

Minutes of a Community Development Agency Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, April 1, 2003, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Chairman
Edward Densieski,	Member
James Lull,	Member
Barbara Blass,	Member
Rose Sanders,	Member
Andrea Lohneiss,	Director

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Chairman Kozakiewicz: "We will convene the Community Development Agency portion of tonight's meeting."

Resolution #9

Andrea Lohneiss: "Andrea Lohneiss, CDA Director."

Resolution #9 designates 62 acres of property at the Calverton Enterprise Park for public park purposes solely for the purpose of the expenditure of grant funds that we've obtained from the New York State Department of Parks."

Member Densieski: "So moved."

Member Sanders: "And seconded."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Member Sanders: "After a very long period of time, yes."

The Vote (Cont'd.): "Blass, yes; Densieski."

Member Densieski: "I've got a quick statement. Just to let the folks know that the Recreation Advisory Committee who does a lot of hard work on a volunteer basis, has recommended the town take 120

acres and make it parkland. This resolution is calling for about 62 acres.

There was a difference of opinion there. I just wanted it stated that they did request more property.

But I would like to read something from the parks and recreation element of the master plan. And I'm just going to read you one little portion about the amount of parkland.

Riverhead has approximately 71.8 acres of parkland for each 1,000 residents as of the year 2000. The National Recreation and Park Association recommends that a municipality provide between 6.25 to 10.5 acres of parks per 1,000 residents. Riverhead is far above the minimum standard meaning that it is providing residents with more than enough parkland.

I understand the Recreation Committee wanting more parkland, I really do. But I think if we give away too much of that property, we eliminate the possibility of the taxpayers benefitting by possibly selling it.

So I do agree with the Rec Committee that we should make it as big a park as we could but I think for now 62 acres is a reasonable amount considering how we were evaluated on our parkland.

So with that said, I'll vote yes."

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

Member Lull: "I just want to say in relation to what Ed just said. He did say enough land to give away and I think we better make it clear that this stays- this is part of our parkland."

Member Densieski: "Sorry."

Member Lull: "This is that part of the recreation zone that we are designating specifically for park so we have a state designation for park. It's 62 acres but there are- there is quite a bit of acreage in the same general area which if it needs to be expanded either on a temporary basis or a permanent basis, could be done. But as of this point, this is a permanent designation of acreage. Yes."

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

Member Densieski: "Thank you for helping me out there, Jim."

Chairman Kozakiewicz: "I was glad that Jim touched on that because while we have recreation areas, they are not necessarily classified parkland as the state characterizes it and this proposal which is to do a match of the \$350,000 that we received from the State Office of Parks Recreation and Historic Preservation does specifically contain three conditions of alienation.

The first is basically that, that we must designate whatever land we use under this project as park and therefore if we were to ever at any point in time try to do something that's considered alienation of parkland, we would require specific state legislation to do it.

I'm going to also point out that this does not prevent additional lands going to the Rec Committee later should there be a fair showing that it's needed and that it would be appropriate in order to address recreational needs of the community.

I vote yes. I know that we've had a lot of debate and discussion on this. The original grant application specifically stated in the narrative it would be for 62 acres. The state grant application approved it for 62 acres and I think we should proceed forward with 62 acres. This commits a match of \$350,000 from the town recreation development fees. I vote yes to get this process moving along so that we don't lose a grant opportunity."

Andrea Lohneiss: "Resolution 9 is adopted."

Resolution #10

Andrea Lohneiss: "Resolution 10, authorizes the Chairman to execute a brokerage agreement with Insignia ESG, Inc."

Member Lull: "So moved."

Member Densieski: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Chairman Kozakiewicz: "Let me just make a comment because Sal did bring up I thought a very good point which was to consider the

possibility of an RFP or going out to consider others. I will say that this is something I will vote yes on and the reason I'm voting yes despite- and not in contravention necessarily with a deaf ear to what was made as far as a comment today, because of a couple reasons.

One, I think that there has been a fairly strong relationship developed with this particular broker and there are transactions that are out there right now that he's looking to bring to the table which I think we would possibly lose during that period of time.

Secondly, the firm that's going to be brought on board, as a result now Insignia ESG is a tremendous real estate firm. They have not only national exposure but worldwide exposure and, third, rather than go into a long term arrangement as we've previously done which was five years, this is a limited arrangement which is only for 18 months and, therefore, it can be revisited at that time but while we have some of these things happen now, I think it would make sense to take advantage of this opportunity given that it's only for 18 months.

I vote yes."

Andrea Lohneiss: "Okay, Resolution 10 is adopted."

Chairman Kozakiewicz: "Any other business of CDA? Thank you. The time being 8:29 p.m., close the CDA portion."

Meeting closed: 8:29 p.m.

Barbara Guttan
Gown Clerk

4/1/03

Adopted

Town of Riverhead Community Development Agency

Resolution # 9

Designates Property for Public Park Purposes

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS** :

WHEREAS, the Town of Riverhead Community Development Agency (CDA) has acquired property from the U.S. Navy and had identified a portion to be designated for development of park space to provide recreational opportunities for residents of the Town of Riverhead and particularly those residents presently undeserved by the centralized recreational facilities in the hamlet of the Town of Riverhead; and

WHEREAS, the improvements will include both active and passive recreational components consistent with the Comprehensive Reuse Plan for the site undertaken and adopted by the Town of Riverhead in 1996; and

WHEREAS, the improvements are incorporated in the SEQRA determination dated October 6, 1998 and are to be located on lands determined to have low archeological sensitivity; and

WHEREAS, it is a priority of the Town of Riverhead Recreation Committee that this site be properly planned and improved to provide recreational facilities for the community to meet the growing need for publicly accessible ball fields, courts and playgrounds in areas where the population is undeserved; and

WHEREAS, the CDA's application for \$350,000 has been approved by the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, the Project Agreement requires the specific designation of the land to be improved with the project funds (\$700,000); and

WHEREAS, the Riverhead Town Board, as the governing body of the CDA, acknowledges that the designation of the subject lands results in the following conditions of alienation:

1. The CDA shall not at any time sell or convey any facility acquired or developed pursuant to this Project Agreement or convert such facility to other than public park purposes without the express authority of an act of the Legislature, which shall

- provide for the substitution of other lands of equal fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the State;
2. In addition to the provisions of the first condition, and notwithstanding anything to the contrary contained herein, the CDA shall not sell, lease or otherwise convey in any manner or permit a change in use of the project, in whole or in part, unless it shall have received the approval of the State; and
 3. The CDA agrees to own or hold by lease and to maintain and operate the project in perpetuity. The CDA shall not authorize the operation of the project, or any portion thereof, by any other person, entity, organization pursuant to any management agreement, lease or other arrangement without first obtaining the written approval of the State.

THEREFORE, BE IT FURTHER RESOLVED, that the Riverhead Town Board, as the governing body of the CDA, hereby designates 62 acres of property at the Calverton Enterprise Park owned by the CDA and depicted on the attached map as that property to be designed and improved as a Town of Riverhead recreational park facility utilizing a grant in the amount of \$350,000 from the New York State Office of Parks, Recreation and Historic Preservation and matching funds of \$350,000 from the Town of Riverhead recreation development fees ("The Project") and, upon completion, to be subject to those regulations affecting designated parkland in New York State.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby encumbers the required \$350,000 match as committed to by Resolution #867 adopted 8/21/01.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Town Engineer Kenneth Testa, Financial Administrator Jack Hansen and Community Development Director Andrea Lohneiss.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Class	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

4/1/03

Town of Riverhead Community Development Agency

Resolution # 10

Authorizes Chairman to Execute Agreement with Insignia / ESG, Inc.

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI :

WHEREAS, in 1996 the Town of Riverhead solicited proposals from real estate brokers for marketing of the property formerly known as the Naval Weapons Industrial Reserve Plant at Calverton, now known as the Calverton Enterprise Park; and

WHEREAS, Grubb & Ellis was retained to perform real estate marketing services for the Riverhead Development Corporation (RDC) and the Town of Riverhead Community Development Agency for the period beginning in 1997 and ending in 2002; and

WHEREAS, the brokerage agreement between the RDC and Grubb & Ellis has expired; and

WHEREAS, Jack O'Connor, who served as the primary Grubb & Ellis broker principally involved in marketing Calverton during the five-year period, has recently been appointed Senior Managing Director with Insignia / ESG, Inc., a real estate brokerage firm with extensive experience and contacts.

THEREFORE, BE IT FURTHER RESOLVED, that the CDA Board desires to retain Insignia / ESG, Inc. in order to continue to market the remaining acreage at the Calverton Enterprise Park as efficiently and professionally as possible.

THEREFORE, BE IT FURTHER RESOLVED, that the CDA Board authorizes the Chairman to execute an agreement not to exceed 18 months in term and to include a brokerage rate of 6% for exclusive transactions and 7% for nonexclusive transactions and upon final review by the CDA.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Jack O'Connor, Insignia / ESG, Inc., 88 Froehlich Farm Blvd., Suite 100, Woodbury, NY 11797 and Community Development Director Andrea Lohneiss.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED