

1039512.1

Community Development

Agency Res. #9

Adopted

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on May 7th, 2002, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Kozakiewicz, and upon roll being called, the following were

PRESENT: Supervisor Robert Kozakiewicz
Councilman James Lull
Councilman Edward Densieski
Councilwoman Barbara Blass
Councilwoman Rose Sanders

ALSO PRESENT: Town Clerk, Barbara Grattan
Town Attorney, Dawn Thomas

ABSENT:

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

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Community Development Agency

Resolution #9

RESOLUTION DATED MAY 7th2002.

A RESOLUTION DESIGNATING NORTH EAST HOLDINGS, LLC, AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE NON-EXCLUSIVE LEASING OF THE SO-CALLED EASTERN RUNWAY AT THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, CALVERTON FOR USE BY NORTH EAST HOLDINGS, LLC, IN SUPPORT OF AIRCRAFT STORAGE AND MAINTENANCE SERVICES AND APPROVING THE NON-EXCLUSIVE LEASING OF SUCH EASTERN RUNWAY TO NORTH EAST HOLDINGS, LLC FOR SUCH PURPOSE.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of a portion of a parcel of land, together with the runways and aircraft tie down areas located thereon, in Riverhead, which land is known as the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site"); and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating North East Holdings, LLC. ("North East") the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the non-exclusive leasing of the so-called eastern runway of the Calverton Site, (the "Property"), and (ii) leasing the Property, on a non-exclusive basis, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to North East for a period of five years for an initial monthly rental of \$1,500 per month for use by North East in support of aircraft storage and maintenance services; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating North East the Sponsor for such leasing of the Property and the leasing of the Property by the Agency to North East; and

WHEREAS, the Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State

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Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the use of the Property for such aircraft use; and

WHEREAS, the Agency, pursuant to SEQRA, has declared itself "lead agency" for such leasing the Property to and such proposed use of the Property by North East, has determined that such leasing of the Property and such proposed use is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement, and that such leasing of the Property and such proposed use is an "Unlisted Action" under SEQRA without a significant impact upon either the natural or social environment; and

WHEREAS, on April 16, 2002, the Agency duly held said public hearing on the designation of North East as the Sponsor for the non-exclusive leasing of the Property and the non-exclusive leasing by the Agency of the Property to North East, as Sponsor, after the requisite public notice; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, attended such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on April 16, 2002 at 7:15 o'clock P.M., Prevailing Time, on the question of designating North East the Sponsor for the non-exclusive leasing of the Property and the non-exclusive leasing by the Agency of the Property to North East, it is hereby determined to designate North East the Sponsor pursuant to Section 507(2)(d) of the General Municipal Law for the non-exclusive leasing of the Property.

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Section 2. The form and substance of the Runway Use Agreement, being a non-exclusive lease agreement for the Property (the "Runway Use Agreement") (in substantially the form presented to this meeting) are hereby approved.

Section 3. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on April 16, 2002 at 7:15 o'clock P.M., Prevailing Time, on the question of designating North East the Sponsor for the non-exclusive leasing of the Property and the non-exclusive leasing by the Agency of the Property to North East, the non-exclusive leasing of the Property by the Agency to North East is hereby authorized in accordance with Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law and in accordance with the terms of the Runway Use Agreement.

Section 4. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Runway Use Agreement and to execute and deliver such other documents and certificates as may be necessary or convenient to properly effectuate the non-exclusive leasing of the Property by North East in accordance with this Resolution and the Runway Use Agreement and the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, where necessary.

Section 5. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to North East and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution and the Runway Use Agreement.

Section 5. This Resolution shall take effect immediately.

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on May 7th 2002, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	May 9th, 2002

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

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Designated Location(s)

of posted notice

Date of Posting

Town Clerk's Bulletin Board

May 8, 2002

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency

on _____, 2002.

Secretary

(CORPORATE SEAL)