

**RESOLUTION NO. 563-2009, AUTHORIZING THE CHANGE OF LEASE TERMS ASSOCIATED WITH THE OPERATIONS OF THE SUFFOLK COUNTY DISTRICT ATTORNEY'S EAST END BUREAU**

**WHEREAS**, the Suffolk County District Attorney's East End Bureau currently operates in 1,332 square feet of office space at 116 Hampton Road, Southampton; and

**WHEREAS**, the Town of Southampton is preparing a new 2,100-square-foot office location for Suffolk County District Attorney's East End Bureau at 32 Jackson Ave., in Hampton Bays as part of its efforts to relocate the Town Justice Court from Southampton to Hampton Bays; and

**WHEREAS**, the District Attorney's East End Bureau has expressed its approval of the relocation and will utilize this facility for operations associated for which the Department is charged; and

**WHEREAS**, the landlord has expressed a willingness to maintain the current lease terms associated with the space at 116 Hampton Road at the 32 Jackson Ave. site until its expiration on October 31, 2010; and

**WHEREAS**, the Space Management Steering Committee recommended the approval of this lease on April 30, 2009; and

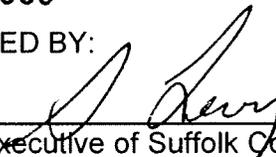
**WHEREAS**, sufficient funds are included in the 2009 Operating Budget for lease payments to be made in connection with the premises; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109 of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

**2<sup>ND</sup> RESOLVED**, that the County Executive be and hereby is authorized to permit the relocation in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: **JUN 23 2009**

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: 7-6-09

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May 1, 2009

Office of the Town Attorney  
116 Hampton Road  
Southampton, NY 11968  
Attn: Daniel L. Adams

Re: Relocation of Suffolk County District Attorney  
East End Bureau Office to 32 Jackson Avenue, Hampton Bays  
County Lease # R-0798

Dear: Mr. Adams

This letter serves as an addendum to the lease last dated October 5, 2006 between the parties Town of Southampton, a municipal corporation, as "Landlord," and the County of Suffolk, a municipal corporation, as "Tenant," for the premises formerly located at 116 Hampton Road, Southampton, New York, 11968. The addendum is intended to confirm the agreement of the parties that the subject office space has been relocated from the previous location at 116 Hampton Road, Southampton to the new location at 32 Jackson Avenue, Hampton Bays, by the Town of Southampton. In consideration of the mutual covenants contained herein and other valuable consideration, the Lease paragraphs with the headings identified below are hereby amended as follows, effective immediately upon full execution:

1. 2. DESCRIPTION

As a result of the relocation of certain Town offices from 116 Hampton Road, Southampton, New York to 32 Jackson Avenue, Hampton Bays, New York, which relocation included moving offices leased to TENANT, LANDLORD hereby leases to TENANT approximately 2,100 square feet of ground floor space, located at 32 Jackson Avenue, Hampton Bays, New York, 11946, and further described as a portion of S.C.T.M. # 0900-205.00-01.00-p/o 002.000, more particularly described on the annexed floor plan, "Exhibit A," attached and incorporated into the terms of this lease, together with the

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common area (stairs, hallways, elevators, kitchen and other areas needed to access their office).

2. 4. RENT

Annual rent for the Premises shall be payable in equal monthly installments on the first day of each calendar month during the term, including all payment for utilities such as electric, heat, water, and janitorial and other building services and any common area maintenance charges. Partial months will be prorated. Annual Rent for the Term of the Lease shall be as follows:

\$1,332.00	<b>Year 1:</b>	annually: \$15,984.00	monthly:
	<b>Year 2:</b>	annually: \$16,383.60	monthly:
\$1,365.30	<b>Year 3:</b>	annually: \$16,793.16	monthly:
\$1,399.43	<b>Year 4:</b>	annually: \$17,213.04	monthly:
\$1,434.42			

3. Paragraph 5. PAINING, CARPETS AND INSTALLATION, is intentionally deleted in its entirety

4. A new paragraph is added as follows:

30. SURVIVAL

Except as otherwise modified herein, all other provisions of the Lease last dated October 5, 2006 shall remain in full force and effect;

In the event the foregoing accurately sets forth the terms of our understanding for the addendum to the Lease last dated October 5, 2006, please counter-sign the enclosed seven (7) sets of this letter, and have the same notarized before a Notary Public. Kindly return six (6) executed originals to this office in the envelope provided, retaining one original for your files.

Thank you for your cooperation on this matter. Should you have any further questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

BASIA DEREN BRADDISH  
Assistant County Attorney



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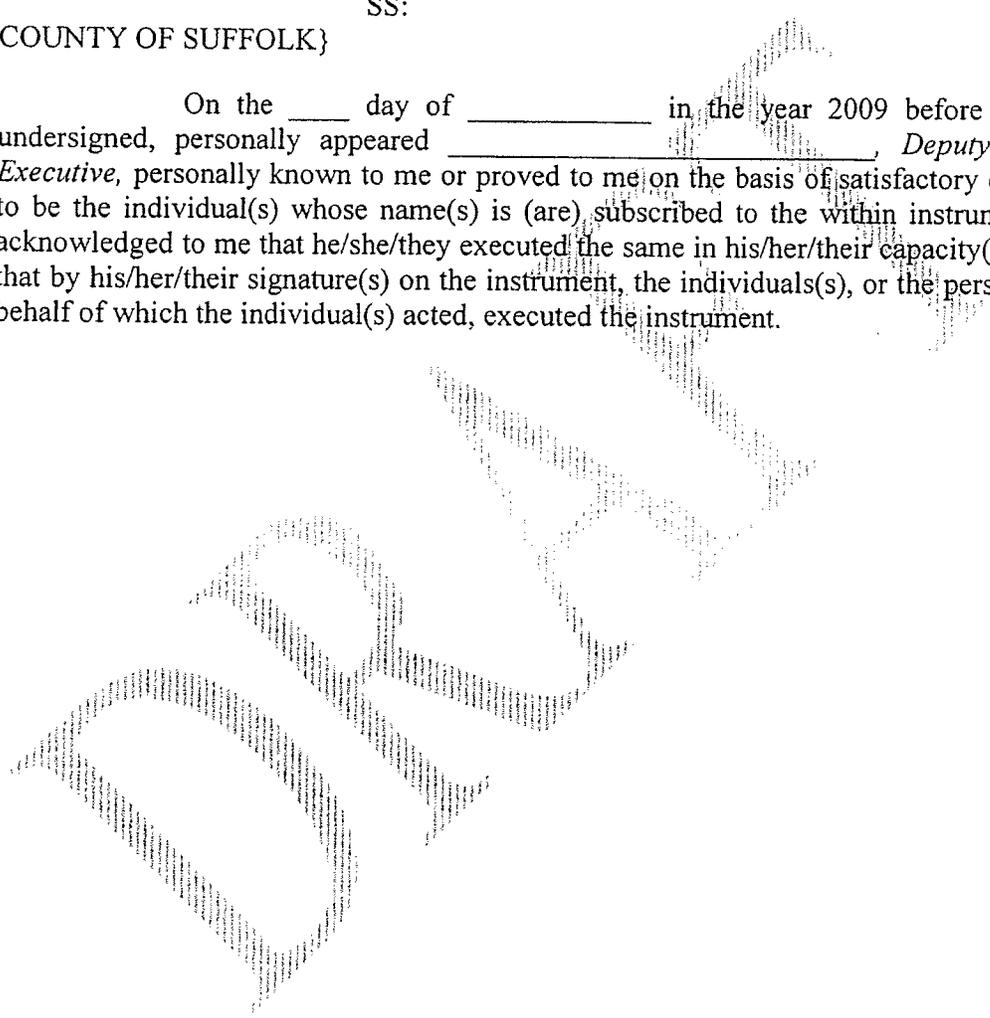
ACKNOWLEDGEMENT

STATE OF NEW YORK }

SS:

COUNTY OF SUFFOLK }

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2009 before me, the undersigned, personally appeared \_\_\_\_\_, *Deputy County Executive*, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 23, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

A handwritten signature in cursive script that reads "Tim Laube".

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Clerk of the Legislature

Intro. Res. 1542 Res. No. 563

June 23, 2009

**Motion:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE						
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Brian BEEDENBENDER						
6	Daniel P. LOSQUADRO						
7	Jack EDDINGTON						
9	Ricardo MONTANO						
10	Cameron ALDEN						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
14	Wayne R. HORSLEY						
15	DuWayne GREGORY						
16	Steven H. STERN					/	
17	Lou D'AMARO						
18	Jon COOPER						
5	Vivian VILORIA-FISHER, D.P.O.						
8	William J. LINDSAY, P.O.						
Totals		17	1				

MOTION	
<input checked="" type="checkbox"/> Approve	
Table: _____	
Send To Committee _____	
Table Subject To Call _____	
Lay On The Table _____	
Discharge _____	
Take Out of Order _____	
Reconsider _____	
Waive Rule _____	
Override Veto _____	
Close _____	
Recess _____	
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote