



NASSAU COUNTY LEGISLATURE  
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**Inter-Departmental Memo**

To: Hon. Richard Nicoletto, Presiding Officer  
Hon. Kevan Abrahams, Minority Leader  
All Members of the Nassau County Legislature

From: Maurice Chalmers, Director  
Office of Legislative Budget Review 

Date: September 20, 2019

Re: Clerk Items 275-19, 276-19, 277-19, 278-19, 291-19, 292-19, 293-19, 298-19, 299-19,  
327-19, 328-19, 330-19, 331-19 & 350-19

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Attached are copies of the Fiscal Impact Statements for the Legislative Calendar for the September 23 hearing.

- 275-19: A Local Law to Amend the County Government Law of Nassau County in Relation to the Inspection of Residential Properties by Employees of the Department of Assessment.
- 276-19: A Local Law to Amend the Nassau County Administrative Code in Relation to Assessments.
- 277-19: A Local Law to Amend Section 605 of the County Government Law of Nassau County to require Public Hearings in Relation to the Completion of the Tentative Assessment Roll.
- 278-19: A Local Law to Amend the County Government Law of Nassau County in Relation to the Establishment of a Residency Requirement for the County Assessor.
- 291-19: A Local Law to Amend Title 45 of the Miscellaneous Laws of Nassau County.

- 292-19: A Local Law to add a new Title to the Miscellaneous Laws of Nassau County to authorize the impoundment of bicycles that are operated in a dangerous manner in controvention of the rules of the road.
- 293-19: A Local Law in relation to establishing a demonstration program imposing owner liability for failure of an operator to stop for a school bus displaying a red visual signal and stop-arm and amending the Nassau County Administrative Code in relation to the jurisdiction of the Nassau County Traffic and Parking Violations Agency (TPVA).
- 298-19: A Local Law to establish within the Nassau County Police Department the Office of Mental Health and Wellness division.
- 299-19: A Local Law to establish within the Nassau County Sheriff's Department the Health and Wellness Division.
- 327-19: A Local Law to prohibit the inhumane restraint of pets.
- 328-19: A Local Law to prohibit the harassment of a Police Officer, Peace Officer or First Responder.
- 330-19: A Local Law to amend Section 22-4.3 of the Nassau County Administrative Code, in relation to increasing access to the annual statements of financial disclosure of Elected Officials.
- 331-19: A Local Law to amend the Nassau County Human Rights Law in relation to reasonable accommodations.
- 350-19: A Local Law to amend Nassau County Miscellaneous Laws in relation to restricting advertising of age-restricted products.



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to Amend the County Government Law of Nassau County in Relation to the Inspection of Residential Properties by Employees of the Department of Assessment.

**SUMMARY OF LEGISLATION:**

The Department of Assessment (DOA) utilizes certain property characteristics to determine estimates of residential property values throughout Nassau County.

If homeowners feel that these estimates are inaccurate, they may be hesitant to contact the Department fearing intrusive inspections of their home. To encourage homeowners to contact the DOA to discuss potential inaccuracies related to their property, the proposed local law limits the scope of the DOA's inspection of a residence to verify or correct market derived components of value. The proposed local law makes the following change to Section 1. 603(C).

- C. Upon notification to the DOA by a homeowner of potential inaccuracies in the information maintained by the DOA for any market derived component of value for the homeowner's residence, any inspection conducted by the DOA shall be reasonably limited in scope to verify or correct such market derived component of value. Nothing herein shall prevent the DOA from correcting any market derived component of value identified during the course of such inspection, however DOA personnel shall only access additional areas of the residence with the permission of the homeowner. If such market derived component of value may be verified or corrected by an exterior inspection of the residence, then the DOA shall conduct an exterior inspection of the residence only. For the purposes of this section, "market derived component of value" shall mean any discrete property characteristic utilized by the DOA to determine an estimate of the market value of such property.

**EFFECTIVE DATE:**

This local law shall take effect immediately.

**FISCAL IMPACT:**

The proposed law is not expected to have a fiscal impact.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:** Deirdre K. Calley, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to Amend the Nassau County Administrative Code in Relation to Assessments.

**SUMMARY OF LEGISLATION:**

Section 1805 of the New York State Real Property Tax Law provides that the County Assessor may not increase class one (residential) assessments in any one year by more than six percent and by more than twenty percent in any five-year period. To ensure that homeowners don't experience significant swings in their property tax liability, the proposed local law eliminates the ability of the Assessor to change the level of assessment for class one properties. Section 1. 6-9.2 is amended in the following manner.

§6-9.2. **Assessment and Ratio.** Notwithstanding any general, special or local law to the contrary, for any assessment roll issued on or after January 1, 2020, the Assessor shall not change the level of assessment of any individual parcel classified as class one in any year as measured from the level of assessment on the previous year's assessment roll.

According to the Department, by freezing the level of assessment, the County could become subject to increased litigation over the validity of the level of assessment.

**EFFECTIVE DATE:**

This local law shall take effect immediately.

**FISCAL IMPACT:**

The proposed law is not expected to have a fiscal impact on any municipality as it will continue to collect its full levy amount.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:** Deirdre K. Calley, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to Amend Section 605 of the County Government Law of Nassau County to require Public Hearings in Relation to the Completion of the Tentative Assessment Roll.

**SUMMARY OF LEGISLATION:**

The proposed local law now mandates that the Assessor shall hold public meetings within one month of the completion of the assessment roll, at least one in each town and one in each city in Nassau County. Whereby any person may present to the Assessor public comment or questions in relation to the assessment roll. Notification of such meetings shall be posted to the official website of Nassau County and advertised at least once in the official newspaper at least five days before such hearing.

**EFFECTIVE DATE:**

This local law shall take effect immediately.

**FISCAL IMPACT:**

DOA stated that they have not examined the costs of the proposed legislation and they will determine their outreach program in conjunction with the Administration. Their reply was more of a legal explanation than fiscal. The Office of Legislative Budget Review (OLBR) is not familiar enough with the Department of Assessment (DOA) processes, procedures and staffing assignments to project the costs of the proposed mandate.

There will probably be a cost associated with having staff meet outside of operating hours. However, without input from DOA the cost can't be estimated with accuracy.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:** Deirdre K. Calley, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
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MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to Amend the County Government Law of Nassau County in Relation to the Establishment of a Residency Requirement for the County Assessor.

**SUMMARY OF LEGISLATION:**

Currently, there is no mandate that the County Assessor must live in the Nassau County. The proposed local law will establish a residency requirement for the County Assessor. Section 1. 601 (a) is being amended to state that there shall be a Department of Assessment, the head of which shall be the County Assessor, who shall be a Nassau County resident.

The Administration has sent a letter to the Legislature detailing potential issues raised by this proposed local law. They state that the County Executive should have the ability to recruit and appoint the most qualified Assessor possible and that only five to seven people with a desired certification from the Institute of Assessing Officers currently live in the County.

**EFFECTIVE DATE:**

This local law shall take effect on July 1, 2020 or upon a vacancy of said office whichever occurs sooner.

**FISCAL IMPACT:**

The proposed law is not expected to have a fiscal impact.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:** Deirdre K. Calley, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to amend Title 45 of the Miscellaneous Laws of Nassau County in relation to helmet safety.

**SUMMARY OF LEGISLATION:**

This local law was introduced at the legislative meeting on September 9, 2019 due to a concern for cyclists' public safety. There have now been 19 cyclists deaths in New York City so far this year, compared to 10 in 2018<sup>1</sup>. This law will raise the age requirement from 14 to 18 for wearing a helmet in Nassau County. Similarly, Suffolk County's law states that no individual who is 17 or younger shall ride without wearing helmets.

The types of equipment defined under this law include bicycles, motorized bicycles, scooters, skateboards, skating or gliding on in-line skating. The proposed law stipulates that no person under the age of 18 shall ride said equipment without a helmet. The helmet must be of good fit fastened securely upon the head by its straps.

The proposed law adds any village or city Police Department to the already declared Nassau County Police Department as enforcement agencies. Furthermore, it updates the age from 14 to 16 as it pertains to summons or tickets. The summons is anticipated to be \$50.00.

According to the Police Department, the law currently states that a fine cannot be given to a child under 16 if a parent or guardian over the age of 18 is not present.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

Historically, the department has not collected revenues and as such, there is no significant fiscal impact expected as a result of this local law.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

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<sup>1</sup> DeAngelis, Jenna, 'He Didn't Stand A Chance': NYC's 19<sup>th</sup> Cyclist Killed When Car Slams Into SUV in Brooklyn', CBS New York, 12 Aug. 2019, <https://newyork.cbslocal.com/2019/08/12/19th-cyclist-killed-in-nyc/>.

**SOURCE OF INFORMATION:**

The Police Department.

**PREPARED BY:**

Linda Guerreiro, Principal Legislative Budget Analyst

Helen Carlson, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to add a new Title to the Miscellaneous Laws of Nassau County to authorize the impoundment of bicycles that are operated in a dangerous manner in controvention of the rules of the road.

**SUMMARY OF LEGISLATION:**

The proposed local law is to add Title XX to the Miscellaneous Laws of Nassau County to address bicyclists that are unsafe and present a danger to themselves and/or others. Some dangerous activities on roadways include weaving between automobiles, riding in between lanes and/or performing tricks and stunts. The intent is to curb this behavior by allowing law enforcement to impound the bicycles of riders who operate them in a manner that present a danger to both themselves and the public.

For the purpose of this law, the term “bicycle” shall include bicycles, motorized bicycles, scooters and motorized scooters.

Any person over the age of 12 that violates this law shall be guilty of a misdemeanor punishable by a fine not more than \$100.00. In addition, the bicycle may be seized by Nassau County Police and impounded. The bicycle can be returned only upon the final disposition of any charges or the payment of any fines levied for all violations.

According to the Police Department, impounded bicycles are currently housed at the respective precincts. A receipt is given for the property which will be used to claim the bicycle.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

The Police Department usually does not impose a fine. There may be revenue from the fines however, this is expected to be minimal.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**SOURCE OF INFORMATION:**

The Police Department.

**PREPARED BY:**

Linda Guerreiro, Principal Legislative Budget Analyst



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law in relation to establishing a demonstration program imposing owner liability for failure of an operator to stop for a school bus displaying a red visual signal and stop-arm and amending the Nassau County Administrative Code in relation to the jurisdiction of the Nassau County Traffic and Parking Violations Agency (TPVA).

**SUMMARY OF LEGISLATION:**

This proposed local law establishes a demonstration program imposing monetary liability on owners of vehicles for failure to stop for a school bus displaying a red visual signal and stop-arm. The County will be authorized to install and operate the school bus photo violation monitoring systems which may be stationary or mobile, pursuant to an agreement with the school districts within in the County. The law will apply to school buses owned and operated by school districts, as well as buses privately owned and operated for compensation under contract with school districts. The stationary school bus photo violation monitoring systems can only operate on County roadways under the jurisdiction of the County and mobile systems on non-County roadways if the County and the school district have entered into an agreement.

The County will be solely responsible for the total cost of the installation, maintenance and use of the school bus photo violation monitoring systems pursuant to the agreements with the school districts upon authorization of this local law.

For the purposes of informing and educating the public during the first 30-day period in which the monitoring systems has been implemented, owners who would have otherwise been held liable for failure to comply with this law, will be issued a written warning in lieu of a notice of liability (NOL). In addition, signage will be installed in conformance with standards established in the Manual on Uniform Traffic Control Devices (MUTCD) at each roadway entrance of the jurisdictional boundaries of the County pursuant to the provisions of this local law.

The contract between the County and the school district shall provide that any images captured by monitoring systems not to be admissible in any disciplinary proceeding convened by the school district, school bus contractor and in any preceding initiated by the New York State Department of Transportation involving licensure privileges of school bus operators. In addition, school districts joining the demonstration program are forbidden from accessing any photographs and the like; but must provide images to the County for proper handling of the said items for the purpose of determining whether a vehicle operated in violation of the New York Vehicle and Traffic law imposing monetary liability on the vehicle owned.

Participating school districts will certify to the County the total costs, if any incurred from the program on or before September 1<sup>st</sup> for the school year ending the preceding June 30<sup>th</sup>. In turn, the County must reimburse the school district on or before December 1<sup>st</sup> of each school year. No later than 20 days after each such payment is submitted or is due, whichever occurs first. The school district must submit a report showing the certified costs and the amounts paid or due to the County Budget Director and the chairpersons of the Rules and Finance Committee. If the County fails to submit the payment within the required time period, the above parties must be notified within 24 hours and the demonstration program will be suspended within the County until the school districts are compensated.

The photographs, microphotographs, videotapes, recorded images and other data produced by the monitoring systems must be destroyed 90 days after the date of the alleged imposition of liability if a NOL is not issued or upon final disposition of the NOL. A NOL will be sent to the individual liable as an owner of a vehicle alleged for a violation obtained through the monitoring systems. A NOL will be sent to the registered owner via first class mail from TPVA or any other entity authorized by TPVA, which includes:

- The name and address of the registered owner of the vehicle,
- The registration number of the vehicle,
- The location, date and time of the violation,
- The camera identification number that recorded the violation.

The NOL will contain information instructing the person charged of the manner and time in which he/she can contest the notice. Additionally, the NOL will include a warning that the failure to contest in the time provided will be deemed an admission of liability and a default of judgment may be entered against the owner.

- An owner who did not consent to the operation of their vehicle would not be held liable, but it would be presumed that the vehicles were operated with the owners' consent. Lessors and rental companies would not be held liable for violations where they send a copy of the rental, lease, or other contract document to TPVA within 37 days after receiving notice. Vehicle owners would be able to maintain actions for indemnification against operators.
- Photographs produced by the technology would not identify the driver, passengers or contents of the vehicle. However, if a photograph does show the contents of a vehicle, a NOL would not be dismissed on that basis, if the County has made a reasonable effort to comply with the requirement.

This demonstration program will be effective until December 1, 2024. During this period Nassau County will provide the Governor, the temporary president of the Senate and the speaker of the Assembly an annual report on or before June 1<sup>st</sup> of each year. The report should include the following:

- The number of buses and a description of the routes where stationary and mobile school bus photo violation monitoring systems were used;
- The total number, type and severity of accidents reported at locations where a monitoring system is used for the year preceding the installation of such system, to the extent the information is maintained by the Department of Motor Vehicles (DMV) of this state;

- The number of violations recorded at each location where a school bus photo violation monitoring system is used and in the aggregate on a daily, weekly and monthly basis;
- The number of convictions for violations of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law recorded at each location where a school bus photo violation monitoring system is used on an annual basis, to the extent the information is maintained by the department of motor vehicles of this state;
- The total number of NOL's issued for violations recorded by such systems;
- The number of fines and total amount of fines paid after the first notice of liability issued for violations recorded by such systems;
- The number of violations adjudicated and results of such adjudications including breakdowns of dispositions made for violations recorded by such systems which shall be provided at least annually to the County by TPVA;
- The total amount of revenue realized by the County from such adjudications;
- The expenses incurred by the County in connection with the program;
- The quality of the adjudication process and its results including the total number of hearings scheduled, re-scheduled, and held; the total number of persons scheduled for such hearings; the total number of cases where fines were paid on or before the hearing date; and the total number of default judgments entered. Such information shall be provided at least annually to the County by TPVA; and
- A description of public education activities conducted to warn motorists of the dangers of overtaking and passing stopped school buses.

The County will annually provide a copy of the annual report submitted pursuant to this local law, to each local law enforcement agency having jurisdiction to enforce violations of the vehicle and traffic law or any ordinance, rule or regulation relating to traffic adopted pursuant to such law on roadways within the County.

**EFFECTIVE DATE:**

This local law shall take effect immediately upon final adoption and shall remain full force and effect only until December 1, 2024.

**FISCAL IMPACT:**

According to TPVA they have not been involved in any studies pertaining to the school bus photo violation monitoring system and a vendor has not been selected for this initiative. However, TPVA has stated that American Traffic Solutions (ATS) who operates the Red-Light Camera (RLC) program could be a possible candidate for this project. It is envisioned that the operation and implementation of the monitoring system will be similar to the RLC program.

If this legislation is approved, a design plan would have to be implemented after discussions of such issues as the number of locations within the participating school districts, number of cameras, software, etc. TPVA would have to work with the County Administration and County Attorneys' Office to design the program, if this item is approved.

The expenses for initially implementing this program for the County have not been determined such as notifying motorists (signage) entering Nassau County borders that a school bus safety camera program is in effect. Other Initial expenses will vary dependent on which vendor is

selected by the County. According to The Buffalo News the cost of installing a bus monitoring camera is estimated to be up to \$7,000 per unit.<sup>1</sup> The proposed local law states that all costs associated with the photo monitoring program are borne by the County. However, it is anticipated that there may not be any upfront costs to the County or the school district for the installation and maintenance of the equipment if the roll out mirrors the existing Red-Light Camera program (except for signage expenses). The County would negotiate revenue share allowing the vendor to recoup their upfront costs over the life of the contract. Revenue share would vary based on several factors including number of cameras installed, length of contract, etc. The expectation is that the program pays for itself with no additional costs to taxpayers.

A representative from New York State Association of Counties (NYSAC), cautioned that the County select a vendor that can perform all services in conformance to the new state law. Many companies can install a digital camera on a bus which can capture images, but few companies can successfully integrate all aspects of the proposed law. Reporting requirements that need to be incorporated include protection of data, privacy protocol, detailed reporting of violation issues to the state and fees collected. However, without a contract in place, it is unknown, what that percentage of revenue the vendor would receive.

According to the proposed law the operation and implementation of the monitoring system will impose fines ranging from \$250-\$300, as depicted in the table below. The fine amount will increase for the second, third and subsequent violations that were committed within 18 months of the first infraction. Motorists who fail to respond to the notice in the specified time period will incur a further penalty of \$25 per violation. The revenue from the tickets would be used to offset the operation and installation costs of the cameras.

Table 1 below summarizes the fines and penalties:

**Table 1**

<b>Penalty</b>	<b>Fine</b>
1st Violation	\$250
2nd violation	\$275
3rd violation	\$300
Late penalty	\$25

According to the New York State law, the Comptroller will pay 90% of the fines and penalties imposed for such liability to the County in which the violation occurred, and 10% of any such fine or penalty to the city, town or village in which the infraction took place.

The County or school district may withdraw or terminate the agreement for the installation, maintenance and use of the monitoring systems provided that the County or the school district give no less than 20 days' notice to the other signatories of the agreement before withdrawing.

Without the studies and data, it is difficult to provide a rough estimate of implementing this legislation. In addition, since the revenue will be directly driven by the number of violations and

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<sup>1</sup> Precious, Tom. "New York Lawmakers reach deal for school bus cameras to catch drivers", The Buffalo News, May 7, 2019.water

volume of the infractions it is difficult to quantify how much revenue could be realized without a local study.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**SOURCE OF INFORMATION:**

Traffic and Parking Violations Agency  
New York State Association of Counties

**PREPARED BY:**

Dawn Wood Jones, Principal Legislative Budget Analyst  
Helen M. Carlson, Deputy Director



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to establish within the Nassau County Police Department the Health and Wellness Division.

**SUMMARY OF LEGISLATION:**

The proposed local law will amend the Nassau County Administrative Code to include § 88-33.0 Health and Wellness Division.

The Office of Mental Health and Wellness shall

- Maintain a smartphone application and website for active and retired police officers to provide information on the signs of depression, suicidal behavior and helpful links as determined by the Police Commissioner.
- Establish and determine funding for a formal peer support program.
- Provide in-service wellness training and resources, at a one hour per calendar year minimum, for all Nassau County police officers.
- Establish an action plan, evaluated annually, to examine policy, procedures and resources as well as identify necessary updates.
- Establish guidelines to protect the privacy of police officers to the maximum extent allowable by law.
- Coordinate with the New York Police Department to maximize mental health services offered to Nassau County residents who are New York Police officers.
- Coordinate with the various police departments located within Nassau County to maximize mental health services offered to police officers of those departments.
- Perform other duties determined by the Police Commissioner.

According to the Police Department, most functions are already being performed but some reorganization will be needed. However, the department does not currently perform the in-service training nor have a smartphone application and website as indicated in proposed local law. The department will fulfill these obligations accordingly with this local law. It is the understanding of the department that only police officers will be utilizing the smartphone application and website.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

The Police Department has estimated the fiscal impact of this local law as \$287,500. It is anticipated that the in-service training of one-hour per officer in a calendar year will cost roughly \$187,500. The Police Department utilizes their own Information Technology (IT) to produce such smartphone application and website. Similar projects have priced out at some \$100,000 to build. Maintenance costs are generally encompassed within the department's operating budget. It is expected that the fiscal impact costs will be absorbed within the Police Department's appropriation/budget.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**SOURCE OF INFORMATION:**

Police Department

**PREPARED BY:**

Linda Guerreiro, Principal Legislative Budget Analyst



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to establish within the Nassau County Sheriff's Department the Health and Wellness Division.

**SUMMARY OF LEGISLATION:**

The proposed local law will amend the Nassau County Administrative Code to include §20-3.0. The Health and Wellness Division within the Correctional Center.

The law states that the Department shall:

- Maintain a smartphone application and website for active and retired Sheriff personnel to provide information on the signs of depression, suicidal behavior and helpful links to the American Foundation of the Prevention of Suicide and additional information as determined by the Sheriff.
- Establish and determine funding for a formal peer support program for Sheriff personnel.
- Provide in-service wellness training and resources, for a minimum of one-hour per calendar year for all Sheriff personnel.
- Establish a mental health action plan to be evaluated annually by the Nassau County Sheriff, to examine policy, procedures and resources of the Department as well as identify necessary updates.
- Establish guidelines to protect the privacy of the Sheriff Department personnel to the maximum extent allowable by law.
- Perform other duties determined by the Sheriff.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

The proposed law requires that a smartphone application and website be designed for the program which will be facilitated by the County's Information and Technology (IT) Department. IT estimated that based on the requirements, they could build a program similar to an existing application with an estimated cost of approximately \$100,000.

According to the Sheriff's Department the functions listed within this local law will be integrated into the existing Employee Assistance Program (EAP) but may require additional training and staff. Currently EAP has one full time Correction Officer at top pay earning \$98,375 (annual base salary) and other employees who assist on an as needed basis in addition to their regular

assignments. If support is required of these employees, they are reassigned from their regular duties and overtime expenses are incurred to backfill those positions. The Department anticipates needing at least one additional full-time employee and one half-time crossed trained employee at the current overtime rate for this program. The Sheriff Department estimates that the staffing costs would be roughly \$175,000.

The Sheriff's Department currently utilizes chaplaincy services at the facility and some of those individuals have expressed an interest in participating in this initiative. However, the Department does not anticipate any additional costs related to chaplaincy services as a result of this program. Therefore, the aggregated estimated outlay to implement the Health and Wellness Divisions would be approximately \$275,000.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**SOURCE OF INFORMATION:**

Sheriff's Department  
Information Technology

**PREPARED BY:**

Dawn Wood Jones, Principal Legislative Budget Analyst



**THE NASSAU COUNTY LEGISLATURE  
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MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to prohibit the inhumane restraint of pets.

**SUMMARY OF LEGISLATION:**

The proposed resolution shall add Title 86 to the Miscellaneous Laws of Nassau County and will be known as the “Tethering Law”. The Nassau County Legislature finds that inappropriate outdoor tethering of pets is common and widespread. Pets are tethered, chained, leashed or otherwise restrained in ways which cause them severe pain and physical injury. Furthermore, pets are subjected to hazardously unhealthy weather conditions, such as extreme heat and cold, and can be denied adequate access to food and water for extended periods of time.

Some pets are restrained in ways which unreasonably confine and restrict their movements thereby denying them adequate space for exercise necessary to their physical and emotional health and well-being and forcing them to live in unsanitary conditions by compelling them to defecate and urinate in the same space where they eat, move and rest. Therefore, it will be unlawful for any person to tether, leash, fasten, secure, restrain, chain, or tie an animal to any outdoor object.

This law defines some unsuitable conditions for pets as temperatures either below 35 degrees or above 85 degrees Fahrenheit or if the National Weather Service issues a heat or wind chill advisory, watch or warning. Additional inappropriate situations consist of restricted access, shelter and climate unfitting for a specific breed and unreasonably restricts the movement of such animal. Furthermore, collars shall not cause a detriment to the animal as, but not limited to, impair the flow of oxygen or blood, embed the skin, entangle, or weighs more than 25 pounds/more than 10% of the animal’s total weight.

Any person who violates this Title shall be subject to a maximum fine of \$500 for any first offense and \$750 for second offense. Any third or subsequent violation shall be guilty of a Class A misdemeanor, punishable by imprisonment not to exceed one year, or a fine no more than \$1,000, or both. This law shall apply to all persons convicted of Animal Abuse Crimes upon its passage.

This proposed local law may be enforced by the Nassau County Police Department, the Nassau County Society for the Prevention of Cruelty to Animals and any animal control employee of towns and municipalities. However, it shall not apply in any Town, City or Village that has adopted substantially similar local legislation.

**EFFECTIVE DATE:**

This local law will take effect immediately after enactment by the Legislature.

**FISCAL IMPACT:**

There is no significant fiscal impact expected as a result of this local law. Revenues from fines are expected to be minimal.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**PREPARED BY:**

Linda Guerreiro, Principal Legislative Budget Analyst



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to prohibit harassment of a Police Officer, Peace Officer, or First Responder.

**SUMMARY OF LEGISLATION:**

The proposed local law will amend Chapter VII of Chapter 282 of the Laws of 1939 constituting the Nassau County Administrative Code to add a new Title P §8-135.1 Harassment of a Police Officer, Peace Officer or First Responder.

The purpose of this local law is to address wrongful acts committed against a police officer, peace officer or first responder. Two separate events of such actions occurred during the summer of 2019 in New York City where police officers had water dumped on them. This law will prohibit such actions in Nassau County.

A person is guilty of harassing a police officer, peace officer or first responder when they deliberately throw or spray water or any other substance on or at such officers or first responder(s) while performing their official duties. And the person committing such act knows or reasonably should know that such victim is a police officer, peace officer or first responder.

Violation of this law shall constitute an unclassified misdemeanor, be punishable by up to one year in prison and/or a fine up to \$5,000.

**EFFECTIVE DATE:**

This local law will take effect immediately.

**FISCAL IMPACT:**

There is no significant fiscal impact expected as a result of this local law. This law is expected to be a deterrent and the department hopes to never be in a situation when such a fine is levied. As such there is minimal revenue to be generated from this law.

**ECONOMIC IMPACT:**

There is no economic impact expected as a result of this local law.

**SOURCE OF INFORMATION:**

The Police Department.

**PREPARED BY:**

Linda Guerreiro, Principal Legislative Budget Analyst



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to amend Section 22-4.3 of the Nassau County Administrative Code, in relation to increasing access to the annual statements of financial disclosure of Elected Officials.

**SUMMARY OF LEGISLATION:**

The proposed Local Law amends the Administrative Code to allow for the public inspection by posting on the Board's website, the information of the annual financial disclosure statements that have been filed by an Elected Official, Deputy County Executive, the head of any County Office or department, and the Chairperson of any County Board or Commission whereby the appointment of such individual to the Board or Commission required the approval of the Legislature. The proposed law excludes from posting the home address and names of any dependent children of the individual which is required to remain confidential, as well as any other items of information deleted pursuant to paragraph H of the subdivision.

A County Attorney opinion has been requested regarding how much of this information can be posted online. However, to date the opinion has not been received.

**EFFECTIVE DATE:**

This Local Law shall take effect 30 days after it becomes law and shall apply to all financial disclosure statements filed in the calendar year 2019 and all subsequent years.

**FISCAL IMPACT:**

The proposed law is not expected to have a fiscal impact.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:** Helen M. Carlson, Deputy Director

**SOURCES:**

Majority Counsel



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:** A Local Law to amend the Nassau County Human Rights Law in relation to reasonable accommodations.

**SUMMARY OF LEGISLATION:**

The National Institute on Deafness and Other Communications Disorders (NIDCD) estimates that about 2 to 3 out of every 1,000 children in the United States are born with a detectable level of hearing loss in one or both ears. Hearing loss is a pervasive issue on a national level, with the NIDCD reporting that 1 in 8 people in the United States aged 12 years or older has hearing loss in both ears. A 2005 MarkeTrak VII report projected that the number of Americans with hearing loss will increase to 40 million by the year 2025 and 53 million by 2050. Hearing Industries Association statistics indicate over 3 million hearing aid units were dispensed in the United States in 2016. According to the World Health Organization, an estimated 1.3 billion people live with vision impairment throughout the world. About 26.9 million adult Americans, or 10% of all adult Americans, report having difficulty seeing even when wearing glasses or contact lenses, or that they are blind or unable to see at all.

The Nassau County Commission on Human Rights is empowered under the Nassau County Administrative Code to encourage equality of treatment and prevent discrimination based upon disability. A minimal standard of hearing acuity and sight are a bona fide occupational qualification for many jobs in Nassau County. The Legislature believes that the reasonable accommodation provisions of the Americans with Disabilities Act, the New York State Human Rights Law, the Nassau County Human Rights Law and other applicable anti-discrimination laws should be liberally construed to accomplish their remedial purposes. An unintended consequence of unnecessarily inflexible rules for standardized employment qualification testing is that they may potentially discriminate against individuals with disabilities. The Legislature finds that, in appropriate circumstances, hearing aids, interpreters, service animals, glasses, and other aids can mitigate a hearing or vision disability to allow an employee or prospective employee with a hearing or vision impairment to potentially achieve minimal hearing standards to qualify for employment. The Legislature has taken strides towards becoming inclusive for people who are deaf or hard of hearing. The Legislature also finds that the permitted use of such auxiliary aids is necessary to support effective communication in the workplace and help remove barriers that prevent individuals with a hearing or vision impairment from enjoying the same opportunities as those who are not hearing impaired. The Legislature believes it is necessary to amend the County Human Rights Law to clarify that permitting the use of such aids can be a reasonable accommodation to permit individuals with disabilities to effectually perform as public or private

employees. The Americans with Disabilities Act places no constraint on what qualifies as a reasonable accommodation.

Reasonable accommodation refers to actions taken that permit an employee, prospective employee or member with a disability to perform in a reasonable manner the activities involved in the job or occupation sought or held. It also includes, but is not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, permitting persons with impaired hearing to use hearing aids and other such auxiliary aids, interpreters, teletypewriters (TTYs), telecommunications devices for the deaf (FFDs), text telephones (TTs), video phones, modified exams and training materials, and/or indicator lights to effectively make aurally delivered information available to such persons, and permitting persons with impaired vision to use eyeglasses, readers or interpreters, modified exams and training materials, computer screen magnifiers, braille printers, equipment with tactile markings or raised print, canes, screen reading software, and light probes to detect light to make visually delivered information available to such persons, job restructuring and modified work schedules, provided, however, that such actions do not impose an undue hardship on the business, program or enterprise of the entity from which action is requested. Additionally, the following shall be examples of reasonable accommodations: desks that accommodate wheelchair bound individuals, anti-glare screens, telephone headsets, speaker phones, adaptive light switches, keyboard armrests and finger guides mounted on keyboards to keep persons with motor control impairments from striking keys in error, and clipboards for employees with manual impairments.

**EFFECTIVE DATE:**

This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

**FISCAL IMPACT:**

The proposed law is not expected to have a fiscal impact.

**ECONOMIC IMPACT:**

The proposed law is not expected to have an economic impact on the local economy.

**PREPARED BY:**

Lamartine Pierre Jr., Legislative Budget Analyst

**SOURCES:**

Commission on Human Rights



**THE NASSAU COUNTY LEGISLATURE  
OFFICE OF LEGISLATIVE BUDGET REVIEW  
MAURICE CHALMERS, DIRECTOR  
FISCAL IMPACT STATEMENT**

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**TITLE:**

A Local Law to amend Nassau County Miscellaneous Laws in relation to restricting advertising of age-restricted products.

**SUMMARY OF LEGISLATION:**

This Local Law seeks to protect the well-being of children in Nassau County by restricting advertising of age restricted products. It is recognized that children are especially susceptible to cigarette advertising that makes smoking appear to be glamorous and attractive. As the development and marketplace for e-cigarettes has grown drastically, so has aggressive marketing and promotion of these products. Children are now exposed to intensive commercial marketing of an entirely new set of products containing nicotine. Increased exposure to e-cigarette advertisements may have a direct correlation to increases in e-cigarette use among youth and may contribute to teens using cigarettes.

The proposed law restricts advertising of age restricted products in certain outdoor and indoor areas. No person shall place, caused to be placed, maintain or cause to be maintained any advertisement for an age-restricted product, in a protected zone.

A protected zone is defined as:

- Any outdoor area within 1,000 feet, in any direction, of a school, park, playground, or duly licensed child daycare center.
- The interior of a building or structure which is within 1,000 feet, in any direction, of a school, park, playground, or duly licensed child daycare center to the extent such interior is within five feet of any exterior window or public entryway.

However, the restrictions set forth by this law shall not apply to:

- An advertisement that is five by eight inches or less in size, and in black, white, and grayscale.
- An advertisement placed or maintained in the interior of any premises where such advertisement is not visible from windows or public entryways and faces inward.

Nothing in this law shall prevent an age restricted product provider from placing, causing to be placed, maintaining or causing to be maintained, its business name on a building or structure, where the provider owns, operates or leases the building or structure. However, the business name must be registered in the United States, be authorized to do business in New York State and the business name must not include any advertisement.

This Local Law does not authorize the placement of any age restricted advertisement in a location where such placement is otherwise prohibited by the County of Nassau or other applicable law.

The Nassau County Department of Health and the Nassau County Department of Consumer Affairs are charged with ensuring compliance of this Local Law. Any violation of this law shall be punishable by a fine up to \$1,500. Each day or part of day that the violation continues will constitute a separate violation.

**EFFECTIVE DATE:**

This law shall take effect 120 days after it shall have become a law. In addition, the owner or operator of any location/premise containing the age-restricted advertisement will have 30 days from the effective date of this law to remove any noncompliant product advertisements.

**ECONOMIC IMPACT:**

No significant economic impact is expected as a result of this local law.

**FISCAL IMPACT:**

This proposed Local Law is expected to generate minimal revenue from violations related to enforcing the law. According to the Health Department, they plan to enforce this law on their routine compliance and certification inspection checks which they conduct for the State and County laws that prohibit the sale of these products to minors. The proposed law will also be enforced on a compliant driven basis.

**PREPARED BY:**

Helen Carlson, Deputy Director  
Ivonne Puente, Legislative Budget Analyst

**SOURCES:**

Department of Health