Intro. Res. No. 1016-2012 Laid on Table 1/3/2012
Introduced by Legislator Kennedy

**RESOLUTION NO. 21 -2012, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AGREEMENT WITH THE TOWN OF SMITHTOWN FOR THE PURPOSES OF CREATING A LAW ENFORCEMENT MOTOR-CARRIER CHECK SITE, SITUATED ON TOWN OF SMITHTOWN REAL PROPERTY, IDENTIFIED AS SCTM NO. 0800-173.00-03.00-012.000, PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW**

**WHEREAS**, the Department of Public Works, in conjunction with the Suffolk County Police Department, desires to create a law enforcement motor-carrier check site between CR 4, Commack Road and CR 13, Crooked Hill Road; and

**WHEREAS**, the Town of Smithtown has agreed to authorize the County to utilize real property, identified as SCTM No. 0800-173.00-03.00-012.000, pursuant to Section 72-h of the General Municipal Law; and

**WHEREAS**, pursuant to the terms of the Lease Agreement the County shall be authorized to construct, lay, relay, repair, operate, maintain and remove a paved lot and related appurtenances to be used for the municipal purpose of a law enforcement motor-carrier check site, which shall be maintained by and at the sole expense of the County, for a period of ten (10) years and shall be renewable upon mutual consent of the parties; and

**WHEREAS**, it is in the best interests of the County to execute said Lease Agreement; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that the proposed activity constitutes an unlisted action under the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code, that the project will not have significant adverse impacts on the environment for the following reasons:

1) The proposed action will not exceed any of the criteria set forth in Title 6 NYCRR, Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2) The proposal does not significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

3) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);

4) The small size and nature of the proposal (i.e. construction and use of a law enforcement truck check-point by Suffolk County, without the construction of any permanent buildings) mitigate against a significant adverse impact upon the environment;

5) The proposal appears to be compatible with neighboring land uses; and

6) The proposal will not result in the generation of any wastewater or in the construction of any buildings on the subject premises; and be it further

2nd **RESOLVED**, that the County Executive, or his designee, is hereby authorized to execute a Lease Agreement with the Town of Smithtown, for the purposes of a law enforcement motor-carrier check site; and be it further

3rd **RESOLVED**, that the County Department of Public Works and the Suffolk County Police Department is hereby authorized, empowered and directed to take such action as may be necessary to complete the execution of said Lease Agreement, pursuant to Section C8-2 (A) of the Suffolk County Charter .

DATED: February 7, 2012

APPROVED BY:

County Executive of Suffolk County

Date: 2-21-2012

# LEASE AGREEMENT

LEASE, as of made this day of , 2011, between the TOWN OF SMITHTOWN, a municipal corporation, having its principal offices in the Town Hall, 99 West Main Street, Smithtown, County of Suffolk, State of New York, party of the first part, and the COUNTY OF SUFFOLK, a municipal corporation, having its principal offices at 335 Yaphank Avenue, Yaphank, County of Suffolk, State of New York, party of the second part:

## WITNESSETH:

That the party of the first part for good and valuable considerations and the payment of the sum of ONE DOLLAR ($1.00) lawful money of the United States, paid by the party of the second part to the party of the first part, the receipt whereof is hereby acknowledged, DOES HEREBY CONSENT, grant, convey and release to the party of the second part, its successors and assigns, a lease over and across the land hereinafter described, situate at Smithtown, New York in the unincorporated area of Commack, Town of Smithtown, Suffolk County, New York, in, under and upon which to construct, lay, relay, repair, operate, maintain and remove a paved lot and appurtenances, to be used for a municipal purpose, to wit: a law enforcement truck check-point which shall be maintained by and at the sole expense of the party of the second part, with the right to set up, operate, repair, maintain and remove the same for such purposes. The party of the second part acknowledges that the subject land is subject to a Declaration of Covenants and Restrictions filed with the Office of the Suffolk County Clerk, and agrees to be bound thereby. The said lease shall be for a period of ten (10) years from the date hereof and shall be renewable upon the mutual consent of the parties hereto. In the event this lease is not so renewed, or in the event the party of the second part ceases to use the property for the purpose herein, the party of the second part shall, without undue delay, restore the property to its original state.

The party of the second part agrees to defend, indemnify and save harmless the party of the first part, its officers, directors, employees and agents from and against any and all losses, damages, injuries, claims, suits, liens and expenses, arising out of or in connection with the design, construction, use, maintenance and repair, and removal of said paved lot and appurtenances. The party of the second part shall have the right to demand that the party of the second part shall undertake to investigate, defend and indemnify against any and all losses, damages, injuries, claims, suits, liens and expenses, provided that the claim or suit shall be against the party of the first part and/or its officers, directors, employees and agents, arising out of or in connection with, or so alleged, any and all acts, omissions or negligence on the part of the party of the second part and/or its officers, directors, employees, agents, contractors, sub-contractors and servants. This Agreement shall be binding upon the party of the second part, its successors and assigns.

The real property over which said lease is granted, conveyed and released hereby to the party of the second part is as follows:

SEE, Schedule "A" and annexed hereto and made a part hereof.

i 1016-2012

IN WITNESS WHEREOF, the parties have duly executed the Agreement in duplicate originals the date and year first written above.

TOWN OF SNMITHTOWN

By: Patrick R. Vecchio, Supervisor

COUNTY OF SUFFOLK

By: _____

Name:

Title:

**STATE OF NEW YORK**
**COUNTY OF SUFFOLK ss:**

On the 28 day of June, in the year 2011 before me, the undersigned, personally appeared Patrick R. Vecchio, 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

LINDSAY TEJADA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6120982
Qualified in Suffolk County
My Commission Expires January 03, 2013

**STATE OF NEW YORK**
**COUNTY OF SUFFOLK ss:**

On the _____ day of _____, in the year 2011 before me, the undersigned, personally appeared _____, 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

CONTROL POINT
ASSOCIATES, INC.

BOUNDARY & TOPOGRAPHIC SURVEYS • SUBDIVISIONS • CONSTRUCTION STAKEOUT

776 Mountain Boulevard
Watchung, NJ 07060
908.668.0099
908.668.9595 fax

Gwynedd Corp. Center
1120 Welsh Road
Suite 200
North Wales, PA 19454
215.412.9055
215.412.0861 fax

APRIL 27, 1999
C97259

SCHEDULE A

**METES AND BOUNDS DESCRIPTION**
LOT 12, BLOCK 3, SECTION 173
COMMACK, TOWN OF SMITHTOWN
SUFFOLK COUNTY, NEW YORK

BEING KNOWN AS LOTS 707 THROUGH 721 AS SHOWN ON A MAP ENTITLED "MAP OF BRENTWOOD MANOR, PROPERTY OF THE KNICKERBOCKER REALTY COMPANY, SOUTH COMMACK, SUFFOLK CO., NY" PREPARED BY EUGENE R. SMITH, C.E., DATED: DECEMBER, 1908 AND FILED IN THE SUFFOLK COUNTY CLERK'S OFFICE ON DECEMBER 9, 1908 AS MAP NO. 661, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDELINE OF CROOKED HILL ROAD A.K.A. SUFFOLK COUNTY ROUTE 13 - VARIABLE WIDTH RIGHT OF WAY) WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SAID POINT BEING DISTANT SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 220.17 FEET FROM THE INTERSECTION FORMED BY THE SOUTHERLY SIDELINE OF ROBERT STREET (50 FOOT WIDE RIGHT OF WAY) WITH THE WESTERLY SIDELINE OF CROOKED HILL ROAD, AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE WESTERLY SIDELINE OF CROOKED HILL ROAD, SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 300.23 FEET TO A POINT, THENCE;

2. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 11, NORTH 87 DEGREES - 02 MINUTES - 45 SECONDS WEST, A DISTANCE OF 150.51 FEET TO A POINT, THENCE;

3. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOTS 6.1, 4 & 3, NORTH 02 DEGREES - 57 MINUTES - 15 SECONDS EAST, A DISTANCE OF 300.00 FEET TO A POINT, THENCE;

4. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SOUTH 87 DEGREES - 02 MINUTES - 45 SECONDS EAST, A DISTANCE OF 138.67 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 43,376 SQUARE FEET OR 0.996 ACRE.

CONTROL POINT
ASSOCIATES, INC.



THIS DESCRIPTION IS PREPARED BASED ON A MAP ENTITLED "BOUNDARY & LOCATION SURVEY, LOT 12, BLOCK 3, SECTION 173, CROOKED HILL ROAD, COMMACK, TOWN OF SMITHTOWN, SUFFOLK COUNTY, NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED APRIL 27, 1999.

GREGORY S. GALTAS DATE
NEW YORK
PROFESSIONAL LAND SURVEYOR # 50124

DH/eq survey/homedep/c97259/N&B042399.7

# DECLARATION OF COVENANTS AND RESTRICTIONS

ADDENDUM TO DECLARATION OF COVENANTS AND RESTRICTIONS, filed on April 2, 2010, in liber 12620, page 935, restricting the use of SCTM #0800-174-03-75, 84.2, 84.3, 84.4, 84.5, 84.6, 84.7, and 84.8 made this 28 day of June, 2011, by the Town of Smithtown, 99 West Main Street, Smithtown, New York, hereinafter referred to as the "DECLARANT."

**WITNESSETH**

**WHEREAS**, the Declarant is the owner in fee simple of certain real property situate, lying and being in the Town of Smithtown, County of Suffolk and State of New York, at Crooked Hill Road, Commack, New York, designated as SCTM #0800-173-3-12, being more particularly bounded and described herein on Schedule A, annexed hereto and made a part hereof; and

**WHEREAS**, the Town Board of the Town of Smithtown granted Change of Zone Petition #92-02, as amended, subject to the filing of a Declaration of Covenants and Restrictions with the Office of the Suffolk County Clerk setting forth certain terms and conditions affecting said real property; and

**WHEREAS**, a Declaration of Covenants and Restrictions was so filed by PJ Venture, the former owner of said real property, in accordance with the conditions of approval of said Change of Zone Petition; and

**WHEREAS**, the Town of Smithtown desires to permit the County of Suffolk to use SCTM #0800-173-3-12 for a municipal purpose, to wit: a law enforcement truck check-point; and

**WHEREAS**, this matter was duly heard at a public hearing on the Town's own motion #2011-A, held by the Town Board of the Town of Smithtown on February 17, 2011; and

**WHEREAS**, the Town Board of the Town of Smithtown, by resolution after said public hearing on the Town's own motion #2011-A, amending condition of approval #4 of Change of Zone Petition #92-02, as amended, and the Declaration of Covenants and Restrictions in connection therewith, such that the installation of paving, striping, curbing and driveways, fencing and gates, and related items, as appropriate, shall be permitted in order to allow SCTM #0800-173-3-12 to be used for said municipal purpose; and

**WHEREAS**, the Town Board of the Town of Smithtown has authorized the Supervisor to sign a Declaration of Covenants and Restrictions to reflect said amendment, on a form approved by the Town Attorney;

**NOW, THEREFORE**, in consideration of and in accordance with the foregoing, the Declarant declares that paragraph 2, page 8 of the Declaration of Covenants and Restrictions filed the Office of the Suffolk County Clerk on April 2, 2010, in liber 12620, page 935, be amended to add the following: "Pursuant to #2011-A (Town Board's Own Motion) the installation of paving, striping, curbing and driveways, fencing and gates, and related items, as appropriate, shall be permitted in order to allow SCTM #0800-173-3-12 to be used for a municipal purpose, to wit: a law enforcement truck check-point, provided, however, that SCTM # 0800-173-3-12 shall not be developed with any "wet" use."

All other provisions in the Declaration of Covenants and Restrictions filed on April 2, 2010, in liber 12620, page 935, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Declarant has duly executed this Declaration of Covenants and Restrictions the day and year first written above.

Town of Smithtown

By: _____
Patrick R. Vecchio, Supervisor

**STATE OF NEW YORK**
**COUNTY OF SUFFOLK ss:**

On the 28 day of June, in the year 2011 before me, the undersigned, personally appeared Patrick R. Vecchio, 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.

Lindsay Tejada
Notary Public

LINDSAY TEJADA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6120982
Qualified in Suffolk County
My Commission Expires January 03, 2013

CONTROL POINT
ASSOCIATES, INC.

BOUNDARY & TOPOGRAPHIC SURVEYS • SUBDIVISIONS • CONSTRUCTION STAKEOUT

776 Mountain Boulevard
Watchung, NJ 07060
908.668.0099
908.668.9595 fax

Gwynedd Corp. Center
1120 Welsh Road
Suite 200
North Wales, PA 19454
215.412.9055
215.412.0861 fax

APRIL 27, 1999
C97259

SCHEDULE A

**METES AND BOUNDS DESCRIPTION**
LOT 12, BLOCK 3, SECTION 173
COMMACK, TOWN OF SMITHTOWN
SUFFOLK COUNTY, NEW YORK

BEING KNOWN AS LOTS 707 THROUGH 721 AS SHOWN ON A MAP ENTITLED "MAP OF BRENTWOOD MANOR, PROPERTY OF THE KNICKERBOCKER REALTY COMPANY, SOUTH COMMACK, SUFFOLK CO., NY" PREPARED BY EUGENE R. SMITH, C.E., DATED: DECEMBER, 1908 AND FILED IN THE SUFFOLK COUNTY CLERK'S OFFICE ON DECEMBER 9, 1908 AS MAP NO. 661, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDELINE OF CROOKED HILL ROAD A.K.A. SUFFOLK COUNTY ROUTE 13 - VARIABLE WIDTH RIGHT OF WAY) WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SAID POINT BEING DISTANT SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 220.17 FEET FROM THE INTERSECTION FORMED BY THE SOUTHERLY SIDELINE OF ROBERT STREET (50 FOOT WIDE RIGHT OF WAY) WITH THE WESTERLY SIDELINE OF CROOKED HILL ROAD, AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE WESTERLY SIDELINE OF CROOKED HILL ROAD, SOUTH 00 DEGREES - 41 MINUTES - 37 SECONDS WEST, A DISTANCE OF 300.23 FEET TO A POINT, THENCE;

2. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 11, NORTH 87 DEGREES - 02 MINUTES - 45 SECONDS WEST, A DISTANCE OF 150.51 FEET TO A POINT, THENCE;

3. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOTS 6.1, 4 & 3, NORTH 02 DEGREES - 57 MINUTES - 15 SECONDS EAST, A DISTANCE OF 300.00 FEET TO A POINT, THENCE;

4. ALONG THE DIVIDING LINE BETWEEN TAX LOT 12 AND TAX LOT 13, SOUTH 87 DEGREES - 02 MINUTES - 45 SECONDS EAST, A DISTANCE OF 138.67 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 43,376 SQUARE FEET OR 0.996 ACRE.

CONTROL POINT
ASSOCIATES, INC.



THIS DESCRIPTION IS PREPARED BASED ON A MAP ENTITLED "BOUNDARY & LOCATION SURVEY, LOT 12, BLOCK 3, SECTION 173, CROOKED HILL ROAD, COMMACK, TOWN OF SMITHTOWN, SUFFOLK COUNTY, NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED APRIL 27, 1999.

GREGORY S. CALTAS DATE
NEW YORK
PROFESSIONAL LAND SURVEYOR # 50124

DH/eq survey/homedep/c97259/MEB042399.1

**Smithtown Town Board**
99 West Main Street
Smithtown, NY 11787

**ADOPTED**

**RESOLUTION 2011-542**

Meeting: 06/23/11 07:01 PM
Department: Town Attorney
Category: Lease Agreement
Prepared By: Lindsay Tejada
Initiator: Yvonne Lieffrig
Sponsors: Supervisor Patrick Vecchio
DOC ID: 4920

# Lease Agreement with County of Suffolk

**DESCRIPTION**

Lease Agreement between the Town of Smithtown and the County of Suffolk to permit the use of SCTM #0800-173-3-12 for a municipal purpose, to wit: a law enforcement truck check-point, pursuant to Section 72-h of the General Municipal Law.

**PURPOSE**

The County of Suffolk is interested in utilizing said real property as a law enforcement truck check-point, permitted by Section 72-h of the General Municipal Law.

**REVIEW:**

| | | |
|---|---|---|
| Yvonne Lieffrig | Completed | 06/09/2011 12:55 PM |
| Patrick Vecchio | Completed | 06/10/2011 11:34 AM |
| Town Board | Completed | 06/24/2011 10:52 AM |

**ATTACHMENTS:**

- Truck Enforcement Chkpt and backup#2 (DOC)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Patrick Vecchio, Supervisor |
| **SECONDER:** | Edward Wehrheim, Councilman |
| **AYES:** | Patrick Vecchio, Edward Wehrheim, Robert Creighton, Kevin Malloy |
| **ABSENT:** | Thomas McCarthy |

**Smithtown Town Board**
99 West Main Street
Smithtown, NY 11787

Meeting: 06/23/11 07:01 PM
Department: Town Attorney
Category: Lease Agreement
Prepared By: Lindsay Tejada
Initiator: Yvonne Lieffrig
Sponsors: Supervisor Patrick Vecchio
DOC ID: 4920

**ADOPTED**

**RESOLUTION 2011-542**

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Patrick Vecchio, Supervisor |
| **SECONDER:** | Edward Wehrheim, Councilman |
| **AYES:** | Patrick Vecchio, Edward Wehrheim, Robert Creighton, Kevin Malloy |
| **ABSENT:** | Thomas McCarthy |

# SUFFOLK COUNTY LEGISLATURE
COUNTY OF SUFFOLK

JOHN M. KENNEDY, JR.
LEGISLATOR, 12TH DISTRICT

COMMITTEES/COMMISSIONS:
WAYS AND MEANS
PUBLIC SAFETY
HEALTH AND HUMAN SERVICES

January 20, 2012

Acting Commissioner Edward Webber
Suffolk County Police Department
John L. Barry Police Headquarters
30 Yaphank Avenue
Yaphank, New York 11980

**SECOND REQUEST** 1/26/1

Re: I.R. 1016

Dear Acting Commissioner Webber:

Please forward the following information to my attention by January 30, 2012 in regards to the above-referenced resolution.

1. The total number of infractions, citations issued by the Motor Carrier Unit, by month, for the past three years.
2. The total number of overweight or other major infractions, by month, for the past three years.
3. The total amount of monetary fines issued by month, for the past three years.
4. The total number of commercial vehicles taken out of service, by month, for the past three years.

In addition, I require all statistics for inspection and enforcement on Commack Road and Townline Road, by month for the past five years.

Thank you in advance for your anticipated courtesy and cooperation herein. I would welcome the opportunity to discuss this matter and any questions you may have at your convenience. Please feel free to contact me at (631) 854-3735.

Very truly yours,

John M. Kennedy, Jr.
Suffolk County Legislator
12th Legislative District

JMK: sdw

728 VETERANS MEMORIAL HIGHWAYAY, BUILDING 17 • HAUPPAUGE, NY 11788 • TELEPHONE (631) 854-3735 • FAX (631) 854-3744
MAILING ADDRESS: PO BOX 6100 • HAUPPAUGE, NY 11788
E-MAIL: JOHN.KENNEDY@SUFFOLKCOUNTYNY.GOV

**POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK**

INTERNAL CORRESPONDENCE

TO: Lieutenant Daniel Meyer
X.O. Highway Patrol Bureau

DATE: January 27, 2012

FROM: Patrick Minogue Sgt. 803/4230/T2

COPY TO: As Required

SUBJECT: Legislator Kennedy MCSS Request

The Highway Patrol Motor Carrier Safety Section have compiled the information requested by Legislator Kennedy. As per the request the statistical information for the MCSS years 2009, 2010 and 2011 has been provided. Prior to 2010 the fine calculations were not recorded as statistical data within this command. In addition, the statistics for inspection and enforcement on Commack Road and Townline Road for the past five years are also provided. The monetary fine amounts reflect only weight infraction citations. Non weight infraction citation monetary amounts are determined in court

Respectfully submitted,

Patrick Minogue Sgt. 803/4230/T2

PDCS-2042

**Motor Carrier Saftey Section**

***Commack Road Enforcement***

| 2007 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 0 | 1 | 2 | 8 | 6 | 0 | 1 | 1 | 9 | 4 | 23 | 12 | 67 |
| Total UTT's | 0 | 2 | 7 | 27 | 9 | 0 | 2 | 1 | 24 | 8 | 85 | 34 | 199 |
| OOS | 0 | 1 | 1 | 3 | 2 | 0 | 0 | 1 | 5 | 2 | 13 | 5 | 33 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 7 | 12 | 59 | 17 | 20 | 6 | 11 | 6 | 7 | 15 | 9 | 12 | 181 |
| Total UTT's | 17 | 46 | 82 | 41 | 52 | 15 | 63 | 41 | 74 | 36 | 38 | 18 | 523 |
| OOS | 3 | 4 | 10 | 11 | 14 | 3 | 6 | 5 | 4 | 2 | 4 | 2 | 68 |

| 2009 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 18 | 14 | 27 | 17 | 5 | 23 | 3 | 28 | 12 | 21 | 7 | 8 | 183 |
| Total UTT's | 25 | 19 | 68 | 76 | 28 | 71 | 28 | 65 | 23 | 51 | 22 | 41 | 517 |
| Total Weight UTT's | 0 | 18 | 36 | 27 | 4 | 28 | 4 | 36 | 8 | 19 | 4 | 16 | 200 |
| OOS | 7 | 8 | 19 | 12 | 3 | 18 | 2 | 17 | 5 | 16 | 5 | 8 | 120 |

| 2010 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 10 | 1 | 32 | 33 | 26 | 43 | 25 | 36 | 24 | 15 | 5 | 6 | 256 |
| Total UTT's | 26 | 0 | 55 | 83 | 112 | 88 | 65 | 98 | 44 | 27 | 9 | 10 | 617 |
| Total Weight UTT's | 2 | 0 | 31 | 39 | 37 | 26 | 23 | 36 | 10 | 2 | 0 | 8 | 214 |
| OOS | 5 | 1 | 22 | 26 | 20 | 12 | 13 | 11 | 8 | 3 | 5 | 2 | 128 |
| Total Weight Fines | $150.00 | $0.00 | $24,075.00 | $29,850.00 | $28,200.00 | $19,000.00 | $18,350.00 | $26,800.00 | $9,900.00 | $400.00 | $0.00 | $4,750.00 | $161,475.00 |

| 2011 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 17 | 32 | 16 | 18 | 24 | 20 | 21 | 27 | 14 | 11 | 6 | 3 | 209 |
| Total UTT's | 41 | 80 | 80 | 92 | 168 | 112 | 121 | 152 | 85 | 74 | 27 | 12 | 1044 |
| Total Weight UTT's | 0 | 23 | 22 | 63 | 43 | 28 | 27 | 21 | 24 | 4 | 0 | 0 | 255 |
| OOS | 13 | 23 | 11 | 10 | 15 | 14 | 12 | 15 | 6 | 9 | 3 | 3 | 134 |
| Total Weight Fines | $0.00 | $15,250.00 | $13,475.00 | $31,000.00 | $27,350.00 | $16,645.00 | $21,150.00 | $8,700.00 | $12,750.00 | $11,550.00 | $0.00 | $0.00 | $157,870.00 |

## *Highway Patrol Buteau Motor Carrier Safety Section*

**2009 Activity Report**

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 136 | 118 | 263 | 164 | 132 | 181 | 145 | 95 | 135 | 153 | 98 | 87 | 1707 |
| Total UTT"s | 229 | 201.00 | 485 | 420 | 225 | 356 | 295 | 236 | 399 | 350 | 272 | 164 | 3632 |
| Total Weight UTT's | 7 | 4.00 | 87 | 104 | 15 | 64 | 35 | 30 | 105 | 61 | 40 | 22 | 574 |
| OOS | 48 | 33 | 118 | 80 | 76 | 103 | 91 | 63 | 80 | 103 | 61 | 47 | 903 |
| Weight Fine Total | | | | | | | | | | | | | |

**2010 Activity Report**

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 145 | 91 | 191 | 224 | 219 | 204 | 113 | 133 | 202 | 86 | 89 | 87 | 1784 |
| Total UTT's | 225 | 220 | 546 | 737 | 652 | 739 | 457 | 485 | 353 | 378 | 243 | 239 | 5274 |
| Total Weight UTT's | 41 | 20 | 94 | 126 | 129 | 155 | 86 | 59 | 47 | 84 | 37 | 35 | 913 |
| OOS | 68 | 50 | 102 | 137 | 113 | 133 | 77 | 72 | 57 | 58 | 53 | 41 | 961 |
| Weight Fine Total | $127,975.00 | $51,875.00 | $195,350.00 | $188,875.00 | $302,262.00 | $401,450.00 | $194,225.00 | $146,300.00 | $80,925.00 | $208,875.00 | $100,750.00 | $128,325.00 | $2,127,187.00 |

**2011 Activity Report**

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total Inspections | 167 | 173 | 248 | 175 | 205 | 188 | 123 | 150 | 272 | 235 | 197 | 194 | 2327 |
| Total UTT's | 330 | 459 | 1085 | 963 | 968 | 798 | 570 | 859 | 795 | 958 | 831 | 671 | 9287 |
| Total Weight UTT's | 23 | 45 | 156 | 193 | 158 | 122 | 120 | 147 | 133 | 113 | 90 | 63 | 1363 |
| OOS | 87 | 93 | 153 | 122 | 141 | 134 | 79 | 102 | 121 | 136 | 113 | 105 | 1386 |
| Weight Fine Total | $69,025.00 | $154,955.00 | $414,200.00 | $440,800.00 | $313,725.00 | $276,675.00 | $327,690.00 | $410,500.00 | $326,985.00 | $214,275.00 | $227,700.00 | $138,725.00 | $3,315,255.00 |

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 February 7, 2012 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. 1016 Res. No. 21 February 7, 2012

**Motion:**
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

| LD | Legislator | Yes | No | Abs | NP | R |
|---|---|---|---|---|---|---|
| 1 | Edward P. ROMAINE | | | | | |
| 2 | Jay H. SCHNEIDERMAN | | | | | |
| 3 | Kate M. BROWNING | | | | | |
| 4 | Thomas MURATORE | | | | | |
| 5 | Kara HAHN | | | | | |
| 6 | Sarah S. ANKER | | | | | |
| 7 | Rob CALARCO | | | | | |
| 9 | Ricardo MONTANO | | | | | |
| 10 | Thomas CILMI | | | | | |
| 11 | Thomas F. BARRAGA | | | | | |
| 12 | John M. KENNEDY, JR. | | | | | |
| 13 | Lynne C. NOWICK | | | | | |
| 15 | DuWayne GREGORY | | | | | |
| 16 | Steven H. STERN | | | | | |
| 17 | Lou D'AMARO | | | | | |
| 18 | William SPENCER | | | | | |
| 14 | Wayne R. HORSLEY, 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 ✓ FAILED ___
No Motion ___ No Second ___

**RESOLUTION DECLARED**

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote ✓

Tim Laube
Tim Laube, Clerk of the Legislature