

Submitted by the County Executive and Introduced by

LOCAL LAW NO. 28 - 2009

A LOCAL LAW to amend the Nassau County Administrative Code, in relation to the lease of real property.

Passed by the Nassau County Legislature on December 7, 2009

Voting: ayes: 18, naves: 0, abstained: 0

Became a law on December 10, 2009 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 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

§ 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.

APPROVED AS PER CHARTER

Lisa B. Lanz

Deputy County Attorney

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Notwithstanding the provisions of subdivision three of section two hundred fifteen of the County Law and subject to the approval of the 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.

§ 3. This Legislature hereby finds and determines, 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 action relating to this local law 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.

§ 4. This local law shall take effect immediately and shall expire on April 15, 2010.

APPROVED

Marilyn Gottlieb
County Executive

12/10/09