

PROPOSED RESOLUTION NO. 229 - 2022

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF AS SET FORTH IN THE ACTION ENTITLED *PAUL LEMKE V. COUNTY OF NASSAU, ET AL.*, CLAIM NUMBER NCPD0600220, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE

WHEREAS, Paul Lemke (the “Plaintiff”) commenced a proceeding entitled *Paul Lemke v. County of Nassau, et al.*, Claim Number NCPD0600220, against the County of Nassau (the “County”) and said Plaintiff has agreed to accept the sum of \$165,342 in full settlement of said 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 the amount set forth above; now therefore, be it

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

RESOLVED, that the County Treasurer be and is hereby authorized to pay a maximum of \$165,342 as directed by the County Attorney and thereupon delivered to the attorneys for 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)(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.

