

Adopted

At a ~~regular~~ ^{Special} 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 December ~~10~~, 1999, at 12:30 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Vilella
Councilman Cardinale
Councilman Kent
Councilman Kwasna
Councilman Lull

ABSENT:

The following resolution was offered by Member Cardinale, who moved its adoption, seconded by Member Lull, to-wit:

CDA Resolution #23

RESOLUTION DATED DECEMBER 10, 1999.

RESCINDING CDA RES #21 and
A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S
DESIGNATION OF ISLAND WATER PARK AS A QUALIFIED AND
ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY
FORTY ACRES OF VACANT LAND AT THE FORMER NAVAL WEAPONS
INDUSTRIAL RESERVE PLANT, CALVERTON AND FOR THE SALE BY
THE AGENCY OF SUCH PROPERTY TO ISLAND WATER PARK FOR
REDEVELOPMENT AS A WATER PARK FOR OUTDOOR RECREATIONAL
USE.

WHEREAS, the Town of Riverhead Community Development Agency
(the "Agency") is the owner of an approximately 2,900 acre parcel
of land, together with the buildings located thereon, in Riverhead,
which land is known as the former Naval Weapons Industrial Reserve
Plant, Calverton (the "Calverton Site") a portion of which
Calverton Site is located within an economic development zone duly
designated as such pursuant to the New York State Economic
Development Zones Act, being Article 18-B of the General Municipal
Law; and

WHEREAS, there has been submitted to the Agency a proposal
for, and the Agency is considering, (i) designating Island Water
Park 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 redevelopment of approximately 40
acres of vacant land of the Calverton Site, together with any
buildings located thereon, leases, licenses and occupancy
agreements related thereto and other rights in connection
therewith (the "Property"), and (ii) selling the Property,
pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General
Municipal Law, to Island Water Park pursuant to a certain

Agreement of Sale by and between the Agency and Island Water Park, a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for \$680,000 for redevelopment by Island Water Park as a water park for outdoor recreational use; 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 Island Water Park the Sponsor for the redevelopment of the Property and selling the Property to Island Water Park; 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 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 sale of the Real Property or a portion thereof; and

WHEREAS, the Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Island Water Park, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant

impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, the Agency now desires to call a public hearing on the designation of Island Water Park as the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park; and

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

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:30 o'clock P.M., Prevailing Time, on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the *News Review*, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town, such publication to be made not less than ten days before the date designated for the hearing. The Secretary

is hereby further authorized and directed to cause a copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY,

TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on whether Island Water Park should be designated the "qualified and eligible sponsor" for the redevelopment of approximately 40 acres of vacant land at the Agency-owned Calverton Site, being the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site"), together with any buildings located thereon, leases, licenses and occupancy agreements related thereto and other rights in connection therewith, (the "Property"), and whether the Property should be sold to Island Water Park pursuant to a certain Agreement of Sale by and between the Agency and Island Water Park, a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for \$680,000 in cash with no financing contingency, for redevelopment of the Property by Island Water Park as a water park for outdoor recreational use.

The Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State 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 sale of the Real Property or a portion thereof.

The Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Island Water Park, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
December 10, 1999

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK

By _____
Andrea H. Lohneiss
Secretary

Section 4. 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:

<u>Member Villella</u>	VOTING	<u>Yes</u>
<u>Member Cardinale</u>	VOTING	<u>Yes</u>
<u>Member Kent</u>	VOTING	<u>Yes</u>
<u>Member Kwasna</u>	VOTING	<u>Yes</u>
<u>Member Lull</u>	VOTING	<u>Yes</u>

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Villella Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED 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 December 10, 1999, 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:

Newspaper and/or other news media

Date given

News Review

12/9/99

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:

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

December 10, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December 10, 1999.

Secretary

(CORPORATE

SEAL)