

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE A FIRST MODIFICATION OF LEASE AGREEMENT BETWEEN THE COUNTY OF NASSAU, AS TENANT, AND BC HOLDINGS OF NY, INC. (AS SUCCESSOR IN INTEREST TO DIALYCEN LLC), AS LANDLORD, IN CONNECTION WITH THE LEASING OF CERTAIN SPACE LOCATED AT 160 NORTH FRANKLIN STREET, HEMPSTEAD, NEW YORK 11550, KNOWN AND DESIGNATED AS SECTION 34, BLOCK 195, LOTS 33-34 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU FROM BC HOLDINGS OF NY, INC. FOR THE COUNTY OF NASSAU.

WHEREAS, as authorized by Resolution 240-2009, passed by the Nassau County Legislature on August 10, 2009 and having become a resolution on August 11, 2009, the County of Nassau entered into that certain Lease last dated as of September 4, 2009 (the “Lease”), a copy of which is on file with the Clerk of the Nassau County Legislature, for the lease of certain space at 160 North Franklin Street, Hempstead, New York (the “Building”), known and designated as Section 34, Block 195, Lots 33-34 on the Land and Tax Map of the County of Nassau, for use by the County of Nassau as general administrative office space, and for uses incidental thereto for the purposes of Nassau County, and

WHEREAS, the current landlord BC Holdings of NY, Inc. executed a proposed First Modification of Lease Agreement (the “First Modification”) on January 28, 2020, being the first of two five-year extensions provided for in the Lease; and

WHEREAS, under the First Modification the Nassau County Office of Emergency Management shall continue to occupy its existing 5,789 rentable square feet; and

WHEREAS, the First Modification shall extend the term of the lease until January 31, 2025.

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

RESOLVED, that the County Executive be and is hereby authorized to execute, on behalf of the County of Nassau, said First Modification, subject to all the terms and conditions as contained therein, and be it further

RESOLVED, that the County Executive is hereby authorized to execute any and all ancillary documents and to take such other action as is necessary to carry out the purposes of the First Modification; and be it further

RESOLVED, that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 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 is a "Type II Action" within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required; and be it further

RESOLVED, that this Resolution shall take effect immediately.