

PROPOSED RESOLUTION NO. 139 - 2020

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF THE COUNTY OF NASSAU AGAINST THE INCORPORATED VILLAGE OF CEDARHURST ARISING FROM AN AGREEMENT FOR THE CONSOLIDATION OF SEWER TREATMENT RESOURCES SERVICES PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE.

WHEREAS, the County of Nassau (the “County”) filed a notice of claim against the Incorporated Village of Cedarhurst (the “Village”) alleging damages arising out of an agreement for the consolidation of sewer treatment resources services, and the Village has agreed to make payment to the County in the amount of \$2,481,352.64 in full settlement of all claims for payments of all sums due to the County under the aforementioned agreement for the period up to and including May 31, 2020; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the claims and as a result thereof recommends that the claims 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 claims in the amount 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)(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.

