

Submitted by the County Executive and Introduced by Presiding Officer Richard Nicoletto, Deputy Presiding Officer Howard Kopel, Alt. Deputy Presiding Officer Denise Ford, Minority Leader Kevan Abrahams, and Legislators C. William Gaylor, III, Vincent Muscarella, James Kennedy, Thomas McKeivitt, Laura Schaefer, John Ferretti, Jr., RoseMarie Walker, Steven Rhoads, Siela Bynoe, Carrie Solages, Debra Mule, Ellen Birnbaum, Delia DeRiggi-Whitton, Arnold Drucker, and Joshua Lafazan

LOCAL LAW NO. 10 - 2020

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE
IN RELATION TO THE LEASE OF REAL PROPERTY.

APPROVED AS TO FORM



Deputy County Attorney

Passed by the Nassau County Legislature on September 21, 2020
Voting: Ayes: 19, Nays: 0
Became a law on September 23, 2020 with the approval of the
Deputy County Executive acting on behalf of the County Executive.

WHEREAS, the New York State County Law limits the term of a lease entered into by the County as lessee to a term of five years; and

WHEREAS, it is in the best interests of the County to enter into a real estate lease for the conduct of County business which is not limited to a term of five years; and

WHEREAS, the County is empowered to adopt local laws that are inconsistent with the provisions of the New York State County Law and thus exempt itself from the application of such provisions of State law; now, therefore

BE IT ENACTED by the Nassau County Legislature as follows:

Section 1. The title of Article 1 of Title B of Chapter XI of the Nassau County Administrative Code is amended to read as follows:

Article 1. Acquisition, Lease, and Disposal of Real Property

Section 2. Article 1 of title B of chapter XI of the Nassau County Administrative Code is amended by adding a new section 11-10.5 to read as follows:

§ 11-10.5. Lease of real property for county purposes.

Notwithstanding the provisions of subdivision three of section two hundred fifteen of the County Law and subject to the approval of the County Legislature, the County is hereby authorized and empowered to enter into a written agreement for the lease, rental or occupancy of real property for a term that may exceed five years.

Section 3. 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 4. 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) (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 5. This local law shall take effect immediately and shall expire on December 31, 2020.

APPROVED

Olivia Williams

for **County Executive**

Date *Sept 23, 2020*