


Submitted by the County Executive and Introduced by

LOCAL LAW NO. 1 - 2012

A LOCAL LAW TO AMEND ARTICLE XII OF THE NASSAU COUNTY CHARTER
IN RELATION TO THE ESTABLISHMENT OF A DIVISION OF REAL ESTATE
SERVICES WITHIN THE DEPARTMENT OF PUBLIC WORKS.

Passed by the Nassau County Legislature on March 5, 2012
Voting: ayes:10, nays: 9, abstained: 0
Became a law on March 12, 2012 with the approval of the County Executive.

APPROVED AS TO FORM

Deputy County Attorney

WHEREAS, Local Law 21-2002 vested in the County Executive responsibility for the planning of space requirements, management, assignment and use of county owned buildings and grounds; and

WHEREAS, Executive Order 1-2002 created the Office of Real Estate Services within the Office of the County Executive; and

WHEREAS, responsibility for the planning of space requirements and the management of county owned buildings should be vested in the Department of Public Works; and,

WHEREAS, the Office of Real Estate Services should be reestablished as the Division of Real Estate within the Department of Public Works; now, therefore,

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BE IT ENACTED by the County Legislature as follows:

Section 1. Subdivision 1 of Section 203 of the Nassau County Charter is amended to read as follows:

1. It shall be the duty of the County Executive to supervise, direct, and control, subject to the provisions of the act, the administration of all departments, offices and functions of the county government. In the exercise of this responsibility, the County Executive shall be authorized, in addition to such other powers as may be necessary to maintain the efficient operation of county government, to develop, maintain and administer services on a county-wide basis that are common needs of all departments of county government, including, but not limited to, personnel and labor management; building security; management of county-owned vehicles; the provision of services to departments involving relations with the press and photography, mail, printing, reproduction and graphic art; grant application and administration; and the receipt and response to communications from members of the public. The County Executive shall appoint, except as otherwise provided in this act, subject to confirmation by the County Legislature, the head of every county department and office and members of county boards and commissions. The County Executive may at any time remove any person so appointed; provided that in the case of members of boards and commissions appointed for definite terms, no removal shall be made until the person to be removed has been serviced with a notice of the reasons for such removal and given an opportunity to be heard, publicly if he or she desires, thereon by the County Executive. The decision of the County Executive shall be final. The County Executive shall also appoint without confirmation by the County Legislature, and remove at his or her pleasure, the employees in his or her own office and such employees shall not be members of the classified service.

§ 2. A new section 1236 of Article XII of the Nassau County Charter is created as follows:

§ 1236. **Division of Real Estate Services.** There is hereby established within the Department of Public Works a Division of Real Estate Services, the head of which shall be the Director of Real Estate Services. The Director of Real Estate Services shall be appointed by the County Executive. The Director shall appoint such other officers and employees of the department, within the appropriation therefor, as are necessary to effectuate the purposes of the department. The Division of Real Estate Services shall be responsible for the planning of space requirements, management, assignment and use of county owned buildings and grounds.

§3. Construction. Any reference in the County Government Law of Nassau County, the Nassau County Administrative Code or any other law, ordinance, resolution, rule or regulation or in any contract, grant, lease or other agreement to the Office of Real Estate Services shall be deemed to apply to the Division of Real Estate Services of the Department of Public Works.

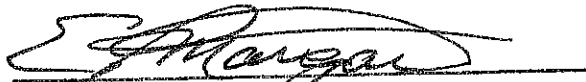
§4. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(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.

§5. Severability. If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the

clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered

§6. Effective Date. This local law shall be effective immediately, provided that the Office of Real Estate Services shall not be abolished nor its functions transferred prior to compliance with the provisions regarding transfer of employees pursuant to section 70 of the Civil Service Law and the provisions of section 307 of the County Government Law of Nassau County regarding the transfer of appropriations to the Department of Public Works.

APPROVED



County Executive

DATE 3-12-2012