

Submitted by the County Executive and Introduced by Presiding Officer Norma Gonsalves

LOCAL LAW NO. 4 - 2017

A LOCAL LAW TO AMEND THE COUNTY ADMINISTRATIVE CODE IN
RELATION TO THE INDEMNIFICATION OF COUNTY BOARD MEMBERS.

Passed by the Nassau County Legislature on April 24, 2017
Voting: ayes: 17, ~~N~~ayes: 0, Abstained: 0, Recused: 2

Became a law on April 26, 2017 with the approval of the County Executive

APPROVED AS TO FORM
Richard V. West

Deputy County Attorney

WHEREAS, in 2015 the County Legislature of the County of Nassau enacted Ordinance 87-2015 entitled An Ordinance to Create a Land Bank in Nassau County; and

WHEREAS, pursuant to Article 16 of the New York Not-for-Profit Corporation Law Ordinance 87-2015 appointed Directors to the Board of such Nassau County Land Bank Corporation and provided authority for such steps as are necessary to establish the Land Bank; and

WHEREAS, the laws of the State of New York, specifically Article 16 of the New York Not-for-Profit Corporation Law, provide for the partnership between a Land Bank and its sponsoring foreclosing governmental unit; and

WHEREAS, it is in the interest of the public good to provide the defense and indemnification of such activities of the directors and employees as are in the scope of their duties for the Land Bank; and

WHEREAS, the County defense and indemnification provision continues to provide for the defense and indemnification of the Board of managers of Nassau County Medical Center, a board that no longer exists; now, therefore,

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

Section 1. § 22-2.8(1) of the County Administrative Code of Nassau County (the Administrative Code) is amended to read as follows:

§ 22-2.8. Defense and indemnification of County officers and employees.

1. As used in this section, unless the context otherwise requires the terms "County officer" and "County employee" shall mean any person holding a position by election, appointment or employment in the service of the County, whether or not compensated, or a volunteer expressly authorized to participate in a county sponsored volunteer program, but shall not include an independent contractor. For the purposes of this law the terms "County Officer" and "County Employee" shall include members of all boards and commissions of the County, the members of the Board of trustees of Nassau Community College, the members of the Nassau County Industrial Development Agency, the members of the Nassau County Local Development Corporation, and the members and directors of the Nassau County Tobacco Settlement Corporation, and the employees and directors of the Nassau County Land Bank Corporation. The terms County Officer and County employee shall also include a former employee member or director, his estate or judicially appointed personal representative.

Section 2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law 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 law, 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.

Section 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 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.

Section 4. This local law shall take effect immediately

APPROVED


County Executive

DATE

April 26, 2017