

Minutes of the Community Development Agency meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Monday, September 17, 2007, at 2:00 p.m.

**Present:**

Philip Cardinale,	Chairman
Edward Densieski,	Member
George Bartunek,	Member
Barbara Blass,	Member
John Dunleavy,	Member

**Also Present:**

Andrea Lohneiss,	CDA Director
Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Chairman Cardinale: "We'd like to open the CDA, the meeting of the CDA and I'd like Andrea to call them. We will table until nine--eight a.m. on Wednesday. But we've got to do that formally according to the town attorney because we did notice this meeting.

I'm calling to order the CDA meeting, us sitting as CDA commissioners and board. Would you call the resolutions."

Andrea Lohneiss: "Together?"

Chairman Cardinale: "Yes."

Resolution #12 and 13

Andrea Lohneiss: "Resolution 12 and 13, both authoring the Chairman to enter into negotiations for the development of a contract for sale for 755 plus or minus parcel of property within the planned recreational park portion of the EPCAL site."

Member Dunleavy: "I have a question."

Andrea Lohneiss: "I think you want to make the motion to table."

Councilman Dunleavy: "I want to make a motion to table it."

Andrea Lohneiss: "Both resolutions."

Councilman Dunleavy: "Both resolutions until Wednesday at 8:00, this Wednesday which is the 19<sup>th</sup> at 8:00 in the morning."

Andrea Lohneiss: "Resolutions 12 and 13, motion to table. Second?"

Member Blass: "I'll second that."

Chairman Cardinale: "Moved and second. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski."

Member Densieski: "I wrote a whole big speech on abstaining but no one's listening anyway. No, I'm not voting to table. I want to vote. So I'm going to vote no."

The Vote (Cont'd.): "Cardinale."

Chairman Cardinale: "I think that we should resolve this and I think 8:00 Wednesday is a good time. I will vote to table, but not further than there."

Andrea Lohneiss: "Resolution to table is adopted."

Chairman Cardinale: "Okay, now we are in the meeting. I can adjourn this meeting 'til 8:00 a.m. in this room on Wednesday and we'll hear any comment. Rex, if you're up that early. And then choose one of those two resolutions and proceed to negotiating."

Member Densieski: "Phil, if we're not going to open those now, how about every board member sign the back, if you don't mind."

Chairman Cardinale: "Yes. That's a good idea. But I think that— I think that there's no reason why the board members shouldn't know what the numbers are."

Member Densieski: "Okay, if you're going to open it now— "

Chairman Cardinale: "So you can do that and send them down— "

Member Dunleavy: "I just don't think they should be made publicly- "

Chairman Cardinale: "That's correct. I want it between the five of us until we make a decision and then we will announce what the respective bids were.

It really doesn't make any difference because we're not going to accept any other bids anyway between now and Wednesday morning."

Meeting adjourned

*Barbara Mattan*  
*Town Clerk*

September 17, 2007

Tabled

Adopted

Town of Riverhead  
Community Development Agency

Sept. 19, 2007

Resolution #12

Special Board Meeting

AUTHORIZES CHAIRMAN TO COMMENCE NEGOTIATIONS FOR THE DEVELOPMENT OF A CONTRACT OF SALE FOR A 755+- PARCEL OF PROPERTY WITHIN THE PLANNED RECREATIONAL PARK PORTION OF THE EPCAL SITE

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution, which was

seconded by \_\_\_\_\_

COUNCILWOMAN BLASS

WHEREAS, On October 20, 2005 the CDA Board did authorize by Resolution #20 the preparation and issuance of a Request for Proposals for the 755 +- recreational portion of the EPCAL property; and

WHEREAS, subsequently, the CDA received additional proposals which have been discussed by the CDA Board in numerous public forums with respect to the criteria set forth in the RFP and through public interviews of the entities and their representatives; and

WHEREAS, it has been determined that proceeding at this time with contract negotiations is in furtherance of the intent of the public law (103-337) authorizing transfer of the property, is consistent with the goals and objectives of the Comprehensive Reuse Plan (1996), is consistent with the goals and objectives of the Calverton Enterprise Park Urban Renewal Plan (1998), the Planned Recreational Park Zoning Use District, and is in the best interests of the Town of Riverhead taxpayers and residents.

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to retain Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP as counsel for the commencement of negotiations between the CDA and Riverhead Resorts LLC for the sale of approximately 755 acres of real property located within the Planned Recreational Park Zoning Use District at the EPCAL site, as shown on the attached map.

BE IT FURTHER RESOLVED, that the closing price of \$155 million as set forth in the final offer, as well as the per capita revenue incentive, incorporation of LEED certified construction methods, dedication of additional land adjacent to the town park, and provision of on-site EMS services, are to be incorporated without compromise.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the CDA, Town Attorney, Planning Department, the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP (456 Griffing Avenue, P.O. Box 389, Riverhead, New York 11901),

THE VOTE

Dunleavy  yes  no Bartunek  yes  no  
Blass  yes  no Densieski  yes  no  
Cardinale  yes  no

THE RESOLUTION WAS  WAS NOT

Adopted Tabled

Sept 19, 2007

aldst

SPECIAL BOARD MEETING OF  
SEPTEMBER 19, 2007

Councilman Densieski offered the resolution to be brought off the table, seconded by Councilman Bartunek

All members in favor of untabling the resolution.

Councilman Densieski offered the resolution for adoption, seconded by Councilman Bartunek.

The Vote: Dunleavy, yes, Bartunek,  
yes, Blass, yes, Densieski, no and  
Cardinale, yes. Resolution was ADOPTED.

aldst

Special Board Meeting on 09-19-07  
Not Adopted  
09-19-2007

**Tabled**

September 17, 2007

**TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY**

**Resolution No. #13**

**AUTHORIZES CHAIRMAN TO COMMENCE NEGOTIATIONS FOR THE  
DEVELOPMENT OF A CONTRACT FOR A 755 +/- ACRE PARCEL OF PROPERTY  
WITHIN THE PLANNED RECREATIONAL PARK PORTION OF THE EPCAL SITE**

Councilman Densieski offered the following resolution which was seconded by Councilman Dunleavy.

**WHEREAS**, the Town of Riverhead has received numerous, varied offers to purchase approximately 750 acres of recreational zoned property at EPCAL; and

**WHEREAS**, Rexcorp/Long Island Destination Group has offered the Town of Riverhead CDA a minimum of 152,464,043.99 million dollars to purchase said property to construct a mixed use family recreational entertainment park known as EPCAL Center; and

**WHEREAS**, said approximately \$1 billion project would generate over 15 million annually in property taxes; and

**WHEREAS**, numerous jobs will be created in the original and ongoing development; and numerous industrial opportunities will be created at the Industrial Park in support industries; and

**WHEREAS**, no permanent residential housing will be permitted on site; and

**WHEREAS**, Rexcorp/Long Island Destination Group meets the spirit and objectives of the HR & A Reuse study; and

**WHEREAS**, the EPCAL Center proposal will include at least a community center and an animal shelter to benefit the Riverhead community; and

**WHEREAS**, profit sharing opportunities may exist for a perpetual revenue stream such as but not limited to parking and ticket sales; and

**WHEREAS**, the Town Board wishes to begin the process of investigating the merits and financial qualifications of Rexcorp/Long Island Destination Group.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes and directs the Supervisor to begin contract negotiations with the Rexcorp/Long Island Destination Group for the sale of approximately 750 acres of recreational zoned property at EPCAL for the purpose of scheduling an eligible and qualified sponsorship hearing, and

**BE IT FURTHER RESOLVED**, Town Clerk is hereby directed to send notification to Rexcorp/Long Island Destination Group, the Town Board, the Office of the Supervisor and the Office of the Town Attorney.

**THE VOTE**

DUNLEAVY  YES  NO    BARTUNEK  YES  NO

BLASS  YES  NO    DENSIESKI  YES  NO

CARDINALE  YES  NO

THIS RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

*Not Adopted*  
*09-19-07*

**Tabled**

SPECIAL BOARD MEETING OF  
SEPTEMBER 19, 2007

Councilman Densieski offered the resolution to be brought off the table, which was seconded by Councilman Dunleavy.

All members in favor of untabling the resolution.

Councilman Densieski offered the resolution for adoption, which was seconded by Councilman Dunleavy.

The VOTE: Dunleavy, no, Bartunek, no, Blass, no, Densieski, yes, and Cardinale, no.

The resolution was thereupon declared NOT TO BE ADOPTED.