

PROPOSED RESOLUTION NO. 98 - 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 entitled *Dover Gourmet Corporation v. County of Nassau, et al.*, Index No. 612941/2019 against the County of Nassau (the “County”) and other defendants, alleging certain violations of rights, and the County asserted certain counterclaims, and the parties have agreed to resolve the litigation without further cost or expense to either party and to provide clarity with respect to Plaintiff’s good standing as a County vendor in full settlement of all possible claims the Plaintiff and County may have against each other arising from the circumstances upon which the action is based; 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 as set forth above; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action as indicated above; and be it further

RESOLVED, that the County Attorney settle the said action 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)(26) 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.

