PROPOSED RESOLUTION NO. 75-2020

A RESOLUTION authorizing the County Attorney to compromise and settle the claim of Plaintiff, as set forth in the action entitled *Christopher Hoey v. County of Nassau,* Docket No. 12-cv-04935-GRB, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code

WHEREAS, *Christopher Hoey* (the "Plaintiff") commenced an action against the County of Nassau (the "County, entitled *Christopher Hoey v. County of Nassau,* Docket No. 12-cv-04935-GRB, alleging damages arising out of a claim of discrimination, and the County has agreed to make payment to Plaintiff in the amount of $250,000 inclusive of attorneys' fees in full settlement of all possible claims Plaintiffs may have against the County in the above titled action; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said action and as a result thereof recommends that it be settled in the amount set forth above; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in the amount as indicated above, provided that, if any payment arising from said action is to be made from the proceeds of a borrowing, that a bond ordinance to finance such settlement is adopted by this Legislature and any borrowing pursuant to such bond ordinance is approved by the Nassau County Interim Finance Authority, if such approval is required; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized to pay a maximum of $250,000 by check or checks payable as directed by the County Attorney, said check or checks to be delivered to the County Attorney and thereupon delivered to the attorneys for Plaintiff, Christopher Hoey, upon receipt of a Settlement Agreement and Limited Release; and be it further

RESOLVED, 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 this settlement is a "Type II" Action within the meaning of Section 617.5(c)(29) 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.