35 authorize a hardship application seeking a modification, alteration or  
36 exemption from the applicable issued license approval, permit or deci-  
37 sion to be forwarded to the appropriate state, regional or local depart-  
38 ment or agency for action and the development application shall be  
39 deemed in obedience. If a modification, alteration or exemption is grant-  
40 ed, the district board shall render a determination consistent with all  
41 the comments and determinations and forward to the town of Riverhead for  
42 compliance with its building code and any other applicable provisions of  
43 the town code for the town of Riverhead.
- 44 c. The district board shall make a determination within ninety days of  
45 the receipt of a complete application. If the district board fails to  
46 make a decision within ninety days, the development shall be deemed to  
47 be approved by the district board unless i. the district board renders a  
48 determination that professional and technical assistance and advice is  
49 required to complete review of the application; ii. the district board  
50 renders a determination that due to the complexity or such other unique  
51 characteristic of the application for proposed development or any such  
52 portion thereof additional time is required to complete review; or iii.  
53 the district board and applicant mutually agree to extend the review  
54 period, then the district board's period of review shall be extended for  
55 a period of time not to exceed an additional ninety days. To the extent  
56 that an action taken in furtherance of this act is subject to article

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1 eight of the environmental conservation law the district board shall act  
 2 as lead agency.

3 5. Enterprise Park at Calverton reuse and revitalization plan. a. The  
 4 town of Riverhead shall formulate and adopt after public hearing a reuse  
 5 and revitalization plan for the EPCAL site that is based upon the market  
 6 study, site and survey analysis, environmental and traffic review and  
 7 consistent with the goal of economic development and urban renewal and  
 8 adopt such reuse and revitalization plan consistent with the procedural  
 9 requirements of a comprehensive master plan within one year of the  
 10 effective date of this section.

11 b. The district board shall develop criteria, regulations and permit-  
 12 ting processes consistent with the reuse and revitalization plan, gener-  
 13 ic impact statement, and zoning adopted by the town of Riverhead to  
 14 effectuate the goal of economic development and urban renewal within one  
 15 hundred twenty days after adoption of the reuse and revitalization plan  
 16 or within one hundred eighty days of adoption of this section.

17 6. Judicial review. Any person aggrieved by a final determination by  
 18 the district board under this act may within thirty days from the date  
 19 of such determination seek judicial review pursuant to article seventy-  
 20 eight of the civil practice law and rules. The district board shall be  
 21 party to any such proceeding.

22 7. Reporting. The district board shall submit, ninety days from the  
 23 completion of the final project associated with the redevelopment of  
 24 EPCAL, a report to the Riverhead town board. Such report shall contain  
 25 all relevant information related to all associated completed development  
 26 projects within EPCAL and the current actual and estimated economic  
 27 benefits such developments will provide to the region. Thirty days from  
 28 receipt by the town board, the town shall make such report available to  
 29 the public on its respective website. Upon submission of the final  
 30 report to the town board the district board shall be discharged.

31 § 3. Severability. The provisions of this act shall be severable and  
 32 if any portion thereof or the applicability thereof to any person or  
 33 circumstance shall be held invalid, the remainder of this act and the  
 34 application thereof shall not be affected thereby.

35 § 4. This act shall take effect immediately.

**SPONSORS MEMO:**

**NEW YORK STATE SENATE  
 INTRODUCER'S MEMORANDUM IN SUPPORT  
 submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S7289A

**SPONSOR:** LAVALLE

**TITLE OF BILL:**

An act to amend the general municipal law, in relation to establishing the Enterprise Park at Calverton Reuse and Revitalization District

**PURPOSE:**

To promote the expeditious and orderly conversion and redevelopment of the Enterprise Park at Calverton Reuse and Revitalization District

(EPCAL) in the town of Riverhead, Suffolk County.

**SUMMARY OF PROVISIONS:**

Adds a new section 680-cc to the General Municipal Law by creating the Enterprise Park at Calverton Reuse and Revitalization District and a District Board consisting of 7 voting members made up of the five members of the Riverhead Town Board and one member appointed by the Governor and one member appointed by the Suffolk County executive. There shall be two nonvoting members chosen by the foregoing who shall be from a civic, protective or service association within the Town of Riverhead. A chairperson shall be selected by the District Board members.

The District Board shall have the power to implement the Enterprise Park at Calverton Reuse and Revitalization Plan, which shall be adopted, with appropriate zoning, by the Town of Riverhead as a master plan for EPCAL. The District Board will make applications for subdivision, site and other development permits, licenses and approvals to the appropriate county, state and federal government agencies and the issued permits, licenses and approvals will inure to and for the benefit of and be binding on any subsequent person leasing, acquiring or building on EPCAL property. An applicant for development in EPCAL shall apply to the District Board and if the application shall be consistent with the revitalization plan and within the issued approvals, the District Board will approve the application within 90 days and refer the matter to the town building department. If the proposal does not fall within the issued approvals then a further application must be made to the appropriate county, state or federal authority for modification, alteration or exception of the issued permit, license or approval. If there is a subsequent order by the county, state or federal agency granting a modification, alteration or exception, then the District Board will approve and refer to the building department.

**JUSTIFICATION:**

This legislation will facilitate the reuse of EPCAL as provided for in the conveyance of the property by the navy and articulated in the comprehensive reuse and revitalization plan. It provides incentives to attract private businesses to locate and expand insures consistency with existing law and achieves economic growth for the region.

**LEGISLATIVE HISTORY:**

New legislation.

**FISCAL IMPLICATIONS:**

None to the State.

**EFFECTIVE DATE:**

Immediately.

TOWN OF RIVERHEAD

Resolution # 457

**AUTHORIZATION TO PUBLISH ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR LANDFILL RENEWABLE ENERGY PROJECT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, The Town of Riverhead seeks proposals to develop, construct, install, operate and maintain a Renewable Energy Project (“Solar Photovoltaic Energy System” or “Systems”) at the Town’s Landfill located at Youngs Avenue, Riverhead, NY.

**WHEREAS**, the intention of the Town is to enter into a lease agreement with a qualified firm that will develop a Solar Photovoltaic Energy System at the landfill site; and

**WHEREAS**, the Town of Riverhead seeks authorization to publish and post a notice to bidders for proposals for Landfill Renewable Energy Project at the Town’s landfill located at Youngs Avenue, Riverhead, NY.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the issuance of the attached Request for Proposals for Landfill Renewable Energy Project; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the June 14, 2012 issue of the News-Review; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

## NOTICE TO BIDDERS

**TAKE NOTICE**, that sealed proposals will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before July 30, **, 2012 at 11 o'clock am**, prevailing time, for:

### REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals for **LANDFILL RENEWABLE ENERGY PROJECT**.

Specifications and guidelines for submission of proposals are available on the Town website at [www.riverheadli.com](http://www.riverheadli.com), click on bids, or at the Office of the Town Clerk and may be picked up between the hours of 8:30 am and 4:30 pm, Monday through Friday, beginning **JUNE 14, 2012**.

Each proposal must be submitted in a sealed envelope clearly marked "**LANDFILL RENEWABLE ENERGY PROJECT**". Proposals must be received by the Office of the Town Clerk by no later than **11:00 am on July 30 , 2012**.

This RFP is not an offer or a binding commitment to contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals, if the Town determines, in its sole discretion, that the best interests of the Town will be served thereby.

**BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
Diane M. Wilhelm, TOWN CLERK**

06.07.12  
120458

ADOPTED

TOWN OF RIVERHEAD

Resolution # 458

**RESOLUTION AUTHORIZING THE TOWN OF RIVERHEAD TO LEASE LANDFILL LOCATED AT YOUNGS AVENUE, RIVERHEAD, NY FOR DEVELOPMENT, CONSTRUCTION, INSTALLATION, AND MANAGEMENT OF A RENEWABLE ENERGY PROJECT (“SOLAR PHOTOVOLTAIC ENERGY SYSTEM” OR “SYSTEMS”) BY A FIRM TO BE SELECTED BY THE REQUEST FOR PROPOSAL PROCEDURE, SUBJECT TO PERMISSIVE REFERENDUM**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead owns a parcel of property approximately 70 acres known as the “Riverhead Landfill” located at Youngs Avenue, Riverhead, New York, SCTM #0600-80-2-6.1 and SCTM #0600-80-2-9.1; and

**WHEREAS**, since on or before 2007, the Town of Riverhead undertook the capping and closure of the Landfill; and

**WHEREAS**, the Town, under the direction and guidance of the New York State Department of Environmental Conservation, completed the capping and closure on or about 2011; and

**WHEREAS**, since on or about 2009, the Town of Riverhead, with the assistance of the Engineering and Sanitation Departments, has explored opportunities to utilize and/or generate revenue for the capped landfill, including lease of the subject property for solar photovoltaic energy systems; and

**WHEREAS** in 2011, the Long Island Power Authority (“LIPA”), was named amount the top ten utilities in the United States with the most solar electric intergraded into their energy mix and ranked 4<sup>th</sup> in the Eastern Region by the Solar Electric Power Association (“SEPA”); and

**WHEREAS**, LIPA has announced plans to increase integration of solar into their energy mix by add additional solar electric power purchase agreements with independent solar power developers; and

**WHEREAS**, based upon above, the Town of Riverhead seeks to enter into a lease agreement with an independent solar power developer for such portions of the landfill which are determined to be appropriate for installation of ground-mount solar photovoltaic array, including solar panels, inverter, and solar panel racking system, together with electrical protection devices, conduit and wiring, electric meter and such other necessary appurtenances required for successful operation and management of a solar photovoltaic system.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead does declare the landfill, for purposes of installation of ground-mount solar photovoltaic array, including solar panels, inverter, and solar panel racking system, together with electrical protection devices, conduit and wiring, electric meter and such other necessary appurtenances required for successful operation and management of a solar photovoltaic system to be surplus and approves the lease with such entity selected as a result of the Request for Proposal Procurement Process of such portions of the landfill which are determined to be appropriate for installation of ground-mount solar photovoltaic system(s), subject to a permissive referendum, and be it further

**RESOLVED** that the Office of the Town Clerk for the Town of Riverhead shall publish and post a public notice, an abstract of which is as follows:

**PUBLIC NOTICE  
TOWN OF RIVERHEAD**

**NOTICE IS HEREBY GIVEN** that a special meeting of the Town Board held on June 7<sup>th</sup>, 2012, the Town Board duly adopted a resolution, an abstract of which follows, which resolution was made subject to a permissive referendum pursuant to the provisions of Town Law and Municipal Home Rule Law:

**RESOLUTION AUTHORIZING THE TOWN OF RIVERHEAD TO LEASE  
LANDFILL LOCATED AT YOUNGS AVENUE, RIVERHEAD, NY FOR  
DEVELOPMENT, CONSTRUCTION, INSTALLATION, AND MANAGEMENT  
OF A RENEWABLE ENERGY PROJECT (“SOLAR PHOTOVOLTAIC ENERGY  
SYSTEM” OR “SYSTEMS”) BY A FIRM TO BE SELECTED BY THE  
REQUEST FOR PROPOSAL PROCEDURE, SUBJECT TO PERMISSIVE  
REFERENDUM**

Drop Down for Councilperson offered the following resolution,

which was seconded by Drop Down for Councilperson

**WHEREAS**, the Town of Riverhead owns a parcel of property approximately 70 acres known as the “Riverhead Landfill” located at Youngs Avenue, Riverhead, New York, SCTM #0600-80-2-6.2 and SCTM #0600-80-2-9.1; and

**WHEREAS**, since on or before 2007, the Town of Riverhead undertook the capping and closure of the Landfill; and

**WHEREAS**, the Town, under the direction and guidance of the New York State Department of Environmental Conservation, completed the capping and closure on or about 2011; and

**WHEREAS**, since on or about 2009, the Town of Riverhead, with the assistance of the Engineering and Sanitation Departments, has explored opportunities to utilize and/or generate revenue for the capped landfill, including lease of the subject property for solar photovoltaic energy systems; and

**WHEREAS** in 2011, the Long Island Power Authority (“LIPA”), was named amount the top ten utilities in the United States with the most solar electric intergraded into their energy mix and ranked 4<sup>th</sup> in the Eastern Region by the Solar Electric Power Association (“SEPA”); and

**WHEREAS**, LIPA has announced plans to increase integration of solar into their energy mix by add additional solar electric power purchase agreements with independent solar power developers; and

**WHEREAS**, based upon above, the Town of Riverhead seeks to enter into a lease agreement with an independent solar power developer for such portions of the landfill which are determined to be appropriate for installation of ground-mount solar photovoltaic array, including solar panels, inverter, and solar panel racking system, together with electrical protection devices, conduit and wiring, electric meter and such other necessary appurtenances required for successful operation and management of a solar photovoltaic system.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead does declare the landfill, for purposes of installation of ground-mount solar photovoltaic array, including solar panels, inverter, and solar panel racking system, together with electrical protection devices, conduit and wiring, electric meter and such other necessary appurtenances required for successful operation and management of a solar photovoltaic system to be surplus and approves the lease with such entity selected and awarded, by Resolution of the Town Board, as a result of the Request for Proposal Procurement Process of such portions of the landfill which are determined to be appropriate for installation of ground-mount solar photovoltaic system(s). This resolution is subject to a permissive referendum.

Dated:

BY ORDER OF THE TOWN BOARD, RIVERHEAD, NEW YORK

Office of the Town Clerk of the  
Town of Riverhead

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**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted