

PROPOSED RESOLUTION NO. 52 - 2022

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, AS SET FORTH IN THE ACTION ENTITLED *DOVER GOURMET CORPORATION V. COUNTY OF NASSAU, ET AL.*, INDEX NO. 612941/2019 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE.

WHEREAS, Dover Gourmet Corporation (the “Plaintiff”) commenced an action against the County of Nassau (the “County”), entitled *Dover Gourmet Corporation v. County of Nassau, et al.*, Index No. 612941/2019, alleging certain violations of its contractual rights, and the County has agreed to enter into a stipulation of settlement including an amendment to a License Agreement, attached hereto, with the Plaintiff in full settlement of all possible claims Plaintiff 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 accordance with the terms of the stipulation of settlement; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in accordance with the terms of the stipulation of settlement as indicated above; and be it further

RESOLVED, that the County Executive be and is hereby authorized to award and execute the aforementioned amendment to the License Agreement with Plaintiff, 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.

