

Amendment in the Nature of a Substitution – Clerk Item 239-14

Introduced by: Presiding Officer Norma L. Gonsalves, Deputy Presiding Officer Richard J. Nicoletto, Alternate Deputy Presiding Officer Howard J. Kopel, and Legislators Denise Ford, Francis X. Becker, Jr., Vincent T. Muscarella, Michael Venditto, Laura Schaefer, Dennis Dunne, Sr., Rose Marie Walker, Donald MacKenzie

LOCAL LAW 10-2014

A LOCAL LAW TO AMEND NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO THE COMPOSITION AND JURISDICTION OF THE NASSAU COUNTY WATER RESOURCES BOARD

FORM APPROVED
MAJORITY COUNSEL

Passed by the Nassau County Legislature on July 14, 2014
Voting: ayes: 18 nays: 0 abstained: 0

Became a law on July 18, 2014 with the approval of the County Executive

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

Section 1. §21.90.0 of the Nassau County Administrative Code is hereby amended to read as follows:

§21.90.0 Legislative intent and declaration of policy. The County Legislature recognizes that the protection of Nassau County’s precious groundwater resources is of critical importance to the health and wellbeing of its residents deems it in the best interests of the County of Nassau to establish he Nassau County Water Resources Board. The objective of the board is to review and consider potential and existing threats to the quantity and quality of Nassau County’s groundwater resources, monitor the actions and proposals of local and neighboring groundwater suppliers that may potentially impact Nassau County’s sole source aquifer, and act as a liaison between the County, New York State Department of Environmental Conservation, the United States Environmental Protection Agency, the United States Geological Survey, Long Island Commission on Aquifer Protection, regional suppliers outside Nassau County, all existing water systems within the County, and any other agency or organization the Board determines is necessary to carry out its duties.

§2. §21-90.2 of the Nassau County Administrative Code is hereby amended to read as follows:

§21-90.2 Membership

a.

- i. The Board shall consist of at least five and not more than nine voting members appointed by the County Executive subject to the confirmation of the County Legislature. Such members shall serve at the pleasure of the County Executive. As far as may be practicable, the members shall be citizens possessing outstanding qualifications in the various disciplines associated with the public water supply and related fields, including but not limited to hydrology, geology, hydrogeology, public sanitation, public health, engineering, academia with a specialization in the study of groundwater issues, environmental protection and advocacy, environmental law, or employment with a public water provider..
- ii. The Commissioner of Public Works, the Commissioner of Health and the County Attorney, or their designees shall be ex officio members of the Board and shall possess the same voting privileges as the member designated in paragraph i of this subdivision. The Presiding Officer and Minority Leader of the Nassau County Legislature shall each appoint one non-voting member.

b. The County Executive shall designate one of the appointive voting members as Chairman of the Board. The County Legislature, may appropriate sufficient sums to meet the expenses of the Board. The Board shall employ such personnel as may be provided by ordinance. The County Executive, on his or her own initiative or upon the request of the Board may, from time to time, and for designated purposes, assign or detail public employees to perform work for the Board and may enter into contracts on behalf of the Board.

c. The Board shall meet at least quarterly throughout the calendar year. Notice of meetings shall be provided, and such meetings shall be open to the public in compliance with the provisions of the Public Officers Law. Minutes of the meetings shall be kept and meeting agendas and minutes shall be provided to all members of the Board.

§3. §21-90.3 of the Nassau County Administrative Code is hereby amended to read as follows:

§21-90.3 Powers and Duties. The Board shall have the following powers and duties:

1. To review and consider potential imminent, short-term and long-term threats, as well as existing threats, to the quantity and quality of Nassau County's groundwater resources.

2. To monitor the actions and proposals of neighboring groundwater suppliers determined by the Water Resources Board to potentially threaten Nassau County's water supply.
3. For proposals and actions of neighboring and local groundwater suppliers determined by the Water Resources Board to be a potential threat to Nassau County's water supply, to oversee such suppliers' responsibilities pursuant to the State Environmental Quality Review Act and any permit issued by the New York State Department of Environmental Conservation so as to ensure that any actions taken by such suppliers do not have an adverse impact on Nassau County's water supply.
4. To act as a liaison between the County, New York State Department of Environmental Conservation, the United States Environmental Protection Agency, the United States Geological Survey, Long Island Commission on Aquifer Protection, regional suppliers outside Nassau County, all existing water systems within the County, and any other agency or organization the Board determines is necessary to carry out its duties.
5. To authorize the preparation or collection of research and data, and to consider such other reports, studies and surveys as may be pertinent to the duties of the Board.
6. To report to the County Executive and the County Legislature from time to time to make such recommendations as the Board deems appropriate concerning the matters authorized for its study and action or to recommend actions, including legal activity the County may undertake to protect against adverse impacts to the quantity and quality of Nassau County's water supply.
7. To submit an annual report to the County Executive and County Legislature on or before February first of each year for the preceding calendar year.

§4. §21-9.0.4 of the Nassau County Administrative Code is hereby amended to read as follows:

§21.90.4 Compensation and expenses. Unless otherwise provided by ordinance of the County Legislature, the members of the Board shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties hereunder.

§5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this local 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 order or judgment shall be rendered.

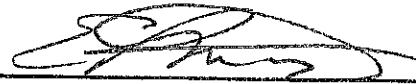
§6. SEQRA Determination

It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required.

§7. Effective Date:

This law shall take effect immediately after becoming a law.

APPROVED



County Executive

DATE *July 18, 2014*