

**PROPOSED ORDINANCE NO. 47 - 2018**

**AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT AND MASTER ENERGY AGREEMENT, BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND NASSAU ENERGY, LLC (FORMERLY KNOWN AS NASSAU DISTRICT ENERGY CORP.), AS TENANT, OF CERTAIN PREMISES LOCATED IN MITCHEL FIELD ON CHARLES LINDBERGH BOULEVARD, UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOT 407 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH.**

WHEREAS, the County of Nassau (the “County”) leases to Nassau Energy, LLC, (formerly known as Nassau District Energy Corp.) (“Tenant”) the above-described property (hereinafter, the “Premises”) pursuant to a Lease Agreement with an effective date as of February 2, 1990, as amended (collectively, the “Lease”), and, in connection therewith, entered into that certain Master Energy Agreement with an effective date as of February 2, 1990, as amended (collectively, the “Master Energy Agreement”); and

WHEREAS, the County and Tenant desire to enter into a Master Amendment Agreement to amend the Lease and the Master Energy Agreement, by, among other things, extending the terms of the Lease and the Master Energy Agreement; all as is set forth in the Master Amendment Agreement, a copy of which is on file in the office of the Clerk of the Nassau County Legislature; now, therefore,

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

1. That the County Executive is hereby authorized to execute, on behalf of the County of Nassau, the Master Amendment Agreement, and to execute any and all other instruments and to take such other action as is necessary to effectuate and carry out the purposes of the Master Amendment Agreement.

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 Ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20), 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.