Intro. Res. No. 1862-2009 Laid on Table 9/17/2009
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 915 -2009, AUTHORIZING THE EXTENSION OF THE LEASE OF PREMISES LOCATED AT 45 WEST SUFFOLK AVE., CENTRAL ISLIP, NY FOR USE BY THE DEPARTMENT OF HEALTH SERVICES

WHEREAS, the Department of Health Services has operated a client service facility at 45 West Suffolk Ave., Central Islip and is desirous of remaining in that location through December 31, 2009; and

WHEREAS, the County entered into a Lease with the Central Islip-based landlord G.L.G. Associates, which expired on June 30, 2008; and

WHEREAS, the County utilizes this facility to provide health services to Suffolk County residents in proximity to the location and is associated with the operations for which the Department is charged; and

WHEREAS, the landlord has expressed its willingness to permit the County to remain at this location and agreed to extend the lease through December 31, 2009, following which the operations at the facility will be transferred to the County's Health facility at 1825 Brentwood Road, Brentwood; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease at its meeting on August 21, 2008; 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

1st **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

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a Lease Extension in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed; and be it further

3rd **RESOLVED**, that rent escalation for the period of July 1, 2008 through June 30, 2009 will be $5,106.60 and monthly rent for the premises shall be $15,048.71, as of July 1, 2009 forward; and be it further

4th **RESOLVED**, that the County is authorized to extend this agreement in accordance with the same terms and conditions for an additional six-month period.

DATED: OCT 13 2009

APPROVED BY:

County Executive of Suffolk County

Date: OCT 28 2009

R 1016

Suffolk County Form 22
Contractor's/Vendor's Public Disclosure Statement

Pursuant to Section A5-7 of the Suffolk County Administrative Code, this Public Disclosure Statement must be completed by all contractors/vendors that have a contract with Suffolk County. In the event contractor/vendor is exempt from completing paragraphs numbered 1 through 11 below, so indicate at paragraph number 12 below setting forth the reason for such exemption. Notwithstanding such exempt status, you must execute this form below before a notary public.

1. Contractor's/Vendor's Name GLG ASSOCIATES

   Address 240 DIBBS ROAD ISLANDIA, NY 11749

   City and State ISLANDIA, NY Zip Code 11749

2. Contracting Department's Name Suffolk County Department of Publics Works

   Address 335 YAPHANK AVENUE, YAPHANK NY 11980-9744

3. Payee Identification or Social Security No. 11-2956456

4. Type of Business__Corporation ✓Partnership__Sole Proprietorship__Other

5.a Is contractor/vendor entering into or has contractor/vendor entered into a contract with Suffolk County in excess of $1,000? ✓Yes__No.

5.b Has contractor/vendor entered into three or more contracts, including the one for which you are now completing this form, with Suffolk County, any three of which, when completed, exceed $1,000? __Yes ✓No.

RECEIVED
DEC 12 2008
Operating Funds Accounting

6. Table of Organization. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)

   ARNALDO GONCALVES 255 TREE AVENUE, CENTRAL ISLIP, NY 11722
   IBERICO GONCALVES
   MARIA LUCAS

7. List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the contractor/vendor. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary).

   ARNALDO GONCALVES 255 TREE AVE, CENTRAL ISLIP, NY 11722

8. Does contractor/vendor derive 50% or more of its total revenues from its contractual or vendor relationship with Suffolk County?___Yes ✓ No.

9. If you answered yes to 8 above, you must submit with this disclosure statement, a complete financial statement listing all assets and liabilities as well as a profit and loss statement. These statements must be certified by a Certified Public Accountant. (Strike this out if not applicable.)

10. The undersigned shall include this Contractor's/Vendor's Public Disclosure Statement with the contract. (Describe general nature of the contract.) LANDLORD / TENNANT RENTAL AGREEMENT

11. **Remedies.** The failure to file a verified public disclosure statement as required under local law shall constitute a material breach of contract. Suffolk County may resort, use or employ any remedies contained in Article II of the Uniform Commercial Code of the State of New York. In addition to all legal remedies, Suffolk County shall be entitled, upon a determination that a breach has occurred, to damages equal to fifteen percent (15%) of the amount of the contract.

12. If you are one of the entities listed below at a) through c) or you qualify under d) below, you are exempt from completing paragraphs numbered 1 through 11 herein:

_____ a) Hospital
_____ b) Educational or governmental entities
_____ c) Not-for-profit corporations
_____ d) Contracts providing for foster care, family day-care providers or child protective services

Please check to the left side of the appropriate exemption.

13. **Verification.** This section must be signed by an officer or principal of the contractor/vendor authorized to sign for the company for the purpose of executing contracts. The undersigned being sworn, affirms under the penalties of perjury, that he/she has read and understood the foregoing statements and that they are, to his/her own knowledge, true.

Dated: 12/8/08 Signed: Arnaldo Goncalves
Printed Name of Signer: ARNALDO GONCALVES
Title of Signer:
Name of Contractor/Vendor:

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

STATE OF NEW YORK)
COUNTY OF) ss.:

On the 8TH day of DECEMBER in the year 2008 before me, the undersigned, personally appeared ARNALDO GONCALVES 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.

Carolyn Dolan
(Signature and office of individual taking acknowledgement)

CAROLYN DOLAN
Notary Public, State of New York
No. 01DO6187946
Qualified in Suffolk County
Commission Expires Dec 11, 2010

UNIFORM CERTIFICATE OF ACKNOWLEDGEMENT
(Without New York State)

STATE OF)
)ss.:
COUNTY OF)

On the_____day of_____ in the year 2004 before me, the undersigned, personally appeared_____ 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, and that such individual(s) made such appearance before the undersigned in_____
(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken)

_____
Signature and office of individual taking acknowledgement)

July 7, 2009

Mr. Roger Rothman, Esq.
145 South Fourth Street
Bay Shore, NY 11706

Re: 45 West Suffolk Avenue, Central Islip, NY
Lease Extension – R1016

Mr. Rothman:

This Letter Agreement serves to confirm the agreement between the County of Suffolk ("County") and G.L.G. Associates ("Landlord"), with regard to the extension of the Lease at the above referenced Premises, pursuant to the Assignment and Assumption of Lease and Lease Extension Agreements that expired on June 30, 2008. ("Lease"). In consideration of the mutual covenants contained herein and other valuable consideration, the parties hereto agree as follows:

(i) The term of the Lease is hereby extended through December 31, 2009. Annual Rent for the period July 1, 2008 through June 30, 2009 shall be $175,325;

(ii) Rent for the Premises shall increase by three (3) percent beginning July 1, 2009. Rent for the six-month period between July 1, 2009 and Dec. 31, 2009 shall be $90,292.

(iii) Rent shall be payable in equal monthly installments in advance on the first day of each calendar month during the term;

(iv) If any terms of this Letter Agreement are in conflict with the Lease, the terms of this Extension shall control;

(v) All other provisions of the Lease, as modified by this Letter Agreement shall remain in full force and effect.

Steve Levy
Suffolk County Executive

Patrick A. Heaney
Commissioner

In the event the foregoing accurately sets forth the terms of our understanding, 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, retaining one original for your files. A fully executed original will be forwarded once all signatures have been obtained.

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.

Regards,

Nick Anastasi
Assistant to the Commissioner
Economic Development & Workforce Housing

cc: Basia Braddish, Suffolk County Attorney's Office
Tom LaGuardia, Suffolk County Department of Public Works
Kathy Moller, Suffolk County Department of Public Works
Matthew Miner, Suffolk County Department of Health Services

APPROVED AND AGREED:

COUNTY OF SUFFOLK
TENANT

By: _____

Chris Kent
Chief Deputy County Executive

Date: _____

G.L.G. ASSOCIATES
LANDLORD

By: _____

Name:
Title: Partner

Date: 7/23/09

APPROVED AS TO LEGALITY:
CHRISTINE MALAFI
Suffolk County Attorney

By: _____
Basia Deren Braddish
Assistant County Attorney

Date:

ACKNOWLEDGEMENT

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the 23RD day of JULY in the year 2009 before me, the undersigned, personally appeared ARNALDO GONCALVES known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Carolyn Dolan
Notary Public

CAROLYN DOLAN
Notary Public, State of New York
No. 01DO6157946
Qualified in Suffolk County
Commission Expires: Dec. 11, 2010

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2009 before me, the undersigned, personally appeared *Christopher Kent, Chief Deputy County Executive,* personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

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 October 13, 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1862 Res. No. 915 October 13, 2009

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

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

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-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	18	—	—	—	—

MOTION

X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature