

PROPOSED RESOLUTION NO. 192 - 2023

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, AS SET FORTH IN THE GLOBAL SETTLEMENT OF PCO CASES: *CHODKOWSKI v. NASSAU, ET AL* INDEX NO. 603925/2017.; *DAVIDSON v. NASSAU, ET. AL.* DOCKET NO. 18-cv-1182 AND *ABBANANTO v. NASSAU, ET. AL.* Docket No. 19-cv-1102 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE

WHEREAS, Nassau County's Police Communication Operators and Police Communications Operators Supervisors (the "Petitioner") commenced actions entitled *Chodkowski v. Nassau, et. Al* Index No. 603925/2017.; *Davidson v. Nassau, et. Al.* Docket No. 18-cv-1182 and *Abbananto v. Nassau, et. Al.* Docket No. 19-cv-1102 against the County of Nassau (the "County"), alleging breach of contract as well as federal discrimination claims, and the County has agreed to make payment to Petitioner estimated in the aggregate amount of \$2,300,000.00, plus interest at a stipulated rate, in full settlement of all possible claims Petitioner may have against the County arising from arising from 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 in the amount set forth above; now therefore, be it; and

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said actions in the amount as indicated above, provided that, if any payment arising from said actions are 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 \$2,300,000.00 as directed by the County Attorney and thereupon delivered to the attorneys for the Plaintiffs 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.

