

11/21/06

Adopted

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

RESOLUTION

17

APPOINTING THE FIRM OF
SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI, LLP.
SPECIAL COUNSEL IN THE REAL ESTATE TRANSACTION BETWEEN THE TOWN
AND ISLAND AMUSEMENT VENTURE, LLC

COUNCILWOMAN BLASS offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____

WHEREAS, the Town of Riverhead Community Development Agency (hereinafter "CDA") is pursuing a real estate transaction between the CDA and Island Amusement Venture, LLC., and is entering into contract negotiations with respect thereto;

NOW, THEREFORE,

BE IT HEREBY RESOLVED, that the Town Board as the governing body of the Town of Riverhead Community Development Agency, hereby appoints the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., as special counsel in the aforementioned matter in accordance with the terms of the attached retainer agreement which agreement is hereby approved; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes the Chairman of the CDA to execute the attached Retainer Agreement; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, P.O. Box 389, Riverhead, New York 11901, the office of the Town Attorney, the CDA Director and the office of Accounting.

This resolution was prepared by Frank A. Isler, Esq., Special Counsel

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

RETAINER AGREEMENT

AGREEMENT made this ____ day of November 2006, by and between the Town of Riverhead Community Development Agency, 200 Howell Avenue, Riverhead, New York (hereinafter "The CDA"), and Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, P.O. Box 389, Riverhead, New York 11901 (hereinafter "The Firm"), pursuant to CDA Resolution # _____ adopted on _____ as follows:

1. The CDA retains the Firm to provide the legal services described in said resolution.
2. The CDA agrees to pay the Firm at an hourly rate of \$165 an hour for partners; \$150 an hour for associates and \$85 an hour for paralegals.
3. The CDA shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

By: _____
Philip Cardinale
Chairman

Smith, Finkelstein, Lundberg,
Isler and Yakaboski, LLP

By: _____
FRANK A. ISLER

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Adopted

RESOLUTION # 18

**ACCEPTS FINAL SCOPE OF ISSUES ON THE GENERIC ENVIRONMENTAL
IMPACT STATEMENT IN SUPPORT OF THE UPDATE OF THE TOWN OF
RIVERHEAD EAST MAIN STREET URBAN RENEWAL PLAN (1993)**

Councilman Bartunek _____ offered the following resolution which was
seconded by Councilman Dunleavy.

WHEREAS, the Town of Riverhead Community Development Agency (CDA)
by CDA Resolution #9 of 9/19/06 authorized the update of the East Main Street Urban
Renewal Plan as adopted October 19, 1993 pursuant to the General Municipal Law of the
State of New York, and

WHEREAS, the CDA by the same resolution declared itself the lead agency in
the plan's update, determined to be an 'unlisted action' pursuant to GNYCRR Part 617
and further determined it to have a potentially significant impact upon the natural and
social environment and that a Generic Environmental Impact Statement be prepared and
subsequently filed the requisite Positive Declaration of Significance, and

WHEREAS, the lead agency prepared a draft scope of issues to properly focus
the analysis of the GEIS, circulated the document among involved and interested
agencies for their comment and also held a scoping hearing on 10/25/2006 to solicit
public comment, and

WHEREAS, the lead agency has reviewed these comments and incorporated
them into a final scope of issues, now

THEREFORE BE IT

RESOLVED, that the Riverhead Community Development Agency hereby
accepts the final scope of issues for the Draft Generic Environmental Impact Statement in
support of the update of the East Main Street Urban Renewal Plan, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to circulate the
document in accordance with SEQR law and that the Town Clerk be hereby authorized to
forward a certified copy of this resolution to the Planning Department and to the
Community Development Agency.

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no