

MAURICE CHALMERS  
DIRECTOR  
OFFICE OF LEGISLATIVE  
BUDGET REVIEW



NASSAU COUNTY LEGISLATURE  
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**Inter-Departmental Memo**

To: Hon. Norma Gonsalves, Presiding Officer  
Hon. Kevan Abrahams, Minority Leader  
All Members of the Nassau County Legislature

From: Helen M. Carlson, Deputy Director   
Office of Legislative Budget Review

Date: April 21, 2017

Re: Clerk Item 141-17

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Attached is a copy of the Fiscal Impact Statement for Clerk Item 141-17 which is on the Legislative Calendar for the April 24, hearing.

141-17: A Local Law to amend the County Administrative Code in relation to the Indemnification of County Board Members.



**CLERK ITEM 141-17**

**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A local law to amend the County Administrative Code in relation to the indemnification of County Board Members.

**SUMMARY OF LEGISLATION:**

The purpose of this proposed local law is to remove members and directors of the Nassau County Medical Center from, and add members and directors of the Nassau County Land Bank Corporation to, the “County officer” and “County employee” definition in Section 22-2.8 of the Nassau County Administrative Code. This section of the law provides for the County to defend and indemnify County officers and employees. A “County Officer” and “County Employee” refers to any person holding a position by election, appointment or employment in the service of the County, whether or not compensated, or a volunteer authorized to participate in a county sponsored volunteer program, and the members of the boards and commissions of the County. It does not include an independent contractor.

The Board of Managers of the Nassau County Medical Center are being removed from this section of the law, since the board no longer exists and therefore is no longer appointed by the County. The members and directors of the Nassau County Land Bank Corporation are being added, since their employees and directors perform work on behalf of the County, under their partnership with Nassau County, provided by Article 16 of the New York Not-for-Profit Corporation Law. As such, their members should be indemnified by the County.

Section 22-2.8 of the Nassau County Administrative Code also indemnifies the following: members of the Board of Trustees of Nassau Community College, the members of the Nassau Industrial Development Agency, the members of the Nassau County Local Development Corporation and the members and directors of the Nassau County Tobacco Settlement Corporation.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

According to the County Attorney’s Office, there should be no significant fiscal impact related to this proposed local law. There is a potential for future lawsuits if such a case arises in which a member of the Land Bank Corporation would need to be defended.

According to the County Attorney, for those entities with similar headcounts to the Land Bank, no claims have been filed over the past two years. There have been no claims filed against the directors or board members of the Nassau County Industrial Development Agency, the Nassau County Local Development Corporation, or the Nassau County Tobacco Settlement Corporation.

**ECONOMIC IMPACT:**

No significant economic impact is expected as a result of this local law.

**SOURCE:** Nassau County Office of the County Attorney

**FISCAL IMPACT PREPARED BY:**

Helen M. Carlson, Deputy Director  
Connie Tucker, Senior Budget Analyst