

PROPOSED ORDINANCE NO. 243 - 2012

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE A LEASE BETWEEN THE COUNTY OF NASSAU, AS TENANT AND 89TH JAMAICA REALTY COMPANY LLC IN CONNECTION WITH THE LEASE OF REAL PROPERTY KNOWN AS BLOCK 9795, LOT 65 ON THE TAX MAP OF THE CITY OF NEW YORK AND LOCATED AT 89TH AVENUE AND MERRICK BOULEVARD IN JAMAICA, BOROUGH OF QUEENS, CITY OF NEW YORK, STATE OF NEW YORK.

WHEREAS, the Nassau Inter-County Express (NICE), operated under a contract between the County of Nassau and Veolia Transportation Services, Inc., utilizes six (6) bus bays located at Block 9795, Lot 65 on the Tax Map of the City of New York located at 89th Avenue and Merrick Boulevard in Jamaica, Borough of Queens; City of New York (the "Premises") to discharge and receive bus passengers;

WHEREAS, the Premises has been utilized in the past by the Metropolitan Suburban Bus Authority d/b/a Long Island Bus through an expired lease;

WHEREAS, the County and 89th Jamaica Realty Company LLC (the "Landlord"), the owner of the Premises, desire to formalize a lease for the above Premises for use by the County's bus system;

WHEREAS, the County and the Landlord have negotiated a new lease (the "Lease") to rent the Premises from the Landlord, a copy of which lease is on file with the Clerk of the Legislature;

WHEREAS; the Department of Public Works Division of Real Estate Services has reviewed the proposed action, namely entering into the Lease, and has completed and reviewed the Environmental Assessment Form (“EAF”) attached hereto as Appendix A for the proposed action and recommends that the Nassau County Legislature determine that the proposed action is an “Unlisted Action” pursuant to SEQRA and that the Nassau County Legislature determine that the proposed action will have no significant environmental impact and does not require further environmental review.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

SECTION 1. That the County Executive be and he is hereby authorized to execute on behalf of the County of Nassau, the Lease, subject to all the terms and conditions as contained in said Lease.

SECTION 2. That the County Executive is hereby authorized to execute any and all ancillary documents necessary to carry out the purposes of the Lease.

SECTION 3. That 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 proposed action has been determined not to have a significant effect on the environment and that no further review is required for the reasons set forth in the attached determination of Non-Significance.

SECTION 5. This Ordinance shall take effect immediately.