

PROPOSED RESOLUTION NO. *22* - 2025

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE CLAIMS SET FORTH IN THE ACTION ENTITLED *COUNTY OF NASSAU V. COMMERCIAL CONCRETE CORP., ET AL.* INDEX NO. 608267/2016, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE

APPROVED AS TO FORM



Deputy County Attorney

2025 JAN 30 P 1:32
CLERK OF THE COUNTY

WHEREAS, the County of Nassau ("County") commenced an action entitled *County of Nassau v. Commercial Concrete Corp., et al.* Index No. 608267/2016 against Commercial Concrete Corp. and other defendants ("Defendants") seeking money damages related to remediating a blockage in the County's stormwater drainage system caused by the defendants' illegal discharges of concrete; and

WHEREAS, the Defendants have agreed to make payment to the County in the amount of \$4,800,000 in full settlement of all possible claims the County may have against the Defendants in the above titled action; and

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

RESOLVED, that the Nassau County Attorney be and is hereby authorized and directed to settle the claims in accordance with the settlement agreement as indicated above; 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.