

CERTIFICATE OF NECESSITY

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1313-2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1313-2014

**RESOLUTION NO. -2014, AUTHORIZING
ALTERATION OF RATES FOR DAVIS PARK FERRY
CO., INC.**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1313-2014, BECAUSE IT IS NECESSARY
TO SET APPROPRIATE AND REASONABLE RATES FOR THE FERRY SERVICE
FROM PATCHOGUE TO DAVIS PARK AND TO WATCH HILL, PRIOR TO THE
BEGINNING OF SUFFOLK COUNTY'S BUSIEST PERIOD FOR TOURISM AND
RECREATION.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 16th DAY OF
JUNE, 2014.**

RECEIVED

2014 JUN 16 P 2:13

COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

Intro. Res. No. 1313-2014

Laid on Table 3/18/2014

Introduced by Presiding Officer, pursuant to Rule 3 (A)(14) of the Suffolk County Legislature

**RESOLUTION NO. -2014, AUTHORIZING ALTERATION
OF RATES FOR DAVIS PARK FERRY CO., INC.**

WHEREAS, Davis Park Ferry Co., Inc. has applied to the Suffolk County Legislature, by its verified petition dated February 27, 2014, attached hereto as Exhibit "A", pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law and Section 131-g of the Highway Law of the State of New York and Chapter 455 of Suffolk County Code for the alteration of its ferry rates; and

WHEREAS, the Office of the Legislative Budget Review has submitted its recommendations to this Legislature; and

WHEREAS, a public hearing has been duly held thereon; now, therefore be it

1st RESOLVED, that:

The verified Petition of Davis Park Ferry Co., Inc. and the amended fare schedule set forth therein and in the attached Exhibit "B", are hereby approved.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1313 **IR Year:** 2014

Introduced By: Presiding Officer Gregory

Title of Proposed Resolution:
Authorizing alteration of rates for Davis Park Ferry Co., Inc.

Purpose and Intent of Proposed Legislation:
This resolution authorizes Davis Park Ferry Co., Inc. to alter its rates based on its petition of February 27, 2014.

Detailed Explanation of Fiscal Impact:
See the BRO report dated May 22, 2014.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor?
Not Applicable.

Total Financial Cost and timing over five years on each affected political or other subdivision:
None

Proposed Source of Funding:
Not Applicable.

Total Estimated Financial Impact on all Funds, tax rates, and property tax:
Indeterminate.

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:
Indeterminate. The net impact will depend upon the effect of the rate increase on the viability of the ferry company and on potential passengers' desire to use the services of the company.

Authorized Signature



**Robert Lipp, Director
Budget Review Office**

Date Completed
6/16/2014

Analyst Code
CF

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a local law entitled "A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TAXI AND LIMOUSINE COMMISSION AND TO PROVIDE FOR THE REGISTRATION OF FOR-HIRE VEHICLES" (I.R. No. 1409-2014) has been introduced in the Suffolk County Legislature.

This law would establish a new Taxi and Limousine Commission and require for-hire vehicles and their drivers to register with the County.

NOTICE IS FURTHER GIVEN that the County Legislature will hold a public hearing on this proposed local law in the Maxine S. Postal Auditorium of the Suffolk County Legislature, in the Riverhead County Center, Riverhead, New York, on the 17th day of JUNE, 2014, at 6:30 P.M.

It is requested that speakers prepare a written statement to submit for the record.

Tim Laube
Clerk of the County Legislature

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1409 - 2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1409 – 2014

**RESOLUTION NO. 1409 -2014, ADOPTING LOCAL LAW NO. -
2014, A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TAXI AND
LIMOUSINE COMMISSION AND TO PROVIDE FOR THE REGISTRATION
OF FOR-HIRE VEHICLES**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1409 – 2014, BECAUSE DELAYING THE
CREATION OF THIS COMMISSION WILL PUT THE TAXI AND LIMOUSINE
OPERATORS AT A COMPETITIVE DISADVANTAGE TO NASSAU,
WESTCHESTER AND NEW YORK CITY.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
17th DAY OF JUNE, 2014.**



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099
(631) 853-4000

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

MEMORANDUM

TO: Timothy Laube, Clerk of the Legislature

FROM: Tom Vaughn, Intergovernmental Relations Director

DATE: June 17, 2014

RE: AMENDED COPY- 1409-2014, A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TAXI AND LIMOUSINE COMMISSION AND TO PROVIDE FOR THE REGISTRATION OF FOR-HIRE VEHICLES

Attached please find the **amended copy** for the above referenced resolution; it contains the following changes:

- **Section 3. Amendments.**, page 5, § 571-1. Definitions.:
 - ✓ The definition of TAXICAB has been added.
 - ✓ Definition of BUS now includes Suffolk County Accessible Transportation vehicles and Suffolk County Paratransit vehicles.
- **Section 3. Amendments.**, page 6, § 571-3. Membership, A.:
 - ✓ The membership of the Suffolk County Taxi and Limousine Commission has been increased from six to eight members.
 - ✓ The at-large-members appointed by the County Executive have been increased from two to three.
 - ✓ Adds that the three at-large-members appointed by the County Executive shall include one member with a background in the taxicab industry; one member with

a background in the limousine industry; and one member with consumer advocacy experience.

- ✓ The one at-large member appointed by the Suffolk County Legislature has been replaced by one at-large member appointed by the Suffolk County Legislature's Majority Leader and one at-large member appointed by the Suffolk County legislature's Minority Leader.
 - ✓ Provides that the members appointed by the the Suffolk County Legislature's Presiding Officer, Majority and Minority leaders shall have a background in urban transportation matters, such as representatives of trade or professional associations or community commuter associations.
 - ✓ Clarifies that Commissioner and his designee has no term limit
 - ✓ Reworded to clarify the initial terms of membership for each appointment.
- **Section 3. Amendments.**, page 7, § 571-3. Membership, B.:
 - ✓ Reworded to clarify that except for initial terms as set forth in this section, all members, other than Commissioner or his/her designee, shall serve for a four (4) year term.
 - **Section 3. Amendments.**, page 8, § 571-6. For-Hire Vehicle Registration Required.:
 - ✓ Title of § 571-6 was changed from "For-Hire Vehicle Registration Required; Term of Registration" to "For-Hire Vehicle Registration Required".
 - ✓ Reworded Sections A, B, and C to specify that for-hire vehicles operating solely within the geographical boundaries of the County of Suffolk and that have obtained a valid taxicab vehicle registration, license or permit issued by the Suffolk County town(s) or village(s) in which such for-hire vehicle is operated do not need to obtain a registration from the Department. More specifically:
 1. § 571-6 A.: last sentence of A has been removed.
 2. § 571-6B.: New B (Exceptions) replaces the old C (Exemptions)
 3. New § 571-6B has been added to specify which taxicabs are exempt from registration.
 4. § 571-6C: Former § 571-6B is now § 571-6C.
 - **Section 3. Amendments.**, page 21, § 571-13A. For-Hire Vehicle Registration:
 - ✓ (1): The \$50 fee for those vehicles that were registered, licensed, or permitted by towns and villages has been removed.
 - ✓ (2): The term "Section 571-13A" was changed to "Section 571-13A (1)" was added to clarify the section.

RECEIVED BY A. Pastore DATE 6/17/14 TIME 3:59

Attachment

AMENDED COPY AS OF 6/17/2014

Intro. Res. No. 1409-2014

Laid on Table 4/29/2014

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2014, ADOPTING LOCAL LAW
NO. -2014, A LOCAL LAW TO ESTABLISH THE
SUFFOLK COUNTY TAXI AND LIMOUSINE COMMISSION
AND TO PROVIDE FOR THE REGISTRATION OF FOR-
HIRE VEHICLES**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on April 29, 2014, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TAXI AND LIMOUSINE COMMISSION AND TO PROVIDE FOR THE REGISTRATION OF FOR-HIRE VEHICLES**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ESTABLISH THE SUFFOLK COUNTY TAXI
AND LIMOUSINE COMMISSION AND TO PROVIDE FOR THE
REGISTRATION OF FOR-HIRE VEHICLES**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature finds that the business of transporting passengers in pre-arranged for-hire vehicles is a vital and integral part of the County's transportation system; and

This Legislature also finds that the supervision and regulation of such for-hire vehicles, including taxicabs, limousines, and livery vehicles, guards against the dangers posed to the residents of Suffolk County by unsafe operation of these vehicles, including the operation of uninsured vehicles and the operation of these vehicles by individuals with serious criminal records; and

This Legislature approved Home Rule Message No. 2-2012, requesting that New York State authorize Suffolk County to adopt local laws regulating the registration of taxicabs and to partake in licensing reciprocity with the City of New York, the County of Nassau, and the County of Westchester; and

This Legislature finds that on August 17, 2012, Governor Andrew M. Cuomo signed Chapter 382 of the Laws of 2012, which amended the General Municipal Law to authorize the County of Suffolk to adopt ordinances regulating the registration of taxicabs, limousines and livery vehicles; and

This Legislature also finds that Chapter 382 of the Laws of 2012 also amended the Vehicle and Traffic Law to permit "reciprocity" between the County of Suffolk and neighboring Counties, which reciprocity permits New York City and certain counties to honor

certain registrations and licenses issued by the County of Suffolk as set forth in section 498 of the New York Vehicle and Traffic Law; and

This Legislature further finds that it is prudent to create a Taxi and Limousine Commission, which shall make recommendations to the County Executive, the Suffolk County Legislature, and the Commissioner of the Suffolk County Department of Labor, Licensing and Consumer Affairs regarding the regulation and supervision of the business and industry of transportation of persons by for-hire vehicles.

Therefore, the purpose of this law is to repeal the current Chapter 571 of the Suffolk County Administrative Local Laws and enact a new law creating a Suffolk County Taxi and Limousine Commission and regulating the registration of for-hire vehicles consistent with the New York General Municipal Law and section 498 of the New York Vehicle and Traffic Law.

Section 2. Repealed.

Chapter 571 of the SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS is hereby repealed in its entirety.

Section 3. Amendments.

A new Chapter 571 of the SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS is hereby enacted to read as follows:

Chapter 571 FOR-HIRE VEHICLE REGISTRATION

Article I Taxi and Limousine Commission

§ 571-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AFFILIATED

Directly, or indirectly controls or is controlled by, or under common control with, an owner.

AMBULANCE

Every motor vehicle designed, appropriately equipped and used for the purpose of carrying sick or injured persons by a person or entity registered or certified as an ambulance service by the New York State Department of Health.

APPLICANT

Person applying for a for-hire vehicle driver's license, for-hire vehicle registration, and/or pre-arranged for-hire vehicle permit.

BUS

Every motor vehicle having a seating capacity of fifteen or more passengers in addition to the driver and used for the transportation of persons. For the purposes of this chapter, "Bus" shall include Suffolk County Accessible Transportation vehicles and Suffolk County Paratransit vehicles.

COMMISSIONER

The Commissioner of the Suffolk County Department of Labor, Licensing and Consumer Affairs.

COMMISSION

The Suffolk County Taxi and Limousine Commission.

CONVICTION

A finding of guilty after a trial or a plea of guilty to an offense.

COUNTY

The County of Suffolk.

DEPARTMENT

The Suffolk County Department of Labor, Licensing and Consumer Affairs.

FOR-HIRE VEHICLE

A motor vehicle carrying passengers on a pre-arranged for-hire basis, including, but not limited to, a taxicab, limousine, commuter van or private livery vehicle, but shall not include a bus operating along a fixed route, an ambulance, medical provider van, funeral car or any vehicle over which the County does not have jurisdiction pursuant to state or federal law.

FOR-HIRE VEHICLE DRIVER'S LICENSE

A license issued by the Department to persons who meet the qualifications for for-hire vehicle driver's license as set-forth in this chapter.

FOR-HIRE VEHICLE REGISTRATION

A registration issued by the Department to persons who meet the qualifications for a registration as set-forth in this chapter.

FUNERAL CAR

A motor vehicle operated solely for the purpose of carrying passengers from a specific location a funeral parlor or cemetery and the return of such passengers to a specific location.

HEARING OFFICER

A County officer or employee designated by the Commissioner to conduct a hearing on violations of this chapter and/or any regulations enacted pursuant to the authority granted to the Commissioner by this chapter. A hearing officer shall have the power to render determinations and impose penalties as set forth in this chapter.

INTER-JURISDICTIONAL

The operation of a for-hire vehicle between the County of Suffolk and a licensing jurisdiction.

LICENSING JURISDICTION

A city with a population of one million or more, or a County within New York state contiguous to such city or the County of Rockland, that requires the issuance, in conformance with the terms of section 498 of the New York Vehicle and Traffic Law, of a license, permit, registration, certification or other approval in order for a vehicle to perform the pre-arranged pick up or drop off of one or more passengers for compensation.

MEDICAL PROVIDER VAN

A van that is not wheelchair accessible and is capable of carrying 8-14 passengers for the sole purposes of transporting passengers to and from medical appointments. Payment for such transportation is made solely through contracts with various health or social service organizations, including, but not limited to, Medicaid, New York State Department of Social Services, or Suffolk County Department of Social Services.

MOTOR VEHICLE

Every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except (a) electrically-driven mobility assistance devices operated or driven by a person with a disability, (a-1) electric personal assistive mobility devices operated outside a city with a population of one million or more, (b) vehicles which run only upon rails or tracks, (c) snowmobiles as defined in article forty-seven of this chapter, and (d) all-terrain vehicles as defined in Article 48-B of the New York Vehicle and Traffic Law.

OPERATE

To pick up and drop off passengers.

OWNER

A person, other than a lien holder, having the property in or title to a motor vehicle. The term includes a person entitled to the use and possession of such motor vehicle subject to a security interest in another person and also includes any lessee or bailee of a motor vehicle or vessel having the exclusive use thereof, under a lease or otherwise, for a period greater than thirty days.

PERSON

An individual, a partnership, an unincorporated association, a corporation, limited liability company or any other legal entity.

PRE-ARRANGED FOR HIRE VEHICLE PERMIT

A permit for a vehicle to operate on an inter-jurisdictional basis between the County of Suffolk and a licensing jurisdiction.

PRIMARY OWNER

The owner of a for-hire vehicle with the predominant financial interest in a motor vehicle.

RESPONDENT

Person against whom a charge of a violation of this chapter is pending.

SERIOUS CRIMINAL OFFENSE

A conviction of (i) a felony involving the use of a motor vehicle except a felony as described in subparagraph (ii) of this paragraph; (ii) a felony involving manufacturing, distributing or dispensing a drug as defined in section 114-a of the New York State Vehicle and Traffic Law or possession of any such drug with intent to manufacture, distribute or dispense such drug in which a motor vehicle was used; (iii) a violation of subdivision one or two of section 600 of the New York State Vehicle and Traffic Law; (iv) operating a pre-arranged for-hire vehicle when, as a result of prior violations committed while operating a pre-arranged for-hire vehicle, the driver's New York State Department of Motor Vehicles issued license or a license of a similar regulatory agency from another state is revoked, suspended, or canceled; (v) causing a fatality through the negligent operation of a pre-arranged for-hire vehicle, including but not limited to the crimes of vehicular manslaughter or criminally negligent homicide; (vi) homicide; and (vii) a felony for assault, sexual offenses, kidnapping, or burglary.

TAXICAB

Every motor vehicle, other than a bus or limousine used in the business of transporting passengers for compensation. However, it shall not include vehicles which are rented or leased without a driver.

WEAPON

Any firearm, gun, explosive device or substance, lethal or debilitating chemical or gas or any dangerous or deadly weapon or instrument of any description, including but not limited to a

handgun, pistol, target pistol, revolver, rifle, shotgun, dangerous knife, dagger, dirk, razor, stiletto or imitation pistol.

§ 571-2. Establishment

There is hereby created the Suffolk County Taxi and Limousine Commission.

§ 571-3. Membership

A. The Suffolk County Taxi and Limousine Commission shall consist of eight (8) members appointed as follows:

- (1)** the Commissioner of the Suffolk County Department of Labor, Licensing & Consumer Affairs or his/her designee. The Commissioner shall serve for the duration of his or her tenure as Commissioner. If the Commissioner appoints a designee to represent the Commissioner on the Suffolk County Taxi and Limousine Commission, then such designee shall serve at the pleasure of the Commissioner;
- (2)** one member appointed by the Suffolk County Supervisors' Association. Such member to receive an initial two-year appointment;
- (3)** one at-large-member appointed by the County Executive, which member shall have a background in the taxicab industry. Such member to receive an initial four-year appointment;
- (4)** one at-large-member appointed by the County Executive, which member shall have a background in the limousine industry. Such member to receive an initial four-year appointment;
- (5)** one at-large member appointed by the County Executive, which member shall have consumer advocacy experience. Such member to receive an initial four-year appointment;
- (6)** one at-large-member appointed by the Suffolk County Legislature's Presiding Officer, which member shall have a background in urban transportation matters, such as representatives of trade or professional associations or community commuter associations. Such member to receive an initial two-year appointment;
- (7)** one at-large-member appointed by the Suffolk County Legislature's Majority Leader, which member shall have a background in urban transportation matters, such as representatives of trade or professional associations or community commuter associations. Such member to receive an initial two-year appointment; and
- (8)** one at-large member appointed by the Suffolk County Legislature's Minority Leader, which member shall have a background in urban transportation matters, such as

representatives of trade or professional associations or community commuter associations. Such member to receive an initial two-year appointment.

- B. Except for initial terms as set forth in this section, all members, other than Commissioner or his/her designee, shall serve for a four (4) year term.
- C. Vacancies shall be filled for the expiration of the term, by the authority appointing such member.
- D. The County Executive shall designate one member of the Suffolk County Taxi and Limousine Commission to act as the chair.
- E. Members of the Suffolk County Taxi and Limousine Commission shall not be entitled to compensation for their service on the Commission, but shall be entitled to reimbursement for reasonable and necessary expenses incurred in the performance of their duties as members.
- F. A majority of the whole number of members of the Suffolk County Taxi and Limousine Commission shall constitute a quorum for the transaction of any business. Unless otherwise provided by law, the Commission shall have power to act by a majority of its members.

§ 571-4. Purpose and Powers

- A. The purpose of the Suffolk County Taxi and Limousine Commission is to make recommendations to the County Executive, the Suffolk County Legislature, and the Commissioner of the Suffolk County Department of Labor, Licensing and Consumer Affairs regarding the regulation and supervision of the business and industry of transportation of persons by for-hire vehicles.
- B. The Commission shall have the power to make recommendations regarding, among other things:
 - (1) regulations and policies for the issuance of for-hire vehicle registrations and for-hire vehicle driver's licenses;
 - (2) standards of for-hire vehicle driver conduct;
 - (3) safety and design, comfort, convenience, noise and air pollution control and efficiency in the operation of vehicles and auxiliary equipment;
 - (4) maintenance of financial responsibility, insurance and minimum coverage for-hire vehicles; and
 - (5) passenger rights.

§ 571-5. Powers of the Commissioner

- A. In addition to the powers and duties elsewhere prescribed in this chapter, the Commissioner shall have the power to:
- (1) Keep records of all registrations and licenses issued, suspended or revoked and all fines adjudged pursuant to this chapter.
 - (2) Whenever in this chapter the Commissioner is empowered to or charged with the responsibility to do or perform any act, he or she may deputize, in writing, any officer or employee of the Department to do or perform the act in his or her place and stead.
- B. The Commissioner shall have the power promulgate, amend and/or repeal rules and regulations not inconsistent with the provisions of this chapter as may be necessary with respect to the form and content of applications for registrations and licenses, for the reception thereof, for the investigation of applicants and their qualifications, for the conduct, including advertising, of occupations regulated by this chapter and for other matters incidental or appropriate to his powers and duties as prescribed by this chapter and for the proper administration and enforcement of the provisions of this chapter. No rule or regulation may be promulgated, amended or repealed pursuant to this subsection unless a public hearing is held by the Commissioner. At least seven (7) business days' prior notice of such public hearing shall be published in the official newspapers of the County. A copy of all rules and regulations promulgated and any amendments thereto shall be filed in the Office of the Clerk of the County Legislature.

Article II For-Hire Vehicle Registration and For-Hire Vehicle Driver's License

§ 571-6. For-Hire Vehicle Registration Required.

- A. It shall be unlawful for any person to operate or permit to be operated a for-hire vehicle in the County of Suffolk without a for-hire vehicle registration for such vehicle issued by the Department.
- B. Exceptions**
- (1) this section shall not apply to a for-hire vehicle that is operated solely within the geographical boundaries of the County of Suffolk and has obtained a valid taxicab vehicle registration, license or permit issued by the Suffolk County town(s) or village(s) in which such for-hire vehicle is operated.
 - (2) this section shall not apply to a for-hire vehicle that has obtained a for-hire vehicle registration, license or permit from a licensing jurisdiction that has submitted evidence to the Department that it issues such for-hire registrations, licenses, or permits in accordance with the standards set forth in section 498 of the New York

Vehicle and Traffic Law and where such vehicle is operated on an inter-jurisdictional basis.

(3) this section shall not apply to a bus operating along a fixed route, an ambulance, medical provider van, funeral car or any vehicle over which the County does not have jurisdiction pursuant to state or federal law.

C. A registration issued pursuant to this chapter shall not be construed to authorize the registrant to engage in any business which is reserved to qualified registrants or licensees under separate provisions of state law.

§ 571-7. For-Hire Vehicle Registration

A. An application for a for-hire vehicle registration shall be completed by the primary owner of such for-hire vehicle on forms provided by the Department and shall be accompanied by a nonrefundable application fee in the amount set forth in this chapter and any additional fees as may be indicated in this chapter. The application shall be completed and certified by the primary owner of the for-hire vehicle to be registered.

(1) In the event that applicant is requesting a for-hire vehicle registration permit for more than one for-hire vehicle, an application shall be submitted for each for-hire vehicle to be registered.

(2) In the event that the applicant is a corporation, partnership, limited liability company or other entity, the application shall be completed and certified by an officer, managing member or principal of such corporation, partnership, limited liability company or other entity or a stockholder owning at least 10% or more of such corporation, partnership, limited liability company or other entity.

B. Such application must indicate whether the for-hire vehicle shall be operated on an inter-jurisdictional basis. Upon approval of an application which contains an indication that the for-hire vehicle shall be operated on an inter-jurisdictional basis, the Department in addition to issuing a for-hire vehicle registration, shall also issue a pre-arranged for-hire vehicle permit, which shall be affixed to the for-hire vehicle windshield in such form and manner as specified by the regulations promulgated by the Commissioner pursuant to this chapter. Each pre-arranged for-hire permit shall be valid for period of one (1) year from the date of issuance thereof and shall expire on the last day of the 12th month of such issuance.

C. The Commissioner shall adopt criteria pursuant to which each application for a new or renewal of for-hire vehicle registration shall be approved or denied. Such criteria shall, include, but not necessarily be limited to, information required to be submitted by the applicant in accordance with this chapter and the applicant's compliance with the

requirements of this chapter. The Department shall, pursuant to the criteria developed by the Commissioner, deny an application or a renewal of an application for a for-hire vehicle driver's license and shall take steps to revoke or suspend any current for-hire vehicle driver's license upon conviction of the for-hire vehicle driver of a serious criminal offense, subject to applicable laws, including, but not limited to, Article 23-A of the New York Correction Law.

- D. Each for-hire vehicle registration shall be valid for period of one (1) year from the date of issuance thereof and shall expire on the last day of the 12th month of such issuance.
- E. First-time applications and renewals for a for-hire vehicle registration must include the following:

(1) Applicant fingerprints

- i.) Applicant shall have fingerprints taken in the form and manner as described by the New York State Division of Criminal Justice Services (DCJS) and shall pay any applicable fingerprinting fees as may be required. For the purposes of this section, the applicant shall be deemed to be each and every owner of the for-hire vehicle to be registered.
- ii.) In the event that the applicant is a corporation, partnership, limited liability company or other entity, fingerprints shall be required from each officer, partner, member or principal of such corporation, partnership, limited liability company or other entity or a stockholder owning at least 10% or more of such corporation, partnership, limited liability company or other entity.
- iii.) The Department shall cause the applicant's fingerprints to be forwarded to DCJS in the form and manner as prescribed by DCJS for a complete criminal background and investigation upon DCJS's receipt of the appropriate fee. The fee shall be payable by the applicant.
- iv.) The Commissioner or his designee shall review all information provided by DCJS in connection with the applicant's criminal background and investigation.
- v.) If the applicant has been convicted of a misdemeanor or felony which is determined to render the applicant unfit to carry out the duties applicable to for-hire vehicles, proper consideration will be given to New York State Correction Law sections 701 through 703-b (New York Correction Law Article 23) and sections 751 through 753 (New York Correction Law Article 23-A) in making any such determination.

- (2) All license applications or renewals shall include a Federal Tax Identification Number or New York State Sales Tax Identification Number, as applicable. If such information is not provided, a license will not be issued.
- (3) All applications shall include the business address of each owner of the vehicle. The owner(s) of a for-hire-vehicle shall notify the Department in person or by first class mail, within seven days, exclusive of weekends and holidays, of any change in mailing address.
- (4) The Commissioner may require the names and residence addresses of any employees or officers of the applicant, in addition to any other information which he may deem advisable and proper.
- (5) A representation by the applicant that the applicant is in compliance with section 1324a of Title 8 of the United States Code, with respect to the hiring of employees. If such representation is not made, a for-hire vehicle registration shall not be issued. An applicant shall be obligated to continue to comply with the requirements of section 1324a of Title 8 of the United States Code during the term of the for-hire vehicle registration. The applicant's failure to so comply, as determined by the Department after an investigation by the Department or based upon a finding of a federal court, agency or administrative law judge under the procedures set forth in section 1324a of Title 8 of the United States Code, shall constitute grounds for the imposition of a fine or the suspension or revocation of a registration or the denial of an application for the renewal of a registration, in accordance with the applicable provisions of this chapter.
- (6) A representation by the applicant that the applicant is making all required payroll tax payments for the applicant's employees, including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a registration will not be issued. The applicant's failure to make required payroll tax payments during the term of his or her license, as determined by the Department after an investigation by the Department or based upon a finding of a federal or state court, administrative law judge, hearing officer, or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a registration or the denial of an application for the renewal of a registration, in accordance with the applicable provisions of this chapter.

(7) Vehicle Information

In addition to any information as may be required by the Commissioner pursuant to his authority under this chapter, the following must be submitted with the application for a for-hire vehicle registration:

- i.) the Vehicle Identification Number (VIN) for the for-hire vehicle to be registered.

- ii.) satisfactory proof that the applicant is the registered owner of the for-hire vehicle to be registered.
- iii.) documentation that the each for-hire vehicle to be registered has, for the purpose of insurance or other financial security, coverage in a specified amount per person, payable for the expenses specified in paragraphs 1, 2 and 3 of subsection (a) of section 5102 of the New York State Insurance Law, and coverage in specified amounts of minimum and maximum liability for bodily injury and death, as said terms are defined in subdivision 1 of section 370 of the New York Vehicle and Traffic Law.
- iv.) photocopy of a current New York State Motor Vehicle Registration Certificate issued by the New York State Department of Motor Vehicles or a registration issued by a similar regulatory agency from another state indicating that the for-hire vehicle to be registered bears the legally required for-hire vehicle license plates.
- v.) proof, in such form as shall be directed by the Commissioner, that within the last 12 months the for-hire vehicle to be registered in accordance with this chapter has passed a New York State safety and emissions inspection conducted by an official inspection station licensed pursuant to section 303 of the New York Vehicle and Traffic Law. If for-hire vehicle is licensed in another state, proof shall be required, in such form as shall be directed by the Commissioner, that the for-hire vehicle to be registered has passed the safety and emissions inspection required by such state's laws. If no inspection is required in such state, then the for-hire vehicle to be registered must be inspected in New York by official inspection station licensed pursuant to section 303 of the New York Vehicle and Traffic Law and the applicant must submit proof of such inspection in such form as shall be directed by the Commissioner before the Department may grant any for-hire vehicle registration for such vehicle.
- vi.) list of all base stations with which the for-hire vehicle to be registered is affiliated accompanied by a letter affixed with corporate seal or notarized from the owner of each base station setting forth the vehicle's VIN number and licensing number and stating that such vehicle is affiliated with such base station.
- vii.) A sworn affidavit certifying that such applicant has documented that each for-hire driver employed by the applicant has obtained a for-hire driver's license from the Department where required by this chapter or, where not required from the Department, from the town, village or city in which such for-hire driver will be operating the for-hire vehicle to be registered.

Subsequent to the issuance of a for-hire vehicle registration, the applicant shall file with the Department, additional sworn affidavits certifying the aforementioned information within 10 days after each new for-hire driver is employed by such applicant.

- F. Except as otherwise provided in this article, an individual applicant must be at least 18 years of age, of good character and financially responsible. Registrant must maintain good character standing and maintain financial responsibility, as determined by the Commissioner during the term of the for-hire vehicle registration.
- G. No applicant for a for-hire vehicle registration shall have any outstanding judgment for child support against him or her, or be in arrears in child-support payments as determined by official court records or official government records, at the time an application is filed for such registration renewal. If an applicant has such a judgment against him or her, or is in such arrears, but is current in payments on a judicially approved, or Child Support Enforcement Bureau sanctioned, payment schedule to pay off or reduce such judgment or arrears, then such individual shall not be deemed ineligible for a for-hire vehicle registration or renewal on the grounds of such judgment or arrears. At least 30 days prior to the expiration of a license, the Department shall send a written notice to a registrant of his or her obligation to comply with the provisions of this section pertaining to compliance with child-support obligations. In addition, the County Department of Social Services, through its Child Support Enforcement Bureau, shall notify all current noncustodial parents of the obligations contained herein.
- H. Require reasonable information of an applicant or licensee, including the production of books, papers, records and other documents.
- I. The Commissioner shall provide by regulation for continuing review by the Department to ensure that every pre-arranged for-hire vehicle registered by the Department is operating on a lawful basis.
- J. Applicants shall meet such further qualifications as may be prescribed by this article and any other appropriate article of this chapter.

§ 571-8. Standards of Operation for a For-Hire Vehicles

- A. No owner shall permit a for-hire vehicle to be operated in violation of the New York State Vehicle and Traffic Law, Suffolk County Local Law, and any other applicable ordinances, rules or regulations.
- B. Each for-hire vehicle registered pursuant to this chapter shall display evidence of a current, valid for-hire vehicle registration affixed to the windshield in such form and manner as specified by the regulations promulgated by the Commissioner pursuant to this chapter.

- C. If the for-hire vehicle shall be operated on an inter-jurisdictional basis, the for-hire vehicle shall display evidence of a current, valid pre-arranged for-hire vehicle permit, which shall be affixed to the windshield in such form and manner as specified by the regulations promulgated by the Commissioner pursuant to this chapter. Such vehicle shall only be permitted to operate on an inter-jurisdictional basis, except that where pre-arranged transportation is provided by a for-hire vehicle registered, licensed or permitted by a licensing jurisdiction in accordance with the standards set forth in section 498 of the New York Vehicle and Traffic Law and such transportation includes the pick-up or the drop off of a passenger outside of such licensing jurisdiction, such pre-arranged for-hire vehicle shall be authorized to temporarily discharge and subsequently pick-up such passenger outside the licensing jurisdiction during the course of transportation, provided that no intra-jurisdictional transportation is provided at that time to any other person who is not covered by the pre-arranged transportation agreement.
- D. The owner of a for-hire vehicle shall ensure that the vehicle is operated by a driver who holds, is carrying, and provides on request to a police officer or other authorized employee or agent of the Department, a valid for-hire vehicle driver license.
- E. The owner of a for-hire vehicle registered by the Department shall maintain, documentation that each for-hire vehicle to be registered has, for the purpose of insurance or other financial security, coverage in a specified amount per person, payable for the expenses specified in paragraphs 1, 2 and 3 of subsection (a) of section 5102 of the New York State Insurance Law, and coverage in specified amounts of minimum and maximum liability for bodily injury and death, as said terms are defined in subdivision 1 of section 370 of the New York Vehicle and Traffic Law.
- F. Each pre-arranged for-hire vehicle shall be inspected no less frequently than every 12 months by an official inspection station licensed pursuant to section 303 of the New York Vehicle and Traffic Law, or, in the case of a vehicle registered in another state, by the agency responsible for vehicle registration and inspection in that state, in any. If no inspection is required in the state of registration, then each for-hire vehicle shall be inspected in New York by an official inspection station licensed pursuant to section 303 of the New York Vehicle and Traffic Law.
- G. Each pre-arranged for-hire vehicle shall display a valid inspection sticker indicating the date of the last inspection and/or the expiration date, if such stickers are issued by the state of inspection.
- H. Each for-hire vehicle shall be driven only by the holder of a driver's license which is valid to operate such motor vehicle in New York State.
- I. Where the for-hire vehicle operates on an inter-jurisdictional basis, the driver of such for-hire vehicle must also hold a for-hire vehicle driver's license as set forth in this chapter. In such case, the for-hire vehicle driver shall display his or her for-hire vehicle driver's

license in such vehicle in a manner clearly visible to passengers or have such license readily available to produce upon the request of a passenger or law enforcement personnel.

- J. Each driver of a for-hire vehicle shall keep a record of each inter-jurisdictional trip, including location of pick-up and location of drop off. Failure to produce such a record maintained in the manner prescribed by the Department pursuant to this chapter shall be presumptive evidence of illegal inter-jurisdictional operation. Driver shall:
 - (1) Enter such record prior to the commencement of such trip in a log maintained and kept readily accessible in the for-hire vehicle in a form and manner prescribed by the Department.
 - (2) Produce such record and/or log at the request of any police officer or peace officer acting pursuant to his or her special duties or other enforcement personnel authorized to enforce the provisions of this chapter.
 - (3) Retain such record for a period of no less than one year after such trip.
- K. In addition to the for-hire vehicle registration required by this chapter, each owner of a for-hire vehicle shall hold a valid vehicle registration from the New York State Department of Motor Vehicles for which a registration fee has been paid pursuant to schedule C of subdivision 7 of section 401 of the New York Vehicle and Traffic Law or, in the case of a non-resident of New York State, a vehicle registration issued by the state of residence.
- L. There shall be no smoking in a for-hire vehicle while such vehicle is operating as required by section 1399-o of New York State Public Health Law.
- M. The owner of a for-hire vehicle shall immediately notify the Department of the theft, loss or destruction of their for-hire vehicle and shall furnish the Department with an affidavit or such information as may be required by the Department within five (5) business days of such theft, loss or destruction.

§ 571-9. For-Hire Vehicle Driver's License Required

A. It shall be unlawful for any person to operate a for-hire vehicle in the County of Suffolk unless such person first obtains a for-hire vehicle driver's license issued by the Department.

B. Exceptions

- (1) This section shall not apply to a driver and/or operator of a for-hire vehicle that operates solely within the geographical boundaries of the County of Suffolk and has obtained a valid taxicab driver's license issued by the Suffolk County town(s) or village(s) in which such for-hire vehicle is operated.

(2) This section shall not apply to a driver who has obtained a for-hire vehicle driver's license from a licensing jurisdiction that has submitted evidence to the Department that it issues such for-hire vehicle driver's licenses in accordance with the standards set forth in section 498 of the New York Vehicle and Traffic Law and where such driver operates the for-hire vehicle on an inter-jurisdictional basis.

C. A for-hire vehicle driver's license issued pursuant to this chapter shall not be construed to authorize the licensee to engage in any business which is reserved to qualified licensees under separate provisions of state law.

§ 571-10. For-Hire Vehicle Driver's License

A. An application for a for-hire vehicle driver's license shall be completed on forms provided by the Department.

B. The Commissioner shall adopt criteria pursuant to which each application for a new or renewal of for-hire vehicle registration shall be approved or denied. Such criteria shall, include, but not necessarily be limited to, information required to be submitted by the applicant in accordance with this chapter and the applicant's compliance with the requirements of this chapter. In addition, the Department shall, pursuant to criteria developed by the Commissioner, deny an application or a renewal of an application for a for-hire vehicle driver's license and shall take steps to revoke or suspend any current for-hire vehicle driver's license upon conviction of the for-hire vehicle driver of a serious criminal offense, subject to applicable laws, including, but not limited to, Article 23-A of the New York Correction Law.

C. Each for-hire vehicle driver's license shall be valid for a period of one (1) year from the date of issuance thereof and shall expire on the last day of the 12th month of such issuance.

D. First-time applications and renewals for a for-hire vehicle driver's licenses must include the following:

(1) Applicant fingerprints

i.) Applicant shall have fingerprints taken in the form and manner as described by DCJS and shall pay any applicable fingerprinting fees as may be required.

ii.) The Department shall cause the applicant's fingerprints to be forwarded to DCJS in the form and manner as prescribed by DCJS for a complete criminal background and investigation upon DCJS's receipt of the appropriate fee. The fee shall be payable by the applicant.

- iii.) The Commissioner or his designee shall review all information provided by DCJS in connection with the applicant's criminal background and investigation.
- iv.) If the applicant has been convicted of a misdemeanor or felony which is determined to render the applicant unfit to operate a for-hire vehicle, proper consideration will be given to New York State Correction Law sections 701 through 703-b (New York Correction Law Article 23) and sections through 753 (New York Correction Law Article 23-A) in making any such determination.

(2) Drug Testing

- i.) Each applicant for a for-hire vehicle driver's license shall submit to drug testing as directed by the Department upon initial application and thereafter once every 12 months. Such drug test shall be administered by a person or entity holding the requisite permit from the New York State Department of Health.
 - ii.) Any applicant who tests positive for drugs or intoxicating liquors shall be denied a for-hire vehicle driver's license.
 - iii.) The for-hire vehicle driver's license of any licensee who tests positive for drugs or intoxicating liquors shall be revoked after notice and an opportunity to be heard. All license applications or renewals shall include a Federal Tax Identification Number. If such information is not provided, a license will not be issued.
 - iv.) Individual test results and any related medical information about such applicant or for-hire vehicle licensee shall be confidential, shall not be disclosed except to the applicant or for-hire vehicle licensee or his or her representative, and shall not be entered or received as evidence at any civil, criminal or administrative trial, hearing or proceeding other than an administrative trial, hearing or proceeding for the denial or revocation of the for-hire vehicle driver's license as set forth in this chapter. No person, other than an applicant or for-hire licensee who is the subject of such records to whom such records are disclosed, may redisclose such records.
- (3)** Each applicant for a for-hire vehicle driver's license shall submit proof of completion of a state-approved defensive driving course no more than six months prior to the date of application. Upon renewal of such license, the applicant shall submit proof of completion of a state-approved defensive driving course no more than three years prior to the date of the renewal application.

- (4) All applications for a for-hire vehicle driver's license shall include the home address of the applicant. The holder of a for-hire vehicle driver's license shall notify the Department in person or by first class mail, within seven days, exclusive of weekends and holidays, of any change in mailing address.
 - (5) The Department shall, pursuant to criteria developed by the Commissioner, deny an application or a renewal of an application for a for-hire vehicle driver's license and shall revoke or suspend any current for-hire vehicle driver's license upon conviction of the for-hire vehicle driver of a serious criminal offense, subject to applicable laws, including, but not limited to, article twenty-three-A of the correction law.
 - (6) Except as otherwise provided in this article, an individual applicant must be at least 18 years of age, of good character and financially responsible. A registrant must maintain good character standing and maintain financial responsibility during the term of the licensee's license(s) and/or certificate(s).
 - (7) No applicant for a for-hire vehicle driver's license shall have any outstanding judgment for child support against him or her, or be in arrears in child-support payments as determined by official court records or official government records, at the time an application is filed for such license or license renewal. If an applicant has such a judgment against him or her, or is in such arrears, but is current in payments on a judicially approved, or Child Support Enforcement Bureau sanctioned, payment schedule to pay off or reduce such judgment or arrears, then such individual shall not be deemed ineligible for a for-hire vehicle driver's license or renewal on the grounds of such judgment or arrears. At least 30 days prior to the expiration of a license, the Department shall send a written notice to a registrant of his or her obligation to comply with the provisions of this section pertaining to compliance with child-support obligations. In addition, the County Department of Social Services, through its Child Support Enforcement Bureau, shall notify all current noncustodial parents of the obligations contained herein.
- E. The Commissioner shall provide by regulation for the continuing review of the driving record of every for-hire vehicle driver licensed by the Department, as reflected in the number and type of convictions accumulated on the driver's license issued to such driver. Such regulation shall provide for the mandatory suspension for a thirty-day period of a pre-arranged for-hire vehicle driver's license upon the accumulation of a specified number and type of conviction on such person's driver's license within a fifteen-month period, and the mandatory revocation of a for-hire vehicle driver's license upon the accumulation of an additional number of convictions of a specified number and type on such person's driver's license within a fifteen-month period.
- F. Applicants shall meet such further qualifications as may be prescribed by this article and any other appropriate article of this chapter.

§ 571-11. Standards of Operation for a For-Hire Vehicle Drivers

- A. No driver of a for-hire vehicle shall operate such vehicle in violation of the New York State Vehicle and Traffic Law, Suffolk County Local Law, and any other applicable ordinances, rules or regulations.
- B. The vehicle must be operated by a driver who holds, is carrying and provides on request to a police officer or other authorized employee or agent of the Department, a valid for-hire vehicle driver license or permit issued by a licensing jurisdiction.
- C. Each for-hire vehicle shall be driven only by the holder of a driver's license which is valid to operate such motor vehicle in New York State and shall provide such license on request to a police officer or other authorized individual upon request.
- D. A for-hire vehicle driver shall not operate such vehicle unless such driver holds, is carrying and provides on request to a police officer or other authorized employee or agent of the Department, a valid for-hire vehicle driver's license or permit.
- E. Each driver of a for-hire vehicle shall keep a record of each inter-jurisdictional trip, including location of pick-up and location of drop off. Failure to produce such record maintained in the manner prescribed by the Department pursuant to this chapter shall be presumptive evidence of illegal inter-jurisdictional operation. The driver shall:
 - (1) Enter such record prior to the commencement of such trip in a log maintained and kept readily accessible in the for-hire vehicle in a form and manner prescribed by the Department.
 - (2) Produce such record and/or log at the request of any police officer or peace officer acting pursuant to his or her special duties or other enforcement personnel authorized to enforce the provisions of this chapter.
 - (3) Retain such record for a period of no less than one year after such trip.
- F. No driver of a for-hire vehicle shall, while operating such vehicle, have in his or her possession or anywhere in such vehicle, a weapon as defined by this chapter.
- G. No driver of a for-hire vehicle shall smoke or permit any passengers to smoke while operating a for-hire vehicle as required by section 1399-o of the New York State Public Health Law.
- H. No driver of a for-hire vehicle shall operate such vehicle if such driver knows, or has reasonable cause to know, that any equipment in or on such vehicle is not in good working order, including, but not limited to, air conditioning, heating, tires, brakes, lights, signals, windshield wipers, defrosters, and passenger seat belts and shoulder belts.

- I. A for-hire vehicle driver shall not operate a for-hire vehicle under the influence of any drugs or alcohol or if his or her driving ability is in any way impaired.
- J. A for-hire vehicle driver shall return any personal property left by any passenger to the police precinct of occurrence prior to the end of his or her work shift as set forth in New York State Personal Property Law Article 7-B.

§ 571-12. Reciprocity

- A. Vehicles with a valid for-hire vehicle registration and a pre-arranged for-hire vehicle permit issued by the Department pursuant to this chapter and section 498 of the New York Vehicle and Traffic Law and operating in compliance with the conditions set forth in this chapter and section 498 of the New York State Vehicle and Traffic Law shall, pursuant to section 498 of the New York Vehicle and Traffic Law, be authorized to pick up passengers within Suffolk County for drop off within Suffolk County, as well as to operate on an inter-jurisdictional basis in order to pick up passengers in another licensing jurisdiction for drop off within Suffolk County, to drop off passengers in another licensing jurisdiction who were picked up within Suffolk County, and to transit other licensing jurisdictions.
- B. A vehicle for which a licensing jurisdiction other than the County of Suffolk has issued a registration, license, and/or permit shall be eligible for reciprocity as set forth in subdivision 2 of section 498 of the New York State Vehicle and Traffic Law. Such vehicle shall not be required to obtain a for-hire vehicle registration or a pre-arranged for-hire vehicle permit from the Department, provided that such vehicle has a current, valid registration, license and/or permit from a licensing jurisdiction that has submitted evidence to the Department that it meets all of the standards and requirements set forth in subdivisions 3, 4 and 6 of section 498 of the New York State Vehicle and Traffic Law in issuing such registration, license, and or permit. Nothing contained in this subsection shall be deemed to exempt an owner or driver who possesses a for-hire vehicle registration, permit or driver's license from another licensing jurisdiction from complying with any other provision of this chapter.
- C. The Department shall provide by means of a dedicated telephone line or read-only access to an electronic database, the following information to other licensing jurisdictions which meet the standards and requirements set forth in subdivisions 3, 4 and 6 of section 498 of the New York Vehicle and Traffic Law:
 - (1) the name of the holder of a for-hire vehicle registration or license;
 - (2) the vehicle identification number of a licensed for-hire vehicle;
 - (3) the date first registered or licensed;
 - (4) the date such registration or license was most recently renewed; and

(5) all violations issued to each registrant and/or licensee and the disposition of each such violation.

Such information shall be used solely for the enforcement of laws and regulations as set forth in this chapter.

- D. No owner of a vehicle registered, licensed, or permitted as a for-hire vehicle by a licensing jurisdiction pursuant to the standards and requirements of section 498 of the New York State Vehicle and Traffic Law for the purpose of inter-jurisdictional operation between licensing jurisdictions or any person engaged in the for-hire transportation of passengers by motor vehicle and who is affiliated with such owner shall do business within any jurisdiction in which it seeks to operate on an inter-jurisdictional basis. "Do business" shall mean having a place of business or telephone number in such jurisdiction relating to for-hire transportation of passengers by motor vehicle.

§ 571-13. Fees

Fees and terms for registrations and licenses issued pursuant to this chapter shall be as follows:

A. For-Hire Vehicle Registration

- (1) The initial registration fee for a for-hire vehicle registration shall be three-hundred dollars (\$300.00) to be paid to the Department prior to the issuance of a for-hire vehicle registration. There shall be an annual for-hire vehicle registration fee of two-hundred fifty dollars (\$250.00) paid to the Department for the renewal of such registration for every year thereafter.
- (2) Pre-Arranged For-Hire Vehicle Permit. In addition to the for-hire registration fees set-forth in section 571-13A (1), where an application for a for-hire vehicle registration indicates that such for-hire vehicle shall operate on an inter-jurisdictional basis between the County and another licensing jurisdiction, an additional fee of fifty-dollars (\$50.00) shall accompany the initial registration fee and shall also accompany each annual for-hire vehicle registration renewal for as long as such for-hire vehicle operates on an inter-jurisdictional basis.

B. For-Hire Vehicle Driver's License

The initial for-hire vehicle driver's license fee shall be fifty dollars (\$50.00) to be paid to the Department prior to the issuance of a for-hire driver's license. There shall be an annual for-hire driver's license fee of fifty dollars (\$50.00) paid to the Department for the renewal of such license every year thereafter.

§ 571-14. Enforcement

The provisions of this Article shall be enforced by the Department, the Suffolk County Police Department, the Suffolk County Sherriff's Office, and/or other agents as authorized by the Department.

§ 571-15. Notice of Violation; Hearing

- A. A notice of violation of the provisions of this chapter may be issued by an officer of the Suffolk County Police Department, an officer of the Suffolk County Sheriff's Department or an authorized employee of the Department or other agents as authorized by the Department.
- B. Notice shall be served upon such the alleged violator, either personally or by certified mail, and shall contain a concise statement of the facts constituting the alleged violation or violations, as well as setting forth the date, time and place the hearing will be held. Notices shall be served upon alleged violators as follows:
 - (1) Violations regarding for-hire vehicle registration - notice shall be served upon each owner of the vehicle.
 - (2) Violations regarding for-hire vehicle driver's license - notice shall be served upon the license, with copies to each owner of the for-hire vehicle operated by the for-hire driver at the time of the violation.
- C. The hearing on an alleged violation shall be conducted by a hearing officer designated by the Commissioner for such purpose. The respondent has the right to be heard in his or her defense and to be represented by counsel or have counsel appear on his or her behalf, and such person or the attorney for such person shall have the right to call witnesses and produce evidence on behalf of such person.
- D. The hearing officer shall make a written determination regarding the alleged violation or violations. If a violation is found, the determination shall impose those civil penalties set forth in this chapter. Such determination may be appealed to the Commissioner who, after due deliberation, shall issue a written order accepting, modifying or rejecting such determination. Where appropriate, the Commissioner may refer the matter to the District Attorney or other appropriate law enforcement agency.
- E. For the purpose of this chapter, the hearing officer designated by the Commissioner may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records and documents pertinent to the subject of the investigation.
- F. The Department shall be authorized to take any steps necessary to recover any penalties imposed as a result of a finding of a violation of the provisions of this chapter.

§ 571-16. Penalties

A. Civil Penalties

- (1) Except as set forth in section 571-16A(6)(ii), no for-hire vehicle registration, pre-arranged for-hire vehicle permit, or for-hire vehicle driver's license shall be suspended or revoked nor a fine imposed until after a hearing has been held pursuant to the provisions of this chapter.
- (2) After complying with the hearing requirements set forth in this chapter, the hearing officer designated as such by the Commissioner pursuant to section 571-15C of this chapter, may impose reasonable fines not to exceed \$1,500.00, or suspend or revoke any for-hire vehicle registration, pre-arranged for-hire vehicle permit, and/or for-hire vehicle driver's license, where the holder of such registration, permit, or license has failed to comply with or has willfully or knowingly violated any of the provisions of this chapter.
- (3) Any fines and/or penalties imposed by the hearing officer assigned by the Commissioner pursuant to section 571-15C shall be calculated on a daily basis for each day a violation or condition is permitted to exist.
- (4) An action for the recovery of a penalty under this section may be settled or compromised by the hearing officer or the Department prior to the entry of judgment therefor.
- (5) Expenses and costs incurred by the County for the enforcement of this chapter against a respondent may be assessed against a respondent in addition to any other fines or penalties.
- (6) The failure to comply with an order of a hearing officer for violations, or the failure to timely pay for any civil penalty imposed, shall be grounds:
 - i.) To commence legal action to enforce the order or recover the civil penalty in any court of competent jurisdiction; and/or
 - ii.) To suspend the respondent's registration, license and/or permit until the civil penalty is paid and/or until respondent fully complies with such order.
- (7) A person who willfully violates, refuses or fails to comply with any order of the hearing officer of this chapter is guilty of a misdemeanor and subject to penalty as prescribed by law.

B. Suspension of For-Hire Vehicle Registration/Driver's License

- (1) Where the hearing officer has reasonable grounds to believe that it is necessary, in order to insure the public health, safety or welfare, he or she may order summary suspension of a license pending a proceeding for permanent license revocation.

- i.) Such summary order shall be served upon the respondent by personal service or by certified mail, return receipt requested, and regular mail at the last address on file with the commission.
 - ii.) Where summary suspension is invoked, the Department shall commence proceedings before a hearing officer within 72 working hours and such hearing officer shall promptly make a determination thereon. Notwithstanding the aforementioned, no proceeding is necessary where the summary suspension results from a non-payment of a fine or a failure to comply with an order in accordance with section 571-16A(6)(ii).
 - iii.) If the facts on which violations are based are also the subject of a pending criminal investigation or criminal proceedings, then the hearing officer may postpone the hearing until a reasonable period of time following the final disposition of the criminal investigation or criminal proceedings. The suspension of the respondent shall continue pending the hearing, if deemed appropriate by the hearing officer.
 - iv.) If the criminal investigation is concluded without the filing of criminal charges or if the criminal charges are dismissed against the respondent, then the suspension shall be forthwith vacated, however the proceedings before the hearing officer shall continue as otherwise provided in this chapter.
- (2) Where a for-hire vehicle has obtained a for-hire vehicle registration, a pre-arranged for-hire vehicle permit and a for-hire vehicle driver's license authorizing such vehicle to operate on an inter-jurisdictional basis, the Department shall take action to suspend such for-hire vehicle registration, pre-arranged for-hire vehicle permit and/or for-hire vehicle driver's license of an owner or driver against whom there is an outstanding judgment or an unpaid civil penalty owed for a violation of the New York State Vehicle and Traffic Law relating to traffic in any other licensing jurisdiction or a violation of regulations promulgated by such other licensing jurisdiction until such judgment is satisfied or such civil penalty is paid.
- (3) A hearing officer shall revoke or suspend any current for-hire vehicle driver's license upon conviction of the for-hire vehicle driver of a serious criminal offense, subject to applicable laws, including, but not limited to, Article 23-A of the New York Correction Law.

C. Criminal Penalty

In addition to any civil penalties imposed by the Commissioner pursuant to this chapter or pursuant to any provisions of any County local law, County resolution, Or County ordinance pertaining to the regulation of for-hire-vehicles and drivers, any person who shall pursue an activity or business licensed by this chapter without obtaining the required application or

license therefor or who shall continue to engage in such activity or business after having had a valid registration of license suspended or revoked shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than \$5,000.00 or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

Section 4. Further Actions.

The Commissioner of the Suffolk County Department of Labor, Licensing and Consumer Affairs and/or his or her designee(s) is further authorized to negotiate and execute on behalf of the County, such agreements, instruments or authorizations with the various Suffolk County towns, villages and cities as may be necessary or advisable to increase the enforcement of the provisions of this local law, including, but not limited to entering into a memorandum of understanding or inter-municipal agreement pursuant to which a Suffolk County town, village or city shall have authority to enforce the provisions of this local law.

Section 5. Applicability.

This local law shall apply to all actions occurring on or after the effective date of this local law.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 7. SEQRA Determination.

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 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) 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. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 8. Effective Date.

This law shall take effect upon filing with the Office of the Secretary of State.

DATED:

CERTIFICATE OF NECESSITY

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1485-2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1485-2014

**RESOLUTION NO. -2014, AUTHORIZATION OF
ALTERATION OF RATES FOR NORTH FERRY CO., INC.**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1485-2014, BECAUSE IT IS NECESSARY
TO SET APPROPRIATE AND REASONABLE RATES FOR THE FERRY SERVICE
FROM GREENPORT TO SHELTER ISLAND HEIGHTS, PRIOR TO THE
BEGINNING OF SUFFOLK COUNTY'S BUSIEST PERIOD FOR TOURISM AND
RECREATION.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 16th DAY OF
JUNE, 2014.**

RECEIVED

2014 JUN 16 P 2:13

COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

RESOLUTION -2014, AUTHORIZATION OF ALTERATION OF RATES FOR NORTH FERRY CO., INC.

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature by a verified petition, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131(g) of the Highway Law of the State of New York, Chapter 455 (Ferry Service) of the Suffolk County Code and enacted by Local Law No. 7 of 1982 for alteration of its ferry rates for the operating and capital needs of the company; and

WHEREAS, the Legislative Office of Budget Review has submitted its recommendations on said application to this Legislature; and

WHEREAS, a public hearing has been duly held thereon; now, therefore be it

1st RESOLVED, that the verified petition as of 4/ 15 /2014 of the North Ferry Co., Inc. is approved and the existing North Ferry Co., Inc. rate schedule is hereby modified as follows:

REGULAR SCHEDULED SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK:

<u>CATEGORY</u>	<u>CURRENT RATES</u>	<u>PROPOSED RATES</u>
<u>CARS</u>		
One Way Car and Driver	\$ 10.00	\$ 11.00
Round Trip Car and Driver	\$ 15.00	\$ 16.00
<u>PREPAID 10 TICKET DISCOUNT BOOKS (FOR CARS)</u>		
Resident One-Way	\$ 49.00	\$ 52.00
Resident Round Trip	\$ 52.00	\$ 55.00
Greenport Village Resident One-Way		\$ 60.00
Greenport Village Resident Round Trip		\$ 68.00
Non-Resident One-Way	\$ 62.00	\$ 66.00
Non-Resident Round Trip	\$ 78.00	\$ 82.00
<u>WEEKLY COMMUTER TICKETS EXPIRING ON SUNDAY NIGHT</u>		
5 Day Resident Commuter	\$ 26.00	\$ 27.00
5 Day Non-Resident Commuter	\$ 32.00	\$ 34.00

6 Day Non-Resident Commuter	\$ 38.00	\$ 40.00
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PASSENGERS – (See Definition)

In Cars or Walk-Ons	\$ 2.00	\$ 2.00
In Commuter Cars	\$ 2.00 (one way)	\$ 2.00 (one way)
	\$ 3.00(round trip)	\$ 3.00(round trip)
In Resident Cars	\$ 2.00 (one way)	\$ 2.00 (one way)
	\$ 3.00(round trip)	\$ 3.00(round trip)
10 Tokens, Resident	\$ 15.00	\$ 15.00

MOTORCYCLES

One-Way including Driver	\$ 6.00	\$ 7.00
Round Trip including Driver	\$ 8.00	\$ 9.00

BICYCLES

One-Way including Rider	\$ 3.00	\$ 3.00
Round Trip including Rider	\$ 5.00	\$ 5.00
5 Day Bicycle Commuter Rate	\$15.00	\$ 15.00

TRUCKS

All rates are One Way unless noted

Two Axle (includes Boat Trailer, Light Duty Trailer)	\$ 11.00 first 18' \$ 1.00 / ft. over 18'	\$ 11.50 first 18' \$ 1.10 / ft. over 18'
More Than Two Axles	\$ 18.00 first 18' \$ 1.00 / ft. over 18'	\$ 19.00 first 18' \$ 1.10 / ft. over 18'
Dump Trucks under 18,000 lbs. GVWR	\$ 11.00 first 18' \$ 1.00 / ft. over 18'	\$ 11.50 first 18' \$ 1.10 / ft. over 18'

Dump Trucks over 18,000 lbs.	GVWR Empty Loaded	Truck Rate By Axle \$ 10.00 + \$ 2.00 / ft.	Truck Rate By Axle \$ 10.50 + \$ 2.10 / ft.
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Construction Trailer (more than 4 tires)	\$ 2.00 per foot	\$ 2.00 per foot
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Heavy Truck (transit mix, sheet rock, log, cinder block, tank/water/fuel, dumpster, roll-off, or other	\$ 75.00	\$ 80.00
--	----------	----------

heavy vehicle)

BUSES

Mini Bus	Car Rate	Truck Rate
Full Size School Bus One-Way	\$ 45.00	\$ 48.00
Full Size School Bus Round Trip	\$ 55.00	\$ 58.00
Coach Bus One-Way	\$ 70.00	\$ 75.00
Coach Bus Round Trip	\$ 95.00	\$100.00

HAZARDOUS MATERIALS

Aboard Small Ferry	\$100.00	\$105.00
Aboard Large Ferry	\$250.00	\$265.00

Notes - See Exhibits "A" and "B"
All rates to become effective upon adoption of Resolution

and be it further

2nd **RESOLVED**, that the rates authorized by this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

RESOLUTION -2014, AUTHORIZATION OF ALTERATION OF RATES FOR NORTH FERRY CO., INC.

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature by a verified petition, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131(g) of the Highway Law of the State of New York, Chapter 455 (Ferry Service) of the Suffolk County Code and enacted by Local Law No. 7 of 1982 for alteration of its ferry rates for the operating and capital needs of the company; and

WHEREAS, the Legislative Office of Budget Review has submitted its recommendations on said application to this Legislature; and

WHEREAS, a public hearing has been duly held thereon; now, therefore be it

1st RESOLVED, that the verified petition as of 4/ 15 /2014 of the North Ferry Co., Inc. is approved and the existing North Ferry Co., Inc. rate schedule is hereby modified as follows:

REGULAR SCHEDULED SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK:

<u>CATEGORY</u>	<u>CURRENT RATES</u>	<u>PROPOSED RATES</u>
<u>CARS</u>		
One Way Car and Driver	\$ 10.00	\$ 11.00
Round Trip Car and Driver	\$ 15.00	\$ 16.00
<u>PREPAID 10 TICKET DISCOUNT BOOKS (FOR CARS)</u>		
Resident One-Way	\$ 49.00	\$ 52.00
Resident Round Trip	\$ 52.00	\$ 55.00
Greenport Village Resident One-Way		\$ 60.00
Greenport Village Resident Round Trip		\$ 68.00
Non-Resident One-Way	\$ 62.00	\$ 66.00
Non-Resident Round Trip	\$ 78.00	\$ 82.00
<u>WEEKLY COMMUTER TICKETS EXPIRING ON SUNDAY NIGHT</u>		
5 Day Resident Commuter	\$ 26.00	\$ 27.00
5 Day Non-Resident Commuter	\$ 32.00	\$ 34.00

6 Day Non-Resident Commuter	\$ 38.00	\$ 40.00
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PASSENGERS – (See Definition)

In Cars or Walk-Ons	\$ 2.00	\$ 2.00
In Commuter Cars	\$ 2.00 (one way)	\$ 2.00 (one way)
	\$ 3.00(round trip)	\$ 3.00(round trip)
In Resident Cars	\$ 2.00 (one way)	\$ 2.00 (one way)
	\$ 3.00(round trip)	\$ 3.00(round trip)
10 Tokens, Resident	\$ 15.00	\$ 15.00

MOTORCYCLES

One-Way including Driver	\$ 6.00	\$ 7.00
Round Trip including Driver	\$ 8.00	\$ 9.00

BICYCLES

One-Way including Rider	\$ 3.00	\$ 3.00
Round Trip including Rider	\$ 5.00	\$ 5.00
5 Day Bicycle Commuter Rate	\$15.00	\$ 15.00

TRUCKS

All rates are One Way unless noted

Two Axle (includes Boat Trailer, Light Duty Trailer)	\$ 11.00 first 18' \$ 1.00 / ft. over 18'	\$ 11.50 first 18' \$ 1.10 / ft. over 18'
More Than Two Axles	\$ 18.00 first 18' \$ 1.00 / ft. over 18'	\$ 19.00 first 18' \$ 1.10 / ft. over 18'
Dump Trucks under 18,000 lbs. GVWR	\$ 11.00 first 18' \$ 1.00 / ft. over 18'	\$ 11.50 first 18' \$ 1.10 / ft. over 18'

Dump Trucks over 18,000 lbs.	GVWR Empty Loaded	Truck Rate By Axle \$ 10.00 + \$ 2.00 / ft.	Truck Rate By Axle \$ 10.50 + \$ 2.10 / ft.
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Construction Trailer (more than 4 tires)	\$ 2.00 per foot	\$ 2.00 per foot
--	------------------	------------------

Heavy Truck (transit mix, sheet rock, log, cinder block, tank/water/fuel, dumpster, roll-off, or other	\$ 75.00	\$ 80.00
--	----------	----------

heavy vehicle)

BUSES

Mini Bus	Car Rate	Truck Rate
Full Size School Bus One-Way	\$ 45.00	\$ 48.00
Full Size School Bus Round Trip	\$ 55.00	\$ 58.00
Coach Bus One-Way	\$ 70.00	\$ 75.00
Coach Bus Round Trip	\$ 95.00	\$100.00

HAZARDOUS MATERIALS

Aboard Small Ferry	\$100.00	\$105.00
Aboard Large Ferry	\$250.00	\$265.00

Notes - See Exhibits "A" and "B"
All rates to become effective upon adoption of Resolution

and be it further

2nd **RESOLVED**, that the rates authorized by this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Intro. Res. No. 1313-2014

Laid on Table 3/18/2014

Introduced by Presiding Officer, pursuant to Rule 3 (A)(14) of the Suffolk County Legislature

**RESOLUTION NO. -2014, AUTHORIZING ALTERATION
OF RATES FOR DAVIS PARK FERRY CO., INC.**

WHEREAS, Davis Park Ferry Co., Inc. has applied to the Suffolk County Legislature, by its verified petition dated February 27, 2014, attached hereto as Exhibit "A", pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law and Section 131-g of the Highway Law of the State of New York and Chapter 455 of Suffolk County Code for the alteration of its ferry rates; and

WHEREAS, the Office of the Legislative Budget Review has submitted its recommendations to this Legislature; and

WHEREAS, a public hearing has been duly held thereon; now, therefore be it

1st RESOLVED, that:

The verified Petition of Davis Park Ferry Co., Inc. and the amended fare schedule set forth therein and in the attached Exhibit "B", are hereby approved.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1485 **IR Year:** 2014

Introduced By: Presiding Officer Gregory

Title of Proposed Resolution:

Authorization of alteration of rates for North Ferry Co., Inc.

Purpose and Intent of Proposed Legislation:

This resolution authorizes North Ferry Company, one of the two Shelter Island Ferry Companies, to alter its rates based on its petition of April 15, 2014.

Detailed Explanation of Fiscal Impact:

Indeterminate. Possible fiscal impacts of the rate increase will be detailed in the Budget Review Office report to be published no later than May 30, 2014, per Chapter 455 of the Suffolk County Administrative Code.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor?

Not Applicable.

Total Financial Cost and timing over five years on each affected political or other subdivision:

None.

Proposed Source of Funding:

Not Applicable.

Total Estimated Financial Impact on all Funds, tax rates, and property tax:

Indeterminate.

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:

Indeterminate. The net impact will depend upon the effect of the rate increase on the viability of the ferry company and on potential passengers' desire to use the services of the company.

Authorized Signature



**Robert Lipp, Director
Budget Review Office**

Date Completed

05/21/2014

Analyst Code

RD

CERTIFICATE OF NECESSITY

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1606-2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1606-2014

**RESOLUTION NO. ____-2014, ACCEPTING THE
DONATION OF A 2007 LEXUS RX350, VEHICLE
IDENTIFICATION NUMBER 2T2HK31U07C011141,
FROM THE NATIONAL INSURANCE CRIME BUREAU
FOR USE BY THE SUFFOLK COUNTY DISTRICT
ATTORNEY'S OFFICE**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1606-2014, BECAUSE OF THE SUFFOLK
COUNTY DISTRICT ATTORNEY'S IMMEDIATE NEED TO REPLACE AN
OLDER, HIGH MILEAGE VEHICLE CURRENTLY ON FLEET.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 16th DAY OF
JUNE, 2014.**

**RECEIVED
2014 JUN 13 P 3 28
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE**



**JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2014, ACCEPTING THE
DONATION OF A 2007 LEXUS RX350, VEHICLE
IDENTIFICATION NUMBER 2T2HK31U07C011141, FROM THE
NATIONAL INSURANCE CRIME BUREAU FOR USE BY THE
SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE**

WHEREAS, the National Insurance Crime Bureau wishes to donate a 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, to the Suffolk County District Attorney's Office for undercover operations; and

WHEREAS, the 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, is a recovered stolen vehicle now owned by the National Insurance Crime Bureau; and

WHEREAS, the car has been approved for fleet by the Suffolk County Department of Public Works; and

WHEREAS, the Suffolk County District Attorney's Office is presently below its maximum fleet number by twelve (12) vehicles; and

WHEREAS, the Suffolk County District Attorney's Office has a need for this vehicle and requests that it be added to its fleet for undercover operations; and

WHEREAS, Chapter 255 of the Code of Suffolk County requires that no vehicles shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted by the Suffolk County Legislature"; now, therefore be it

1st RESOLVED, that the donation of a 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, for use by the Suffolk County District Attorney's Office is hereby accepted; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act ("SEQRA") lead agency, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the New York Code of Rules and Regulations ("NYCRR"), and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1606

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING THE DONATION OF A 2007 LEXUS RX350, VEHICLE IDENTIFICATION NUMBER 2T2HK31U07C011141, FROM THE NATIONAL INSURANCE CRIME BUREAU FOR USE BY THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>XX</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Accepts the donation of a vehicle from the National Insurance Crime Bureau.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Unknown/maintenance		
8. Proposed Source of Funding		
County Operating Budget		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Principal Research Analyst		6-10-14

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1606

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

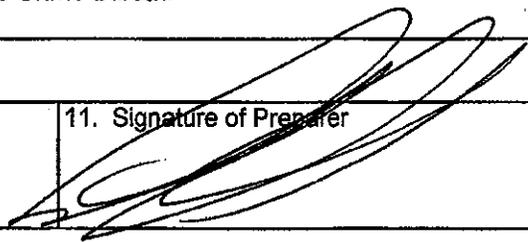
	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1606

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Accepting Donation of 2007 Lexus RX350 Vehicle Identification Number 2T2HK31U07C011141		
3. Purpose of Proposed Legislation Accept donation of 2007 Lexus RX350 vehicle from the National Insurance Crime Bureau for undercover use.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	<u>X</u>	Town
		Economic Impact
Village		School District
		Other (Specify):
Library District		Fire District
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact. The vehicle will replace existing fleet vehicle that has excessive mileage, thus saving the County the cost of repairs		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political Subdivision.		
8. Proposed Source of Funding National Insurance Crime Bureau		
9. Timing of Impact Immediate		
10. Typed Name & Title of Preparer Craig D. Pavlik Deputy Bureau Chief Administration	11. Signature of Preparer 	12. Date 6/6/2014



1606

VEHICLE DONATION AGREEMENT

The National Insurance Crime Bureau ("NICB") does hereby donate to Suffolk County District Attorney's Office, Labor, Insurance and Revenue Crimes Bureau (the "Agency") the vehicle described as:

Year: 2007
Make: Lexus
Model: RX360
VIN: 2T2HK31U07C011141

The vehicle will be used by the Agency for conducting confidential insurance fraud investigations.

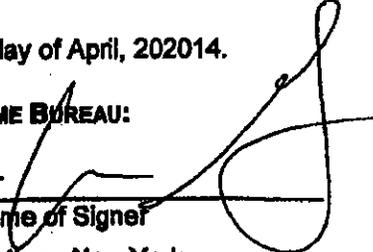
This agreement is subject to the following conditions:

1. The Agency accepts from the NICB, the above-described vehicle for one dollar (\$1.00) and other valuable considerations for use in pursuit of its lawful purpose. The Agency shall accept said vehicle "as is" and shall re-title the vehicle in the name of the Agency prior to any use.
2. In the event the vehicle is not re-titled in the name of the Agency within 90 days from the date last written below, the Agency shall immediately return said vehicle to the NICB.
3. In the event that any injury or property damage results from the above described activities while the vehicle is in the custody of the Agency, its agents or assignee, the Agency shall assume all liability.
4. The Agency does hereby release the NICB from any and all claims arising from its use of the vehicle.
5. The Agency agrees and warrants that it shall, if applicable, provide insurance coverage (self-insured agency) for the above-described vehicle in the normal course of its business.
6. The effective date of this agreement shall be the date the vehicle is delivered into the custody of the Agency.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this 16 day of April, 202014.

THE AGENCY: Suffolk County District Attorney NATIONAL INSURANCE CRIME BUREAU:

By: Frank Guidice 
Name of Signer

By: Kevin Gallagher 
Name of Signer

Its: Chief Investigator
Title

Its: Director Of Operations-New York
Title

Date: 4/16/2014

Date: 04/16/2014

VIN: 2T2HK31U07C011141

NICB File #: C1400200005

1606

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL: A Resolution accepting the donation of a 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, from the National Insurance Crime Bureau for use by the Suffolk County District Attorney's Office.

PURPOSE OR GENERAL IDEA OF BILL: To accept a donation of a 2007 Lexus RX350, Vehicle Identification Number 2T2HK31U07C011141, from the National Insurance Crime Bureau for use by the Suffolk County District Attorney's Office for undercover investigations.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will allow the County to accept a donation of a vehicle from the National Insurance Crime Bureau. The vehicle will replace an existing fleet car with excessive (over 126,000) mileage. The vehicle will be used for undercover purposes.

JUSTIFICATION: Acceptance of this vehicle will allow the Suffolk County District Attorney's Office to replace a vehicle in its agency fleet with excessive mileage. It is anticipated that the costs associated with the vehicle will be minimal in comparison to constant maintenance on the older high mileage vehicle it will replace.

FISCAL IMPLICATIONS: Replacement of older fleet vehicle.

1606
**COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY**



**THOMAS J. SPOTA
DISTRICT ATTORNEY**

Address Reply To:
Administration and Finance

MEMORANDUM

To: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office

From: Craig D. Pavlik, Administration and Finance
Suffolk County District Attorney's Office

Date: June 6, 2014

Re: Resolution Packet for the Acceptance of a Donated Vehicle
"RESO-DA-DONATED LEXUS"

Certificate of Necessity Requested

Attached please find the following for the **Acceptance of a Donated Vehicle**:

- Draft Resolution
- Proposed Certificate of Necessity
- Memorandum of Support
- SCIN Forms
- Request for Introduction of Legislation
- Financial Impact Statement

Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

Due to the enormous strain on the fleet in the Suffolk County District Attorney's Office, it is requested that this resolution be passed with a Certificate of Necessity at the June 17, 2014 meeting.

If you have any questions concerning this resolution package, please do not hesitate to contact Craig Pavlik, Deputy Bureau Chief, at (631) 853-4153.

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY



1606

THOMAS J. SPOTA
DISTRICT ATTORNEY

Address Reply To:
Administration and Finance

June 6, 2014

Jon Schneider, Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788-0099

Re: Resolution with Certificate of Necessity

Dear Mr. Schneider:

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 2-14, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept a donated vehicle from the National Insurance Crime Bureau for undercover law enforcement purposes. An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file names "RESO-DA-DONATED LEXUS."

Please submit this resolution to the Suffolk County Legislature with a Certificate of Necessity.

If you have any questions or need additional information concerning this matter, please contact me at your earliest opportunity.

Thank you for your attention to this matter.

Very truly yours,

Craig D. Pavlik
Deputy Bureau Chief

CDP:pk
Att.

cc: Dennis M. Cohen, Chief Deputy County Executive
Tom Vaughn, Director, Intergovernmental Relations
Lisa Santeramo Assistant Deputy County Executive
Patricia Saunders, Suffolk County Budget Office

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1607-2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1607 – 2014

**RESOLUTION NO. ACCEPTING AND
APPROPRIATING A GRANT IN THE AMOUNT OF
\$1,116,067 FROM THE NEW YORK STATE DIVISION
OF CRIMINAL JUSTICE SERVICES FOR THE GUN
INVOLVED VIOLENCE ELIMINATION (GIVE)
PROGRAM WITH 91.84% SUPPORT**

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1607-2014, BECAUSE THE IMMEDIATE
ADOPTION OF THIS RESOLUTION IS NEEDED TO INSURE THE MAXIMUM
AMOUNT OF TIME FOR GRANT ACTIVITIES. THIS PROGRAM IS A ONE YEAR
PROGRAM WITH NO EXTENSIONS GRANTED. FAILURE TO EXPEND GRANT
FUNDS BY GRANT END DATE WILL RESULT IN A LOSS OF UNEXPENDED
FUNDS.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 16th
DAY OF JUNE, 2014.



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED

2014 JUN 16 P 2:14

COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2014, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$1,116,067 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE GUN INVOLVED VIOLENCE ELIMINATION (GIVE) PROGRAM WITH 91.84% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has made \$1,116,067 in State funding available to Suffolk County to continue efforts to reduce violent crime, particularly gun-related crimes; and

WHEREAS, said grant funds are to be distributed between the Suffolk County District Attorney's Office, the Suffolk County Police Department, the Suffolk County Crime Lab and the Probation Department; and

WHEREAS, the operational period of the program will be from July 1, 2014, through June 30, 2015; and

WHEREAS, \$395,884 in permanent salary expense and \$177,183 in fringe benefits of the District Attorney's Office funding for the program has been included in the 2014 Suffolk County Operating Budget and in the 2015 Operating Budget Request; and

WHEREAS, \$573,067 in revenue of the District Attorney's Office funding for the program has been included in the 2014 Suffolk County Operating Budget and in the 2015 Operating Budget Request, and

WHEREAS, \$543,000 in said grant funds have not been included in the 2014 Suffolk County Operating Budget, and now therefore be it,

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-DIS-3368 – State Aid: GIVE 2014	\$25,000
001-POL-3368 – State Aid: GIVE 2014	\$467,000
001-PRO-3368 – State Aid: GIVE 2014	\$41,000
001-MED-3368 – State Aid: GIVE 2014	\$10,000

ORGANIZATIONS:

District Attorney's Office (DIS)
GIVE 2014
001-DIS-1167

<u>4700-Miscellaneous</u>	<u>\$25,000</u>
4770-Special Services	\$25,000

Police Department (POL)
GIVE 2014
001-POL-3672

<u>1000-Personal Services</u>	\$291,000
1120-Overtime Salaries	\$291,000
<u>2000-Equipment</u>	\$20,000
2500-Other Equipment Not Otherwise	\$20,000
<u>3000-Supplies Material & Others</u>	\$8,000
3040-Outside Printing	\$3,000
3500-Other Unclassified	\$5,000
<u>4000-Utilities</u>	\$88,000
4210-Computer Services	\$88,000
<u>4700-Miscellaneous</u>	\$5,000
4770-Special Services	\$5,000
<u>4900-Contracted Services</u>	\$55,000
4980-Contracted Agencies	\$55,000
001-3672-4980-XXXX-XXXX	

Probation Department (PRO)
GIVE 2014
001-PRO-3155

<u>1000-Personal Services</u>	\$40,000
1120-Overtime Salaries	\$40,000
<u>4300-Travel</u>	\$1,000
4340-Travel: Other	\$1,000

Crime Laboratory (MED)
GIVE 2014
001-MED-4739

<u>1000-Personal Services</u>	\$10,000
1120-Overtime Salaries	\$10,000

and be it further

2nd **RESOLVED**, that the non-reimbursable fringe benefits of \$99,182 associated with the overtime salaries for this grant are included in the 2014 Suffolk County Operating Budget; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of the Title 6 of the New York Code of

Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109(2) 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, and the Suffolk County Council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution; and be it further

4th **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1607

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL: Accepting and appropriating a grant in the amount of \$1,116,067 from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) Program with 91.84% support.

PURPOSE OR GENERAL IDEA OF BILL: To accept \$1,116,067 in grant funding to support the efforts of the Suffolk County Police Department, the Suffolk County Crime Laboratory, the Suffolk County District Attorney's Office, and the Suffolk County Probation Department to reduce violent crime, specifically gun-related crime, in Suffolk County.

SUMMARY OF SPECIFIC PROVISIONS: This legislation will support an anti-violence program that provides investigative and patrol support for a variety of initiatives as well as dedicated prosecution efforts to address gun-related crime in Suffolk. In addition, the project provides for supporting equipment, software, confidential funds and consultant services.

JUSTIFICATION: Through analysis of Uniform Crime Reporting statistics for Part 1 Crimes, DCJS has identified 17 counties in New York State for assistance through the GIVE Program.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 6/6/14
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1607	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION	
1. Grant Title Gun Involved Violence Elimination (GIVE) 2014	
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) FY2014-2015 NYS Budget, Administered by NYS Division of Criminal Justice Services	
3. Grant/Contract Status (Check One Box) A. <input checked="" type="checkbox"/> New Program Application B. <input type="checkbox"/> Renewal Application C. <input type="checkbox"/> Supplemental (Specify) _____ D. <input type="checkbox"/> Extension of Funding Period E. <input type="checkbox"/> Contract	
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) Grant funding will allow the Suffolk County Police Department, the Suffolk County District Attorney, the Suffolk County Crime Lab and the Suffolk County Probation Department to continue to participate in a multi-agency effort to reduce gun violence and other violent crime in Suffolk County.	
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Police, District Attorney, Crime Lab, Probation	

II. BUDGET INFORMATION						
1. Term of Contract		From 7/1/14		To: 6/30/15		
2. Financial Assistance Requested						
SOURCE	FIRST FUNDING CYCLE Combined agency funds		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$	%	\$	%	\$	%
State	\$1,116,067	91.84%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$99,182	8.16%	\$	%	\$	%
Total	\$1,215,249	100%	\$	100%	\$	100%

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3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$99,182	\$	\$99,182
A. Cash Contribution	\$99,182	\$	\$99,182
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES
			NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuation of this program will be re-evaluated based on community need and available resources of the various Departments.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2014

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	341,000 341,000			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise	20,000 20,000			
3000 SUPPLIES MATERIALS & OTHERS: 3040 Outside Printing 3160 Computer Software 3370 Medical, Dental & Laboratory Supplies 3390 Policeman Supplies 3500 Other Unclassified 3680 Repairs: Special Equipment	8,000 3,000 5,000			
4000 CONTRACTUAL EXPENSES: 4010 Telephone & Telegraph 4015 Cellular Communications 4210 Computer Services	88,000 88,000			1607
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	1,000 1,000			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2014

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4700 MISCELLANEOUS 4770 Special Services	30,000 30,000			
4900 CONTRACTED SERVICES (LIST) 4980-Contracted Agencies 001-3613-4980-XXXX-To Be Determined	55,000 55,000			
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Benefit Fund		99,182 90,145 9,037	1607	County costs not eligible for reimbursement under this program
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

PERSONAL SERVICES

DETAIL LISTING OF 1000 ACCOUNT

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Police Officer	6	93.71/hr OT	Various	100		
Sergeant		110.54/hr OT	Various	100		
Lieutenant		123.05/hr OT	Various	100		
Detective	4	105/hr OT	Various	100		
Detective Sergeant		116.07/hr OT	Various	100		
Detective Lieutenant		129.20/hr OT	Various	100		
Research Technician	17	51.13/hr OT	Various	100		
Research Analyst	20	58.62/hr OT	Various	100		
Senior Research Analyst	24	69.24/hr OT	Various	100		
Probation Officer	21/12	61.41/hr OT	Various	100		
Senior Probation Officer	23	69.02/hr OT	Various	100		
Senior Clerk Typist	12	40.59/hr OT	Various	100		

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Resolution

Accepting and appropriating a grant in the amount of \$1,116,067 from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) Program with 91.84% support.

3. Purpose of Proposed Legislation

To accept \$1,116,067 from the New York State Division of Criminal Justice Services to continue a project to reduce violent crime, particularly gun-related crime.

4. Will the Proposed Legislation have a fiscal impact? Yes No X

5. If the answer to Item 4 is "Yes," on what will it impact?
(Circle appropriate category)

County Town Economic Impact
Village School District Other (specify):
Library District Fire District:

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

Non-reimbursable fringe benefit costs of approximately \$99,182 will be incurred through June 30, 2015. Additional fringe benefits costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding:

New York State Division of Criminal Justice Services: State funding

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Sarah Furey
Senior Grants Analyst

Sarah Furey by H.C.L.

6/9/14



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
Alfred E. Smith Office Building
80 South Swan Street
Albany, New York 12210
<http://criminaljustice.ny.gov>

1607

ANDREW M. CUOMO
GOVERNOR

MICHAEL C. GREEN
EXECUTIVE DEPUTY COMMISSIONER

May 1, 2014

The Honorable Thomas Spota
District Attorney
Suffolk County District Attorney's Office
N. County Complex Veterans Memorial Highway
Building 77
Hauppauge, NY 11788

Honorable Edward Webber
Commissioner
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, NY 11980

Dear District Attorney Spota and Commissioner Webber:

On behalf of the NYS Division of Criminal Justice Services (DCJS), I am pleased to announce that your Gun Involved Violence Elimination (GIVE) Partnership will receive \$1,116,067 for NYS fiscal year 2014 – 2015. DCJS anticipates that these funds will be utilized by your partnership to support targeted firearm and violent crime reduction efforts within the designated jurisdictions.

The enclosed spreadsheet represents your county's entire budget request for GIVE. The "**Awarded Budget**" column reveals the amount of funding approved by DCJS for each individual request.

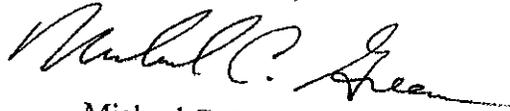
The process DCJS utilizes to make GIVE award decisions is deliberate and focuses on awarding funds to positions and items justified as being critical to the successful implementation of the proposed strategies. Participating agencies are expected to use the approved budget in the "Awarded Budget" column when developing this year's GIVE contract. Although DCJS may permit minor adjustments to be made to agency budgets, such budget reallocation requests are not encouraged and must be made in writing by the head of the participating agency. Requests for budget reallocations on GIVE contracts will be carefully scrutinized by the Deputy Commissioner of the DCJS Office of Public Safety to ensure the requested budget amendment is consistent with the overall GIVE strategy being employed. DCJS reserves the right to approve or deny any budget reallocation request. Reallocation requests must be made in a timely manner, and grantees must receive approval from DCJS before moving forward with any of the expenditure(s) involved in the reallocation.

(607)

We look forward to working with you through GIVE and providing you with support in your efforts to reduce shootings, homicides and firearm related violent crime in your jurisdiction. In addition, as one of our GIVE partners, you are now part of the GIVE network. Our team in the DCJS Office of Public Safety, led by Deputy Commissioner Mike Wood and Director Johanna Sullivan, will be contacting you to assist with the implementation of your GIVE strategies and provide you with further information on the network. If you have any questions concerning this award or GIVE, please contact Deputy Commissioner Wood or Director Sullivan at 518-485-7620.

DCJS Office of Program Development and Funding staff will be contacting the individuals listed in your application as your partnership agencies' "primary contacts," to assist in contract preparation. In the meantime, if you have any questions concerning the contract process, please contact Program Representative Katie Nastars at (518) 457-6030.

Very truly yours,



Michael C. Green
Executive Deputy Commissioner

MCG:AMS:pr
Enclosure

GIVE
2014

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Suffolk

POLICE DEPARTMENT BUDGET

PERSONNEL	Requested Budget	Awarded Budget
Overtime to Support Initiatives/Strategies		
Crime Analyst OT		
FIO OT	\$32,000	\$16,000
Firearms Suppression Unit Detective OT	\$150,000	\$75,000
Laser Hot Spot Detective OT	\$105,000	\$85,000
Detective - Division Shooting & Firearms Investigative OT	\$15,000	\$7,500
Patrol - Enforcement & Training OT	\$40,000	\$40,000
Narcotics Detective Investigative OT	\$100,000	\$40,000
CPTED OT	\$40,000	\$20,000
	\$10,000	\$7,500
TOTAL PERSONNEL	\$492,000	\$291,000
EQUIPMENT / SOFTWARE		
Network Scanner		
2 pair binoculars	\$2,000	\$0
Surveillance Video Cameras, Assorted mini video & or audio recording, repeaters, photo cameras, transmitters, Antennas, tactical receivers, telephone analysis software-Narcotic	\$2,000	\$0
Digital video camera	\$40,000	\$20,000
	\$1,000	\$0
TOTAL EQUIPMENT	\$45,000	\$20,000
OTHER EXPENSES / SUPPLIES		
Confidential funds - Narcotics buy money		
Advertising	\$25,000	\$5,000
Printing for CPTED tip Cards	\$20,000	\$0
Orion Intelligence System maintains & upgrades	\$3,000	\$3,000
Visual Analytics software licensing etc.	\$10,000	\$10,000
Youth Outreach	\$78,000	\$78,000
	\$5,000	\$5,000
TOTAL SUPPLIES	\$141,000	\$101,000
CONSULTANT SERVICES		
Teny Gross - Training for Street Workers	\$5,000	\$0
Economic Opportunity Council - Street Workers costs	\$45,000	\$45,000
Economic Opportunity Council - Community Youth Survey	\$10,000	\$10,000
TOTAL CONSULTANT SERVICES	\$60,000	\$55,000
TRAVEL & TRAINING		
CPTED Training	\$10,000	\$0
TOTAL TRAVEL & TRAINING	\$10,000	\$0
POLICE DEPARTMENT TOTAL	\$748,000	\$467,000

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DISTRICT ATTORNEY'S OFFICE BUDGET		
PERSONNEL	Requested Budget	Awarded Budget
Job Title / Position		
ADA - Homicide Bureau- 55%	\$61,133	\$61,133
ADA - Homicide Bureau-55%	\$61,133	\$61,133
ADA - Special Investigation Bureau- 55%	\$66,291	\$66,291
ADA - Special Investigation Bureau- 55%	\$66,291	\$66,291
ADA - Major Crime Bureau- 55%	\$58,109	\$58,109
ADA - Major Crime Bureau- 55%	\$75,708	\$75,708
Crime Victims Advocate	\$7,219	\$7,219
Fringe Benefits for Positions		
ADA - Homicide Bureau- 55%	\$27,842	\$27,842
ADA - Homicide Bureau-55%	\$27,842	\$27,842
ADA - Special Investigation Bureau- 55%	\$25,267	\$25,267
ADA - Special Investigation Bureau- 55%	\$25,267	\$25,267
ADA - Major Crime Bureau- 55%	\$26,945	\$26,945
ADA - Major Crime Bureau- 55%	\$32,163	\$32,163
Crime Victims Advocate	\$11,857	\$11,857
TOTAL PERSONNEL	\$573,067	\$573,067
OTHER EXPENSES / SUPPLIES		
Buy money for undercover gun purchases	\$30,000	\$25,000
TOTAL SUPPLIES	\$30,000	\$25,000
DISTRICT ATTORNEY'S OFFICE TOTAL	\$603,067	\$598,067

SHERIFF'S OFFICE BUDGET		
PERSONNEL	Requested Budget	Awarded Budget
Overtime to Support Initiatives/Strategies		
OT - Sheriff's Office GREAT Program Initiative	\$80,000	\$0
TOTAL PERSONNEL	\$80,000	\$0
EQUIPMENT / SOFTWARE		
TOTAL EQUIPMENT	\$0	\$0
OTHER EXPENSES / SUPPLIES		
TOTAL SUPPLIES	\$0	\$0
CONSULTANT SERVICES		
TOTAL CONSULTANT SERVICES	\$0	\$0
TRAVEL & TRAINING		
TOTAL TRAVEL & TRAINING	\$0	\$0
SHERIFF'S OFFICE TOTAL	\$80,000	\$0

SUFFOLK COUNTY CRIME LAB		
PERSONNEL	Requested Budget	Awarded Budget
Overtime to Support Initiatives/Strategies		
OT for Firearms examiners	\$12,933	\$10,000
CRIME LAB TOTAL	\$12,933	\$10,000

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COUNTY PROBATION BUDGET		
PERSONNEL	Requested Budget	Awarded Budget
Overtime to Support Initiatives/Strategies		
OT 917hrs approx. x \$55-\$65/hr.	\$55,000	\$40,000
TOTAL PERSONNEL	\$55,000	\$40,000
TRAVEL & TRAINING		
DCJS training	\$1,000	\$1,000
TOTAL TRAVEL & TRAINING	\$1,000	\$1,000
COUNTY PROBATION TOTAL	\$56,000	\$41,000

COUNTY GRAND TOTAL - \$1,487,067 \$1,116,067

COUNTY OF SUFFOLK



1607

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office

FROM: Mark White, Chief of Support Services
Suffolk County Police Department 

DATE: June 9, 2014

SUBJECT: Resolution Packets & SCIN Forms for the GIVE 2014 Grant Program
Project Number: GV14-1016-E00

Certificate of Necessity Requested

Attached please find the following for the **GIVE 2014 Grant Program**:

- o Draft Grant Resolution
- o Proposed Certificate of Necessity
- o Memorandum of Support
- o Grant SCIN Forms
- o Request for Introduction of Legislation
- o Financial Impact Statement
- o Copy of grant award letter and approved budget

Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. Grant contract signature will be done on-line in the DCJS Grants Management System (GMS) upon passage and signature of the resolution.

Due to the fact that this is a one year project with no extensions given, it is imperative that the resolution to accept and appropriate the funding for the project be passed with a Certificate of Necessity at the June 17th meeting in order to allow for sufficient time to implement and complete grant activities prior to the grant end date of June 30, 2015.

If you have any questions concerning this resolution package please do not hesitate to contact Susan Krause, Grants Analyst, at (631) 852-6601 or Sarah Furey, Senior Grants Analyst, at (631) 852-6042.

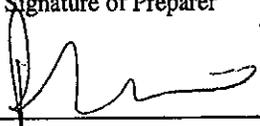
cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intergovernmental Relations
Evelyn Creen, Senior Federal & State Aid Claims Examiner



ACCREDITED LAW ENFORCEMENT AGENCY
Visit Us Online at www.suffolkpd.org
Crime Stoppers Confidential Tip Hotline 1-800-220-TIPS
Non-Emergencies Requiring Police Response, Dial (631) 852-COPS
30 Yaphank Avenue, Yaphank, New York 11980 – (631) 852-6000



STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$1,116,067 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE GUN INVOLVED VIOLENCE ELIMINATION (GIVE) PROGRAM WITH 91.84% SUPPORT		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>XX</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution provides an additional \$543,000 for participation in the GIVE program.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
State grant funds totaling \$1,116,067 must be expended between July 1, 2014 and June 30, 2015.		
8. Proposed Source of Funding		
NYS Division of Criminal Justice Services		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Principal Research Analyst		6-12-14

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.