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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 HEALTH AND SOCIAL SERVICES

12 COMMITTEE

13

14 LEGISLATOR ROSE MARIE WALKER

15 CHAIR

16

17

18 Theodore Roosevelt Building

19 1550 Franklin Avenue

20 Mineola, New York

21

22

23 September 9, 2020

24 10:18 A.M.

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2 A P P E A R A N C E S:

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4 LEGISLATOR ROSE MARIE WALKER

5 Chair

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7 LEGISLATOR JAMES KENNEDY

8 Vice Chair

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10 LEGISLATOR LAURA SCHAEFER

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12 LEGISLATOR C. WILLIAM GAYLOR

13

14 LEGISLATOR DELIA DERIGGI-WHITTON

15 Ranking member

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17 LEGISLATOR ARNOLD DRUCKER

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19 LEGISLATOR JOSHUA LAFAZAN

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2 LEGISLATOR WALKER: I would ask
3 the clerk to please take the roll.

4 MR. PULITZER: Thank you madam
5 chairperson. Legislator Joshua Lafazan. He
6 will arrive shortly. Legislator Arnold
7 Drucker.

8 LEGISLATOR DRUCKER: Here.

9 MR. PULITZER: Ranking member
10 Delia DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON:
12 Here.

13 MR. PULITZER: Good morning.
14 Legislator C. William Gaylor the third. He
15 will be here as well. Legislator Laura
16 Schaefer.

17 LEGISLATOR SCHAEFER: Here.

18 MR. PULITZER: Vice Chairman
19 James Kennedy.

20 LEGISLATOR KENNEDY: Chairwoman
21 Rose Marie Walker.

22 LEGISLATOR WALKER: Here.

23 MR. PULITZER: Thank you ma'am.
24 We have a quorum.

25 LEGISLATOR WALKER: The other

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2 legislators will be joining us shortly.

3 Good morning. I'm Rose Walker and
4 I am the chairperson of the Health and Social
5 Services Committee. Before I begin I would
6 like to thank Nancy Nunziata, commissioner of
7 the Department of Social Services and her
8 staff for attending today's legislative
9 hearing.

10 First and foremost, I would like to
11 make it clear that this hearing is not about
12 the general administration of emergency
13 shelter services in Nassau County or the
14 placement of individuals in emergency
15 shelters. Rather, the purpose of this hearing
16 is to obtain answers regarding the procedure
17 that the county followed regarding emergency
18 shelter services at 120 Jericho Turnpike,
19 Jericho. Specifically we will explore the
20 selection of the provider, Community Housing
21 Innovations Incorporated, on June 20, 2020 and
22 the real estate transaction that followed
23 nearly one month later. Upon initial review
24 the series of events makes little sense and
25 requires an explanation from the

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2 administration.

3 The planned emergency shelter at
4 120 Jericho Turnpike, Jericho seemingly
5 appeared out of nowhere. The county did not
6 notify the residents, municipalities or
7 elected officials of the property's new use
8 and the surrounding community was left with
9 many questions.

10 Thus far, the lack of transparency
11 surrounding this location, 120 Jericho
12 Turnpike, Jericho, has been troubling.
13 Residents deserve a government that conducts
14 business in an open and transparent manner.

15 Today it is the goal of this
16 committee to educate residents on the facts
17 and shed light on the events that comprised
18 this transaction. Hopefully with the
19 cooperation of the administration these goals
20 can be achieved.

21 Finally, please be advised that the
22 duration of this hearing is two hours and will
23 end at noon, or a few minutes after since we
24 started a few minutes late, as committees for
25 the legislature are scheduled to be begin at 1

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2 o'clock. As a result, we may not get to hear
3 public comment from everyone in the chamber
4 but we will do our very best and we will stop
5 at a certain point our questioning to let the
6 public have time to comment.

7 Now I'm going to ask Legislator
8 Drucker if he would like to have a few words.

9 LEGISLATOR DRUCKER: Thank you
10 very much Madam Chairwoman. I'd like to start
11 off this morning by stating that I recognize
12 the need to clearly understand the process
13 that was followed in the licensing application
14 for the Jericho Family Support Center, a
15 transitional housing facility in a largely
16 commercial district in Jericho.

17 I think we can all agree that the
18 process leading up to today's hearing, one
19 that dates back to 2017 with this particular
20 provider, was woefully flawed and inadequate
21 and there was no one that was more
22 disappointed and outraged than I was when I
23 first learned of it at a school board meeting
24 in late July. There is no excuse for the
25 elected county legislator of this community to

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2 be excluded from this process and I expressed
3 my sentiments to the Curran administration
4 immediately upon learning of this initiative.

5 This process must be changed. And
6 whether it can be changed here at the county
7 level or at the state level I'm not sure. But
8 one thing I think we can all agree on is that
9 this process was not transparent and cannot
10 continue.

11 However, I cannot allow my
12 displeasure with a flawed process to prevent
13 me from supporting a plan that I know will
14 provide life-affirming and potentially life
15 saving resources and essential services that
16 will help families in need get back on their
17 feet during one of the harshest economic
18 downturns of our lifetime. Even if we weren't
19 in a pandemic, we must never turn our backs on
20 those who are less fortunate than we are or
21 who may be suffering from certain challenging
22 circumstances. Helping them is not just a
23 statutory obligation of our government, it's a
24 moral obligation that must never be forgotten
25 or relegated to a lower priority.

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2 When we examine the verifiable
3 facts here, rather than listening to
4 half-truths, the inaccuracies, innuendo and
5 scurrilous personal attacks against me and
6 others there can only be one conclusion
7 reached with respect to the planned
8 transitional housing in Jericho and that is to
9 support the goal of helping unfortunate
10 families by providing them with robust and
11 comprehensive services that will achieve a
12 level of stability and progress that
13 facilitates their return as contributors to
14 our communities rather than burdens
15 languishing in unhealthy squalor, which they
16 are in their present inhumane conditions. We
17 can and must do better for these families.
18 Thank you.

19 LEGISLATOR WALKER: Commissioner
20 would you like to begin?

21 MS. NUNZIATA: I would.

22 LEGISLATOR WALKER: If you would
23 like to introduce the staff who you have with
24 you.

25 MS. NUNZIATA: Good morning. To

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2 my left is Rudy Carmenaty, who is our attorney
3 at the Department of Social Services. Works
4 for the county attorney's office. To my right
5 is Deputy Commissioner Lorraine Baum, who
6 oversees housing and homeless services as one
7 of her responsibilities for the department.
8 And to her right is Doug Russell, who is in
9 charge of our procurement and quality
10 management process over at the department.

11 Good morning Chairwoman Walker and
12 ranking member Delia DeRiggi-Whitton and
13 members of the committee and Legislator Bynoe
14 who I see has joined us. Thank you for having
15 me here today. It's my hope that at the end
16 of this hearing you will have a clear
17 understanding of what the Jericho project is
18 and the county's role in that project. But
19 before I get started I wanted to provide some
20 data and an overview of the state policy to
21 help frame the discussion.

22 Nassau County has experienced a
23 steady rise in homelessness over the last
24 decade and in the past five years the numbers
25 have doubled. Thirty one percent of the

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2 homeless households on Long Island are single
3 adults and 69 percent are families with
4 children. We currently, as of today, we are
5 housing 1300 people in our shelter system here
6 in Nassau County. This includes 250 families
7 that have a total of 500 children. So 1300
8 overall. 250 of the 1300 are families and
9 among those families are 500 children. That's
10 whose currently in our shelter system.

11 There are 44 shelters currently in
12 Nassau County. Twenty six of them are family
13 shelters and 18 are single shelters. The
14 interesting thing about this is that except
15 for four of the shelters, we have 44, except
16 for four all of the other shelters, almost 98
17 percent are in minority-majority communities
18 in Nassau County.

19 The average length of stay for a
20 family in a motel you should know is 717
21 days. That's almost two years. While the
22 average length of stay in some of our smaller
23 shelters is 147 days. A vast difference.

24 Nassau County Department of Social
25 Services acts as an agent of New York State

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2 and our job is to assess eligibility and
3 administer temporary assistance to all New
4 York State eligible residents. Temporary
5 assistance not only includes housing but
6 includes things like TANF and Medicaid,
7 childcare and all of those other services that
8 come under the umbrella of our department.

9 Now, the Division of Shelter
10 Oversight and Compliance, which is part of New
11 York State Office of Temporary and Disability
12 Assistance, they are the ones that are
13 responsible for certifying and inspecting
14 publicly-funded homeless shelters for families
15 and adults who have to stay. They are also
16 responsible for the development of agency
17 policies in accordance with state regulations
18 that govern the programmatic and the fiscal
19 plan standards in the state. Essentially the
20 state is who lays out the mandates that we
21 have to follow as the local social service
22 district.

23 Temporary housing assistance is
24 providing temporarily to eligible, I emphasize
25 the word eligible, not everybody who comes to

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2 our door may be eligible for housing, but for
3 anyone who is eligible temporary housing has
4 to be provided to them. It is a benefit of
5 the temporary assistance program, known as
6 public assistance, and applicants are
7 evaluated based on their income, their
8 resources, their last known address, their
9 legal status, et cetera, et cetera. So, we
10 have to do all of that in order to determine
11 whether someone is even eligible for temporary
12 housing.

13 If a person is deemed eligible we
14 must offer housing to that individual. And
15 not only do we have to offer housing but it
16 has to be offered that same day. So we can
17 never say to someone yes, you're eligible for
18 homeless housing but sorry, we don't have a
19 bed. We absolutely that same day we must
20 provide that service, that benefit to them.

21 Now OTDA had released
22 administrative directive 9480M20 entitled
23 Providing Homelessness and Providing
24 Assistance to Homeless Persons. This came out
25 in 1994. This directive states that each

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2 local district must have a procedure to ensure
3 that homeless persons or persons in danger of
4 becoming homeless can apply for temporary
5 housing assistance whenever such housing is
6 needed and they are eligible. This directive
7 makes it a requirement for the social service
8 district to house someone on the same day.

9 The mandate to provide services,
10 emergency shelter I should say, is also
11 contained in social service law 23E. Let me
12 quote that. It states, quote, because the
13 local departments function as agencies of the
14 state and not of their respective counties,
15 they may not substitute their own
16 interpretation of state regulations or their
17 own judgement to that of the state agency.
18 Indeed, the local departments may be
19 sanctioned for failing to comply with state
20 agency directives, end quote.

21 What this means is that we at DSS
22 administer a New York State benefit under New
23 York State mandate. We do not own, we do not
24 control, nor do we operate any of the
25 shelters. We administer what is a benefit to

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2 eligible homeless families and individuals
3 under state law. Nassau again is under state
4 mandate.

5 When I came into my job as
6 commissioner, which is a little less than a
7 year ago, I understood that Nassau County had
8 no certified homeless shelters and was
9 spending a tremendous amount of money on motel
10 placements. The motels offer nothing. They
11 offer a room, that's it. They don't offer
12 case management. They don't offer wraparound
13 services such as education, job development,
14 employment, child care. Zero. So we have
15 been paying for a long time lots of money for
16 a room. I have some cost comparisons which I
17 can also go over with you.

18 That brings me to the Hampton Inn,
19 the Jericho Family Support Center. I came to
20 learn of the Hampton Inn project late last
21 year shortly after I became commissioner. And
22 it was CHI who brought the concept to me,
23 Community Housing Innovations. Based on the
24 historical information that they shared with
25 me, CHI said that they had been in discussion

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2 with the previous DSS commissioner regarding
3 the Hampton Inn in Jericho. CHI apparently
4 had submitted a preliminary plan to the
5 previous administration and for whatever
6 reason it didn't go anywhere. What they did
7 is they dusted off that plan and submitted a
8 new plan to me for consideration of the
9 Hampton Inn.

10 What they proposed was that they
11 would convert the Hampton Inn, which by the
12 way we had already been using to house
13 homeless families. We had at least 25 or 30
14 families in that motel at the time. So we
15 were using it much like we use many of the
16 other motels throughout the county. So they
17 were suggesting that it be converted to a New
18 York State certified transitional housing
19 facility.

20 Just so you know, a transitional
21 housing facility refers to a supportive but
22 temporary type of accommodation that is meant
23 to bridge the gap from homelessness to
24 permanent housing by offering structure,
25 supervision and other support services. The

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2 goal of a temporary housing -- temporary
3 transitional housing facility is really to
4 move families from homelessness into permanent
5 housing. And ultimately to get people off the
6 system. So we don't want people to reenter
7 the system. We really want to work with them,
8 provide them services so they and their
9 families can eventually settle and go on and
10 live a productive life.

11 CHI's plan at the time called for a
12 private developer who would be purchasing the
13 property and then was going to lease it to CHI
14 for use. CHI also shared with me, and I had
15 actually known from my previous job, that they
16 had successfully done this exact same model in
17 Commack. I think it was either a Howard
18 Johnson or Holiday Inn that they reconverted
19 to a state-certified family transitional
20 housing facility. That facility has been
21 working very well. They shared that with me.

22 In addition, CHI we knew had been
23 operating a couple of small shelters in Nassau
24 County for the past 12 years. They were a
25 known provider to us here in the county and

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2 based on all the information that I had
3 received they were a very good provider.

4 There was currently and there is
5 currently a memorandum of understanding with
6 CHI that is dated May 1, 2017 through April
7 30, 2022. They have a five-year MOU with us
8 that's still in effect.

9 According to Section 3D of the MOU,
10 any amendments to the MOU, including the
11 addition of new locations, would be done
12 through a letter of consent. So that language
13 is embedded in the MOU. With respect to
14 Jericho Family Support Center we were
15 following the procedure that was in place and
16 ensuring that they were meeting with state
17 requirements and mandates. This same
18 procedure where a letter of consent is used to
19 add a new location has been used for years and
20 had been used time and again.

21 Actually, in my short time, there
22 were other letters of consent that I signed
23 off on for a few other current providers who
24 are either going to be adding a new home or a
25 new property to their current MOU. I believe

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2 at the time that I was looking at CHI's MOU
3 they had two properties on already with us.
4 So Jericho was going to be a third property.
5 So we followed the exact procedure that we've
6 been using which was embedded in the MOU.

7 As I stated, the goal here really
8 was to take a look at our motel system.
9 Motels have been used for many years to house
10 the county's homeless population. It's
11 actually one of the premier modes of
12 sheltering people that we've been using.

13 The aim of this project and why it
14 was so different was to reduce and hopefully
15 eliminate the use of the motels. And
16 particularly to now bring the same families
17 who are living a couple of blocks away in a
18 motel to a facility that was clean, well
19 maintained, had 24 hour supervision and had a
20 host of wraparound services. Because the goal
21 again is to get them to move them out.

22 What you should know is that the
23 length of stay for CHI's transitional housing
24 facilities is six to nine months. Whereas,
25 the length of stay in Nassau County motels is

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2 two years. Very big difference.

3 Finally, just a last word. Please
4 note that effective January of 2023 all
5 homeless shelters in New York State must be
6 certified by the state. That is a new
7 regulation that came out. This means that all
8 shelters, regardless of how big or small, they
9 must comply with New York State OTDA part 900
10 regulations and those are the regulations that
11 govern homeless shelters. These regulations
12 elevate the standard by which homeless
13 shelters administer services.

14 The Jericho family support center
15 would be the first one that we have in Nassau
16 County. None of our shelters currently are
17 certified by the state. We are going through
18 the process also with several of our, all of
19 our shelter providers. Some of them are going
20 to be able to be certified and some of them
21 won't. The Part 900 regulations, if any of
22 you have had to take a look at them, they're
23 pretty stringent in terms of what the state
24 requires for them to give certification.

25 That's what I wanted to present to

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2 you. I'm certainly happy now if you have
3 questions for me, questions for my staff happy
4 to assist and thank you.

5 LEGISLATOR WALKER: Thank you
6 commissioner. I just want to make sure that
7 the clerk recognizes the legislators that
8 arrived. Mike you notice the other
9 legislators arrived?

10 I'm just going to start with -- so
11 the reason we chose this vendor to do this is
12 because you had a connection with this vendor
13 already and they do other work in Nassau
14 County?

15 MS. NUNZIATA: Yeah. They've
16 worked on other shelters. And we have this
17 all the time you should know. We have what's
18 called a rolling application process which
19 apparently was approved when? Back in -- I'm
20 going to let Doug speak a little bit to this.

21 MR. RUSSELL: Doug Russell. We
22 have a rolling application process that was
23 approved around 2011, 2012. The reason for
24 that is because we had a flat rate system in
25 place where we paid a flat rate. So it wasn't

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2 a competitive procurement process. It was
3 really to find qualified people.

4 So, we have a committee of people
5 who receive these proposals and we evaluate
6 them, we rate them and then the ones we
7 believe will be a viable shelter we'll make a
8 recommendation to the administration as to
9 whether or not we think that they should be
10 opened.

11 MS. NUNZIATA: That's for a new
12 provider which we have all the time. We have
13 people that write to us all the time and are
14 interested in opening a shelter. You know I
15 have a house. I have this. I have that.
16 This was different in the sense that, first of
17 all, CHI came to us. Then what we do is we
18 essentially act as the go-between between the
19 nonprofit and the state. Because at the end
20 of the day we don't approve anything. We
21 can't certify a shelter. We can't pick a
22 shelter. In fact, I have the new regulations
23 that now are in effect which would affect the
24 Jericho project. Right here, this is through
25 the OTDA, it says prior to submission of any

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2 operational plan for a shelter for families
3 the social service district must obtain
4 preliminary approval from OTDA for the
5 establishment of such a facility.

6 So, we essentially may get the
7 request and then we pass that request on to
8 the state. The state has to do the
9 inspections. The state has to decide if they
10 think it's an appropriate facility. The state
11 also decides the final budget amount. So
12 again, if a provider submits a budget to us
13 and says this is what we think it will cost,
14 we take that information, we look at it, but
15 ultimately we send it to the state and they
16 make the final decisions. That's why I had
17 mentioned we don't control, we don't own any
18 shelters and we don't operate any shelters.
19 We are really the conduit by which the
20 nonprofit or the provider gets ultimate
21 certification or not from the state.

22 And the other thing, and Rudy just
23 reminded me, which is true, we never ever pick
24 locations. The locations are brought to us.
25 We would not know if somebody has a building

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2 somewhere or someone wanted to place something
3 somewhere. We never ever pick a location.
4 Those locations are given to us.

5 LEGISLATOR WALKER: Now what is
6 the amount that is like payment? What is that
7 amount that they are paying for this?

8 MS. NUNZIATA: We did a short and
9 sweet comparison between the motels and the
10 potential Jericho shelter. So on average, and
11 please keep in mind this is an average, our
12 hotel rates throughout the county they range
13 anywhere from \$110 a night to \$300 a night.
14 We took the average of \$145 a night. If we
15 were paying for a family of four to stay in a
16 motel for 717 days, because that's how long on
17 average our families stay in motels, it would
18 cost \$103,965 per family.

19 Now when you look at the Jericho
20 project and CHI, again, Community Housing
21 Innovation, their length of stay is between
22 six and nine months. Their rate, which is
23 approved by the state, again, this is not our
24 rate, that's the state rate, is \$225.63 per
25 night. It's not a per person rate. It's a

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2 per unit rate. If a family of four were to
3 stay in one of those units for six months, 180
4 days, it would be \$40,613. If they stayed
5 there the maximum of nine months, it would be
6 \$60,920. So clearly it is a much cost
7 effective model.

8 And the other big difference is,
9 remember, we are paying over \$100,000 per
10 family now to stay in a motel up to two years
11 with absolutely no services. There's no case
12 management. There's no child care. There's
13 no job development. There's no education. We
14 don't really know what they're doing because
15 we don't monitor them. This setting has 24
16 hour security. Staff is there around the
17 clock. It's case managed. They're going to
18 have an on-site day care center. They'll have
19 folks doing education. They'll have housing
20 workers that help find housing for people.
21 Again, not only is it costing us less money
22 than the hotels but people will also be
23 getting services.

24 At the end of the day, when you
25 think about the fact that we have 500 kids in

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2 our system and these are children under the
3 age of 18, it's certainly is a whole lot
4 better for children to be homeless for six to
5 nine months than it is to be almost two
6 years. When you look at all of that the
7 project just makes sense and it certainly
8 benefits the families that are in our care.

9 LEGISLATOR WALKER: I just want
10 to say, and you and I have spoken about this
11 many times, I can't even imagine families
12 living in a hotel room for -- I used to go on
13 vacation, even sometimes just put a little
14 more in the room because you have four kids
15 and they're too little to separate rooms and
16 stay in one place. I can't imagine that.
17 Especially can't imagine it during COVID where
18 you had people for that length of time it was
19 difficult dealing with four grandchildren in
20 my house trying to do home schooling every day
21 in my house let alone if you were in a one
22 bedroom hotel room.

23 Again, as Legislator Drucker said,
24 I do believe this is much better for our
25 families. The services they will get or

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2 whatever.

3 You said the state has to come
4 down. The state has to see what it's like,
5 what the facility is like, this is agreeable,
6 whatever. Obviously there was a process done
7 for them. Unfortunately, that process for us
8 as legislators I mean I knew nothing until
9 there was a press conference and I chair this
10 committee. So when I start getting phone
11 calls and you kind of look like a deer in the
12 headlights, I don't know what you're talking
13 about. Then you're doing research playing
14 catch up it puts us all in a bad situation.

15 Obviously, like I said, if the
16 state had time to make sure this is a good
17 place, a good facility, whatever has to be
18 done, I know that in MOU it was a small amount
19 of difference but it was \$222.85 per room.
20 Now it's a different price.

21 MS. NUNZIATA: Because the state
22 reviewed -- CHI had made some amendments in
23 the budget and the state approved two dollars
24 more or something. It's \$225.63.

25 LEGISLATOR WALKER: So now you

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2 have to put a new MOU together. Who pays
3 that?

4 MS. NUNZIATA: That is really the
5 state. The state pays it. Essentially,
6 again, it's a pass through. So it's not on
7 the county's dime. This is money that comes
8 from the state to us. We pay the vendor.
9 That's what we do.

10 LEGISLATOR WALKER: When this
11 project was going to take place and the site
12 was, like you said, you don't choose the site,
13 but did you reach out to the school district?
14 Did you reach out to the municipality? Did
15 you reach out -- I know you didn't reach out
16 to us. Did you reach out to the local fire
17 department? That now it's a different
18 situation for them. Did all that happen?

19 MS. NUNZIATA: I can tell you
20 that I had a meeting with the school
21 superintendent I think it was January. It was
22 January. That was a meet and greet. So we
23 kind of reached out to each other because I
24 was new and he wanted to meet me and also he
25 knew that there had already been, because of

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2 the motels in the area, there are a couple of
3 I think ten kids at the time in his school
4 district.

5 So we met at my office and we were
6 talking about homeless children and what
7 services Jericho could provide et cetera, et
8 cetera. I mentioned to him at that time that
9 we were looking, that the provider and the
10 state was looking at the Jericho, the Hampton
11 Inn. At that time it was a thought. It
12 wasn't -- there was nothing formal about it.
13 But I did mention it to Hank and I told him I
14 would let him know and keep him posted if the
15 project developed.

16 Then what happens is somewhere
17 whatever February everybody's life goes up in
18 the air with COVID. At that time really at
19 the department this project went on a back
20 burner because we really had to turn our
21 attention to providing emergency services to
22 people in the community. Our food stamp
23 applications quadrupled. Our applications for
24 temporary assistance. We had people on the
25 verge of eviction. We really spent much of

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2 February through at least June really kind of
3 full on looking at what folks in the county
4 needed in terms of emergency services.

5 The other thing we had to develop
6 really quickly is an isolation site because we
7 had homeless folks that were affected by COVID
8 and what to do there. They couldn't no longer
9 stay in a shelter because they didn't want to
10 pass on any infection. We feverishly, and
11 really I have to give credit to my deputy
12 commissioner here who really put a plan
13 together very quickly that included the
14 federally qualified health centers to develop
15 a location where we were able to at least
16 place people who were struggling with the
17 illness. So that was really for months the
18 focus. The Jericho project was way on the
19 back burner.

20 Then it came to life again when I
21 had heard from CHI that the developer was
22 nearing closing on the property. Because I
23 didn't know at that point whether the
24 developer even had the property anymore or was
25 going to buy it. We were really not in touch

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2 for months and months. So CHI let us know
3 that the developer was going to purchase the
4 property and that he near a closing date. I
5 believe that closing then eventually happened
6 the beginning of July. Somewhere around the
7 eighth or ninth. The 12th was the final? It
8 was the beginning of July.

9 And then I had another conversation
10 at that time with the school superintendent
11 who checked in and said hey Nancy, what's
12 going on? I said I heard the developer closed
13 on the building. And he said do you
14 anticipate any additional children coming into
15 the district? What we did is Lorraine and her
16 staff they surveyed all of the families, it
17 was about 104 families that potentially were
18 in motels that could have been placed if the
19 Jericho project came to be, they could have
20 been placed there. We tried to get a sense of
21 who would be transferring their children, if
22 anything, to Jericho.

23 What we found is that, not
24 surprisingly, the majority of parents chose to
25 keep their children in the district of origin

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2 because that's at least consistency for kids
3 that are homeless. And a total of 19
4 children, there were about six families I
5 think or seven families, a handful of families
6 who said oh yes, if we get moved then we would
7 move our kids and put our kids in Jericho.

8 Now, I'm sure you all know or maybe
9 you don't about the McKinney-Vento Act, that's
10 federal legislation that allows for homeless
11 parents to decide where they want to put their
12 children. Children have the right to go back
13 to their school district of origin and that
14 school district has to bus them if need be.
15 Parents also have a right to put their
16 children in the new school district of
17 wherever they're placed.

18 Out of these 104 families there was
19 a small handful of families who said yes, we
20 would put our children in Jericho. So we had
21 a total of 19 children that potentially would
22 be going to the Jericho school district. I
23 shared that information with the
24 superintendent. We were able to give him the
25 grades of all 19 children. And that's where

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2 we left it.

3 The other thing you should know,
4 any of the children who potentially would go
5 into the Jericho school district Jericho
6 school district does not pay for those
7 children. Under the McKinney-Vento Act the
8 school district of origin must reimburse the
9 Jericho school district. It says right here,
10 I'm quoting from it, any time a student is
11 temporarily placed into a new district the,
12 quote, home district or, quote, district of
13 origin remains financially responsible for the
14 student's education and transportation to
15 school.

16 The stack form, which gets
17 completed, is send to the state ed department
18 which requests that the home district
19 reimburse the district that the child is
20 placed in for any cost. So it would be at no
21 cost.

22 You should always also know that
23 once the family would move out of the school
24 district, if we had put them in the Hampton
25 Inn and moved out to permanent housing, say

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2 they relocated to another area in Nassau
3 County, unless that child is a senior in high
4 school those children have to go to the school
5 district that they've relocated to. They
6 cannot remain in Jericho and live somewhere
7 else. That is also part of the federal
8 legislation. The only exception to that is if
9 you have a child that's graduating. If a
10 child is in 11th grade and has one more year
11 to go the state says that child can finish
12 their schooling say in the Jericho school
13 district. But any other children they have to
14 go to the new home district.

15 So Hank was aware of that. He
16 knows the federal legislation just like I do.
17 That's what we discussed in July about these
18 19 children and what their grades would be
19 because we knew specifically the grades.

20 LEGISLATOR WALKER: That was in
21 the beginning of July?

22 MS. NUNZIATA: Probably
23 mid-July. It was after I found out that the
24 developer bought the building and had actually
25 closed on the building. Because as I

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2 mentioned before, we really were not focused
3 on the project for months because we were
4 really focused on providing emergency services
5 to the county and to make sure we had an
6 isolation site for homeless folks that were
7 sick or exposed.

8 LEGISLATOR WALKER: What about
9 the Town of Oyster Bay?

10 MS. NUNZIATA: What about them?

11 LEGISLATOR WALKER: Do you notify
12 the town? Are there any permits you have to
13 follow? Any codes? Or are you just allowed
14 to do whatever?

15 MS. NUNZIATA: No, we did not.
16 You know Chairman Walker, it is no different
17 than all of these shelters that we have. The
18 44 shelters that we have in all of the other
19 communities. We did not do anything different
20 with respect to this project than we did with
21 all of these folks. With all of these
22 projects that if -- I don't know if you guys
23 have received this list, but if you peruse the
24 list we're talking Roosevelt, Hempstead,
25 Uniondale, Freeport. Those folks were never

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2 reached out to. We did nothing any different
3 here with Jericho. With the Town of Oyster
4 Bay.

5 The other thing is, if I can just
6 add on, we are also bound by confidentiality
7 law. Could you just go over that for a minute
8 Rudy.

9 MR. CARMENATY: Very briefly, the
10 records at DSS are New York State records.
11 They are the proprietary interest of the state
12 of New York. We act as their instrumentality
13 in the state. Those records are governed by
14 confidentiality social services law section
15 136 which prohibits any communication or
16 disclosure of this information other than
17 specified cases.

18 If you were to call up and say is a
19 person a recipient, a person located in, we
20 are not able to tell you that unless it falls
21 within a specific, you know, a criminal act
22 that's being investigated, things of that
23 nature. It's a very strict mandate that we're
24 under what governs the kind of information we
25 can release or can provide. You need to be

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2 aware of that. It's an unfortunate mandate.
3 I understand your concern but we are governed
4 by state regarding that issue.

5 LEGISLATOR WALKER: I'm really
6 concerned more for the safety of those
7 families that are now going to be living
8 there. Is everything up to code? It wasn't a
9 homeless shelter before. It wasn't housing
10 families that are going to be staying for a
11 longer period of time. I don't know. Is
12 there going to be kitchen facilities for them
13 if it's kind of a lot of wraparound services.
14 They didn't have day care in a hotel, the
15 Hampton Inn before.

16 You want to make sure that where
17 ever we're housing these families they have
18 enough troubles that they have to deal with.
19 You want to make sure where they are that
20 everything is right for them. That we're not
21 putting them in someplace that is detrimental
22 to them because they don't have the proper,
23 you know, things that they're supposed to
24 have. Which I wouldn't even know all those
25 things. Like I said, even in a home or

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2 whatever that you make sure that everything is
3 up to code. That they have all the right
4 things. The fire marshal has been notified.
5 Is this right.

6 I want to tell you an example.
7 Something that they had reached out to me.
8 The chief of the Jericho fire department had
9 gone over because he was very concerned, saw
10 some work, and they were very reluctant to
11 even let him look around or whatever. Which
12 finally I guess somebody said well I'll take
13 you on a little walk through which he did. A
14 few days later or a week later or whenever it
15 was, they actually had a fire call because the
16 automatic alarms went off. He went over
17 there. They didn't even want to let him in.
18 He said look, now it's our worry. We're the
19 fire department. We have to make sure it's
20 safe where you are. So he was able to see
21 more.

22 He said there was an indoor pool
23 there that was emptied obviously but it was
24 just filled with junk that they just threw in
25 there. I would certainly assume it's not

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2 going to be left like that. But those are all
3 the things, like I said, where ever we're
4 putting families, I mean, God bless them. I
5 hate to see they're in a motel room any
6 where. But if a facility is going to be done
7 and going to be so much better for them we
8 have to make sure that facility is what it
9 should be and that it's safe for them and it's
10 not their permanent home yet but it's as much
11 of a permanent home that we can make for them
12 with all those wraparound services and make
13 sure everything is done properly.

14 Whose checking on that? The state
15 is okaying this building but obviously the
16 building's not even ready yet so the state
17 doesn't know what -- and the state what might
18 be fine in some part of the state isn't fine
19 here.

20 MS. NUNZIATA: So, all of your
21 concerns are correct. We want to always make
22 sure. But the thing about it is we're not the
23 people, the department doesn't get involved in
24 zoning and codes. That's the state's job.
25 They're the ones for any facility in New York

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2 State they have to inspect the building. They
3 have to decide whether it meets whatever
4 building codes, zoning codes. That's not us.

5 In fact, we just received a
6 notification from the state. They apparently
7 did go down and they looked at the building,
8 they did a walk-through and we received a
9 letter dated yesterday that they are ready to
10 precertify that facility. So I guess, and I
11 can't speak for them, but I'm going to assume
12 that based on this letter that we received
13 when they conducted their walk-through they
14 felt that that facility, physical plant, met
15 whatever regulations they have for shelters.
16 And that's found in the part 900 regulations.

17 MS. BAUM: I just want you to
18 know a little bit more about the process. We
19 have to send up security plans, operational
20 plans, budgets. And we are the pass-through.
21 So I see, and Doug and I see, all these going
22 up and down and up and down. They go back and
23 forth over and over OTDA. There are things
24 that I want to see. My goal in any shelter is
25 people are well fed. They have access to

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2 nutritional food for dietary, if you're a
3 diabetic, those are things. Safety. I'm very
4 clear on and permanent housing opportunities.

5 But the regs for these shelters
6 they go on for pages and OTDA will send a
7 letter back be like 55 points that they're
8 unhappy with. This is what it takes to come
9 to certification. They are very stringent on
10 these regulations.

11 MS. NUNZIATA: And this process
12 is going to now happen for all 44 shelters
13 that we have in Nassau County because by 2023
14 every single shelter needs to be certified by
15 OTDA. So this very rigorous process is going
16 to be happening over the next couple of years
17 and we know some of our current providers are
18 going to do well and some of them are not.
19 They may not be able to meet the rigorous
20 standards.

21 MS. BAUM: Just one more thing on
22 the building. This building operated as a
23 motel. So it's a fantastic site for the
24 families to be at. It was already so many
25 steps ahead because of the use of the building

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2 before it was considered for this purpose as
3 opposed to some of the residential-type
4 shelters that we have where people are quite
5 crowded. There's recreation for the
6 children. There's an afterschool program.
7 There will be tutoring for the children. And
8 there is space in there for all of these
9 services to be administered comfortably for
10 the families.

11 MR. RUSSELL: I would just like
12 to add to your comment about the pool is that
13 the plan is to fill that pool in and that's
14 going to become a day care center.

15 LEGISLATOR WALKER: Not fill it
16 in with water?

17 MR. RUSSELL: Let's hope not.

18 MS. NUNZIATA: It's not going to
19 be a big sand box.

20 LEGISLATOR WALKER: I do have
21 other questions but I'm going to let the rest
22 of our committee ask their questions.

23 LEGISLATOR DRUCKER: Thank you
24 Madam Chair. Couple of preliminary
25 questions. If all of the homeless shelters in

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2 Nassau County are going to be required to be
3 licensed and approved by the state OTDA by
4 2023 why did CHI have to go through the
5 process now?

6 MS. NUNZIATA: Because that's the
7 process that's currently in place. For any
8 new facility starting January of this year
9 through January 2023 this is the process.

10 LEGISLATOR DRUCKER: That's a
11 county stipulation?

12 MS. NUNZIATA: No, a state. Not
13 our rules. This is state mandate not ours.

14 LEGISLATOR DRUCKER: But it
15 doesn't go into effect until 2023?

16 MS. NUNZIATA: No. By 2023
17 everyone has to be up to the standard. It's
18 in effect currently.

19 LEGISLATOR DRUCKER: I was a
20 little bit confused. Obviously we know that
21 the county doesn't select the site here and
22 when it comes to providing homeless shelters
23 or shelters for homeless families the county
24 is always approached by the provider. Is
25 that's correct?

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2 MS. NUNZIATA: That's correct.

3 LEGISLATOR DRUCKER: So the
4 county never goes out and seeks a location?

5 MS. NUNZIATA: No, we do not.

6 LEGISLATOR DRUCKER: When you do
7 enter into these relationships with the
8 providers is there always an MOU in place?

9 MS. NUNZIATA: Yes, there is.

10 LEGISLATOR DRUCKER: In this
11 particular case, because you had been involved
12 with CHI in the two other locations in
13 Hempstead and Uniondale that was set forth in
14 the MOU from 2017, according to that MOU to
15 allow for the facility in Jericho only needed
16 a letter of consent which is more or less an
17 amendment to the MOU; is that correct?

18 MS. NUNZIATA: That's correct.

19 LEGISLATOR DRUCKER: Have you had
20 any issues or problems with CHI over the past
21 three years at the Uniondale and Hempstead
22 locations?

23 MS. NUNZIATA: They've been with
24 the county for 12 years. To my knowledge in
25 my time that I have been here absolutely

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2 nothing has been brought to my attention.

3 Doug has been here the longest.

4 MR. RUSSELL: In the time that I
5 have been at DSS, CHI has always been
6 considered one of our premier providers,
7 operators of homeless shelters. This doesn't
8 mean that sometimes bad things don't happen at
9 shelters and they may have happened at the
10 shelter. The state requires a serious
11 incident report. I can't tell you off the top
12 of my head whether or not there has been any
13 at CHI's facilities. But if there had been
14 they would report that. But generally we look
15 at them as being one of the best providers
16 that we have.

17 LEGISLATOR DRUCKER:
18 Approximately how many shelters have they
19 provided in Nassau County over the years?

20 MR. RUSSELL: They have three
21 family shelters right now. One of them we are
22 converting over to a singles shelter.

23 MS. NUNZIATA: The other thing
24 just to add to that legislator is they operate
25 39 locations in Suffolk County and they also

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2 did similar conversion, like I had mentioned
3 earlier, in Commack. And I've certainly been
4 in touch with the commissioner, my partner in
5 Suffolk County, and they are held in very high
6 regard there as well.

7 LEGISLATOR DRUCKER: The facility
8 in Jericho it is not requiring any
9 construction, correct?

10 MS. NUNZIATA: To our knowledge,
11 no. But again, that would be the developer's
12 decision with CHI.

13 LEGISLATOR DRUCKER: The cost
14 that you indicated, commissioner, the average
15 of \$225 a night which is set by the state of
16 New York, correct?

17 MS. NUNZIATA: Yes. CHI put
18 together a budget laying out their personnel
19 costs and other costs and then the state
20 finally approved that as the daily rate.

21 LEGISLATOR DRUCKER: That comes
22 out to that approximately \$40,000 for a six
23 month stay and \$60,000 for a nine month stay
24 versus the \$104,000 for approximately a two
25 year stay that the county incurs now at the

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2 motels where they're getting no services?

3 MS. NUNZIATA: That's correct.

4 LEGISLATOR DRUCKER: That \$40,000
5 or \$60,000 that is paid by the county is 100
6 percent reimbursed by the state of New York?

7 MS. NUNZIATA: For the most part
8 it's 100 percent reimbursable. If there are
9 TANF families that have hit their five year
10 mark then we share some of that cost, we share
11 a percentage of that cost, but for the most
12 part it's reimbursed.

13 LEGISLATOR DRUCKER: Any amount
14 that is spent by DSS, whether you're
15 reimbursed or not in any services that you
16 provide, that number is already factored into
17 your annual budget, correct?

18 MS. NUNZIATA: That's correct.

19 LEGISLATOR DRUCKER: So it's
20 allocated already in advance and every year
21 you have to submit your budget for that year?

22 MS. NUNZIATA: That's correct.

23 LEGISLATOR DRUCKER: I had a
24 question for the county attorney,
25 Mr. Carmenaty. You spoke about

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2 confidentiality. How the county was required
3 to maintain confidentiality.

4 MR. CARMENATY: It's not the
5 county. It's the department that must
6 maintain confidentiality because it is an
7 instrument of the state dealing with state
8 records and mandates.

9 LEGISLATOR DRUCKER: But yet the
10 commissioner advised the school superintendent
11 about this project. Is that not a breach of
12 the confidentiality?

13 MR. CARMENATY: I'm not here to
14 judge that avenue.

15 LEGISLATOR DRUCKER: It's not a
16 matter of judgement.

17 MR. CARMENATY: If I may sir,
18 it's not a matter of my judging it. What I'm
19 trying to say is, my understanding of it, it
20 was an offhand comment made initially I
21 believe in January that for a project that at
22 that time was dormant, it did not exist.
23 Subsequent to that there was a subsequent
24 meeting where out of concern for the children,
25 for the client, the matter was addressed. No

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2 names were revealed that I'm aware of. No
3 identifying information was provided. Merely
4 statistical information was garnered to assist
5 the superintendent regarding an impact that
6 may or may not occur in that school district.

7 LEGISLATOR DRUCKER: Sir I have
8 no problem, I have no issue with the
9 commissioner making those comments. I only
10 raise it because you made a point of talking
11 about confidentiality. So the confidentiality
12 doesn't apply to that situation?

13 MR. CARMENATY: Sir, again, I'm
14 not here to adjudicate that particular point.
15 What I am trying to say is how this happened.
16 I wasn't there. Had I been there I would have
17 advised the commissioner differently. But I
18 cannot now second guess the commissioner or
19 say it didn't happen or it shouldn't have
20 happened. I'm not here to chastise anyone.

21 LEGISLATOR DRUCKER: I only asked
22 if there was a violation of the
23 confidentiality.

24 MR. CARMENATY: And I'm not here
25 to adjudicate that. What I can say in all

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2 fairness and to answer your question directly
3 and honestly, if had I been present I would
4 have advised the commissioner not to have made
5 that comment but that's hindsight is second
6 guessing and I'm not going to engage in that.

7 LEGISLATOR DRUCKER: The county
8 in all of the previous shelters you talked
9 about, the 44 shelters that are being operated
10 throughout the county, there's never really
11 any advance consultation with the community;
12 is that correct?

13 MS. NUNZIATA: That is correct.

14 LEGISLATOR DRUCKER: Do you know
15 if the provider on their own initiative ever
16 communicates with the local community before
17 it does?

18 MS. NUNZIATA: We wouldn't know
19 that.

20 LEGISLATOR DRUCKER: So, really
21 the county in this particular case plays
22 absolutely zero role in the licensing of this
23 facility; is that correct?

24 MS. NUNZIATA: That's correct.

25 LEGISLATOR DRUCKER: The state is

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2 responsible for the approval of the location
3 in all respects whether it's safety, whether
4 it's proper for the services that are going to
5 be provided, they inspect the location, they
6 approve it and then the county gets involved
7 after that fact; is that correct?

8 MS. NUNZIATA: That's correct.

9 LEGISLATOR DRUCKER: I have
10 nothing more at this time but I may have more
11 afterwards. Thank you very much
12 commissioner. Thank you for your staff as
13 well.

14 MS. NUNZIATA: Thank you very
15 much.

16 LEGISLATOR WALKER: Can I just
17 ask you to explain to me because I lost you
18 there for a little bit. I understand the
19 confidentiality just like HIPAA. You wouldn't
20 say Rose Walker is now living in a hotel. I
21 get that. What did you say you would have
22 advised the commissioner?

23 MR. CARMENATY: I said I would
24 not have advised her if I had been there but I
25 wasn't there.

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2 LEGISLATOR WALKER: I didn't
3 understand what you said.

4 MR. CARMENATY: Had I been
5 present I would have advised her not to make
6 any reference to it. But she made the
7 reference. It was an innocuous act. It
8 wasn't made in any detrimental way. Once it
9 was done it was done.

10 LEGISLATOR WALKER: If you were
11 there you would have advised the commissioner
12 not to let the school district know?

13 MR. CARMENATY: I would have
14 advised the commissioner that we should
15 discuss the matter first and see what can be
16 revealed or not. I would not have done it in
17 an offhand matter. That's really not the
18 issue. The issue is that we -- that the
19 admission was made. It was done, as far as
20 I'm concerned, subsequently in a way that
21 revealed no client information. That's the
22 key thing. We're not trying to reveal any
23 client information nor are we trying to give
24 any identifying material that would, as you
25 say, identify say Rose Walker or anyone else

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2 was there and that was not done.

3 LEGISLATOR WALKER: I personally
4 don't think there was any breach of
5 confidentiality. I can't even fathom that you
6 would not let a school district know if they
7 have 19 more students coming into their school
8 district. Especially when you just went
9 through COVID and God knows they're trying to
10 figure out where to put their children
11 anywhere.

12 MS. NUNZIATA: What we can't do
13 is I can't say to you, oh, by the way, 90 Main
14 Street is going to be a homeless shelter
15 because that immediately let's you know that
16 there's a good majority of people there who
17 are on public assistance, right? But all of
18 our children that are in our shelters now the
19 providers must make sure they're registered
20 for school. That gets done through the stack
21 form. The kids have to go to school. That
22 process is a regular process that happened
23 where ever the children are living, whether
24 they're living in one of our shelters or
25 living in a motel unit. It has to happen

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2 before kids have to go to school.

3 LEGISLATOR WALKER: Thank you.

4 Legislator Schaefer.

5 LEGISLATOR SCHAEFER: Thank you
6 for being here commissioner and everyone
7 else. I'm going to jump around a little bit.
8 I want some clarification on a couple of
9 things. On the topic of school children. Can
10 you explain that to me again? Did you say
11 that if they -- so this is a transitional
12 shelter for approximately six to nine months
13 they're supposed to be there. If you move
14 them out, which is the goal, say after eight
15 months and they go outside of the district the
16 children have to, unless they are in
17 graduating position or ready to graduate, they
18 have to go to the new school district?

19 MS. NUNZIATA: They'll finish out
20 they're allowed to finish out that school
21 year. Say they started now in September and
22 they move out in January. They can finish the
23 school year where ever they are. But then the
24 next September they must go to the school
25 district that they live in.

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2 LEGISLATOR SCHAEFER: So there's
3 going to be a lot of transition then?

4 MS. NUNZIATA: There will be
5 transition. That's why communication with the
6 school will be important.

7 LEGISLATOR SCHAEFER: Then we
8 were talking about cost to the county. Can
9 you explain to me again when there is a cost
10 to the county, I know this is mostly an
11 appropriation function of the state, but you
12 said something after a certain period of
13 time?

14 MS. NUNZIATA: I'm going to have
15 Lorraine cover this since this is one of her
16 areas of expertise and she's done the
17 research.

18 MS. BAUM: TANF is temporary
19 assistance to needy families and that's a
20 federal benefit. In New York State we are a
21 very benefit rich and generous state as a
22 whole. So, we go to the maximum of five years
23 on TANF. There are other states that cap it
24 at three years. There are other states that
25 once a family has gone to their maximum of

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2 TANF there is zero benefits for that family.
3 In New York State we don't do that. In New
4 York State if you have maxed out of your TANF
5 then we move you to Safety Net. It's in our
6 constitution Doug is telling me.

7 There's another element that comes
8 in here which is OTDA requires it's called the
9 Shelter Share. The family is working, they
10 are assessed for what they can contribute back
11 to us. So I don't want you to think that
12 doesn't happen. This is also our
13 responsibility at the Department of Social
14 Services.

15 So we have a lot of money coming in
16 from the people who need to access and are
17 qualified to access emergency shelter. We
18 have some families with the TANF. We have
19 some families where we're paying 71 percent.
20 That's our deal that we made with the state
21 that that's our amount in Nassau County. So
22 it's a very complex financial picture for the
23 homelessness. Does that help?

24 LEGISLATOR SCHAEFER: Sounds like
25 a complicated picture. Yeah, it does help.

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2 I have a question about some timing
3 here. You may have explained this earlier so
4 I apologize if I missed it. DSS entered into
5 an agreement with CHI in June to operate this
6 shelter?

7 MS. NUNZIATA: No. There was an
8 existing MOU with CHI dating back to May of
9 2017.

10 LEGISLATOR SCHAEFER: So it was
11 just the amendment to that, is that what
12 you're saying?

13 MS. NUNZIATA: Right. But that
14 wasn't issued in June. Yes, the process would
15 have been to make an amendment to that to add
16 a new location.

17 LEGISLATOR SCHAEFER: Was there
18 an agreement or amendment made prior to the
19 real estate transaction being finalized?

20 MS. NUNZIATA: No. We had no
21 idea they were buying the building. We didn't
22 know.

23 LEGISLATOR SCHAEFER: As far as
24 CHI and their track record and I guess any
25 shelters in general, who keeps track -- so,

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2 this one specifically is for six to nine
3 months. That's the projected and that's when
4 you want to move people on and hopefully into
5 their own lives outside of a homeless
6 situation. So is there some sort of
7 recordkeeping or success rate that's
8 maintained? How do we know that these are
9 going to be successful situations and what
10 happens if they're not?

11 MS. NUNZIATA: Lorraine will walk
12 you through the whole OTDA process because
13 they're the ones that -- their Division of
14 Compliance oversees all that.

15 MS. BAUM: I'm going to let you
16 know that I'm very data driven. I have an
17 excellent team in emergency housing and we are
18 going after all of these statistics from every
19 different angle. As we keep progressing on
20 this we're going to know exactly which of our
21 providers can match up to the six months at
22 CHI. I actually have that from one of our
23 largest providers that has been in Nassau
24 County. I was very happy to see that they
25 meet that and we will require it and track it

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2 for everyone. So we are able to see that
3 information.

4 But now we're really dissecting
5 it. We're going into families, single men,
6 single women, people with substance abuse so
7 that we can meet the needs.

8 Also with our smaller shelters,
9 there have been people that have been
10 dedicated to doing this work and now they're
11 up against these very stringent requirements
12 from OTDA and it makes them very nervous. We
13 don't want them to stop doing this important
14 work they have been doing a lifetime for
15 Nassau County.

16 So what we are hoping is to make
17 those specialty shelters where you might take
18 a certain population that they can just
19 specialize with and make that population
20 provide those specific needs so they can move
21 faster. There's certain things that make
22 different areas move faster, families move
23 faster this way. People with substance or
24 people with mental health need to get into
25 specialized housing. You have to be able

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2 to -- it's very complex. This will allow us
3 to specialize and hopefully save money and
4 make lives, improve lives in a much faster
5 manner.

6 MS. NUNZIATA: In terms of the
7 Jericho project, what will happen for all
8 state certified shelters is the state does
9 annual inspections. They come down and they
10 will do -- this is a several day process. I
11 know because I've been through it in my
12 previous job. They will come down, they will
13 go through the building, they will look in
14 every nook and cranny. Make sure that the
15 building meets all physical plant
16 requirements. Physical plant environmental
17 requirements. And then they will do a program
18 evaluation.

19 So they will read case records.
20 They will interview staff. They will
21 interview clients. They usually come down it
22 could be anywhere from three to five days
23 where they will spend -- the folks from Albany
24 come down and they do a complete comprehensive
25 look to make sure that the provider is meeting

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2 all the requirements.

3 Then of course we would get a
4 notice. Once they did that they would give us
5 a copy of the results. The provider would
6 then have, if there were any corrections, they
7 would have 30 days to submit a corrective
8 action plan to the state to say how it is that
9 they were going to correct whatever citations
10 they received.

11 Again, we would be notified of all
12 of this, but it would be the state that really
13 monitors the facilities and that's what's
14 going to happen going forward with all the
15 providers in Nassau County.

16 LEGISLATOR SCHAEFER: How often
17 did you say that they're doing that?

18 MS. NUNZIATA: Once a year.
19 Although I've seen if there was a provider
20 that was having difficulty they've done it
21 more than once a year. It's also a surprise
22 inspection. It's not scheduled. So they just
23 show up. Could be any day any time. They
24 just say we're here.

25 LEGISLATOR SCHAEFER: Did you say

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2 because this comes through the state or is
3 there some regulation that eliminates or
4 circumvents the requirement to abide by zoning
5 or anything like that? Like local
6 ordinances?

7 MS. NUNZIATA: Yes. Our
8 understanding, and again this it's not our
9 rule or our law, but under the state
10 regulations they're the ones that approve any
11 facility for use as a shelter. And it is our
12 understanding, and again, we don't get
13 involved in this, is that their word
14 supersedes. That there's a preemption. So
15 the state preempts any local zoning. But
16 again, that's not us. That's really the
17 state's call.

18 LEGISLATOR SCHAEFER: That's all
19 for now. Thank you.

20 LEGISLATOR WALKER: Legislator
21 DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: Hi.
23 I understand and I appreciate all the work you
24 do especially during COVID. It's been I'm
25 sure an incredible task. But I also

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2 understand that whenever there's a change in
3 the community there's anxiety and I get that.
4 I know you mentioned that basically you look
5 to search as to what the needs are for these
6 clients that are staying in your residency.
7 You mentioned there could be addiction issues
8 or other challenges. Can you go over what
9 type of background checks you do before people
10 are brought into this type of situation or is
11 it that we basically take everybody?

12 MS. BAUM: So when I was
13 discussing that before I would say that is not
14 the challenges for our families. It's usually
15 financial. Employment. We want to make sure
16 the children are safe while mom and dad or mom
17 or dad are getting their skill set
18 employment. That's really the challenges
19 there. There are other populations that have
20 different challenges. That's not found as
21 much in the families.

22 But there is screening that's done
23 upfront at DSS for anyone who applies for
24 temporary assistance whether you're homeless
25 or not. It's in the packet that everyone

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2 fills out. So if someone has identified
3 special needs, domestic violence, we have a
4 whole system. If someone is involved in
5 domestic violence we're not going to place
6 that family in our regular shelter system
7 because it would put the other families at
8 risk. So we have an MOU and an entire system
9 for DV shelter.

10 If someone comes in and they
11 identify that they have substance use, we have
12 a behavioral health unit and we immediately
13 connect them with services. We are always
14 assessing upfront in order to meet the needs
15 of whoever comes into the building and
16 accesses emergency housing.

17 MS. NUNZIATA: But it should also
18 be noted that per state mandate we can't deny
19 shelter to someone because they have a special
20 problem. As long as they are eligible for the
21 service then our job is to make sure they get
22 where they need to be.

23 LEGISLATOR DERIGGI-WHITTON: I
24 understand that. How about a criminal
25 background, is that at all identified?

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2 MS. NUNZIATA: That's does not
3 prohibit somebody from obtaining shelter if
4 they are found eligible and we can't
5 discriminate against people.

6 LEGISLATOR DERIGGI-WHITTON: What
7 about the new world of COVID? Are they going
8 to be having any type of testing that would be
9 required or is that basically just like any
10 other residence?

11 MS. NUNZIATA: I believe --
12 again, this is probably is a better question
13 for CHI if we're specifically about this
14 facility but I believe they are taking
15 temperatures of folks. And actually their
16 facility and the closest comparison is the one
17 in Commack has a very, very low, very few
18 number of cases. From what we know they've
19 done a good job. Probably we could, if you
20 want, we could find out from them what are
21 their procedures.

22 LEGISLATOR DERIGGI-WHITTON: I
23 would absolutely suggest we find out. I also,
24 you know, possibly just work with the
25 Department of Health just to require it as

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2 much as possible. I understand everyone has
3 the same rights. But I think living in that
4 proximity is a red flag. We have to be extra
5 careful. So whatever we can do either before
6 they enter the establishment on a regular
7 basis I think it would be a good precaution.

8 MS. NUNZIATA: We can certainly
9 speak to them about that.

10 LEGISLATOR WALKER: We're going
11 to open it up to the public in a moment. In
12 this facility there are 80 rooms you said?

13 MS. NUNZIATA: Yes.

14 LEGISLATOR WALKER: All 80 of
15 those will be utilized?

16 MS. NUNZIATA: Correct.

17 LEGISLATOR WALKER: Say if
18 there's a larger family do they try to
19 accommodate them?

20 MS. NUNZIATA: There are a couple
21 of adjoining rooms because, again, it was a
22 hotel. So there are a couple of adjoining
23 rooms that could accommodate some of the
24 larger families which for us is actually very
25 good. Because the larger families now, if we

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2 have to pay for two motel rooms it could be --
3 usually those are some of the more expensive
4 motels, so we could be paying up to \$300 for
5 two rooms. That's \$600 a night to put a large
6 family in two motel rooms. It gets very
7 costly.

8 LEGISLATOR WALKER: I know you
9 said there really wasn't construction. I
10 would guess there would have to be some
11 construction inside the facility if they're
12 making the pool is now going to be the
13 playroom area or the day care area or
14 whatever. If they're going to put in a
15 kitchen where it didn't have a kitchen
16 before. They're not building out and up and
17 whatever, it's only inside construction, but
18 obviously they're going to have to do
19 something.

20 MS. NUNZIATA: Again, that
21 wouldn't be our call. We weren't privy to
22 whatever it is they're doing inside the
23 building. That would really be between the
24 developer and CHI and the state because the
25 state would know if there were any renovations

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2 that might have been needed to meet those
3 mandates. So I'm sure that information could
4 be obtained we just wouldn't have it.

5 LEGISLATOR WALKER: I know it
6 doesn't fall under us and it's really is more
7 the state, but do you visit our shelters?
8 Because they're our families. They're ours.
9 They're not the state's. They're ours.
10 They're county residents. They're our
11 community residents. And like I said, my big
12 concern is their safety too. You have to make
13 sure that they're in a safe environment.

14 MS. BAUM: To let you know I'm
15 going to pass this to Doug for the
16 inspections. We have our own inspectors in
17 Nassau County, so I will let Doug speak to
18 that. But I want you to know that we're in
19 constant communication with all of our
20 shelters. I have emails throughout the entire
21 day, sometimes 40, 50 for any little thing
22 that happens in a shelter I'm copied on it.
23 They are always talking to our emergency
24 housing unit. We have psychiatric social
25 workers, we have case managers and it's a

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2 constant communication and support for the
3 shelters in that way. I will let Doug talk
4 about the inspectors.

5 MR. RUSSELL: Just to add on to
6 that, the way that the communication happens
7 is that we have automated the system. We call
8 it the shelter placement online tracking
9 system or we call it SPOT. And the shelter
10 providers use that to communicate with our
11 placement people and vice versa.

12 As far as state requirements are
13 concerned, we are required by state law to
14 inspect the shelter at least once a year and
15 then we also frequently inspect them more
16 often. If a client comes in with a complaint,
17 let's say this place has bed bugs or this
18 place is dirty or they didn't treat me right
19 in this place we will have them fill out a
20 complaint form and immediately send out an
21 inspector to investigate what's going on with
22 that. So we spend a lot of time at the
23 shelters looking at them making sure that they
24 are physically safe and making sure that they
25 are complying with the state law and state

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2 mandates and regulations.

3 LEGISLATOR WALKER: We're going
4 to -- hopefully we can get to every one of our
5 residents that would like to speak and we are
6 limiting it to the three minutes. So our
7 clerk will let you know could you wrap it up.

8 Legislator Schaefer first.

9 LEGISLATOR SCHAEFER: Quick
10 question. Are there any other shelters in the
11 county as large as this one will be? I will
12 let you answer.

13 MS. NUNZIATA: No. Actually this
14 will be our biggest one and what's wonderful
15 about that is we will be able to get rid of
16 some of these motels.

17 LEGISLATOR SCHAEFER: When did
18 you first find out about this happening
19 again?

20 MS. NUNZIATA: The idea was
21 brought to me at the end of I think last
22 year. I had just come to my position. I
23 think it was November or December.

24 LEGISLATOR SCHAEFER: Who was it
25 brought it to you by?

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2 MS. NUNZIATA: By CHI. Community
3 Housing Innovations.

4 LEGISLATOR SCHAEFER: Not the
5 administration?

6 MS. NUNZIATA: No.

7 LEGISLATOR SCHAEFER: Were there
8 any conversations or meetings with the county
9 executive on it or her stance on it or
10 anything like that, the department?

11 MS. NUNZIATA: No. Not with me.

12 LEGISLATOR SCHAEFER: All right.
13 To your knowledge she approves of this, the
14 county executive or she doesn't?

15 MS. NUNZIATA: I really can't
16 comment because I haven't discussed it with
17 her.

18 MS. HORST: Katy Horst from the
19 administration. Yes, the county executive
20 does support this.

21 LEGISLATOR SCHAEFER: Thank you.

22 LEGISLATOR WALKER: One other
23 thing I am going to ask, there are some people
24 outside that would also like to speak. So if
25 you speak and even if you stepped out into the

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2 outer room just behind us or right behind you
3 to allow someone else to come in if you don't
4 mind.

5 The first speaker is Dr. Eve
6 Kriet. I apologize if I don't say anyone's
7 name properly.

8 DR. KRIET: My name is Dr. Eve
9 Kriet and I'm pediatrician and a legislative
10 chair of New York Chapter Two American Academy
11 of Pediatrics. I'm speaking here today in
12 support of the Jericho family support system.
13 For a children a home is not just a roof over
14 their head but a place of security and
15 stability where they can safely develop and
16 grow.

17 For pediatricians like me, the rise
18 of homelessness among children in our country
19 raises deep concerns and obligates us to
20 advocate for homeless children whenever we
21 can. This is one of those moments.

22 Two point five American children,
23 half of them younger than six years old,
24 experience homelessness every year. Children
25 are homeless in every state, every city and

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2 every county in the United States. They are
3 hidden from sight in shelters, abandoned
4 buildings, crowded in with family members and
5 friends, living in cars. Children without a
6 stable home are at risk for many adverse
7 outcomes including hunger, abuse and lack of
8 access to medical care.

9 Being homeless severely compromises
10 a child's ability to become a contributing
11 member of society. Inadequate shelter and
12 security and barriers to available services
13 all exacerbate the hunger, poor nutrition
14 medical problems and educational failings that
15 plague homeless children. Compared with
16 children living in stable homes, homeless
17 children are more than twice as likely to have
18 health problems and three times more likely to
19 experience serious medical problems. They are
20 more likely to miss meals and more likely to
21 be worried about when their next meal will
22 be.

23 With frequent moves it interferes
24 with stable schooling and educational
25 achievement can be affected. The low

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2 self-esteem and lack of confidence that comes
3 with these frequent moves contributes to a
4 decreased likelihood in making lasting
5 friendships and social adjustment.

6 A society is measured by how it
7 cares for its most vulnerable members, it's
8 children. One hundred thousand or more
9 children are homeless on any given night and
10 two and a half million children experience
11 homelessness over the course of the year. The
12 ongoing pandemic will only worsen the
13 situation. It already has as more families
14 find themselves unable to pull themselves out
15 of poverty and without a home.

16 We are the wealthiest country in
17 the world. Surely we can do better for our
18 children as a society. It is incumbent upon
19 all of us in every state, every county and
20 every town to help these children and
21 families. We must not look at these families
22 and children as someone else's problem.
23 Another town's problem. Let's give these
24 children the safety and stability that this
25 family support center will provide. Let's do

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2 our share to lift up these children and help
3 provide them with a healthier and brighter
4 future. Thank you.

5 LEGISLATOR WALKER: Thank you Dr.
6 Kriet. Lisa Tyson.

7 MR. PERCEY: My name is Aveonte
8 Percey. I'm here to speak for Lisa. I'm from
9 Amityville, New York. I started protesting on
10 South Woods Roads in Jericho Turnpike. I just
11 want to say that that's the only way for me to
12 feel comfortable in my heart because just to
13 be like -- as a kid my mother, like, I was a
14 young kid and she had to do whatever she had
15 to do make money for us. It was hard. My
16 mother was shot and killed right in front of
17 me, and I said to myself I could easily have
18 been a bad person and said you know what? Let
19 me rob this person, do this to that person
20 because my life is so terrible. No, I chose
21 to stick it out.

22 I am homeless. I sleep in my
23 girlfriend's car. She is an amazing woman for
24 even allowing me to sleep there in her car.
25 If I didn't have her I wouldn't have

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2 anything. I have a daughter who's two years
3 old and like I can't see her because me and
4 the mother had differences. It hurts me every
5 day just knowing I'm in a car and I got to
6 fall asleep knowing that I can't lay with my
7 little girl at night.

8 There's more than enough tax money
9 being thrown around and I'm pretty sure that
10 I'm here to give the nitty-gritty. I'm not
11 here to play around. I know what needs to be
12 done for my people. The only way to come
13 about it is positivity because no one's going
14 to listen to negativity.

15 There are a lot of people just like
16 me. Imagine a mother, single, with five
17 kids. I'm able to shower every day. But when
18 it's wintertime it gets cold. My relationship
19 can hinder on just me not being stable and
20 living in the car with my girlfriend. She
21 could just say I'm out of here, you know what
22 I'm saying, and just leave me and that's it
23 for me.

24 I'm going to continue to
25 persevere. I'm going to continue to push for

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2 this movement because I believe this is a very
3 good idea. I just want justice for my
4 people. I got to say I protest to feel good
5 within myself because I'm not comfortable when
6 I walk into a store. I'm subjected. Or this
7 guy's going to steal. This guy's going to
8 take something. I've had enough. My little
9 girl is going to grow up and I don't want her
10 trying to go for a job and being denied
11 because of the color of her skin or being
12 bullied at school because of what she looks
13 like. It's just not right. I just hope we
14 can all get this right and come together. I'm
15 willing to take every positive step forward.
16 Thank you.

17 LEGISLATOR WALKER: Could you
18 just fill out a form so we have your name.
19 John Sannf.

20 MR. SANNF: Good morning. I just
21 wanted to say some facts. I know this whole
22 shelter thing has polarized a lot of people on
23 both sides. This is not about not helping
24 homeless people. Everybody wants to help
25 homeless people. There's a lot of facts that

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2 have been missed. The MOU that was signed by
3 DSS June 4th the building was not purchased
4 until July 20th. Was that deal exclusive to
5 this developer or everybody else had a right
6 to bid on that?

7 There's a lot of money that's being
8 spent. This is about \$82,000 per family in
9 one of the worst economic depressions that
10 Legislator Drucker was saying. We're spending
11 \$82,000 a family to take care of homeless
12 people where many people are working
13 struggling to make ends meets. While the
14 developer is making three and a half million
15 dollars a year. Is this something that's good
16 and was trying to be very secretive and very
17 quiet?

18 And bring to another point, our
19 superintendent was told in January keep this a
20 secret. We have it on email. The proof is
21 there. It wasn't that the project was
22 unrolling in July. They told them that it's a
23 go. So why all the secrecy around the
24 project? Why if New York State is suppose to
25 mandate -- and also in the MOU there is

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2 actually a clause that says they have to abide
3 by the local zoning laws in the MOU that DSS
4 has signed which says she.

5 So for us it's more than just not
6 helping homeless it's the whole situation just
7 doesn't smell right. It's a waste of taxpayer
8 money. People are paying a lot of money in
9 taxes. People work hard.

10 And the other thing that I want to
11 bring up is they claim that 1300 homeless
12 people in Nassau. They want to put about 320
13 in Jericho, a small district, which is not
14 even one percent of the population of Nassau
15 County. Is that fair? Is that a fair
16 burden? Any developer can come and decide
17 where they want to open up a homeless shelter
18 because they're going to make a lot of money.
19 I thought this was American and like the
20 county would be able to take care of, you
21 know, have site selection, have studies done,
22 environmental, traffic. None of this has been
23 done. This was just a project, like a
24 smokescreen coming in, get it done, until
25 somebody found out and now we're having all

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2 these issues.

3 I think you guys as legislators
4 should ask more hard questions of how this
5 deal went through. We didn't hear any good
6 questions today. The MOU specifically says
7 they have to abide by the local zoning laws.
8 All the laws. Now they're saying it's the
9 state. So I'm confused about a lot of this.
10 But again, this is not about compassion. We
11 are compassionate people. We want to take
12 care of our homeless. Everybody's does. So
13 the issue is very different than what they
14 portrayed today.

15 LEGISLATOR WALKER: Thank you.
16 Commissioner, could you just address that
17 regarding the timing and also I know you had
18 stated to us that the state handles it but
19 they still have to abide by local zoning
20 laws?

21 MS. NUNZIATA: If you want to
22 take another comment and I will take a look at
23 the MOU because I have it in front of me.

24 LEGISLATOR WALKER: You want us
25 to take another comment?

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2 MS. NUNZIATA: Yeah. While I
3 take a look at it.

4 LEGISLATOR WALKER: Jennifer
5 Vartanov. I'm going to remind everyone when
6 you speak just leave your mask on.

7 MS. VARTANOV: Thank you
8 everyone. Just want to say I believe the
9 state relies on Department of Social Services
10 not the other way around. I'm not sure why
11 Commissioner Nunziata is dodging all questions
12 asked of her today saying it's the state it's
13 not us. No, it's not that way. It's the
14 other way around. She should be answering all
15 of these questions.

16 I'm going to backtrack a little
17 bit. We know the last few weeks have been
18 very tumultuous for most of us after learning
19 that a shelter was being put in in an old
20 motel. This is not a place for families.
21 This is not a place for a mother to raise a
22 child. This is not a place for a child to
23 thrive and play and learn. If children are
24 the most important why put them in transient
25 housing where they have to keep moving school

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2 districts and not providing them any
3 stability. How could Laura Curran allow
4 something like this on her watch? All the
5 millions being spent on this would be better
6 off if we helped the families gain permanent
7 housing.

8 I urge the legislators here today
9 to hold another hearing with the state present
10 since Commissioner Nunziata keeps saying that
11 it's the state and not them.

12 And regarding the background
13 checks. There was a question asked and
14 Commissioner Nunziata did say that no one will
15 be turned away even if they're a criminal.
16 Even if they're a pedophile. Even if they're
17 a sex offender. That's not good enough. This
18 location is half a mile away from an
19 elementary school. How do the parents feel
20 about having a sex offender, possibly a
21 criminal just a half a mile away?

22 And just touching upon what John
23 Saralf said, MOU clearly states local zoning
24 laws need to be followed. There is no state
25 preemption that just says you can go open up a

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2 shelter anywhere without following nay local
3 ordinances. Tomorrow they might want to open
4 up a jail right next to the elementary
5 school. Is that okay? There's no state
6 preemption that says that it's a blanket
7 coverage for everything.

8 There were no health and safety
9 inspections done by the way when that MOU
10 addendum was signed on June 4th. How did they
11 vet this location? That's a great question
12 that I still don't have the answer to.

13 Regarding the costs. I just want
14 to say she said \$100,000 being spent for two
15 years. \$60,000 for six months. What are we
16 saving? It's the same thing. \$100,000 for
17 two years in a motel versus \$60,000 that
18 they're going to be spending now for six
19 months. How does that make financial sense?
20 What are we saving?

21 I guess I'm done. I want someone
22 to ask regarding the motels are they phasing
23 them out? We want something in writing. We
24 don't want the shelter plus the motels. We
25 still don't have those answers. Thank you so

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2 much for your time.

3 LEGISLATOR WALKER: Thank you
4 Jennifer. Commissioner, are you ready or do
5 you want us to do another? I can have someone
6 else come up if you'd like. Mark Albert.

7 MR. ALBERT: Legislator Walker,
8 before I begin my comments I would love to ask
9 the commissioner a question if I can. I think
10 that the idea behind this hearing was for all
11 of us to be informed and there are a few
12 things that she's indicated here today that
13 leaves me baffled and I would like to ask a
14 quick question if I can.

15 LEGISLATOR WALKER: If you
16 address it to us then we can.

17 MR. ALBERT: I believe Legislator
18 Schaefer asked a very good question earlier
19 about the MOU and when it was amended. She
20 asked whether or not it was amended in June
21 before this purchased went through in July.
22 The commissioner said that it was not amended
23 in June. So my question to her would be when
24 was it amended? In other words, when did this
25 developer learn that he was going to be given

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2 this project which was going to provide him
3 with millions of dollars of profit each year?
4 And is it her position that the developer went
5 through a \$13.5 million purchase of this hotel
6 without having any idea that he was going to
7 be given this project? I would guarantee the
8 answer to that is no.

9 Let me start with this. I'm a
10 parent of a Jericho student. I have lived in
11 the community for 15 years. I've had other
12 kids of mine come through the system. I'm one
13 of close to 3,000 members of the community
14 that signed a petition in staunch opposition
15 to this project.

16 Legislator Walker, you started this
17 hearing by saying that this project and the
18 way that it kind of came to be made little
19 sense. It was exactly the same terminology I
20 was going to use. If this project made any
21 sense at all I can guarantee you that I would
22 not be here today and there would not be
23 almost 3,000 names on a petition in opposition
24 to it. It makes no sense from a safety point
25 of view. It makes no sense from a due

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2 diligence point of view. It makes no sense
3 from a fiscal point of view.

4 With respect to safety, how the
5 commissioner can sit here now in September and
6 say that she still doesn't know how the safety
7 impact with respect to COVID is going to be on
8 the community is baffling. That she's trying
9 to point the finger at CHI and say CHI could
10 answer questions about what protocols or
11 safety measures they're taking with respect to
12 COVID is beyond comprehension.

13 When you add into this process the
14 fact that they went through with proposal,
15 they went through with this deal, it was
16 signed off on and construction began without
17 the chair of the health and safety committee,
18 Legislator Walker, even knowing what was
19 happening, being part of the process to be
20 able to make recommendations or be able to
21 look at exactly what safety protocols they
22 were taking is simply put wrong.

23 And that we're sitting here in
24 September after students would have been moved
25 into our schools had the Town of Oyster Bay

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2 not sued the developer in court and obtained a
3 temporary restraining order and she's still
4 saying that she doesn't know what safety
5 protocols are taking and she's telling us to
6 ask CHI about those protocols really leaves a
7 lot to be desired. It's not CHI. It's our
8 county. It's our county executive. It is our
9 commissioner here who should be looking out
10 for the safety of our kids, of our residents,
11 and I would just ask the legislature here to
12 look carefully into this before approving it.

13 LEGISLATOR WALKER: Just so
14 you're aware, this doesn't even come before
15 the legislature to approve. I want you to be
16 aware of that. I don't want you to think all
17 of a sudden we didn't let you know that. Are
18 you ready commissioner?

19 MS. NUNZIATA: Yes I looked
20 through -- I looked through it quickly. I
21 didn't really see anything about zoning. But
22 I will take a closer look and if I can get
23 back to you I will do so in writing. Like I
24 said, I did a quick review. I didn't see
25 that.

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2 I also want to address the
3 criminality question that came up. Absolutely
4 no sexual pedophile offenders are going to be
5 placed at Jericho. They cannot be placed
6 there by law because it would be a family
7 shelter. There are children. So we
8 absolutely would never, could never put a sex
9 offender at that location.

10 LEGISLATOR WALKER: And one of
11 the other things, I don't know that I will
12 remember all of it, regarding -- and I know
13 you did speak on this -- but how was the MOU
14 signed when the building wasn't even sold?

15 MS. NUNZIATA: The original MOU
16 was in 2017.

17 LEGISLATOR WALKER: We understand
18 the original MOU was then. They obviously
19 knew they were going to get this before the
20 building was even sold.

21 MS. NUNZIATA: This was not
22 issued to the developer. It was issued to
23 CHI. And essentially said if you develop a
24 project and you develop it in accordance with
25 all of the regulations et cetera, et cetera we

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2 support that. That's what it said. It was
3 not written to the developer. We couldn't
4 authorize the developer to do anything.

5 LEGISLATOR WALKER: So suppose
6 some things didn't fall into place.

7 MS. NUNZIATA: That would be it.
8 It would be null and void. They essentially
9 took a risk. It wasn't our risk.

10 LEGISLATOR WALKER: It seems like
11 an awful big risk. It seems a little strange
12 and I'm sure that's part of the big problem
13 here. There's a lot that doesn't seem that it
14 falls into place. So it brings up questions
15 to us and it certainly brings up questions to
16 the residents. Again, not saying that we
17 don't have to do better than what we're doing
18 now and we stated that from the beginning. It
19 just seems to be a lot of questions that seems
20 like they're really not answered.

21 Kiona Abbady.

22 MS. ABBADY: My name is Kiona
23 Abbady and I'm from Young Long Island for
24 Justice and I'm speaking in support of the
25 Jericho transitional housing project.

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2 The opponents of this project are
3 solely interested in kicking struggling
4 families out of their million dollar zip code
5 and into the middle and working class
6 communities. Freeport, Hempstead Uniondale
7 and other South Shore communities already have
8 saturated affordable housing options and have
9 been dealing with a housing crisis for years.
10 This type of class warfare and NIMBYism is
11 exactly the reason why Nassau County is marred
12 by lawsuits regarding our lack of access to
13 housing.

14 The only reason we're at this
15 hearing is because the parents were not
16 allowed to use their money earlier to convince
17 their elected to stop this project in the
18 first place. If this was generally about
19 transparency and the concern about the
20 application process we would be talking about
21 how to improve it not to try to stop it and
22 claiming the legal process was illegitimate.

23 On the topic of transparency, I
24 doubly concerned it was deemed appropriate to
25 have a last minute hearing announced for a day

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2 and time that most working class families are
3 unavailable. This same legislative body saw
4 fit to have two nightly hearings late until
5 the evening until almost midnight about
6 assessment to allow every person present to
7 make a statement. The timing of this hearing
8 allows the privileged community as fuller
9 advantage being heard first and the most
10 because they can afford the luxury of working
11 from home.

12 If we are not interested in being
13 like the city, as so often mentioned by said
14 parents and legislators alike, we should be
15 focusing on how housing is built and less on
16 the where. The city rejects housing
17 developments constantly and has been the
18 toughest housing critic and has the toughest
19 housing zoning laws in the state. Their
20 NIMBYism has exacerbated their housing crisis
21 evident by the same articles that say these
22 concerned parents of Jericho share on social
23 media.

24 If our goal is to prevent the
25 problems we see our neighbors dealing with

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2 then we should allow and support this housing
3 development to move forward. We should
4 encourage developers to replace hotels and
5 motels with housing developments that
6 incorporate affordable housing units. Those
7 units should be developed in every zip code on
8 the island. Especially when the project helps
9 troubled families.

10 We have a growing housing crisis in
11 Nassau County. It seems that the concerned
12 parents struggle to comprehend what housing
13 insecurity is and have no interest in solving
14 it. They want to preserve their polished
15 marble homes from undesirables. It is every
16 community's responsibility to demand more
17 quality and fair affordable housing across
18 Nassau County. Wealth does not protect you
19 from your problems of your neighbors. It only
20 exposes your classism.

21 LEGISLATOR WALKER: Sivan
22 Komatsu.

23 MS. KAMATSU: Hi. My name is
24 Sivan Kamatsu. I'm a Jericho resident and
25 2017 Jericho high school graduate. I cannot

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2 believe I'm standing here today. I cannot
3 believe that our neighbor's safety and
4 livelihoods are up for debate. I cannot
5 believe that parents are attempting to hide
6 blatant classism and hate under the guise of
7 concern. I cannot believe that
8 discrimination, fearmongering and the
9 weaponization of class privilege have gotten
10 so far.

11 I understand the frustration of not
12 feeling like you were given adequate
13 information about something happening in your
14 community. That's valid. What I cannot
15 understand is utilizing that frustration as a
16 political tool to keep homeless families
17 homeless. I cannot understand having a goal
18 to stop the facility altogether to quote
19 Vartanov and Albert. The facility being a
20 place for homeless families to receive the
21 services they need and deserve to secure
22 permanent housing.

23 I cannot understand going out of
24 your way to ensure innocent children do not
25 have a safe place to sleep at night. I cannot

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2 understand claiming to care about the homeless
3 while being the reason homeless children are
4 stuck in dangerous, unsanitary living
5 conditions and calling taking care of them a
6 burden and waste of taxpayer money.

7 The law is clear. Transitional
8 housing facilities are not subject to the
9 other town zoning laws that other structures
10 are. The research is clear. Homeless
11 individuals are no more likely to commit
12 crimes with the exception of camping
13 ordinances than housed individuals are.

14 The logic is clear. Placing
15 homeless families in a safer more secure
16 facility resulting in the shutting down of the
17 motels will make Jericho safer.

18 The reality is clear. The Jericho
19 Family Support Center will provide the
20 services that our neighbors need to secure
21 permanent housing. Homeless people as an
22 entity are not violent. Using the legal
23 system to keep homeless families homeless is
24 violent. Spreading collective fearmongering
25 lies is the danger to our community not

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2 homeless children. These homeless children
3 won't corrupt the Jericho school that so many
4 parents are worried about, but the classist
5 and discriminatory ideals the concerned
6 parents are instilling in their children will
7 and is corrupting the Jericho schools.

8 Homeless people aren't the
9 problem. The institutions, groups and
10 individual people who uphold the system that
11 drive families into homelessness and keep them
12 there are the problem.

13 For each of you legislators I have
14 a packet with our petition supporters. I
15 printed it last night. I emailed it. The
16 number of signatures has gone up. I can
17 certainly get it to you if you like. I hope
18 you read everyone's names and comments knowing
19 that we are trying to do the right thing and
20 we need your help. Thank you.

21 LEGISLATOR WALKER: Erica Hill.
22 Melissa Kono.

23 MS. KONO: I've been a resident
24 in the Jericho school district for 29 years,
25 so I've seen a lot and I know that there's

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2 always been homeless families and they've been
3 welcomed. And I also know of families in
4 particular that were in my children's year
5 that fell on hard times, ended up moving into
6 lower income housing and they managed to
7 figure it out. I have no problem with taking
8 care of our own.

9 I don't like the whole process of
10 this revolving door and I don't like also the
11 fact that when you gave -- I don't know who it
12 was who spoke because everyone has masks on --
13 whoever it was that was giving the number of
14 two years versus six months it doesn't make
15 sense. Since it is a revolving door that six
16 months is not six months, it's the same two
17 years. It's just on different variations of
18 that six months. That number needs to be
19 readdressed. That's number one that bothered
20 me because I didn't think it was accurate.

21 I also worry not only about COVID
22 but meningitis, other vaccinations that you're
23 going to have so many families living among
24 each other like a dormitory. That also will
25 be providing health issues for the other

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2 children that are residents of Jericho that
3 have to be vaccinated.

4 I just feel that there are so many
5 issues that are underlying here that finding
6 group housing for the amount of money that's
7 being spent I feel that they would be better
8 off finding individual apartment rentals to
9 house our community members that have fallen
10 on hard times and I suggest that other
11 communities do the same. I don't understand
12 why Jericho needs to be the place where
13 everybody comes and goes for six months.

14 I don't even understand the
15 stability for the children to be in a school
16 for six months or nine months and then
17 depending on since they said that the day they
18 come and need housing is the day they get it
19 you're not talking about September if it
20 happened in October, if it happened November.
21 Now you add the six to nine months where are
22 you? There's no continuity.

23 I think what we need is a better
24 housing option for these underprivileged
25 people and these people in need.

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2 And to address that woman, not all
3 of us have no empathy. We all do care and
4 we're not living in marble homes. We're
5 living in homes that have families and
6 children and that we care about not only our
7 family but everyone's family and there just
8 has to be a better way than what is being
9 suggested.

10 Also what nobody has mentioned is,
11 are we getting rid of those new motels?

12 LEGISLATOR WALKER: Eton. Mr.
13 Logan? Cheryl Keshner.

14 MR. CHOUDRY: I'm going to speak
15 on behalf of Eton. My name Sherya Choudry. I
16 live in Jericho school district. I just want
17 to make something clear. This is not about
18 not wanting to help the less privileged. This
19 is truly about transparency. Now, Nassau
20 County, the previous members of previous
21 administration's criminal indictments the ink
22 is still not dry on those.

23 For the commissioner to sit here
24 today and say it was merely a thought in
25 February and then it got put on the back

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2 burner, but the guy went and spent millions of
3 dollars developing this property he had to
4 have some assurance from the commissioner's
5 office.

6 We talked about some type of
7 confidentiality. How can you keep a project
8 like this under confidentiality when the fire
9 department, the local emergency services, no
10 one was brought up to speed. Now, the
11 taxpayers who are living in this town and
12 paying the salaries are they not entitled to
13 any type of heads up as to what is about to
14 happen right next door? This property is less
15 than half a mile away from the school. I
16 think that's been beaten to death already.
17 The numbers that are being quoted are super
18 manipulated.

19 There's really no cost savings
20 here. Five times we have asked the question
21 are the motels being phased out? No one is
22 able to answer that question. This absolutely
23 smells like someone is trying to do someone a
24 favor. Because there was no reason to not be
25 transparent about this. And someone from the

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2 commissioner's office said this is a fantastic
3 site. What qualifies you to make that
4 statement madam? At one point you say site
5 selection is not our responsibility, we are
6 passing the buck to the state, and then you
7 make statements on the record this is a
8 fantastic site. Please tell us, what is the
9 difference between being fantastic and
10 nonfantastic site. What qualifies you to be
11 the person to make such statements and why not
12 a site a little bit away from the school
13 district where the actual school building is
14 to be the fantastic site.

15 This is not about not wanting to
16 help the homeless. This is not about not
17 wanting -- this is not about us trying to live
18 in our marble homes. Excuse me for the
19 successes that I have accomplished. I was
20 also homeless when I came to this country in
21 1989. I did not do any bashing to those who
22 were privileged. I did what this country is
23 promising. You work hard and you get. I'm
24 here to help. I have no problem helping
25 anyone. The point is where is the

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2 transparency in this government or is this
3 administration following the tracks of the
4 last administration, which ended up in
5 criminal indictments? Thank you.

6 LEGISLATOR WALKER: Cheryl
7 Keshner.

8 MS. KESHNER: Good morning. My
9 name is Cheryl Keshner. I am a Nassau County
10 resident. I have been an advocated for Long
11 Island's low income, underserved and homeless
12 communities for nearly 30 years, and so I have
13 a great deal of experience and knowledge
14 regarding what this population faces and many
15 of the struggles that they are dealing with.
16 I've prepared some notes but I'm just hearing
17 so many misconceptions here I want to address
18 those.

19 Homeless people could be any of
20 us. As the young man said before, he's
21 sleeping in a car. Some people are living
22 double, tripled up in housing because they
23 can't afford the rents here on Long Island.
24 That technically is homeless. People who have
25 dealt with domestic violence sometimes have to

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2 escape those situations and go to a safer
3 environment. That can happen to any of us.
4 And many of us as we've seen through this
5 pandemic are just a paycheck away from
6 homelessness. It is not a crime to be
7 homeless and being homeless does not mean that
8 one is a criminal.

9 The type of housing that's being
10 discussed here in terms of creating these
11 larger family shelters is not what someone
12 here seemed to think was a situation where
13 people are sleeping on bunkbeds in a large,
14 open room. People will have their own units
15 where they are able to keep their families
16 together. Where they're not hopping from
17 hotel to hotel on a weekly basis which causes
18 a tremendous amount of instability for these
19 families and for our communities. They are
20 safer because these hotels will be monitored
21 in terms of sanitation, in terms of being
22 provided with services for the children. With
23 parents getting job readiness skills,
24 counseling, help securing housing and other
25 types of supports.

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2 Homeless people exist in our
3 community whether we like it or not. We may
4 not recognize them. They could be any one of
5 us. But placing them in a more stable
6 environment than what they currently have is a
7 smart idea.

8 I work with homeless people in
9 Suffolk County too where there are some large
10 shelters and there are far more services there
11 than I've seen in Nassau County where families
12 are placed in hotels and where they're not
13 provided with any type of follow up.

14 I suggest people just do a little
15 more research on this without jumping to
16 conclusions about who homeless people are.
17 Let's not fear our neighbors based on their
18 economic status, based on their race, based on
19 what we think a homeless person is because it
20 could be any of us. As I said I prepared
21 notes but they've gone out the window.

22 At any rate, just again,
23 homelessness is also caused by a lack of
24 affordable housing. We do need to ensure that
25 we do have more affordable housing options for

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2 our community members. That the DSS shelter
3 rate is increased so that people can get out
4 of emergency housing and into permanent house
5 I just implore my neighbors to open their
6 hearts up to everybody in their communities.
7 It could be any one of you tomorrow. Thank
8 you.

9 LEGISLATOR WALKER: Junwei Luo.
10 I apologize if I didn't say your name
11 correctly.

12 MR. LUO: That's correct. I have
13 some people on the other side of the bill.
14 First of all, make no mistakes, we have
15 compassion with people. We have compassion
16 with people. We want to help them. We want
17 to better help them. However, the thing is we
18 also hold those principals dear in our heart
19 that we have to -- the government has to
20 conduct its behavior in a transparent, fair
21 and lawful way. Transparency, fairness and
22 lawfullness. Those are very important. For
23 such a long time we should have been notified
24 of this matter but we haven't been to.

25 Second of all, Jericho is a very

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2 small community. We are taking in such a big
3 number of people coming into the community.
4 What's the impact to the community? Monetary
5 and some are not monetary impact to our
6 community. We have no way to input into this
7 process to better help those people who
8 suffering.

9 Third of all, we keep hearing about
10 overriding town zoning law. But I believe
11 still there is a way -- zoning is a way to
12 protect not only the people living in this
13 community but also people, some homeless
14 people coming into this community. So there
15 has to be a balance between the two sides.

16 Another thing I want to emphasize
17 to the people here, I think it's very
18 important because --

19 LEGISLATOR WALKER: Could you
20 just put your mask on? And remind everybody
21 that they need to leave it on.

22 MR. LUO: I came from a communist
23 country. I keep hearing about movement,
24 movement, movement. What kind of movement is
25 this? I came to America just believe the

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2 government is of the people by the people and
3 for the people. We have to have a way to give
4 our input. I believe this is very important.
5 I have this American dream. Please help me
6 preserve this American dream. Thank you so
7 much.

8 LEGISLATOR WALKER: Bianci
9 Persi. Nia Adams.

10 MS. ADAMS: Hello. My name is
11 Nia Adams. I'm a community organizer with the
12 Long Island Progressive Coalition. I'm also a
13 resident of Jericho, New York. I'm here today
14 to say yes in my backyard and that I fully
15 support the creation and implementation of
16 housing for in-need families in my community
17 because housing is a human right.

18 My family has lived in Jericho for
19 30 years. We are also an immigrant family.
20 We have often been made to feel like we don't
21 belong. I live in a community where I'm often
22 asked who I work for and if I'm the cleaning
23 girl because they know exactly who they expect
24 in their community. It is a dog whistle. We
25 know that the degrading remarks against

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2 housing are rooted in racism, xenophobia and
3 other stereotypes that are not rooted in
4 reality.

5 Long Island remains to be one of
6 the nation's most racially and
7 socioeconomically segregated regions by design
8 for reasons such as this and the research
9 backs this up. Newsday just released an
10 expose in November of 2019 about the continued
11 redlining that happens here in Long Island.

12 We are in the midst of a global
13 pandemic that has devastated communities with
14 Long Island being one of the hardest hit
15 regions. And we face an economic and housing
16 crisis which none of us have seen in our
17 lifetime.

18 Jericho Harbor does have the means
19 and resources to help alleviate some of these
20 disparities. We put all of our communities at
21 risk when we don't provide basic human rights
22 and services. I've witnessed my neighbors
23 make baseless, hurtful and harmful
24 accusations. We do know statistically however
25 that our communities are safer when we provide

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2 services such as housing. I support this as a
3 homeowner and as someone who has a small child
4 in the district.

5 This housing unit also has improved
6 social and support services that the other
7 housing shelters do not. Better help families
8 find permanent and secure housing.

9 I reject wholeheartedly this
10 NIMBYism and my family as taxpayers fully
11 support housing for in-need families. And I
12 would also suggest that as the opposition has
13 raised over 80K for legal representation, if
14 they cared so much about providing for other
15 people that they should directly give to those
16 people and perhaps pay their rent if you don't
17 want them in homeless shelters in your
18 so-called neighborhood.

19 Again, my name is Nia Adams. I
20 fully support this housing unit as a resident
21 in Jericho and as a taxpayer. Thank you.

22 LEGISLATOR WALKER: Thank you.
23 Pearl Jacobs. We miss seeing you.

24 MS. JACOBS: I miss you too.
25 Thank you so much. You did a great job with

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2 the mask distributions. I've seen you a lot
3 as well as the other legislators and I'm glad
4 to see you and glad to see everyone in good
5 health and I pray that your family is in good
6 health as well.

7 I'm here today -- I'm not here to
8 speak against homeless shelters. I'm here to
9 speak against the disproportionate number of
10 homeless shelters that are placed in
11 communities of colors. 74 percent of homeless
12 shelters in Nassau County, that are sanctioned
13 by the Nassau County Department of Social
14 Services, are located in Hempstead, Uniondale,
15 Roosevelt, Freeport and Lakeview. The
16 clustering of shelter homes in communities of
17 color speaks of systematic and economic
18 discrimination.

19 My husband and I own a home in
20 Uniondale and as every Nassau County homeowner
21 knows we pay high property taxes, and speaking
22 for Uniondale our quality of life could be
23 better. The saturation of shelter homes in
24 our community, specifically single male
25 shelter homes, has further deteriorated the

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2 quality of life for Uniondale residents.

3 Regarding transparency. There was
4 no public input, no residents of Uniondale
5 informed of plans to place shelter homes in
6 our community. These homes just popped up one
7 after another. It is a fact that shelter
8 homes place additional burdens on communities,
9 schools, sanitation, police, et cetera.
10 Especially our underserved communities of
11 which Uniondale is one. As a community that
12 brands itself a global village, Uniondale
13 residents embrace diversity and inclusion.

14 We understand that there are people
15 in Nassau County where opportunity for a
16 comfortable, middle or upper class life-style
17 remains out of reach due to a myriad of
18 reasons.

19 As a global community, Uniondale
20 welcomes and cares for those who are in need.
21 Especially displaced women and children and
22 our veterans. All communities should share
23 this sentiment. Communities of color should
24 not have to bear the burden entirely of Nassau
25 County's homeless population. We all have to

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2 share the burden of the poor and
3 underprivileged as they are our brothers and
4 sisters.

5 During this pandemic we have seen a
6 transformation in our country concerning
7 wealth and social status. Unfortunately, many
8 people have lost jobs, businesses and homes.
9 People that never ventured to a food pantry
10 before are now standing on long lines for
11 food. As a county and a country where we
12 should emphasize more compassion and empathy
13 especially during these difficult times.

14 But again, I emphasize that
15 communities of color should not have to be
16 burdened with this vast disproportionate
17 number of shelter homes. I live by the mantra
18 that my grandmother Rachel, who is now 100
19 years old, built into me as a small child.
20 She always told me that a closed hand nothing
21 goes out and nothing comes in. You must give
22 in order to receive and thus for the grace of
23 God go you and I. Thank you.

24 LEGISLATOR WALKER: Thank you
25 Pearl. Heidi Sanft.

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2 MS. SANFT: My name is Heidi
3 Sanft. I'm the vice president of the Nostrand
4 Garden Civic Association in Uniondale. My
5 family has owned a home in Hempstead, right on
6 the Hempstead-Uniondale border since 1967.
7 I've also lived in Manhattan. I've lived in
8 Sea Cliff. Different neighborhoods of Long
9 Island. Here are my thoughts.

10 Shelter homes need to be spread
11 equally through Nassau County as Pearl Jacobs
12 just mentioned. Eighty percent, going to
13 repeat that, 80 percent of homeless shelters
14 in Nassau County are currently located in
15 Uniondale, Hempstead, Roosevelt, Freeport and
16 Lakeview. We, the civic leaders in Uniondale,
17 are requesting a moratorium on shelter homes
18 in Uniondale. When it comes to homeless
19 people it could be any of us. So I have
20 nothing against people needing help. It needs
21 to be spread equally though through Nassau
22 County. This is one Long Island and everyone
23 needs to remember that, no matter how much
24 money you have.

25 I have a friend who lives in Old

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2 Westbury. She used to live in Jericho. I
3 have friends who live in Bayville. I'm in
4 East Meadow all the time. Whoever you are,
5 remember you're first a human being and you
6 need to respect your fellow human being and
7 build them up instead of saying I'm afraid
8 they're going to ruin my community.

9 This particular shelter in Jericho
10 I've been reading it will have meals for the
11 people, job training, childcare. The children
12 will go to the Jericho schools but once they
13 move they will only be allowed to stay there
14 through the end of that year then they will
15 have to go to the next school.

16 Don't let fear rule your life.
17 Think for a moment about being part of the
18 greater humanity and especially during these
19 trying times. Do the right thing. Thank
20 you. I should say, if you don't know already,
21 I support the shelter home in Jericho. Thank
22 you.

23 LEGISLATOR WALKER: Our final
24 speaker is Kevin McKenna.

25 MR. MCKENNA: Good afternoon.

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2 Kevin McKenna. Some of the comments that I
3 have heard here today both from some of the
4 opposition as well as from some of you
5 legislators are completely outrageous. First
6 off, I just learned yesterday that Nassau
7 County has this Health and Social Services
8 committee. The fact that the Jericho
9 residents were blind sided and you compound it
10 by announcing a hearing a day before and not
11 letting the Jericho community know about this
12 is simply outrageous again.

13 Legislator Walker, as the
14 chairperson of this social services committee
15 I was stunned when I was listening outside at
16 how you are asking questions to defend zoning
17 and safety in this particular location which
18 one of the Jericho residents painted as some
19 dismal motel. It was not a dismal motel. It
20 was a Hampton Inn. It was beautiful. But for
21 you to be asking questions about the safety of
22 the people going into this facility is good
23 but you're a legislator in Hicksville. I
24 don't see you making any public statements at
25 all of concern about the safety of the

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2 homeless people that are laying all over your
3 district in Hicksville. If you've made any
4 statements about that or been involved in that
5 then I apologize but I've searched and I don't
6 find them.

7 So for you to try to defend the
8 Town of Oyster Bay, who is clearly utilizing
9 this issue as a political statement, is
10 unbelievable. And I want to tell especially
11 the CHI people right now on the record that I
12 have in writing, the Town of Oyster Bay is
13 utilizing zoning? How about the four hotels
14 that were in the area that --

15 LEGISLATOR WALKER: If you have
16 questions about what we are discussing
17 today --

18 MR. MCKENNA: I'm not asking
19 questions, I'm making a statement and I have
20 every right to do that. There are four hotels
21 or motels that the homeless clearly have been
22 put in, admitted here today, acknowledged by
23 everybody, where was the Town of Oyster Bay
24 concerned about zoning for those hotels? I
25 didn't see it. How is the Town of Oyster Bay

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2 allowing the Millridge Inn in Jericho to
3 operate without licenses? And they're
4 concerned about homeless people in Jericho?

5 And this is really important. I
6 have in writing right now from the Town of
7 Oyster Bay two days ago, I inquired with them
8 because they just approved a resolution to put
9 cars on 150 Miller Place on an unpaved surface
10 and I pointed out to them that they can't do
11 that. I have in writing -- this will help
12 CHI -- in writing the Town of Oyster Bay said
13 to me we do not have to abide by laws of the
14 town. The Town of Oyster Bay in writing has
15 told me that they do not have to abide by
16 licenses.

17 In closing, it's disgusting that
18 you, Ms. Walker, are so concern about safety
19 of these people in that hotel but you can give
20 two hoots about all the homeless people that
21 are laying all around your district. Thank
22 you very much.

23 LEGISLATOR WALKER: Commissioner
24 and staff I want to thank you very much for
25 being here today. Did you want to add

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2 anything?

3 MS. NUNZIATA: No, not at this
4 time, but thank you again for hearing us and
5 certainly if there are any other questions
6 that come up we are happy to get back to you.
7 Thank you.

8 LEGISLATOR DRUCKER: I just want
9 to also thank you commissioner and your staff
10 for doing a wonderful job today.

11 MS. NUNZIATA: Thank you sir.
12 Appreciate it.

13 (Committee was adjourned at 12:32
14 p.m.)

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CERTIFICATION

I, FRANK GRAY, a Notary
Public in and for the State of New
York, do hereby certify:

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 17th day of
September 2020

FRANK GRAY