

1. 03/22/2021 - Proposed Local Laws

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[PROPOSED LOCAL LAW CI91-21.PDF](#)
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[PROPOSED LOCAL LAW CI387-20.PDF](#)

PROPOSED LOCAL LAW NO. -2021

A LOCAL LAW TO AMEND SECTION 1602 OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY IN RELATION TO NOTIFICATION OF THE MEETINGS AND AGENDAS FOR THE NASSAU COUNTY PLANNING COMMISSION.

BE IT ENACTED, by the County Legislature of the County of Nassau, as follows:

Section I. Section 1602 of the County Government Law of Nassau County is amended to include the following subdivision:

c. The Planning Commission shall not approve, make recommendations upon, or vote on any application or item unless such application or item has been included on an agenda that has been posted to the official website of Nassau County at least one week prior to said approval, recommendation or vote, provided, however, that in the case of a proposed zoning or planning action that is referred to the Planning Commission for a recommendation pursuant to section 239-m of the General Municipal Law less than one week in advance of a scheduled meeting, the Planning Commission shall post an addendum to the agenda including such item on the official website of the County as soon as practicable after the referral is received. The Planning Commission shall establish a webpage on the County's official website where individuals can request to be included on a standing distribution list for agendas of Planning Commission meetings. Agendas shall be emailed to any such individual at least one week prior to any meeting of the Planning Commission or upon receipt of a request to any individual who emails such a request less than one week in advance of a meeting. Emails to the individuals on the distribution list will include a website address where one can view any potential agenda addendum or

addenda. In addition, notices of public hearings to be conducted by the Planning Commission must be forwarded to the elected representatives of the town, village or city and the Legislator representing the Legislative District where the subject property of such hearing is located at least one week prior to the meeting at which the hearing is scheduled for action.

§ 2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the imposition of a hotel and motel occupancy tax and distribution of revenue pursuant to Title 24 of the Miscellaneous Laws of Nassau County, as amended, are "Type II" Actions within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, are of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 3. This local law shall take effect immediately.

PROPOSED LOCAL LAW NO. -2021

A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO EXPAND DISCLOSURE REQUIREMENTS TO PERMITTEES UNDER USE AND OCCUPANCY PERMITS FOR COUNTY PROPERTY.

WHEREAS, this Legislature has enacted laws to provide for registration, increased oversight and public disclosure of vendors operating in or doing business with Nassau County; and

WHEREAS, in the interest of the public good such laws provide greater transparency as to the operations of County government and as to the activities of those entities or individuals that do business, seek to do business or enter into an agreement with Nassau County; and

WHEREAS, it is in the public interest to promote even greater transparency and enhanced disclosure with regard to campaign contribution activity to elected Nassau County officials and candidates for office by those entities that have entered into agreements with Nassau County for the use and occupancy of County-owned property; now, therefore

BE IT ENACTED, by the County Legislature of the County of Nassau, as follows:

Section 1. The County Government Law of Nassau County is amended to add the following sections:

§1122(b). Required Disclosure's under Use and Occupancy Agreements.

Occupant Disclosure

Any person or organization, prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County-owned property, or as otherwise required by §1122(d) shall cause to be filed with the County Attorney the following form:

COUNTY OF NASSAU

USE AND OCCUPANCY OF COUNTY OWNED PROPERTY DISCLOSURE FORM

1. Name of the Person, Persons, or
Entity:_____

Address:_____

City, State and Zip Code:_____

2. Entity's Vendor Identification Number:_____

3. Type of Business: _____ Public Corp _____ Partnership _____ Joint Venture
_____ Ltd. Liability Co _____ Closely Held Corp _____ Other (specify)

4. List names and addresses of all proposed occupants and permittees or any principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

6. List all affiliated and related companies and their relationship to the firm or entity entered on line 1 above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract.

Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

7. List all lobbyists whose services were utilized at any stage in this matter. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by all proposed permittees prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County-owned property.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: _____

Signed: _____

Print Name: _____

Title: _____

The term lobbying shall mean any attempt to. influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage,

defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing;

the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

§1122(c) Disclosure of Campaign Contributions

Any person or organization, prior to the consideration of the Rules Committee of the Nassau County Legislature contract or agreement with the County of Nassau for the use and occupancy of County-owned property, or for contracts or agreements not subject to the review of the Rules Committee of the Nassau County Legislature, prior to the execution by the County Executive, shall file or cause to be filed with the County Attorney as an addendum to the Disclosure Form described in §1122(b) of the County Government Law of Nassau County the following form:

COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the entity or principals as described in section 4 of the Disclosure Form provided campaign contributions within the previous two years pursuant to the New York State Election Law to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected officials: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any

Comity Legislator? If yes, to what campaign committee?

2. VERIFICATION: This section must be signed by all proposed permittees prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County owned property.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: _____

Signed: _____

Print Name: _____

Title: _____

§1122(d) Disclosure of Campaign Contributions by Existing Permittees

Within thirty days of the adoption of this local law, any permittee who occupies or resides on County property shall file or cause to be filed with the County Attorney both the Use and Occupancy of County Owned Property Disclosure Form set forth in § 1122(b) and the Political Contribution Disclosure Form set forth in § 1122(c).

§2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§3. This local law shall take effect immediately.

Introduced by: Presiding Officer Richard J. Nicolello, Deputy Presiding Officer Howard J. Kopel, Alternate Deputy Presiding Officer Denise Ford, and Legislators C. William Gaylor, III, Vincent T. Muscarella, James Kennedy, Thomas McKeivitt, Laura Schaefer, John R. Ferretti, Jr., Rose Marie Walker, and Steven D. Rhoads

LOCAL LAW NO. -2021

**A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW OF NASSAU
COUNTY TO EXP AND DISCLOSURE REQUIREMENTS TO PERMITTEES UNDER
USE AND OCCUPANCY PERMITS FOR COUNTY PROPERTY.**

WHEREAS, this Legislature has enacted laws to provide for registration, increased oversight and public disclosure of vendors operating in or doing business with Nassau County; and

WHEREAS, in the interest of the public good such laws provide greater transparency as to the operations of County government and as to the activities of those entities or individuals that do business, seek to do business or enter into an agreement with Nassau County; and

WHEREAS, it is in the public interest to promote even greater transparency and enhanced disclosure with regard to campaign contribution activity to elected Nassau County officials and candidates for office by those entities that have entered into agreements with Nassau County for the use and occupancy of County-owned property; now, therefore

BE IT ENACTED, by the County Legislature of the County of Nassau, as follows:

Section 1. The County Government Law of Nassau County is amended to add the following sections:

§1122(b). Required Disclosure's under Use and Occupancy Agreements.

Occupant Disclosure

Any person or organization, prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County-owned property, or as otherwise required by 1122(d) shall cause to be filed with the County Attorney the following form:

COUNTY OF NASSAU

USE AND OCCUPANCY OF COUNTY OWNED PROPERTY DISCLOSURE FORM

1. Name of the Person, Persons, or
Entity:

Address: _____

City, State and Zip Code: _____

2. Entity's Vendor Identification Number: _____

3. Type of Business: _____ Public Corp _____ Partnership _____ Joint Venture

_____ Ltd. Liability Co _____ Closely Held Corp _____ Other (specify)

4. List names and addresses of all proposed occupants and permittees or any principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

6. List all affiliated and related companies and their relationship to the firm or entity entered

on line 1 above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

7. List all lobbyists whose services were utilized at any stage in this matter. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by all proposed permittees prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County-owned property.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: _____

Signed: _____

Print Name: _____

Title: _____

The term lobbying shall mean 11ny attempt to. influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

§1122(c) Disclosure of Campaign Contributions

Any person or organization, prior to the consideration of the Rules Committee of the Nassau County Legislature contract or agreement with the County of Nassau for the use and occupancy of County-owned property, or for contracts or agreements not subject to the review of the Rules Committee of the Nassau County Legislature, prior to the execution by the County Executive, shall file or cause to be filed with the County Attorney as an addendum to the Disclosure Form described in §1122(b) of the County Government Law of Nassau County the following form:

COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the entity or principals as described in section 4 of the Disclosure Form provided campaign contributions within the previous two years pursuant to the New York State Election Law to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected officials: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any

Comity Legislator? If yes, to what campaign committee?

2. VERIFICATION: This section must be signed by all proposed permittees prior to executing any contract or agreement with the County of Nassau for the use and occupancy of County owned property.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: _____

Signed: _____

Print Name: _____

Title: _____

§1122(d) Disclosure of Campaign Contributions by Existing Permittees

Within thirty days of the adoption of this local law, any permittee who occupies or resides on County property shall file or cause to be filed with the County Attorney both the Use and Occupancy of County Owned Property Disclosure Form set forth in § 1122(b) and the Political Contribution Disclosure Form set forth in § 1122(c).

§2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§3. This local law shall take effect immediately.

A LOCAL LAW TO AMEND CHAPTER XII OF THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO DEPARTMENT OF PUBLIC WORKS APPROVAL OF BUILDING PERMITS AND CURB CUTS PURSUANT TO §239-F OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

WHEREAS, on December 11, 2019, the Blue-Ribbon Panel to Streamline Development Approvals, consisting of business leaders and elected officials from Nassau County, issued its Final Report of recommendations to improve the Nassau County Department of Public Works' review and approval process of certain applications pursuant to §239-f of the General Municipal Law ("§239-f applications"); and

WHEREAS, the Final Report noted that the duration of this review and approval process in Nassau County is between six and twelve months; and

WHEREAS, it is the finding of this Legislature that delay in issuing building permits by municipalities due to delays in County approval pursuant to §239-f of the General Municipal Law is a major cause of higher building costs, loss of jobs and delays in collection of enhanced tax revenues on improved property; and

WHEREAS, it is within the best interest of Nassau County residents to establish a deadline for the review of §239-f applications that balances the County's interest in conducting a thoughtful and thorough review and an applicant's interest in avoiding undue delay; now, therefore

BE IT ENACTED by the Legislature of the County of Nassau as follows:

Section 1. Section 12-1.2 of Chapter XII of the Nassau County Administrative Code is added to read as follows:

§12-1.2(a) Approval of Building Permits and Curb Cuts pursuant to §239-F of the New York State General Municipal Law. Within thirty business days of receipt of a building permit application, the Commissioner of the Department of Public Works ("Commissioner") may consult with the Nassau County Planning Commission and shall report to the city, village, or town, as applicable, his or her

approval, disapproval, or approval subject to stated conditions. If the Commissioner fails to make a report within thirty business days, any and all County fees associated with building permit application shall be reduced by twenty-five percent (25%), and further reduced by twenty-five percent (25%) every ten business days thereafter that such report is delinquent. If fees were collected prior to the delinquency, the Department of Public Works shall refund the appropriate amount to the applicant. At such time that the fees equate to zero, the application shall be deemed approved so long as at the time of filing, a New York State licensed professional engineer or architect certified that the proposed project plans comply with all applicable rules and regulations.

(b) If the Commissioner requests additional information or clarification from the applicant, the initial time period shall be tolled for the number of business days that he or she is awaiting such information or clarification. Once such information or clarification is received, the Commissioner shall have an additional thirty business days to report to the city, village or town, as applicable, his or her approval, disapproval, or approval subject to stated conditions.

(c) If the Commissioner requests a meeting with an applicant, the initial time period shall be tolled for the number of business days that the Commissioner is delayed by inability or refusal of the applicant to meet on the date and at the place specified by the Commissioner .

(d) For proposed projects with a 40,000 square feet or larger land area, the applicant shall meet with the Commissioner prior to the submission of the building permit application. An applicant for such a project shall file a written request for a meeting with the Commissioner. The initial period set forth in paragraph (a) of this section shall not begin to run until one week following such request. However, if the Commissioner specifies an earlier date for such meeting, the initial period shall run from the date of said meeting. The Commissioner and the applicant shall discuss and may agree to a different timeline by which the Commissioner shall review and issue comments or request additional information for this project.

(e) The Commissioner's review and comment on additional information and clarification provided by the applicant shall be limited to issues raised in the Commissioner's initial request for information and clarification, and no new issues shall be raised.

§ 2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this ordinance 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 ordinance, 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.

§ 3. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau

County, that the adoption of this ordinance is a "Type II" Action within the meaning of Section 617.5(c)(26) and (33) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. Effective Date. This local law shall take effect sixty days after its adoption.