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PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

THE NASSAU COUNTY LEGISLATURE WILL HOLD

A FULL SESSION OF THE LEGISLATURE

ON

MONDAY, MAY 22, 2023

STARTING AT 12:00 PM FOR PRESENTATIONS AND PUBLIC COMMENT, 1:00 PM FOR THE LEGISLATIVE CALENDAR, AND 4:00 PM FOR CLERK ITEM NUMBER 156-23, THE PROPOSED LEASE AGREEMENT BETWEEN NASSAU COUNTY AND LVS NY HOLDCO 2, LLC FOR APPROXIMATELY 72 ACRES AT THE NASSAU VETERANS MEMORIAL COLISEUM SITE AND ANY PUBLIC COMMENT RELATING THERETO

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

Mineola, NY As per the Nassau County Fire Marshal's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 200 people.

Attendees who would like to address the Legislature must submit a slip to the Clerk's office staff. Public comment is limited to three minutes per person. At meetings of the full Legislature, public comment will be heard only during the pre-calendar public comment period and during public hearings that are on the calendar. At meetings of the Legislature's committees, there is no pre-calendar public comment period. Public comment will be heard on agenda items. Public comment on any item may be emailed to the Clerk of the Legislature at NCRedistricting@nassaucountyny.gov and will be made part of the formal record of this Legislative meeting.

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>

MICHAEL C. PULITZER
Clerk of the Legislature
Nassau County, New York

DATED: May 12, 2023
Mineola, NY

**Scan the QR code to submit written public comment,
which will be incorporated into the record of this meeting.**



PROPOSED ORDINANCE NO. 27 - 2023

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO EXECUTE AN AGREEMENT OF LEASE BY AND BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND LVS NY HOLDCO 2, LLC, AS TENANT, IN CONNECTION WITH THE LEASING OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 351, 411, 412 AND 415, ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE.

WHEREAS, the County of Nassau (the “County”) has negotiated that certain Lease (the “Lease”) with LVS NY HOLDCO 2, LLC, a copy of which is on file with the Clerk of the County Legislature, relative to the County’s leasing of certain land and the improvements thereon (the “Premises”) consisting of the Nassau Veterans Memorial Coliseum and the approximately 72 acre Coliseum site known and designated on the Nassau County Land and Tax Map as Section 44, Block F, Lots 351, 411, 412 and 415;

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the leasing of the subject property, and recommends that the action be identified as a “Type 1” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the full Environmental Assessment Form (“EAF”) for the proposed action and recommends that the Legislature upon its review of the EAF and any supporting documentation, if any, determine that the proposed action will have no significant environmental impact and does not require further environmental review; and

WHEREAS, the Nassau County Planning Commission, acting in an advisory capacity to the Nassau County Legislature, passed a resolution for the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action, and

BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU
AS FOLLOWS:

1. That the County Executive be and he is hereby authorized to execute on behalf of the County of Nassau the Lease, subject to all the terms and conditions as contained in said Lease, and to execute any and all other instruments and to take such other action as is necessary, to effectuate the terms of such Lease and carry out the purposes of the Lease.

2. That 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 execution of the proposed Lease of the subject property has been determined to be a “Type I” pursuant to SEQRA and based on the EAF and the supporting documentation has been determined not to have a significant effect on the environment and no further review is required for the reasons set forth in the attached Determination of Non-Significance.

3. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 28 – 2023

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Nassau County Office of Crime Victim Advocate.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated April 25, 2023, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

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

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
505,183.68	Victims of Crime Act (VOCA)	GRT	CV	AA97Z	312,500.00
		GRT	CV	AN10F	156,281.25
		GRT	CV	DE547	24,500.00
		GRT	CV	DD497	11,902.43

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. 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 this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 29 –2023

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Office of the District Attorney.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated April 26, 2023, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

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

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BADA23000006

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
2,500	Association of Prosecuting Attorneys	GRT	DA	DD	2,500

BADA23000007

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
7,523	DOJ Federal Forfeiture Program	GRT	DA	BB	7,523

BADA23000008

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
177,008	DOJ Federal Forfeiture Program	GRT	DA	BB	100,000
		GRT	DA	DD	77,008

BADA23000009

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
35,101	NYS Civil Forfeiture Program	GRT	DA	DE	35,101

BADA23000010

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
276,019	NYS Civil Forfeiture Program	GRT	DA	DE	276,019

BADA23000011

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
361,210	NYS Civil Forfeiture Program	GRT	DA	DE	261,210
		GRT	DA	HH	100,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. 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 this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 30 – 2023

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Traffic Safety Board.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated May 2, 2023, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

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

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BATS23000003

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
40,000.00	Handicapped Parking Surcharge Grant	GRT	TS	DE	40,000.00

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. 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 this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 31 – 2023

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Public Works.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated May 2, 2023, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

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

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BAPW23000002

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
2,000,000	NYS Environmental Facilities Corporation	GRT	PW	6F60G	2,000,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. 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 this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 32 –2023

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Health Department.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated April 26, 2023, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

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

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BAHE23000006

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
294,343	New York State Department of Health	GRT	HE	AA	206,489
		GRT	HE	AB	86,354
		GRT	HE	DD	1,500

BAHE23000007

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
302,000	New York State Department of Health	GRT	HE	AA	191,904
		GRT	HE	AB	104,493
		GRT	HE	DD	2,910
		GRT	HE	HH	2,693

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. 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 this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 33 - 2023

AN ORDINANCE TO AMEND ORDINANCE 76-2000 RELATING TO THE
ESTABLISHMENT OF VARIOUS FEES OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, it is deemed to be in the County's interest to provide a less prohibitive and more appropriate fee structure related to the review of applications under section 239-f of the General Municipal Law for large scale development projects that will not discourage desired development projects in the County; now, therefore

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

Section 1: Section 8 of Ordinance No. 76-2000, relating to the establishment of various fees for the Department of Public Works, as last amended by Ordinance No. 49-2019, is amended to read as follows:

8. The Commissioner of Public Works is hereby authorized to charge a fee of One Thousand Five Hundred dollars (\$1,500) to review applications for building permits pursuant to Section 239-f of the General Municipal Law that are forwarded by the various towns, cities and incorporated villages. The fee shall be waived for an application filed where the anticipated cost of construction is less than twenty five thousand dollars (\$25,000). A fee of seven hundred and forty dollars (\$740) shall be charged for a re-review of a previously rejected application for which a fee was required. If an application is made for a parcel that differs from the prior proposed use, a fee of seven hundred and fifty dollars (\$750) shall be charged. If the value of construction estimate is greater than two hundred and fifty thousand dollars (\$250,000) and less than five hundred million dollars (\$500,000,000) and is not a major subdivision defined by

§334a of the Real Property Law, the applicant will be required to pay a fee of three quarters of a percent (.75%) of the estimated construction value in addition to the base initial fee of one thousand five hundred dollars (\$1,500). If the total estimated construction value of the work to be completed on a project located on a single parcel or multiple contiguous parcels owned or controlled by a single entity within five (5) years from the date of the issuance of the initial building permit for the project is equal to or greater than five hundred million dollars (\$500,000,000) and is not a major subdivision defined by §334a of the Real Property Law, the applicant will be required to pay a fee of one quarter of a percent (.25%) of the estimated construction value notwithstanding the number of building permits issued for such project. If the applicant is a not-for-profit institution that owns the subject property, the applicant will not be required to pay the additional fee in excess of the base initial fee of one thousand five hundred dollars (\$1,500).

§ 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)(26) 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 ordinance shall take effect immediately and shall apply to applications finally approved on or after the effective date.

PROPOSED RESOLUTION NO. 109- 2023

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH AND VARIOUS AGENCIES (“NASSAU COUNTY”), AND SUFFOLK COUNTY, ACTING ON BEHALF OF THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES (“SUFFOLK COUNTY”).

WHEREAS, the Ryan White HIV/AIDS Treatment Modernization Act of 2006, referred to herein after as the “Ryan White Program,” is Federal legislation that addresses the unmet health needs of person living with HIV disease by funding primary health care and support services that enhance access to and retention in care; and

WHEREAS, the Ryan White Program works toward these goals by funding eligible local and state programs that provide primary medical care and support services, healthcare provider training, and technical assistance to help fund programs address that implementation and emerging HIV care issues; and

WHEREAS, Nassau County, acting on its behalf and on behalf of Suffolk County, applied for and was awarded funding under the Ryan White Program; and

WHEREAS, the Nassau County and Suffolk County hereto desire to enter into an intergovernmental agreement (the “Agreement”) in order to implement a program under the Ryan White Program; NOW, THEREFORE be it

RESOLVED, by the Nassau County Legislature authorizes the County Executive to execute the Inter-Governmental Agreement with Suffolk County.

PROPOSED RESOLUTION NUMBER 110- 2023

AUTHORIZING THE COUNTY OF NASSAU TO PARTICIPATE IN A FEDERAL AID TRANSPORTATION PROJECT PROVIDING FOR THE RESURFACING OF VARIOUS COUNTY ROADS, CAPITAL PROJECT H61587-60G, PIN 0761.17 AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE ADVANCEMENT OF SAID AID FOR TRANSPORTATION PROJECTS IN NASSAU COUNTY, NEW YORK.

WHEREAS, the County of Nassau has identified the above transportation improvement project intended to improve the safety and/or efficiency of traffic flow on various roads throughout Nassau County; and

WHEREAS, this project and associated funding, to advance this project has been identified and approved as part of the County's four years Capital Plan; and

WHEREAS, this project PIN 0761.17 for transportation related improvements in Nassau County is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Nassau has been approved to receive Aid on the above project; and

WHEREAS, the County of Nassau has approved of and desires to advance these projects by making a commitment for 100 percent of its local share of the cost; and

WHEREAS, personal service agreements and/or contracts required to further advance these projects will be submitted for Legislative approval, now therefore, be it

RESOLVED, that the County Legislature hereby authorizes the participation of the County in the project not on the State Highway System, and it be further

RESOLVED, that the County Legislature authorizes the County of Nassau to pay in the first instance 100 percent of the of the project cost, or portion thereof, and it be further

RESOLVED, that the County Executive of the County of Nassau be and is hereby authorized to execute agreement numbers PIN 0761.17 on behalf of the County of Nassau with the New York State Department of Transportation in connection with the advancement or approval of this Project and providing for the administration of the Project and the municipality's first instance funding of project's costs and permanent funding of the local share of the Project costs eligible for Aid and all Project costs within appropriations therefore that are no so eligible, and it is further

RESOLVED, that the County Executive of the County of Nassau be and is hereby authorized to execute all necessary additional agreements, supplemental agreements, certifications or reimbursement requests for Aid on behalf of the County of Nassau with the New York State Department of Transportation in connection with the advancement or approval of all phases of this Project and providing for the administration of the Project and the municipality's first instance funding of project's costs and permanent funding of the local share of the Project costs eligible for Aid and all Project costs within appropriations therefore that are no so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

PROPOSED RESOLUTION NO. 111-2023

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO CONTRIBUTE FUNDS TO A REMEDIAL PROJECT AS PER THE TERMS OF AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF GLEN COVE IN RELATION TO A PROJECT TO REMEDIATE CRESCENT BEACH

WHEREAS, the County of Nassau (the "County") and the City of Glen Cove (the "City") as authorized, by Article 5-G of the General Municipal Law, entered into intergovernmental agreement in 2019 (IMA) and to procure environmental remediation services in connection with a project to remediate contamination at Crescent Beach in Glen Cove (the "Project"); and

WHEREAS, as per the terms of the IMA, the Project was divided into two Phases.

WHEREAS, in Phase I the County contributed funds to the City, through its consultant, prepared the remedial plans and specifications,

WHEREAS, the remedial plans and specifications were as per the terms of the IMA submitted to the County's Department of Public Works("DPW") for review and approval,

WHEREAS, DPW has reviewed and approved the remedial plans and specifications prepared pursuant to Phase I of the IMA,

WHEREAS, pursuant to the IMA, DPW is seeking approval for the County's contribution of \$213,080.00 to implement Phase II of the Project- remedial work

WHEREAS, County contribution shall be used to fund the Project as specified at paragraphs 2 and 3 of the IMA.

WHEREAS, pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., on September 30, 2021 the New York State Department of Environmental Conservation (DEC), based on the attached Environmental Assessment Form, issued a Negative Declaration for the Phase II remedial work - which the DEC had categorized as an Unlisted Action - finding that the Phase II remedial work will not result in any significant adverse environmental impacts;

RESOLVED, that the Nassau County Legislature authorizes the County Executive to contribute \$213,080.00 to implement and complete the Project; and be it further.

RESOLVED, that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 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 said Project, as described in the attached Environmental Assessment Form is an "Unlisted Action" within the meaning of Part 617 of 6 N.Y.C.R.R., and, in accordance with the findings expressed in the attached Determination of Non-Significance issued by the DEC will not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 112- 2023

A RESOLUTION PROVIDING FOR THE ISSUANCE OF A WARRANT DIRECTING THE TREASURER OF THE COUNTY OF NASSAU TO PAY TO THE SUPERVISORS OF THE SEVERAL TOWNS AND TO THE TREASURERS OF THE SEVERAL VILLAGES AND CITIES WITHIN THE COUNTY OF NASSAU, THE SUMS AS APPORTIONED BY THE NASSAU COUNTY LEGISLATURE BASED ON A REPORT FILED BY THE COUNTY TREASURER AND THE COUNTY CLERK, SHOWING DEPOSITS FROM MORTGAGE TAXES FOR THE QUARTER BEGINNING January 1, 2023 THROUGH March 31, 2023; PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE.

WHEREAS, the County Treasurer and the County Clerk have heretofore filed with the Clerk of the Nassau County Legislature their joint report showing that the sum of \$ 10,816,403.31 is the net amount to be credited to the various tax districts in the County of Nassau, in accordance with section 5-1.2 of the Nassau County Administrative Code for the quarterly period commencing January 1, 2023, and ending on March 31, 2023; and

WHEREAS, the Nassau County Legislature in pursuance of said section of the Nassau County Administrative Code is required to issue its warrant for payment to the respective tax districts of the County of seventy-five percent of the amounts credited in such report, including an apportionment to incorporated villages within the towns of the County; now, therefore be it

RESOLVED, that the sum of \$ 8,112,302.48 consisting of seventy-five percent of the net amount so credited, as above, is hereby apportioned among the respective tax districts and incorporated villages as follows:

To the Supervisor of the

Town of Hempstead the sum of \$ 3,426,077.71

To the Village Treasurer of the Incorporated
Villages in the Town of Hempstead

VILLAGE	AMOUNT
ATLANTIC BEACH	\$ 8,564.80
BELLEROSE	\$ 2,198.03
CEDARHURST	\$ 24,468.70
EAST ROCKAWAY	\$ 18,093.04
FLORAL PARK	\$ 27,091.07
FREEPORT	\$ 91,335.05
GARDEN CITY	\$ 121,701.83
HEMPSTEAD	\$ 104,847.63
HEWLETT BAY PARK	\$ 4,700.79
HEWLETT HARBOR	\$ 4,591.05
HEWLETT NECK	\$ 1,204.55
ISLAND PARK	\$ 6,778.88
LAWRENCE	\$ 29,097.50
LYNBROOK	\$ 45,007.45
MALVERNE	\$ 16,548.76
MINEOLA	\$ 300.74
NEW HYDE PARK	\$ 6,377.13
ROCKVILLE CENTRE	\$ 80,740.43
SOUTH FLORAL PARK	\$ 923.39
STEWART MANOR	\$ 3,296.11
VALLEY STREAM	\$ 66,357.59
WOODSBURGH	\$ 1,884.44

To the Supervisor of the

Town of North Hempstead, the sum of \$ 1,096,088.61

To the Village Treasurer of the Incorporated
Villages in the Town of North Hempstead

VILLAGE	AMOUNT
BAXTER ESTATES	\$ 2,967.84
EAST HILLS	\$ 22,618.70
EAST WILLISTON	\$ 4,904.05
FLORAL PARK	\$ 3,144.21
FLOWER HILL	\$ 16,012.86
GARDEN CITY	\$ 209.05
GREAT NECK	\$ 31,059.69
GREAT NECK ESTATES	\$ 8,628.11
GREAT NECK PLAZA	\$ 32,879.17
KENSINGTON	\$ 2,901.78
KINGS POINT	\$ 27,953.45
LAKE SUCCESS	\$ 33,411.28
MANORHAVEN	\$ 9,121.44
MINEOLA	\$ 66,918.36
MUNSEY PARK	\$ 8,787.17
NEW HYDE PARK	\$ 9,824.45
NORTH HILLS	\$ 29,873.09
OLD WESTBURY	\$ 18,303.39
PLANDOME	\$ 5,011.25
PLANDOME HEIGHTS	\$ 1,950.80
PLANDOME MANOR	\$ 3,754.59
PORT WASHINGTON N.	\$ 9,535.06
ROSLYN	\$ 15,951.80
ROSLYN ESTATES	\$ 3,222.58
ROSLYN HARBOR	\$ 4,612.29
RUSSELL GARDENS	\$ 3,249.11
SADDLE ROCK	\$ 3,258.80
SANDS POINT	\$ 19,805.27
THOMASTON	\$ 9,046.62
WESTBURY	\$ 26,980.28
WILLISTON PARK	\$ 11,305.35

To the Supervisor of the
Town of Oyster Bay, the sum of \$ 1,875,805.82

To the Village Treasurer of the Incorporated
Villages in the Town of Oyster Bay

VILLAGE	AMOUNT
BAYVILLE	\$ 14,298.13
BROOKVILLE	\$ 36,417.64
CENTRE ISLAND	\$ 2,581.29
COVE NECK	\$ 1,760.41
EAST HILLS	\$ 276.96
FARMINGDALE	\$ 25,487.37
LATTINGTOWN	\$ 19,985.41
LAUREL HOLLOW	\$ 13,144.76
MASSAPEQUA PARK	\$ 24,803.41
MATINECOCK	\$ 13,264.82
MILL NECK	\$ 10,750.25
MUTTONTOWN	\$ 26,576.55
OLD BROOKVILLE	\$ 15,630.16
OLD WESTBURY	\$ 25,070.27
OYSTER BAY COVE	\$ 13,722.75
ROSLYN HARBOR	\$ 763.15
SEA CLIFF	\$ 14,678.59
UPPER BROOKVILLE	\$ 20,876.78

To the City Treasurer of the City of
Long Beach, the sum of \$ 167,214.02

To the City Treasurer or comparable
financial officer of the City of
Glen Cove, the sum of \$ 153,716.77

and be it further

RESOLVED, that the Clerk of the Nassau County Legislature shall execute on behalf of the Legislature a warrant, in pursuance of Section 5-1.2 of the Nassau County Administrative Code, directing the County Treasurer to make payment of the aforesaid sums to the respective officials set forth herein.

warrant is the seal of the Nassau County Legislature and was thereto affixed by order of the Nassau County Legislature; and that he signed said warrant by like order of said Legislature.

PROPOSED RESOLUTION NO. 113- 2023

A RESOLUTION SETTING FORTH THE OFFICERS AND EMPLOYEES DEEMED TO HOLD POLICY-MAKING POSITIONS FOR FILING YEAR 2023 (RELATING TO CALENDAR YEAR 2022) WHO SHALL BE REQUIRED TO FILE ANNUAL STATEMENTS OF FINANCIAL DISCLOSURE PURSUANT TO NASSAU COUNTY ADMINISTRATIVE CODE §22-4.3 AND THE GENERAL MUNICIPAL LAW

WHEREAS, pursuant to Nassau County Administrative Code §22-4.3(4)(b), the Nassau County Board of Ethics is required, annually, to determine the officers and employees of County Departments, Agencies, Boards, Commissions, or Entities who hold policy making positions and to make a list of such officers and employees; and

WHEREAS, pursuant to Nassau County Administrative Code §22-4.3, the Board of Ethics is required to file, and has filed, such a list with the Clerk of the County Legislature; and

WHEREAS, said list does not include certain officers and employees holding titles who are statutorily required to file annual statements of financial disclosure regardless of whether they hold policy making positions pursuant to Nassau County Administrative Code §22-4.3(4)(e); and

WHEREAS, pursuant to Nassau County Administrative Code §22-4.3(4)(b), the County Legislature shall adopt a resolution either ratifying or modifying the list submitted by the Board of Ethics; and

WHEREAS, the County Legislature has, for filing year 2023 (relating to calendar year 2022) considered the Board of Ethics' memorandum to heads of all the County's Departments, Agencies, Boards, Commissions, or Entities regarding who should be considered a policymaker; and

WHEREAS, the heads of the County's Departments, Agencies, Boards, Commissions, or Entities have provided requested information and the identities of certain officers and employees needed to assist the Board of Ethics in promulgating a list of policymakers, by Department, Agency, Boards, Commission, or Entity; now, therefore, be it

RESOLVED, that the officers and employees set forth in the list as shown in Appendix A, attached hereto, are hereby deemed to be policymakers required to file an Annual Statement of Financial Disclosure, pursuant to the relevant provisions of Nassau County Administrative Code §22-4.3; and be it further

RESOLVED, that 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 this appointment is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 114-2023

A RESOLUTION TO ACCEPT A GIFT OFFERED BY THE NASSAU COUNTY POLICE DEPARTMENT FOUNDATION TO THE NASSAU COUNTY POLICE DEPARTMENT.

WHEREAS, the Nassau County Police Department Foundation has presented to the Nassau County Police Department a gift in the form of the architectural services of the Spector Group to assist with the architectural design and development, construction documents, bidding and negotiations and construction administration for the Training Village at the David S. Mack Center for Training and Intelligence valued at an approximate amount of \$775,000.00; and

WHEREAS, the said donation will assist the Nassau County Police Department in its commitment to training its officers through the use of the Training Village; and

WHEREAS, the Nassau County Police Department deems the acceptance of such a gift to be in the best interest of Nassau County; now therefore, be it

RESOLVED, that the said gift is gratefully accepted and the County Executive is hereby authorized to direct the Nassau County Police Department to accept the donation and to use the donation in furtherance of the Department's mission.

PROPOSED RESOLUTION NO. 115 – 2023

A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND COVERING IMPROVEMENTS ON THE “MAP OF MARINA POINTE AT EAST ROCKAWAY” SITUATED IN THE VILLAGE OF EAST ROCKAWAY AND HAMLET OF OCEANSIDE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK.

WHEREAS, Beechwood Atlantic Ave., LLC (“Applicant”) submitted to the Nassau County Planning Commission (“Commission”), a request for a release of the surety bond and escrow deposit covering public improvements included on the approved subdivision map known as the “Map of Marina Pointe at East Rockaway” in the Village of East Rockaway and the Hamlet of Oceanside, Town of Hempstead, Nassau County, New York; and

WHEREAS, the Commission granted Final Subdivision Map approval on February 16, 2017; and

WHEREAS, said public improvements were secured by Applicant in the form of a surety bond secured by Fidelity and Deposit Company of Maryland, in the amount of \$1,467,678.33 and Cash Escrow deposit held by Nassau County in the amount of \$47,453.97; and

WHEREAS, on November 21, 2022, the Applicant applied for release of the Surety Bond in the amount of \$1,467,678.33 and Cash Escrow in the amount of \$47,453.97; and

WHEREAS, upon inspection by the Nassau County Department of Public Works (“DPW”), DPW determined that all required public improvements were constructed and completed in accordance with the appropriate County codes, standards and specifications and recommended that the bond and escrow be released; and

WHEREAS, on March 30, 2023, the Commission conducted a duly noticed public hearing on the proposed release of Surety Bond and Cash Escrow; and

WHEREAS, at said hearing, the Commission gave full consideration of the application, testimony, and public comment, if any, presented at the public hearing and inspection report; and

WHEREAS, during the public comment portion of said public hearing, an individual residing at Marina Pointe at East Rockaway spoke and brought to the attention of the Commission that one of the bonded public improvements, a portion of a sidewalk, required remediation; and

WHEREAS, the Commission has recommended to the County Legislature that the Surety Bond should now be released, but that the Cash Escrow continue to be held until that portion of the sidewalk in need of remediation has been repaired and inspected; and

WHEREAS, the Commission, by resolution, has recommended that the Principal and Surety on said Bond in the amount of \$1,467,678.33 be released from further liability thereunder; now therefore be it

RESOLVED, that the Nassau County Legislature does hereby consent to and authorize the release of the Principal and Surety on the following Surety Bond and from any further liability thereunder:

<u>Date of Resolution</u>	<u>Plat/location</u>	<u>Principal</u>	<u>Amount of Surety Bond</u>
3/30/2023	“Map of Marina Pointe at East Rockaway”: Village of East Rockaway and Hamlet of Oceanside, Town of Hempstead	Beechwood Atlantic Ave., LLC	\$1,467,678.33

PROPOSED RESOLUTION NO. 116 – 2023

A RESOLUTION TO AUTHORIZE A TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2023

WHEREAS, the County Executive, by communication dated April 26, 2023 addressed to the County Legislature, has advised that transfers of appropriations heretofore made have been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2023; and

WHEREAS, the transfers have been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer known as BTCW23000018 is as follows:

BOARD TRANSFER NO. BTCW23000018

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	HE-GRT-CNY6-AA98Z	Health Department - Grant Fund – Salary, Wages & Fees	\$ 70,341.00
	HE-GRT-CNY6-AB10F	Health Department – Grant Fund – Fringe Benefits	\$ 77,326.00
	TOTAL		\$ 147,667.00
<u>TO</u>	HE-GRT-CNY6-DE547	Health Department - Grant Fund – Contracted Services	\$ 147,667.00
	TOTAL		\$ 147,667.00

and;

WHEREAS, the said transfer known as BTCW23000019 is as follows:

BOARD TRANSFER NO. BTCW23000019

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	HE-GRT-HVX5-DD498	Health Department - Grant Fund – General Expenses	\$ 84,000.00
	TOTAL		\$ 84,000.00
<u>TO</u>	HE-GRT-HVX5-AA97Z	Health Department - Grant Fund – Salary, Wages & Fees	\$ 37,108.00
	HE-GRT-HVX5-AB10F	Health Department – Grant Fund – Fringe Benefits	\$ 46,892.00
	TOTAL		\$ 84,000.00

WHEREAS, the said transfers of appropriations are recommended by the County

Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of appropriations heretofore made within the budget for the year 2023, as hereinabove set forth; and be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that 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 this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(26) 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, is a class of actions which does not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 117-2023

A RESOLUTION TO WAIVE FEES CHARGED BY NASSAU COUNTY TO ANY POST OR HALL OWNED BY A NOT-FOR-PROFIT CONGRESSIONALLY CHARTERED VETERANS' ORGANIZATION LOCATED IN NASSAU COUNTY

WHEREAS, not-for-profit congressionally chartered veterans' organizations, such as the American Legion and Veterans of Foreign Wars, provide critical services to Veterans and advocate on their behalf; and

WHEREAS, pursuant to New York State County Law §226-c, Nassau County has been authorized to waive fees, including but not limited to building permit review fees and fees associated with capital improvements to any post or hall owned by a not-for-profit congressionally chartered veterans' organization located in Nassau County; NOW THEREFORE BE IT

RESOLVED, that Nassau County shall waive all fees that may be charged by Nassau County to any post or hall owned by a not-for-profit congressionally chartered veterans' organization located within its jurisdiction; and be it further

RESOLVED, all fees received by Nassau County from any not-for-profit congressionally chartered veterans' organization on or after November 11, 2019 shall be refunded, upon application by such veterans' organization, within 60 days of such application.