

PROPOSED ORDINANCE NO. 48 –2018

AN ORDINANCE AMENDING ORDINANCE NO. 543-1995, AS AMENDED, WITH RESPECT TO THE SALARIES FOR CERTAIN “NON-CONTRACT” EMPLOYEES OF THE COUNTY OF NASSAU.

WHEREAS, Ordinance No. 77-2014 created salary limitations for promotion to the Police Department titles of First Deputy Commissioner, Second Deputy Commissioner, Chief of Department, Chief of Detectives, Chief of Patrol and Chief of Support; and

WHEREAS, the Police Department has not been able to permanently fill these titles because the salary limitations would result in pay decreases to qualified candidates, and furthermore could result in an individual being promoted who has a salary less than his or her subordinates; and

WHEREAS, the Police Department has relied on acting titles to maintain the Department’s command and rank structure; and

WHEREAS, the County wants to encourage the best qualified people to seek promotion to these titles; wants to rely on actual appointments rather than acting assignments; and needs to create a salary structure to accomplish this goal; now, therefore,

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

Section 1. Subsection b of section 5.3 of Ordinance No. 543-1995, as last amended by Ordinance No.77-2014, is REPEALED, and a new subsection b is added to read as follows:

(b) Salaries for Police Department in titles above Assistant Chief

The salary of a member of the Police Force in the County who is appointed after January 1, 2018, in a title above Assistant Chief, shall be established by the Commissioner of

Police commensurate with the command and rank structure of the Police Department, but, in no event shall the salary of any individual so appointed exceed the salary of the Commissioner of Police.

§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 this 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.

§3. If any clause, sentence, paragraph, subdivision, section, or part of this title 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.

§4. This ordinance shall take effect immediately.