

PROPOSED ORDINANCE NO. 9-2012

AN ORDINANCE TO AMEND APPENDIX A OF ORDINANCE 198-2011, AN ORDINANCE TO AMEND THE NASSAU COUNTY BUDGET AS ADOPTED BY ORDINANCE 181-2010 FOR THE 2011 FISCAL YEAR, BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011, AND TO AMEND THE NASSAU COUNTY BUDGET AS ADOPTED BY ORDINANCE 160-2011 FOR THE 2012 FISCAL YEAR, BEGINNING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012 IN ORDER TO ABOLISH CERTAIN POSITIONS PURSUANT TO LOCAL LAW 16-2011.

APPROVED AS TO FORM

Deputy County Attorney

WHEREAS, on December 19, 2011, this Legislature adopted Ordinance 198-2011, an Ordinance to amend the County Budget for fiscal years 2011 and 2012 to abolish certain positions of employment; and

WHEREAS, said Ordinance listed certain positions of employment in Appendix A which were targeted for abolition; and

WHEREAS, several positions of employment which were slated to be eliminated were not included in said Appendix A; and

WHEREAS, several positions of employment listed on said Appendix A were stayed from abolition by the County Executive pursuant to Ordinance 198-2011 and Local Law 16-2011 and must now be formally restored to the 2012 Nassau County Budget; and

WHEREAS, the County Executive submits this ordinance in accordance with Local Law 16-2011; now therefore,

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

Section 1. Appendix A to Ordinance 198-2011 is hereby amended to include the positions listed on Appendix A to this Ordinance. The positions listed below in Appendix A to this Ordinance in the departments referenced therein, and as set forth in the 2012 Nassau County Budget Ordinance, shall be deemed abolished effective immediately, provided that no appropriation for compensation for positions listed in Appendix A shall be deemed rescinded with respect to compensation for services performed prior to the passage of this Ordinance.

§ 2. Appendix A to Ordinance 198-2011 is hereby amended by removing the positions listed on Appendix B to this Ordinance. The positions listed below in Appendix B were stayed from abolition by the County Executive pursuant to Local Law 16-2011 and Ordinance 198-2011 and are hereby restored to the 2012 Nassau County Budget.

§ 3. This ordinance, including Appendix A and Appendix B hereto, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 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 Ordinance is a "Type II" Action within the meaning of Section 617.5(c)(20), 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 section, subdivision or provision of this Ordinance or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance, or the application thereof to other persons or circumstances.

§ 6. This Ordinance shall take effect immediately.