

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1260 - 2009**

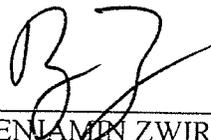
WHEREAS, INTRODUCTORY RESOLUTION NO. 1260- 2009

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A
100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT FOR A NEIGHBORHOOD STABILIZATION
GRANT AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
AGREEMENTS**

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

**NOW, I, BENJAMIN ZWIRN, 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. 1260 - 2009, BECAUSE THE DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT (HUD) IS REQUIRING THAT THE GRANT
AWARD AGREEMENT BETWEEN THE COUNTY AND HUD BE SIGNED BY
MARCH 31, 2009 AND THE COUNTY LEGISLATURE DOES NOT MEET AGAIN
UNTIL APRIL 28, 2009.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY FOURTH DAY OF MARCH, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 MAR 23 P 12:48
COUNTY CLERK
SUFFOLK COUNTY, N.Y.
HÄUPFANGE

Introduced by the Presiding Officer, on request of the County Executive

**RESOLUTION NO. - 2009 ACCEPTING AND
APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A
NEIGHBORHOOD STABILIZATION GRANT AND AUTHORIZING THE
COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**

WHEREAS, the County Legislature by Resolution No. 598-1999 authorized the County Executive to enter into cooperation agreements with towns and villages to apply for Federal Aid for Community Development; and

WHEREAS, the Department of Economic Development/Community Development Division has submitted an amended Annual Action Plan for Federal Fiscal Year 2008 under the Housing and Economic Recovery Act of 2008 (P.L. 110-289); and

WHEREAS, the County has been awarded a FY 2008 Neighborhood Stabilization Program Grant under Title III of Division B of the Act in the amount of \$5,681,443 for the redevelopment of abandoned and foreclosed homes; and

WHEREAS, the Amended Action Plan has been approved by HUD and HUD is requiring that all grant awards be executed by March 31, 2009 and be completed by April 1, 2013; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive to accept the Neighborhood Stabilization Program Grant and to contract with HUD, cooperating municipalities and non-profit agencies for the expenditure of these funds; and be it further

2nd RESOLVED, that \$300,000 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:

356-4922 Federal Aid:	Community Development	<u>\$5,681,443</u>
-----------------------	-----------------------	--------------------

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
GRANTS TO COOPERATING MUNICIPALITIES
356-CDV-8667

4980 – Contracted Agencies

\$5,381,443

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

356-IFT-E351 Transfer to Fund 351 Comm Dev Admin

\$300,000

and be it further

3rd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD11.

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR.

DATED:

APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date:



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

1260

JAN 30 2009

RECEIVED
Suffolk County Community Development

The Honorable Steve Levy
County Executive
County of Suffolk
P.O. Box 6100
Hauppauge, NY 11788

MAR 3 2009

Hauppauge, N.Y. 11788

Dear Mr. Levy:

On behalf of Secretary Shaun Donovan, I am pleased to inform you that the Department is approving your jurisdiction's action plan amendment for Neighborhood Stabilization Program (NSP) funding and is awarding \$5,681,443 for the County of Suffolk.

The Housing and Economic Recovery Act of 2008 (HERA), enacted on July 30, 2008, established the NSP and appropriated \$3.92 billion to be distributed to states and local governments to address the effects of abandoned and foreclosed properties in the nation's communities. The Department announced NSP funding allocations on September 26, 2008, and action plan amendments were due not later than December 1, 2008.

The Neighborhood Stabilization Program is a component of the long-standing Community Development Block Grant (CDBG) program. The program generally follows CDBG program requirements except as modified by HERA or by HUD to expedite use of NSP funds. Please refer to the October 6, 2008, *Federal Register* notice for NSP operating guidance. The NSP grant agreement will be sent under separate cover to the agency designated as administrator of your jurisdiction's program. Please note that this letter does not represent the point of obligation for NSP funding; execution of the forthcoming grant agreement will be the point of obligation and will trigger the 18 month period in which the NSP funds must be used.

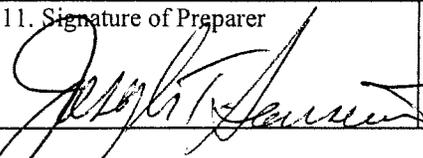
The Department is pleased to partner with you in implementing this new program and will continue to provide extensive support and guidance to you and other NSP grantees. I suggest that you continually visit the NSP website at www.hud.gov/nsp for information and updates.

Sincerely,

Nelson R. Bregón
General Deputy Assistant Secretary

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1260

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Resolution Accepting and Appropriating a 100% Reimbursed Grant From the U.S. Department of Housing and Urban Development For a Neighborhood Stabilization Grant and Authorizing The County Executive to Execute Agreements.		
3. Purpose of Proposed Legislation To provide federal funds for the acquisition and rehabilitation of foreclosed and abandoned residential properties.		
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)		
<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 Resolution will provide County with \$5,681,443 in federal funds to implement and administer grant.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding 100% Federal Department of Housing and Urban Development		
9. Timing of Impact April, 2009		
10. Typed Name & Title of Preparer Joseph T. Sanseverino Community Development Director	11. Signature of Preparer 	12. Date 3/11/09

SCIN FORM 175b (10/95)

3/11/09

LSF

COUNTY OF SUFFOLK



1260

202

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JOSEPH T. SANSEVERINO
COMMUNITY DEVELOPMENT DIRECTOR

OFFICE OF COMMUNITY DEVELOPMENT

TO: Ben Zwirn
Deputy County Executive

FROM: Joseph T. Sanseverino
Community Development Director

DATE: March 11, 2009

RE: CN Request
Neighborhood Stabilization Program

Suffolk County has been awarded a \$5,681,443 Neighborhood Stabilization Program Grant from the federal government as a result of the recently enacted Stimulus Bill. To meet HUD's timeline for acceptance of the grant award, HUD is requiring that the grant award agreement between the county and HUD be signed by March 31, 2009. To meet this deadline, a CN authorizing the County Executive to execute the agreement, is necessary. By meeting the March 31st date, the County will be in compliance with HUD and be able to access the federal dollars for the program.

The grant funds will be used to acquire and rehabilitate foreclosed and abandoned residential properties in communities that HUD has approved as areas of greatest need.

Should you have any questions regarding this request, please let me know.

JTS:rf

cc: Jim Morgo
Chief Deputy County Executive

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1262
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, APPOINTING MEMBER
OF THE SUFFOLK COUNTY WATER
AUTHORITY (FRANK J. PELLEGRINO)**

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

**NOW, I, BENJAMIN ZWIRN, 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. - 2009, BECAUSE THE TERM OF A CURRENT MEMBER
OF THE SUFFOLK COUNTY WATER AUTHORITY EXPIRES ON MARCH 29,
2009 CREATING A VACANCY AND THE COUNTY LEGISLATURE DOES NOT
MEET AGAIN UNTIL APRIL 28, 2009.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY FOURTH DAY OF MARCH, 2009.**


BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 MAR 23 A 11:12
SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE
HAUPPAUGE

1262

Intro. Res. No. -2009
Introduced by Presiding Officer Lindsay

Laid on Table 3/24/09

**RESOLUTION NO. -2009, APPOINTING MEMBER
OF THE SUFFOLK COUNTY WATER AUTHORITY
(FRANK J. PELLEGRINO)**

WHEREAS, Resolution No. 473-2004 appointed Bernard Brady as a member of the Suffolk County Water Authority, with a term to expire March 29, 2009; now, therefore be it

RESOLVED, that Frank J. Pellegrino, currently residing at Hauppauge, New York, 11788, is hereby appointed as a member of the Suffolk County Water Authority, commencing March 30, 2009 and expiring March 29, 2014, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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 (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 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:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER.

S:\res\l-scwa-pellegrino

1262

Frank J. Pellegrino

Hauppauge, New York 11788
Business Phone: 631-981-2158
Home Phone:
Cell Phone:

Relevant Experience:

Plumbers' Local Union #200

Business Manager

3/15/2003 to Present

- Responsible for the day to day operation of the union office, including hiring and supervising personnel.
- Oversight of Field Representatives covering all construction sites in Nassau and Suffolk Counties.
- Negotiate contracts with:
 - Plumbing Contractors Association of Long Island
 - Nassau and Suffolk Pump and Tank Installers Association
 - New York Racing Authority
 - SMG Management Corp (Nassau Veterans Coliseum)
- Procure legal, accounting and insurance services required for the operation of the union and to comply with all federal and state departments of labor regulations.
- Director of Plumbers Local Union #200 Political Action Fund.
- Chairman of Plumbers Local Union #200 Joint Apprenticeship Committee
- Co Chairman of Plumbers Local Union #200 Labor – Management Cooperation Fund

1262

Funds Director

3/15/2003 to Present

- Responsible for administering pension, annuity, health and welfare, vacation and additional security benefits for active and eligible retired members and their dependents.
- Oversight of Third Party Administration of health and welfare benefit plan.
- Procure legal, accounting and insurance services for the fringe benefit plans.
- Oversee the monthly activities of all fund managers.
- Responsible for the day to day operation of the fringe benefit office, including hiring and supervising personnel

Co-Chairman, Plumbers Local Union #200 Board of Trustees

3/15/2003 to Present

- Procure legal, accounting, actuarial, investment consulting and insurance services for trust fund management purposes and compliance with all ERISA requirements.
- Oversee investment performance of fund managers.
- Periodically conduct fund manager searches and solicit RFP's for professional services as required by the Board.

President, County Plumbers R.E. Inc.

3/15/2003 to Present

- Oversee the physical operation of the office facilities that house the union office, fringe benefit office and the apprenticeship training program.

1262

Assistant Manager

7/1/1995 to 3/15/2003

- Field Representative on constructions sites in Nassau and Suffolk Counties.
- Supervision of union Organizers.
- Treasurer of Plumbers Local Union #200 Political Action Fund.
- Board member and trustee to the funds.

Business Agent

9/3/1993 to 6/11/1995

- Field Representative on construction sites in Nassau and Suffolk Counties.
- Board member and trustee to the funds.

Additional Activity

Completed apprenticeship in Plumbers Local Union #200 in June, 1980. Served as an Instructor in the Apprenticeship Training program for five (5) years. Elected to office in 1985 and have served as Sentry, on the Finance Committee and the Executive Board. Appointed to the position of Business Agent on 9/3/1993.

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1262 **IR Year:** 2009

Introduced By: Presiding Officer Lindsay

Title of Proposed Resolution:
Appointing member of the Suffolk County Water Authority (Frank J. Pellegrino).

Purpose and Intent of Proposed Legislation:

This resolution appoints Frank J. Pellegrino as a member of the Suffolk County Water Authority for a five year term, expiring on March 29, 2014. Mr. Pellegrino would replace Bernard Brady whose term will expire on March 29, 2009.

Detailed Explanation of Fiscal Impact:

There is no fiscal impact to the County as the appointee' stipend and reimbursement of necessary business expenses will be paid by the Water Authority.

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

N/A

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

N/A

Proposed Source of Funding:

SCWA

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

N/A

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:

N/A

Authorized Signature



**Gail Vizzini, Director
Budget Review Office**

Date Completed

3/23/2009

Analyst Code

BP

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1263 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1263- 2009

**RESOLUTION NO. -2009, AUTHORIZING USE OF THE H. LEE
DENNISON BUILDING FOR FILMING OF A MOTION PICTURE**

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

**NOW, I, BENJAMIN ZWIRN, 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. 1263 - 2009, BECAUSE FILMING OF THE MOTION PICTURE
"FAIR GAME" IS PLANNED TO COMMENCE ON MARCH 30, 2009 THROUGH
APRIL 8, 2009 AND THE COUNTY LEGISLATURE DOES NOT MEET AGAIN
UNTIL APRIL 28, 2009.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY FOURTH DAY OF MARCH, 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 MAR 23 A 11:12
SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE
HAUPPAUGE

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. AUTHORIZING
USE OF THE H. LEE DENNISON BUILDING FOR FILMING OF A MOTION PICTURE**

WHEREAS, Local Law No. 46-2008, "A LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS" was adopted by this County Legislature November 18, 2008, approved by the County Executive on December 15, 2008, and filed with the Office of Secretary of State on December 30, 2008, but will not take effect until March 30, 2009 ; and

WHEREAS, the FAIR GAMES, LLC has expressed its interest in utilizing portions of the County-owned property H. Lee Dennison Building to film a motion picture prior to the effective date of Local Law No. 46-2008; and

WHEREAS, Film Permit fees must be approved by a duly enacted Resolution of the Legislature; now, therefore, be it

1st RESOLVED, that the use of County-owned property, i.e. the H. Lee Dennison Building, by the FAIR GAMES, LLC in consideration of payment of Fourteen Thousand and 00/100 Dollars (\$14,000.00) for the purpose of the preparation and filming of the motion picture "Fair Game" between March 30, 2009 and April 9, 2009, between the hours of 6:00 a.m. and 6:00 p.m., weekends excluded, plus reimbursement for any personnel provided to assist the production or other hard costs incurred by the County in connection with the production, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk County from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone, or in conjunction with the Commissioner of Economic Development and Workforce Housing, as shall be necessary and appropriate to facilitate the filming of the motion picture "Fair Game" in the H. Lee Dennison Building; 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 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 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.

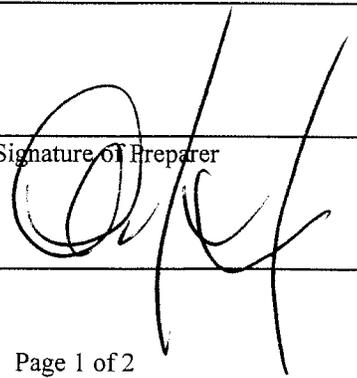
DATED:
APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County
Date:

1263

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 AUTHORIZING USE OF THE H. LEE DENNISON BUILDING FOR FILMING OF A MOTION PICTURE		
3. Purpose of Proposed Legislation To allow the preparation and filming of a motion picture in the H. Lee Dennison Building between March 30, 2009 and April 9, 2009		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u> X </u>		
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 <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact No impact on the Adopted Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Allen M. Kovesdy Director of Management and Research	11. Signature of Preparer 	12. Date March 19, 2009

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1263

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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 TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



MAR 19 2009

1263

Memo

To: Ben Zwirn, Deputy County Executive

From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing *PH*

Date: March 19, 2009

Re: CERTIFICATE OF NECESSITY AUTHORIZING USE OF THE H. LEE DENNISON BUILDING FOR FILMING OF A MOTION PICTURE

I am requesting a Certificate of Necessity for subject resolution be introduced to the Suffolk County Legislature.

Local Law No. 46-2008, "A LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS" was adopted by this County Legislature November 18, 2008, approved by the County Executive on December 15, 2008, and filed with the Office of Secretary of State on December 30, 2008, but will not take effect until March 30, 2009.

FAIR GAMES, LLC has expressed its interest in utilizing portions of the County-owned property H. Lee Dennison Building to prepare for and film a motion picture prior to the effective date of Local Law No. 46-2008 during the period March 30, 2009 through April 9, 2009 for a fee of \$14,000 plus reimbursement for any personnel provided to assist the production or other hard costs incurred by the County in connection with the production.

The benefits to the County include a new revenue source and positive public relations for marketing the County as a film-friendly region.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
 Carolyn Fahey, Intergovernmental Relations Coordinator
 Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy

Suffolk County Executive

Patrick A. Heaney

Commissioner

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1270
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO.
-2009, A LOCAL LAW AMENDING RESOLUTION NO. 154-
2009, A LOCAL LAW ESTABLISHING THE TOXIN FREE
TODDLERS AND BABIES ACT**

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

**NOW, I, BENJAMIN ZWIRN, 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. - 2009, BECAUSE THE SPONSOR HAS REQUESTED AN
AMENDMENT TO RESOLUTION 154-2009.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY FOURTH DAY OF MARCH, 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

2009 MAR 24 P 7 51
SUFFOLK COUNTY, N.Y.
COUNTY CLERK
HARRISS

RECEIVED

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a local law entitled "A LOCAL LAW AMENDING RESOLUTION NO. 154-2009, A LOCAL LAW ESTABLISHING THE TOXIN FREE TODDLERS AND BABIES ACT" (I.R. 1270-2009) has been introduced in the Suffolk County Legislature. This proposed local law would amend recently enacted Resolution 154-2009 ("A Local law Establishing the Toxin Free Toddlers and Babies Act") to clarify that the law's prohibition applies only to unfilled containers that contain BPA.

NOTICE IS FURTHER GIVEN that the County Legislature will hold a public hearing in the Rose Y. Caracappa Auditorium of the Suffolk County Legislature, in the William H. Rogers Building, Hauppauge, New York, on the 24th day of March, 2009, at 8:50 P.M.

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

Tim Laube
Clerk of the County Legislature

AMENDED COPY AS OF 3/24/09

Intro. Res. No. 1270-2009
Introduced by Legislator Stern

Laid on Table 3/24/2009

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A LOCAL LAW AMENDING RESOLUTION NO.
154-2009, A LOCAL LAW ESTABLISHING THE TOXIN FREE
TODDLERS AND BABIES ACT**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2009, a proposed local law entitled, "**A LOCAL LAW AMENDING RESOLUTION NO. 154-2009, A LOCAL LAW ESTABLISHING THE TOXIN FREE TODDLERS AND BABIES ACT**;" now, therefore be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW AMENDING RESOLUTION NO. 154-2009, A
LOCAL LAW ESTABLISHING THE TOXIN FREE TODDLERS
AND BABIES ACT**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Resolution No. 154-2009 banned the sale of children's beverage containers that contain the chemical Bisphenol A ("BPA") in Suffolk County.

This Legislature further finds and determines that this law needs to be amended to clarify the scope of the law's prohibition.

Therefore, the purpose of this law is to amend Resolution No. 154-2009 to clarify that the law applies to the sale of unfilled containers that contain BPA.

Section 2. Amendments.

- I. Section 1 of Resolution No. 154-2009 is hereby repealed in its entirety and replaced with the following:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Bisphenol A ("BPA") is a chemical commonly contained in polycarbonate plastics, including baby bottles and cups designed for use by young children.

This Legislature also finds that some studies may suggest that BPA is a synthetic estrogen which may disrupt healthy human development and that studies have suggested a possible link between BPA and an altered immune system, hyperactivity, reproductive health problems, increased risk of breast and prostate cancer, obesity, and diabetes.

This Legislature further finds and determines that some amounts of BPA may be released into beverages from containers under certain conditions.

This Legislature expresses concern about exposure to BPA to infants and young children.

This Legislature further finds and determines that several states and federal legislators have started considering a ban or phase out of BPA in beverage containers designed for use by young children.

This Legislature finds that Suffolk County is committed to protecting the public health and welfare of our County's infants and young children who may be vulnerable to the potential health hazards caused by BPA.

Therefore, the purpose of this local law is to reduce the exposure of infants and young children to BPA.

II. Section 2 of Resolution No. 154-2009 is hereby amended as follows:

Section 2. Definitions.

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

- A) "CHILDREN'S BEVERAGE CONTAINER" shall mean any unfilled bottle, cup, cup lid, straw or other container intended to be used by children under the age of three (3) years old for the consumption of liquids.

Section 3. Applicability.

This amendment provided for this law shall take effective immediately.

Section 4. 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 5. 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 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1270

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov

WILLIAM H. ROGERS BUILDING
P.O. Box 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: March 23, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW AMENDING RESOLUTION NO. 154-2009, A LOCAL LAW ESTABLISHING THE TOXIN FREE TODDLERS AND BABIES ACT

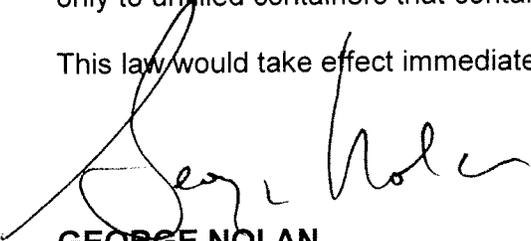
SPONSOR: LEGISLATOR STERN

DATE OF RECEIPT BY COUNSEL: 3/23/09 **PUBLIC HEARING:** 3/24/09

DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

This proposed local law would amend recently enacted Resolution No. 154-2009 ("A Local Law Establishing the Toxin Free Toddlers and Babies Act") to clarify that the law's prohibition applies only to unfilled containers that contain BPA.

This law would take effect immediately upon filing in the Office of the Secretary of State.


GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-amend-baby-bottles

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1270

IR Year: 2009

Introduced By: Steven Stern

Title of Proposed Resolution:

Adopting Local Law No. -2009, Amending Resolution No. 154-2009, A Local Law establishing the Toxin Free Toddlers and Babies Act.

Purpose and Intent of Proposed Legislation:

The legislation amends 154-2009, to define "Children's Beverage Container" as any unfilled bottle, cup, cup lid, straw, or other container intended to be used by children under the age of three (3) years old for the consumption of liquids.

Detailed Explanation of Fiscal Impact:

Indeterminate. Possible costs include enforcement costs to ensure compliance, requiring Suffolk County Department of Health Services inspections of retail establishments and any purveyors of products defined in the legislation not currently inspected by the department.

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

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

Indeterminate. There is potential for revenue collection for persons who do not comply with the proposed legislation.

Proposed Source of Funding: There is no provision in the legislation to increase funding to the Department of Health Services to fund enforcement.

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

Indeterminate. May include general fund revenue from collection of fines for noncompliance; may also include negative impacts to sales tax revenue as products containing BPA are no longer offered by retailers, and no substitutions are made.

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. There are costs for retailers to replace products containing BPA to comply with the legislation; sale of certain products sold by retailers would have to be discontinued to comply if there were no substitutes not containing BPA.

Authorized Signature



**Gail Vizzini, Director
Budget Review Office**

Date Completed

3/23/09

Analyst Code

CF

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1271

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

RESOLUTION NO. -2009, CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES (PHASE I) FOR SEWER DISTRICT NO. 21 - SUNY (CP 8121)

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

NOW, I, BENJAMIN ZWIRN, 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. - 2009, BECAUSE ALL DOCUMENTATION AND REQUIREMENTS, INCLUDING A PUBLIC HEARING, MUST BE COMPLETED AND SUBMITTED BY MAY 11, 2009 TO MEET THE FINANCING SCHEDULE OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY FOURTH DAY OF MARCH, 2009.



BENJAMIN ZWIRN

DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 MAR 23 P 4:06
SUFFOLK COUNTY, N.Y.
COUNTY CLERK'S OFFICE
HADDONSBURG

1271
Intro. Res. No. 2009
Introduced by Presiding Officer at request of County Executive

3/24/09
Laid on Table

RESOLUTION NO. _____, 2009 CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES (PHASE I) FOR SEWER DISTRICT NO. 21 – SUNY (CP 8121)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Suffolk, New York has established a County sewer district designated and known as Suffolk County Sewer District No. 21 - SUNY; and

WHEREAS, Suffolk County Sewer District No. 21 – SUNY receives and treats the sewage generated from Suffolk County Sewer Districts No. 10 – Stony Brook and 19 - Haven Hills and Brookhaven Sewer District No.1; and

WHEREAS, the Suffolk County Sewer Agency is recommending a Phase I increase and improvement to Suffolk County Sewer District No. 21 – SUNY, namely, process improvements to meet Long Island Sound discharge limits; and

WHEREAS, Phase I improvements will allow NYSDEC discharge limits to be achieved in accordance with a compliance schedule and includes recharge facilities, emergency electric power generation, and engineering; and

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared maps and plans pertaining to these proposed increases and improvements to the facilities of Suffolk County Sewer District No. 21 – SUNY and has also prepared an estimate of the costs of such increases and improvements and has filed these documents, along with its recommendations and reports of its proceedings, with the County Legislature of the County of Suffolk; and

WHEREAS, an application has been submitted to the New York State Environmental Facilities Corporation in anticipation of receiving an interest subsidy, partial principal forgiveness, or other financial benefits; and

WHEREAS, it would appear that these Phase I increases and improvements are in the best interests of the people of Suffolk County; and

WHEREAS, it is the function of County Legislature of the County of Suffolk to call for a public hearing upon such proposed increases and improvements to facilities at Suffolk County Sewer District No. 21 - SUNY; now, therefore, be it

1st RESOLVED, this County Legislature of the County of Suffolk, being the lead agency under the State Environmental Review Act ("SEQRA") Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York State Code of Rules and Regulations; and be it further resolved that

2nd RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the 28th day of April 2009, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk New York will meet at the William H. Rogers Building in Hauppauge, New York, in said County, on April 28, 2009 at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing upon a proposal for increases and improves to the facilities Suffolk County Sewer District No. 21 – SUNY, in and about the Town of Brookhaven, substantially in accordance with the maps, plans, report and recommendations prepared by and filed with the Suffolk County Legislature by the Suffolk County Sewer Agency with the assistance of the County Department of Public Works, at which time and place said County Legislature will consider such proposal and hear all parties interested therein concerning the same.

Notice of Cost

The total cost for the increase and improvement to Suffolk County Sewer District No. 21 – SUNY Phase I project is approximately \$4,000,000. The existing district is billed on a percentage of use and includes district service area components, i.e., the SUNY Stony Brook campus, Suffolk County Sewer District No. 10 – Stony Brook, Suffolk County Sewer District No. 19 – Haven Hills, and Brookhaven Sewer District No. 1. It is proposed that the project will be implemented during 2009 and that financing will be provided through the New York State Environmental Facilities Corporation (EFC). It is indicated in the map, plan and report that although a partial grant is possible, the financial impact has been prepared considering the normal EFC interest subsidy that results in the cost to the typical property for the property owners of Sewer District Nos. 10 and 19 to be \$16.68 per year.

Project Description

The Phase 1 increase and improvement to Suffolk County Sewer District No. 21 - SUNY of the improvement project includes recharge and emergency electric power generation. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations. The estimate of the cost associated with this Phase I of the increase and improvement project is approximately \$4.0 million.

A copy of the map, plan, and estimate of costs relating to said proposed increase and improvement of facilities is on file in the Office of the Clerk of said County Legislature where the same may be examined during regular business hours.

Section 3. This resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Calling for a Public Hearing for the Purpose of Considering the Increase and Improvement of Facilities for Sewer District No. 21 – SUNY (CP 8121)**

DATE: March 23, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP 8121 – SD 21 – SUNY Public Hearing 3-20-09 and backup filed as Backup DPW-bw CP 8121 – SD 21 – SUNY Public Hearing 3-20-09. The resolution calls for a public hearing to provide funds for Phase I of a project that includes steps associated with meeting Long Island Sound permit limitations. An application has been filed with New York State Environmental Facilities Corporation due to the project being included on their Intended Use Plan and, therefore, eligible for stimulus package funding. In order to complete the application process, a bond resolution is necessary. The bond resolution would not be prepared without the public hearing and, therefore in order to meet the financing schedule of EFC for this cycle, all documentation and requirements must be submitted by May 11, 2009. We, therefore, will require a public hearing to be set on March 24th for April 28th. A bond resolution can be submitted concurrently with the public hearing. Funds requested are in accord with the application filed with EFC. **We recognize that a CN is needed to meet the requirements of EFC and will provide whatever support is needed.**

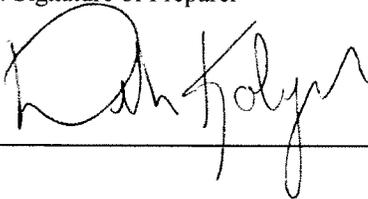
TL:BW:ni

Attachment

cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Assistant Budget Director
Lynne Bizzaro, Esq., Deputy County Attorney
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review

tl-bw3-20-09 Backup DPW sd21 SUNY Phase I Public Hearing CP8121 memo to BZwirn

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		
CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES (PHASE I) FOR SEWER DISTRICT NO. 21 –SUNY (CP8121)		
3. Purpose of Proposed Legislation		
TO CALL FOR A PUBLIC HEARING FOR THE RECHARGE AND EMERGENCY ELECTRIC POWER GENERATION FOR SCSD #21- SUNY (PHASE I)		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u> X </u>		
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 the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution calls for a public hearing pursuant to Section 254 of County Law. As a result of the proposed increase and improvement of sewer system facilities at Sewer District #21		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
There is no cost associated with public hearings and, therefore, no associated funding source.		
9. Timing of Impact		
Upon adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST		March 23, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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 TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.