

# Adopted

TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY

At a meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on November 1, 2005 at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Cardinale, and upon roll being called, the following were

PRESENT:

Chairman Philip J. Cardinale  
Member Rose Sanders  
Member Barbara Blass  
Member Edward Densieski  
Member George Bartunek

ABSENT:

The following resolution was offered by Member **COUNCILWOMAN SANDERS** who moved its adoption, seconded by Member **COUNCILMAN BARTUNEK** to-wit:

Resolution Dated: November 1, 2005

TOWN OF RIVERHEAD

COMMUNITY DEVELOPMENT AGENCY

Resolution # 23

A RESOLUTION DESIGNATING CULINARY ARTS RIVERHEAD, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE PURCHASE OF THE PROPERTY FORMERLY ASSEMBLED AND CONVEYED TO SWEZEY-RIVERHEAD HOLDING LLC AND THE REDEVELOPMENT OF THE PROPERTY FOR USE BY THE SUFFOLK COUNTY COMMUNITY COLLEGE AS A CULINARY ARTS SCHOOL CONSISTENT WITH THE GOALS AND OBJECTIVES OF THE EAST MAIN STREET URBAN RENEWAL PLAN

**COUNCILWOMAN SANDERS**

Member offered the following resolution,

**COUNCILMAN BARTUNEK**

which was seconded by Member:

**WHEREAS**, the Town of Riverhead Community Development Agency (the "Agency") had acquired and assembled, in conformity with the East Main Street Urban Renewal Plan adopted by this Board on October 19, 1993, the following four properties located on East Main Street and Roanoke Avenue in the Town of Riverhead for transfer to Swezey-Riverhead Holding LLC in connection with a proposed urban renewal project known as the "Swezey's Project":

1. property formally known as 14 East Main Street,  
SCTM 0600-128.00-06.00-53.000
2. property formally known as part of the Riverhead Parking District No. 1  
SCTM 0600-128.00-06.00-66.003 (formerly part of 66.001)
3. property formally known as the Rimland Building  
SCTM 0600-128.00-06.00-50.001
4. property formally known as the Suburban Furniture Building  
SCTM 0600-128.00-06.00-51.000 (hereinafter collectively referred to as "the Property"); and

**WHEREAS**, Swezey-Riverhead Holding LLC failed to construct the proposed urban renewal project on the Property; and

**WHEREAS**, the Town Board, as the governing body of the Agency, commenced an action against Swezey-Riverhead Holding LLC for a judgment to revert title to the Property back to the Agency; and

**WHEREAS**, by Resolution # 838 adopted on September 7, 2005, the Town Board accepted the terms and authorized the Supervisor to execute a stipulation settling the action commenced against Swezey-Riverhead Holding LLC; and

**WHEREAS**, said Stipulation of Settlement required Swezey-Riverhead Holding LLC to convey title to the Property to Long Island Properties Corporation or its successor; and

**WHEREAS**, Swezey-Riverhead Holding LLC has entered into a contract of sale to convey title to the Property together with other property owned by Swezey-Riverhead Holding LLC to Long Island Properties Corporation, for the purpose of constructing a 29,000 square foot building to be leased to the Suffolk County Community College for use as a culinary arts school; and

**WHEREAS**, there has been submitted to the Agency a proposal for, and the Agency is considering, designating Culinary Arts Riverhead, LLC, a successor to Long Island Properties Corporation, 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 purchase and redevelopment of the Property as a Culinary Arts Center consistent with the goals and objectives of the Urban Renewal Plan for the East Main Street Improvement Area adopted by the governing board of the Agency on October 19, 1993 through the redevelopment and reuse of an underutilized parcel on Main Street that will enhance the physical appearance of the Town, and stimulate economic development within the East Main Street Improvement Area; 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 (10) days public notice, be held by the Agency on the question of designating Culinary Arts Riverhead LLC the Sponsor for the redevelopment of the Property; and

**WHEREAS**, the Agency, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA"), declared itself "lead agency," by Resolution # 17 dated October 4, 2005 in the matter of designating Culinary Arts Riverhead LLC as a Qualified and Eligible Sponsor for the redevelopment of the Property for the purpose of constructing a 29,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school and determined such designation to be an unlisted action which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared; and

**WHEREAS**, on October 18, 2005, after the requisite public notice, the Agency duly held said public hearing on the designation of Culinary Arts Riverhead, LLC as Sponsor for the redevelopment of the Property; and

**WHEREAS**, a majority of the Town Board of the Town of Riverhead, 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 Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York in said Town on October 18, 2005 at 7:20 P.M., Prevailing Time, and upon all supplemental documentation and information received by the Agency on the question of designating Culinary Arts Riverhead LLC the Sponsor for the redevelopment and reuse of the Property, the Agency, pursuant to Section 507(2)(d) of the General Municipal Law, hereby designates Culinary Arts Riverhead LLC the Sponsor for the redevelopment and reuse of the Property.

Section 2. This determination is subject to and conditioned upon the Sponsor recording at its sole cost and expense a Covenant and Restriction upon the Property, in a form that is agreed upon and acceptable to the Town Board acting as the governing body of the Agency, requiring that the Property be utilized as a culinary arts school for a period of ten (10) years and, for an additional ten (10) year period thereafter, that the Property be utilized for purposes consistent with the East Main Street Urban Renewal Plan adopted by this Board on October 19, 1993.

Section 3. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to Long Island Properties Corporation and Culinary Arts Riverhead LLC and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 4. This Resolution shall take effect immediately.

**The Vote:**

Member Bartunek  
Member Sanders  
Member Blass  
Member Densieski  
Chairman Cardinale

