Intro. Res. No. 1271-2014 Laid on Table 3/4/2014
Introduced by Legislators Kennedy and Muratore

RESOLUTION NO. 232 -2014, ESTABLISHING A COMMERCIAL BUILDING CARBON MONOXIDE TASK FORCE

WHEREAS, the County of Suffolk is comprised of almost 585,000 parcels of property, a significant number of which are improved with heating systems; and

WHEREAS, regulation, inspection and proper maintenance of heating systems is critical for their safe use and protection of the general public; and

WHEREAS, New York State, through Executive Law § 378, authorized the development and implementation of construction and fire prevention codes to ensure minimum construction and safety standards; and

WHEREAS, the current State Uniform Fire Prevention and Building Code does not provide for the installation or inspection of carbon monoxide ("CO") monitoring devices in commercial or industrial properties; and

WHEREAS, the tragic death of Steven Nelson, the manager of a local restaurant in Huntington, on the evening of February 22, 2014 due to a malfunction in the restaurant's heating equipment makes it clear that CO detection equipment should be required in all areas of public assembly and workplaces; and

WHEREAS, a task force comprised of state, County, town and village fire and emergency services personnel should be convened to develop regulations for submission to the State Uniform Fire Prevention and Building Code Council to modify the State Uniform Code accordingly; now, therefore be it

1st **RESOLVED**, that that the Suffolk County Carbon Monoxide Task Force ("Task Force") is hereby established for the purpose of developing and drafting recommended changes to the Uniform Fire Prevention and Building Code for submission to the New York State Uniform Fire Prevention and Building Code Council; and be it further

2nd **RESOLVED**, that the Task Force shall be comprised of the following seven (7) members:

1. A representative of the New York State Office of Fire Prevention Services;
2. A representative of the New York State Fire Prevention and Building Code Council;
3. The Chief Fire Marshal and Building Department Inspector of the Town of Smithtown;
4. The Chief Fire Marshal and Building Inspector of the Town of Riverhead;
5. The Suffolk County Chief Fire Marshal, or his or her designee;
6. A representative of commercial carbon monoxide detection equipment installers, to be selected by the County Legislature; and

7. The Commissioner of the Department of Public Works, or his or her designee;

and be it further

3rd **RESOLVED**, that the chairperson of the Task Force shall be selected by a majority of the membership of the Task Force; and be it further

4th **RESOLVED**, that the Task Force shall hold its first meeting within fourteen (14) days after the oaths of office of all members have been filed, which meeting shall be convened for the purpose of appointing a chairperson, vice chairperson and secretary; and be it further

5th **RESOLVED**, that the members of the Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that four (4) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

9th **RESOLVED**, that the Task Force shall have forty-five (45) days from the date of its' first meeting to submit to the County Legislature and the State Uniform Fire Prevention and Building Code Council a copy of recommendations for amendment of the New York State Uniform Fire Prevention and Building Code to include a requirement for the installation of carbon monoxide detection equipment in all commercial, industrial and educational spaces, as well as any other structures included in the Code that may routinely be occupied by people; and be it further

10th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2014, and the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

11th **RESOLVED**, that the Task Force shall submit a copy of its final report and recommendations to the Clerk of the Suffolk County Legislature; and be it further

12th **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

13th **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: March 19, 2014

APPROVED BY:

County Executive of Suffolk County

Date: 4/03/14

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on March 19, 2014 and that the same is a true and correct transcript of said resolution and of the whole thereof.

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

Tim Laube

Clerk of the Legislature

Intro. Res. 1271 Res. No. 232 March ~~18~~ 19, 2014

Motion:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Second:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
8	William J. LINDSAY, III	✓				
9	Monica R. MARTINEZ	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Rob TROTTA	✓				
14	Kevin J. MCCAFFREY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	William SPENCER	✓				
2	Jay SCHNEIDERMAN, D.P.O	✓				
15	DuWayne GREGORY, P.O.	✓				
	Totals	18				

MOTION

X Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED X FAILED___
No Motion___ No Second___

RESOLUTION DECLARED

✓ ADOPTED
___ NOT ADOPTED

Roll Call___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature