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PROPOSED ORDINANCES

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PROPOSED ORDINANCE NO. 62 –2018

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Office of Management and Budget.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 4, 2018, 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)
\$495,580	ILS Distribution #6 – Year 1 and Year 2	GRT	BU	DE	\$495,580

§ 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)(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, 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. 20-2018

AN ORDINANCE to require owners, lessees, tenants, and occupants of business or commercial real property that abut county roads to remove snow and ice from paved sidewalks and prohibit such owner, lessees, tenants and occupants of business or commercial real property from depositing snow and ice onto county roads.

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

Section 1. Every owner, lessee, tenant, occupant, or other person in charge of real property that is categorized as Class Four pursuant to New York State Real Property Tax Law § 1802(1)(a) that abuts county roads with paved sidewalks outside of villages or cities shall remove snow or ice from those paved sidewalks within four hours after snow and/or ice ceases to fall. No such removal is required between the hours of 9:00 p.m. and 7:00 a.m., and if the time between the cessation of snow and/or ice precipitation and any hour between 9:00 p.m. and 7:00 a.m. is less than four hours, the owner, lessee, tenant, occupant, or other person in charge of real property as described above shall have until 11:00 a.m. to remove the snow or ice.

§ 2. If snow and/or ice on county road paved sidewalks abutting business and commercial real property outside of villages and cities is frozen in such a manner that it cannot be removed without causing damage to the sidewalk, any person required to remove snow and/or ice pursuant to section 1 of this ordinance must apply sand, sawdust, or other material that causes snow and/or ice to melt or become less slippery to pedestrians within the time specified by section 1 of this ordinance. Paved sidewalks that are covered with this material must be cleaned as soon as the weather permits.

§3. No owner, lessee, tenant, occupant, or other person in charge of real property that is categorized as Class Four pursuant to New York State Real Property Tax Law § 1802(1)(a)

that abuts county roads shall shovel, blow, sweep, direct, push, place, throw or otherwise deposit or cause or permit any contractor, employee, agent or other person to shovel, blow, sweep, direct, push, place, throw or otherwise deposit snow, ice, or slush onto a county road whether such be a county road as defined in this title or a county road constructed pursuant to article six of the Highway Law.

§ 4. A violation of this ordinance is punishable by a fine not exceeding \$250 for the first offense, not exceeding \$500 for a second offense, and not exceed \$1500 for each subsequent offense. Each day that a violation is committed or is permitted to continue constitutes a separate offense and is punishable as such.

§5. This ordinance shall be enforced by the Nassau County Department of Public Works.

§ 6. 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)(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, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 7. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 58 - 2018

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO ACCEPT, ON BEHALF OF THE COUNTY OF NASSAU, AN OFFER OF PURCHASE FROM NASSAU STEEL, LLC OF CERTAIN REAL PROPERTY LOCATED IN BETHPAGE, TOWN OF OYSTER BAY, COUNTY OF NASSAU, STATE OF NEW YORK, SAID REAL PROPERTY KNOWN AS SECTION 46, BLOCK G, LOT 99 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED, CONTRACT OF SALE, AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMATE THE SALE.

WHEREAS, the County of Nassau did heretofore acquire title to this property; and

WHEREAS, the Nassau County Legislature has been advised that the aforesaid premises are no longer required by the County of Nassau for public purposes; and

WHEREAS, Nassau Steel, LLC has requested that the County of Nassau convey to it the aforesaid parcel consisting of approximately 6.44 acres of land and the improvements thereon and has made an offer to purchase same in the amount of Three Million and 00/100 (\$3,000,000.00) Dollars, pursuant to the terms and conditions set forth in that certain Contract of Sale (the "Contract") by and between the County of Nassau and Nassau Steel, LLC, a copy of which is on file in the office of the Clerk of the Nassau County Legislature (the "Sale"); and

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 disposition of the subject property, and determined that it is an "Unlisted Action" pursuant to the New York State Environmental Quality Review Act ("SEQRA"), and has further

reviewed the Short Environmental Assessment Form (“SEAF”) for the proposed action and recommends that the Legislature upon its review of the SEAF and any supporting documentation, if any, determine that the evidence before it indicates 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 regarding 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.

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

1. That the County Executive is hereby authorized to accept the offer of purchase from Nassau Steel, LLC in the sum of Three Million and 00/100 (\$3,000,000.00) Dollars, for said real property being more particularly described as follows:

All that certain plot, piece or parcel of land situated, lying, and being in the unincorporated area of Bethpage, Town of Oyster Bay, County of Nassau, State of New York, known and designated as Section 46, Block G, Lot 99 on the Land and Tax Map of the County of Nassau, subject to all of the terms and conditions as outlined in the Contract.

2. That the County Executive be and hereby is authorized to execute for, and on behalf of the County of Nassau, the deed from the County of Nassau, as Grantor, to Nassau Steel, LLC as Grantee, upon compliance with the terms and conditions of the Sale, and to execute any and all other instruments, including the Contract, and to take such other action as is necessary, to effectuate the terms of such offer and carry out the purposes of the Contract.

3. 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 proposed sale of the subject property 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 SEAF.

4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 59- 2018

AN ORDINANCE TO AMEND ORDINANCE NO. 105-1985 AS AMENDED BY
ORDINANCES 154-1989, 103-2000, AND 203-2001 WITH REGARD TO MAINTENANCE
AND GUARANTEES ASSOCIATED WITH ROAD OPENINGS IN NASSAU COUNTY

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

Section 1. Section 2. of Ordinance No. 105-1985 is amended as follows:

Section 2. No person, association of persons, corporations, municipal corporation, or any other legal entity whatsoever shall be allowed to open and dig upon any County road or in any way alter any curbing, gutter, basin, drainage line, or other works of the County for any purpose without a written permit from the Commissioner of the Department of Public Works of the County. Notwithstanding any law or rule to the contrary, every person, association of persons, corporations, municipal corporations, and any other legal entity whatsoever that is granted a permit from the Commissioner of the Department of Public Works of the County to open and dig upon any County road or in any way alter curbing, gutter, basin, drainage line, or other works of the County shall agree to maintain restorations and correct failed restorations at the direction of the Commissioner of the Department of Public Works for a period of seven (7) years after the acceptance of restoration by the Commissioner of the Department of Public Works.

§2. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this ordinance or the application thereof to any Permittee, 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 Permittee, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

§3. State Environmental Quality Review Act Determination

It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Ordinance will not have a significant impact on the environment and that no further environmental review or action is required.

§4. Effective Date:

This Ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 60 –2018

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Police 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 June 04, 2018, 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)
\$27,016.16	Restitution Funds	GRT	PD	DD	\$27,016.16

§ 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)(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, 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. 61 –2018

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Police 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 June 05, 2018, 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>			
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\$202,182	NYS Office of Homeland Security	GRT	PD	AA	\$29,600
				AB	\$10,400
				BB	\$157,682
				DD	\$4,500

§ 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)(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, 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.

