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**NEW YORK STATE HOMES AND
COMMUNITY RENEWAL - BOARD
MEETING**

**Nassau County Rent Guidelines Board
Meeting Held Via Teleconference
Tuesday, April 21, 2020
7:33 p.m.**

1 MR. MICHAEL MILLER: Good evening, ladies and
2 gentlemen. Welcome to the first meeting for the Nassau
3 County Rent Guidelines Board.

4 This format obviously is very different today based
5 on all that's happening. We're going to have a statement
6 read into the minutes in a few minutes.

7 However, I'm going to go ahead and introduce members
8 of the Board. I want to start with, as it is on your --
9 the minutes. We're going to start at the bottom with
10 Barry, and we're going to work our way up.

11 So go ahead, please. Let's introduce our members of
12 the Board.

13 MR. BARRY STEIN: Barry Stein here as a landlord
14 representative.

15 MR. ROBERT RYCHLOWSKI: Robert Rychlowski as a
16 tenant representative.

17 MR. ADAM MAHONEY: Adam Mahoney, public
18 representative.

19 MR. MARTIN MELKONIAN: Martin Melkonian, public
20 representative.

21 MR. GARRETT GRAY: Garrett Gray -- oh, for crying
22 out loud.

23 MR. ANDREW COHEN: I'll go last.

24 MR. GRAY: Garrett Gray, public representative.

25 MR. MILLER: Cathryn.

1 MS. CATHRYN HARRIS-MARCHESI: Cathryn Harris-
2 Marchesi, tenant member.

3 MR. MILLER: Andy?

4 MR. COHEN: Andy Cohen, landlord's representative.

5 MR. MILLER: Is Jeannetta in yet? No.

6 All right. My name is Michael Miller. I'm a public
7 member, and we're going to go ahead and also introduce
8 our representatives or attorneys.

9 Go ahead, please. Are you there?

10 MS. CHERELL BEDDARD: My name is Cherell Beddard,
11 senior attorney for the Office of Rent Administration.

12 MR. MILLER: Thank you.

13 MR. JAMES FERRARA: James Ferrara, associate
14 attorney, Office of Rent Administration.

15 MR. MILLER: Thank you, James.

16 MS. APRIL GRAY-HUERTAS: April Gray-Huertas,
17 associate attorney, Deputy Bureau Chief with the Office
18 of Rent Administration.

19 MR. MILLER: Okay. And I'd also like to introduce
20 our host, Cherell Beddard. She has something she'd like
21 to read in, and then I'll take back over.

22 Go ahead, Cherell.

23 MS. BEDDARD: Thank you. Good evening. My name is
24 Cherell Beddard. I am a senior attorney at the Office of
25 Rent Administration for Homes and Community Renewal.

1 In response to the Governor's directives to take
2 every effort to keep New York as safe and to mitigate the
3 spread of Covid-19, and pursuant to Executive Order 202-1
4 which allows for the suspension of the open public
5 meeting law, thank you for agreeing to attend the Nassau
6 County Rent Guidelines Board meeting, today, April 21st,
7 2020, via teleconference.

8 Please note this meeting will later be transcribed,
9 and that the public will have the ability to view the
10 transcript which will be posted on HCR's website for the
11 Office of Rent Administration under the public hearing
12 section.

13 As this is a new process to all of us, there are
14 some ground rules that I'd like to establish. First, we
15 had our roll calls in which we introduced all of our
16 participants. So I thank you for that. I ask that you
17 do not speak over each other, to make transcription of
18 the meeting easier.

19 Second, I would -- oh, my God, hold on one second.

20 UNIDENTIFIED SPEAKER: Is that part of the script?

21 MS. BEDDARD: I am so sorry. No, so I'm working
22 from the laptop at home, and it just went out.

23 UNIDENTIFIED SPEAKER: We can hear you.

24 MS. BEDDARD: Great. All right. So second, I would
25 ask that before every statement, I'd ask that you state

1 your first name because we are on the phone, and I would
2 need the names for transcription, and third, I would ask
3 that you mute your phone so that we can avoid any
4 background interference.

5 Now, I'll turn the meeting back over to the
6 chairman, Michael Miller. Thank you.

7 MR. MILLER: Thank you very much for that, Cherell.

8 Members, have you had a chance to review the minutes
9 of the last meeting?

10 IN UNISON: Yes.

11 MR. MILLER: I draw the motion to accept.

12 MR. STEIN: So moved, Barry Stein.

13 MR. GRAY: Garrett will second.

14 MR. MILLER: All in favor?

15 IN UNISON: Aye.

16 MR. MILLER: Do you note if there's any corrections?

17 UNIDENTIFIED SPEAKER: No corrections.

18 MR. MILLER: All right. Guys, thank you very much,
19 and again, I'm glad to see everybody is safe. You know
20 we're in unprecedented times where so many of us have
21 been affected, either directly or indirectly, by this
22 virus. It's an invisible enemy that's really wreaking
23 havoc right across. Last week, I lost my own pastor
24 and --

25 UNIDENTIFIED SPEAKER: I'm sorry to hear that.

1 MR. MILLER: Yeah. Thanks.

2 UNIDENTIFIED SPEAKER: So sorry, Michael.

3 MR. MILLER: Thanks. It's --

4 UNIDENTIFIED SPEAKER: Very sorry, Michael.

5 MR. MILLER: I appreciate it, but you know, we go
6 on. And we've just got to use wisdom, practice social
7 distancing, and do everything we're being told to do, and
8 hence, the meeting in this format tonight.

9 As Cherell said earlier, please always state your
10 name before we say anything. This way, the minutes can
11 be properly recorded.

12 UNIDENTIFIED SPEAKER: Right.

13 MR. MILLER: Now, I don't know -- and this is going
14 more to James. Normally, we would kick off our meetings
15 in May. We run up to June, and then somewhere around
16 mid-June, then we'll start looking at presentation and
17 then a vote, as you all know.

18 Now, is there any guidance that you have so far,
19 James, as to timing?

20 MR. FERRARA: Yeah. So this is James Ferrara. We
21 want to schedule the same four meetings: the two public
22 hearings, the presentation hearing, and the vote hearing.
23 We want to try to do them in June, and as per the deputy
24 commissioner, we'd like to wrap up the week of June 22nd
25 with the vote, if possible.

1 MR. MILLER: Will that give us time, though, for
2 presentation, though, because normally, after we meet, I
3 think -- well, let's see how it goes timewise first
4 because we're not really seeing -- we're not sure --

5 MR. RYCHLOWSKI: Can I -- this is Rob. Could I make
6 a suggestion?

7 MR. MILLER: Yeah. Go ahead, Rob.

8 MR. RYCHLOWSKI: Could we first find out when
9 we're -- about when we're going to get the income and
10 expense reports, and then do the meetings sort of going
11 backwards really, because the later on we have them, the
12 more chance we have that we could meet publicly, and that
13 the public could be there, okay? So I think we want to
14 schedule them for as late as possible, even if they're
15 all like one week after the other.

16 MR. FERRARA: I have a thought, Robert. We should
17 have a back-up plan because, at this particular point, it
18 could be, you know, extensive gathering with people, and
19 so, we don't know, one, how the audience is going to
20 respond with something like that. So we should have a
21 back-up plan and possibly some Zoom kind of a situation
22 where we could see each other as we're talking. It's
23 just a thought, and that could be publicized in some way
24 to the -- I guess to the public, but we should have a
25 back-up plan because we don't know, you know, how the

1 social distancing is going to be -- you know, is going to
2 be active at that point. I mean, I think it could be, to
3 tell you the truth, which is -- rather, I can't be
4 unpleasantly surprised if that happens, okay? My
5 thought.

6 MR. RYCHLOWSKI: Yeah. No, I agree with you. Like
7 I said, I want to schedule it for as late as possible in
8 the year to increase our chance of being able to have it
9 and for us to be together and for the public to possibly
10 be there, but we have to obviously realize that may not
11 happen. So a Zoom meeting would be definitely needed as
12 a back-up plan.

13 MR. FERRARA: Okay. I agree.

14 MR. MILLER: And this is Mike back. Bear in mind,
15 we're not doing anything in May, but we're actually
16 starting in June. So we're looking right now about five
17 to six weeks out. A lot can change in that time.

18 And Cherell, of course, obviously, we could look at,
19 instead of just doing audio, doing a Zoom; this way we
20 can have more audience presentation and, you know, see
21 faces if that's something that we're allowed to do.

22 UNIDENTIFIED SPEAKER: One other point, Michael, if
23 I could. There may be some members, I mean, you know,
24 we -- I have a camera. I'm in the house. I mean, if --
25 you know, in my desktop. So you don't know if any of the

1 other members could -- I mean, do you need a camera to
2 get into Zoom?

3 MR. GRAY: You don't usually. Only if you want your
4 picture. It's Garrett. Only if you want your picture on
5 the --

6 UNIDENTIFIED SPEAKER: Well, I mean, yeah, I would
7 assume if we're going to do Zoom, we would want our
8 picture. I would think so. That's just my thought, you
9 know.

10 MR. GRAY: But you can use your phone or your iPad
11 which has a built-in camera.

12 UNIDENTIFIED SPEAKER: Oh, that's true. You're
13 right about that. That's true. Okay.

14 MR. GRAY: I'm usually right once a month, and
15 that's it, so.

16 MR. MILLER: A key thing to bear in mind everyone is
17 that, as long as we're seeing the names of the
18 participants so it's clear who is speaking, we don't
19 necessarily need to see everybody's face. It would be
20 nice, but Zoom is very flexible. You can always mute
21 your line, your audio, but you can also shut off your
22 picture as well. So those are all things we can think
23 about.

24 All right, guys. So let's run into -- let's look at
25 your calendars all for June, and let's see -- first of

1 all, in June, is there any black-out time, any black-out
2 days that anyone has a challenge with?

3 UNIDENTIFIED SPEAKER: Is anybody going on a cruise?

4 UNIDENTIFIED SPEAKER: Not this year.

5 MR. GRAY: Mike, it's Garrett. I'm going to say
6 that I'm open every day. I'm actually doing two meetings
7 at once now, but any dates that are selected, I'm
8 available.

9 MR. MILLER: That's going to be --

10 UNIDENTIFIED SPEAKER: I am too at this point.

11 UNIDENTIFIED SPEAKER: Same here.

12 MS. HARRIS-MARCHESI: That's the same for Cathryn --
13 same for Cathryn.

14 MR. MILLER: Okay. Rob? Don't tell me Long
15 Beach --

16 MR. RYCHLOWSKI: Yes, I'm open. I'm open.

17 MR. MILLER: Are you going to have the beach open,
18 Robert?

19 MR. RYCHLOWSKI: We're going to have the beach open
20 by -- let me see. I'm estimating it that it's going to
21 be June 27th when it's supposed to open for the week
22 long. I think, the end of June, they're going to be
23 open.

24 MR. MILLER: You have no excuse, then.

25 MR. RYCHLOWSKI: No. Yes, I don't think I'll be

1 tied up with volleyball this year.

2 MR. MILLER: Okay. Fine. That's good. Not a
3 problem, then.

4 Okay, guys. So let's kick off what to -- remember,
5 though, we're going to be cramming meetings, and we're
6 also going to leave some room for presentation. So let's
7 look at maybe the first week of June, then, to get
8 started, and let's try to space this out because, after
9 each week, we went to tweak test, see the response that
10 we started getting, and also I want to throw in a rain
11 date as usual should something, God forbid, happen we can
12 work. So I'm thinking more of getting started maybe the
13 2nd or the 3rd.

14 Is everyone in favor?

15 MR. STEIN: That's fine. What day is that, in terms
16 of --

17 MR. MILLER: The 2nd is a Tuesday. June 2nd is a
18 Tuesday.

19 MR. STEIN: Okay.

20 MR. MILLER: All right.

21 MR. STEIN: That's fine for me. Barry Stein is okay
22 with that.

23 MR. MELKONIAN: Marty is fine.

24 MR. MILLER: You know something very interesting as
25 well. Mr. Ferrara?

1 MR. FERRARA: Yes.

2 MR. MILLER: Is that right that, if we go Zoom, then
3 more people can actually participate in multiple
4 meetings? We don't necessarily have to be in a location
5 if we still sat down.

6 MR. FERRARA: Right. We haven't figured out how
7 we're going to do the public yet. We're either going to
8 do a call in like this --

9 MR. MILLER: Right.

10 MR. FERRARA: -- which by public notice will tell
11 the public the number and the code, and we'll have to do
12 it by phone. Secondly, we can do Zoom, possibly. We're
13 going to look into it, and/or the third, the least
14 desirable option is that I can email all of the public
15 that I'm aware of; then let them email me their
16 statements which I will read to you guys in the record.
17 That's the least desirable --

18 MR. STEIN: That might be -- the reading of the
19 statements, might be pretty good. In other words, if
20 they go on, it might be difficult to control the
21 individual public for time. I don't know about the
22 clarity. I don't know of the control that Michael may
23 have. This is just my thinking, you know, out to
24 everyone here, but there is something interesting, even
25 if it's Zoom, to have the person's name identified and to

1 have someone -- maybe yourself, James, not to put you on
2 the spot -- someone to read of -- or the tenants what
3 they feel or the landlords what they feel and put it into
4 a -- in writing, if that's possible. It's just a
5 thought.

6 MR. MILLER: All right.

7 MR. FERRARA: Yeah. Yeah.

8 MR. MILLER: So we'll keep that in mind. Then,
9 based on what I'm saying, we can have three meetings, and
10 it's around, but I think the participation level may be a
11 lot higher.

12 All right. So we've got June 2nd. The following
13 week, 9th or 10th, that's Tuesday or Wednesday. What are
14 your thoughts?

15 UNIDENTIFIED SPEAKER: That's fine at this point,
16 you know --

17 MR. MILLER: Good.

18 UNIDENTIFIED SPEAKER: No objection.

19 UNIDENTIFIED SPEAKER: All right. Tuesdays are
20 fine. Do you want to just go right down the line like
21 that, unless someone has their block?

22 MR. MILLER: All right. Well, we put a Tuesday or
23 Wednesday, we could do a rain check for the 16th, and now
24 we're going to jump down to the 23rd for presentation.
25 So let's do June 9th if everybody is good.

1 MR. STEIN: That's good for me. Barry Stein
2 speaking.

3 UNIDENTIFIED SPEAKER: Yes.

4 MR. MILLER: Okay, Barry Stein.

5 The remainder of the guys, remember I'm not seeing
6 you. All right. So we have June 2nd, June 9th, all
7 Tuesdays, and then we're going to jump down to the 23rd,
8 possible presentation. Is everybody --

9 UNIDENTIFIED SPEAKER: Okay.

10 UNIDENTIFIED SPEAKER: And what day is that of the
11 week, so I know?

12 MR. MILLER: All right. That is --

13 UNIDENTIFIED SPEAKER: Say that again. June 23rd --

14 MR. MILLER: Yes?

15 MR. COHEN: Tuesday.

16 UNIDENTIFIED SPEAKER: A Tuesday. Okay. Thank you,
17 Andy. That's okay for me. One, two -- so that's three
18 meetings so far.

19 MR. MILLER: Right. Normally, we would stick a rain
20 check somewhere between the 16th and 18th, which would be
21 between Monday and Thursday. I don't know if we need it
22 this time. We could still put it in.

23 UNIDENTIFIED SPEAKER: I think we should have it
24 because I'm hoping that we'll be able to have meetings,
25 because I don't know if like some of the seniors are

1 going to be able to do the email. I don't know if, you
2 know, all the tenants have the computer capabilities to,
3 you know, to be involved in this either. So I'd like to
4 have tentatively scheduled locations and meetings and
5 then just go to Zoom if it's undoable.

6 MR. MILLER: All right. So we're going to do that
7 raincheck date for the 17th; that's Wednesday, June 17th,
8 if everyone is in favor.

9 UNIDENTIFIED SPEAKER: Okay. Good.

10 MR. MILLER: Good. Got it. That's a Wednesday, and
11 the presentation is going to be the 23rd.

12 Now, James, will that give you enough time for the
13 data, everything we'll need?

14 MR. FERRARA: Yeah. That's about right. I've been
15 in communication with our statistician people. They've
16 already gotten over 48 responses from the owners. So
17 they're collecting the data.

18 MR. MILLER: Okay.

19 MR. FERRARA: And I should be able to email you the
20 presentation material the day before.

21 MR. MILLER: Okay. That's fine.

22 MR. RYCHLOWSKI: The I and E reports?

23 MR. FERRARA: Correct.

24 MR. RYCHLOWSKI: Okay.

25 MR. MILLER: Please state your name whenever you're

1 speaking.

2 MR. RYCHLOWSKI: So -- Rob, you're talking about you
3 would be able to get the I and E reports into us before
4 the 23rd?

5 MR. FERRARA: That's the plan.

6 MR. RYCHLOWSKI: Okay.

7 MR. MILLER: If that's the case, then, we could look
8 at a vote as early as, not July 4th; we could go to the
9 14th, which is the week after. Does that still give you
10 clearance around --

11 James, would be like July 14th?

12 MR. FERRARA: What? I'm sorry, Mike. It's June
13 14th for what?

14 MR. MILLER: On the vote.

15 UNIDENTIFIED SPEAKER: July 14th, we're talking
16 about the vote. Okay.

17 MR. FERRARA: No. It has to be the end of June.
18 I'm sorry. Go ahead.

19 MR. MILLER: That's what I was asking you earlier.
20 It has to be end the June; we can't run into July.

21 MR. FERRARA: Yeah. This is James Ferrara. That's
22 correct.

23 MR. MILLER: Well, I thought we got a waiver on
24 that. That was my earlier question. All right. So in
25 that case, then, we'd be going straight to the 30th,

1 which June 30th is another Tuesday.

2 MR. RYCHLOWSKI: So you -- this is Rob --

3 UNIDENTIFIED SPEAKER: I don't see any problem with
4 that. I mean, June 30th, okay.

5 MR. MILLER: Are you good with that, James?

6 UNIDENTIFIED SPEAKER: June 30th for a vote, right?

7 MR. FERRARA: Yeah. I mean, I -- this is James
8 Ferrara. I was thinking we could do the vote by the
9 25th.

10 MR. MILLER: That's --

11 UNIDENTIFIED SPEAKER: That's the two days after.
12 Okay.

13 MR. MILLER: Well, the 24th was an --

14 MR. COHEN: This is Andy. I can't do it on the
15 25th.

16 MR. FERRARA: Okay. Can we all do it on the 24th?

17 MR. MILLER: Okay. So --

18 UNIDENTIFIED SPEAKER: That's the next day.

19 MR. MILLER: That's the next day, James. That's
20 cutting it close.

21 MR. FERRARA: Okay, Mike. I mean, we've held them
22 back-to-back before, but --

23 MR. MILLER: All right. Okay. Why don't we do
24 this, then? Just to give ourselves a little bit of room,
25 the 25th resolved, could we look at doing maybe, instead

1 of the -- we have the 2nd and 9th, could we do a meeting,
2 the presentation possibly then on the 18th?

3 MR. FERRARA: This is James Ferrara --

4 UNIDENTIFIED SPEAKER: So then you're saying June
5 2nd, 9th and June 18th, and then the 23rd would be vote?

6 MR. MILLER: Yes.

7 UNIDENTIFIED SPEAKER: I'm sorry. I've got a
8 problem with Thursdays in June. That, I can't do. I
9 won't be around.

10 MR. MILLER: Okay. What about --

11 MR. FERRARA: All right. This is James Ferrara. I
12 suggest we keep the 23rd as the present and look to the
13 29th or 30th.

14 MR. MILLER: The 29th is fine by me.

15 MR. STEIN: Me too. Barry Stein. I'm okay.

16 Andy, what about you?

17 MR. COHEN: Yeah.

18 UNIDENTIFIED SPEAKER: I'm good.

19 MR. MILLER: Okay. So --

20 MR. MAHONEY: Adam. The 29th is good.

21 UNIDENTIFIED SPEAKER: That's the vote, okay.

22 MR. MILLER: Gray?

23 MS. GRAY-HUERTAS: Yup. That's fine.

24 MR. COHEN: Okay. Andy's got a question here.

25 MR. MILLER: Go ahead, Andy.

1 MR. COHEN: You have to secure a location if it's
2 going to be live. So you've got to -- you know, these
3 dates could be all whacked out if you can't get the
4 locations.

5 MR. MILLER: That, you know, I totally agree. It's
6 a fluid thing right now, but we'll do our best.

7 UNIDENTIFIED SPEAKER: And, you know, if it's
8 possible, because of the circumstances, and it might be
9 advisable just to do everything from a convenient
10 standpoint if, in fact, we can take all this in Mineola.
11 It's sort of mid -- I mean, it doesn't go to Hempstead.
12 It doesn't go to Long Beach, but it might be -- it is
13 somewhere in the middle for everyone. So I'm just
14 thinking it -- you know, on these particular times --
15 it's just a thought.

16 I have another thought in a second, but I just want
17 to throw this out in terms of location, but I'll go along
18 with everyone else. In these particular times, depending
19 on what's happening with the density and the virus,
20 there's all sorts of things that can happen. So I'm just
21 trying to make it middle of the road; not that Mineola is
22 not -- you know, is pretty dense also in terms of
23 population.

24 MR. MILLER: Point taken. All right. So let's
25 recap. Go ahead. What was that?

1 MS. HARRIS-MARCHESI: I'd like to say -- this is
2 Cathryn --

3 MR. RYCHLOWSKI: Yeah. This is Rob -- oh, I'm
4 sorry. Go ahead.

5 MR. MILLER: Go ahead, Cathryn.

6 MS. HARRIS-MARCHESI: I would rather be doing it by
7 Zoom for some of the people than doing everything in
8 Mineola. I hear what you're saying, but some of our most
9 vulnerable populations don't necessarily have transport.
10 We know that they used to have to have it arranged and
11 that sort of thing, and having everything in Mineola,
12 that's fine for people --

13 UNIDENTIFIED SPEAKER: Okay. That makes sense.

14 MS. HARRIS-MARCHESI: -- who are in a financial --

15 UNIDENTIFIED SPEAKER: We could do some Zoom, but
16 they may not have --

17 MS. HARRIS-MARCHESI: Yeah. I would want to do
18 Zoom.

19 UNIDENTIFIED SPEAKER: -- access to Zoom either.

20 MS. HARRIS-MARCHESI: Well, almost everybody has a
21 phone. Do you know what I mean? It's more likely to --

22 UNIDENTIFIED SPEAKER: Oh, okay. Yes --

23 MS. HARRIS-MARCHESI: -- have a -- a lot of them --

24 UNIDENTIFIED SPEAKER: -- you're right.

25 MS. HARRIS-MARCHESI: -- do have a phone and not

1 have -- a lot of them will have a phone but not have
2 transport.

3 UNIDENTIFIED SPEAKER: And also --

4 MS. HARRIS-MARCHESE: So that's just something I
5 want to bring up.

6 MR. MILLER: Cathryn, you're right.

7 And think about this, guys. Do you remember how
8 they used to get packed on a bus? Think about social
9 distancing, getting them on a bus to come to a meeting.
10 That might --

11 UNIDENTIFIED SPEAKER: Yeah. Not a good idea.

12 MR. MILLER: All right.

13 UNIDENTIFIED SPEAKER: Not a good idea.

14 MR. MILLER: Okay. So --

15 UNIDENTIFIED SPEAKER: I have another thought, but
16 go ahead. I just want to -- I'll wait until everyone is
17 finished. In fact, let me just -- this is a little
18 unusual, but what's going on in -- in particularly the
19 real estate market, which, you know, I'm part of the
20 owning and financing, and it's unprecedented times,
21 what's going on with the banking situation, not only
22 obviously with people losing their jobs, and that's
23 across the board, but banks now are being just inundated
24 with people -- tenants not being able to pay, for obvious
25 reasons, their rent, and landlords now seeking relief

1 with the banks. Banks realizing that, also with
2 cooperation from a regulatory standpoint, that they're
3 now structuring relief packages. I don't want to use the
4 word forbearance. It's a more technical term. So I'm
5 wondering if, like, the largest multi-family lender is
6 New York Community Bank. Flushing Bank is okay, but
7 that's probably the largest multi-family lender in the
8 state, almost the country, not counting Fannie and
9 Freddie Mac. What's your thinking of having a high
10 official come and explain what they are going through
11 from a lending banking standpoint which affects us all?
12 What's the thought?

13 MR. MILLER: I don't know about --

14 UNIDENTIFIED SPEAKER: Well, you can have the --

15 UNIDENTIFIED SPEAKER: If I can get the president,
16 or I possibly could get the executive vice president of
17 the bank, but that's up in the air. I don't know. He
18 may not want to come. I don't blame him, but --

19 MR. MAHONEY: Well, this is Adam. This is Adam. I
20 think that, you know, anybody who wants to testify in
21 front of the Board would be fine with me. You know, that
22 information would be very helpful for the Board, and
23 also, you know, from the tenant's side as well, we would
24 welcome any type of information that would help us, you
25 know, to understand the specifics of exactly what's going

1 on in the market today.

2 UNIDENTIFIED SPEAKER: It's a -- I mean, I had
3 something today with a large -- a very large deal in
4 Middle Island, and it's age restricted, and he has now
5 put a formal letter at the request send it to me that he
6 wants the bank, you know, to lower the interest rate. I
7 don't know if they're going to do that, but he's already
8 explaining the issues that vacancies are coming and, you
9 know, he's trying to work with the tenants and on and on,
10 and it's real time. And now he's asking the bank for
11 some relief.

12 They'll give him relief but not maybe the relief he
13 wants, but right now banks are suspending payments and
14 putting on the back end, doing interest only. It may
15 change as long as the people are current, but that's --
16 that's sort of aside from the lending what the landlords
17 are going through. But there are, you know, a lot of
18 decent landlords that are trying to work with the
19 tenants. They may not have a choice, but they are trying
20 to work with them. So there's the chain that -- I don't
21 want to say six degrees of separation, but that linkage
22 of tenants, landlords, and the lending because they still
23 got to pay their bills.

24 MR. MILLER: All right. I'm fine with that, and I'm
25 sure maybe others that, you know, want to participate,

1 especially around closer to presentation. So that's
2 fine. I have no issues with that.

3 UNIDENTIFIED SPEAKER: All right. It may not --
4 we'll see what happens. I may not be able to do that.

5 MR. MELKONIAN: Perhaps something in writing would
6 be useful, though. This is Marty. Something in writing
7 might be useful; if they send us a memo with their ideas,
8 in the event that they can't come directly.

9 UNIDENTIFIED SPEAKER: I'll see what I could do.
10 It's a thought, you know, because it affects us all in
11 today's world.

12 UNIDENTIFIED SPEAKER: I think we're getting a
13 little ahead of ourselves here.

14 UNIDENTIFIED SPEAKER: Okay. Sorry about that.

15 MR. MILLER: So let's recap the dates.

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. MILLER: We're looking at Tuesday, June 2nd;
18 Tuesday, June 9th; the rain check date, we have
19 Wednesday, the 17th; the presentation will be Tuesday,
20 the 23rd; vote will be Monday, the 29th, all in June.
21 And we're starting promptly at 7:30.

22 All in favor?

23 MR. STEIN: Okay. Aye. Barry Stein.

24 UNIDENTIFIED SPEAKER: Before we get to a vote on
25 that, I'd still like to interject that I would prefer to

1 have it in the location, to have it in Long Beach, have a
2 meeting in Hempstead, et cetera. I don't know if we'll
3 be able to do it, but I'd like to tentatively schedule
4 them for locations, even if we have to then go to Zoom
5 instead.

6 MR. MILLER: We're in favor of that.

7 UNIDENTIFIED SPEAKER: I don't know. I want to
8 think about that in terms of traveling in some of the
9 locations. It's not necessarily a no under these
10 particular times, but I'm not a hundred percent sure.
11 Just for discussion, does anyone else have any thoughts
12 about that? Normally, it's fine, you know.

13 MR. MILLER: Andy --

14 MR. COHEN: I would agree. I think it's premature
15 to schedule a meeting for other people.

16 MR. MILLER: Let me speak. Right now, this is what
17 we have to work with, guys. We'll get further guidance
18 as we go along from the Governor's office, and obviously,
19 the County, but so far, the ideal situation is always to
20 have physical meetings, optional Zooms. The idea here is
21 to get as much participation from the public as possible.
22 I don't --

23 UNIDENTIFIED SPEAKER: I thought Cathryn's idea of
24 the Zoom. It really -- you know, who knows what -- let's
25 say given the circumstances, but Zoom is to be -- and we

1 don't have to, you know, we could do some Zoom and some
2 possibly, you know, physical, but I guess that depends on
3 what the world is at that point.

4 MR. MILLER: Yes. And Zoom remember -- Zoom you
5 don't have to -- we don't have to have cameras. It can
6 be on a cell phone as well. It doesn't have to be --

7 UNIDENTIFIED SPEAKER: Okay.

8 MR. MILLER: -- visual.

9 MR. COHEN: Could Andy weigh in for a second?

10 MR. MILLER: Sure, Andy.

11 MR. COHEN: Just a thought, Long Beach and Mineola
12 are so large that it's very easy to social distance in
13 those locations, as versus to Hempstead. It's much
14 smaller, so --

15 MR. MILLER: If I think it's --

16 UNIDENTIFIED SPEAKER: Long Beach is good. Mineola
17 is good, but that's true. That's a good point.

18 UNIDENTIFIED SPEAKER: I think it's very important,
19 though, that we have one in Hempstead if we can so we
20 don't disenfranchise the people who probably will not be
21 able to make it to Long Beach or Mineola.

22 UNIDENTIFIED SPEAKER: Well, that auditorium is
23 pretty big also, if you could get that, other than the
24 library. The library is very small, but if you could get
25 that -- I forget what --

1 UNIDENTIFIED SPEAKER: Town hall, I believe, town
2 hall would have enough space. I think that's what
3 you're --

4 UNIDENTIFIED SPEAKER: Yeah.

5 UNIDENTIFIED SPEAKER: -- referring to.

6 UNIDENTIFIED SPEAKER: Yeah. I agree. I agree.
7 I'm okay with that.

8 MR. MILLER: Totally.

9 MR. FERRARA: Yeah. James Ferrara here. I mean,
10 until the executive order is lifted, we're going to do
11 this virtually, either through Zoom or just a call in.
12 Now at the last moment, if that's lifted, and I could get
13 a site -- I hear what everyone's saying -- I'll do Long
14 Beach. I'll do one in the north, probably Great Neck.
15 I'll do the Pavilion, and I'll probably do Mineola, but
16 it's --

17 UNIDENTIFIED SPEAKER: The Great Neck Pavilion,
18 isn't that on the small side, though? Isn't that tight,
19 if I'm not mistaken?

20 MR. FERRARA: Well, if the executive order is
21 lifted, it's lifted. Then we can meet, you know.

22 UNIDENTIFIED SPEAKER: Okay, I got you, yes. Okay.
23 Okay.

24 MR. FERRARA: But while it's in place, we're going
25 to do this virtually.

1 UNIDENTIFIED SPEAKER: Okay. I agree with that, but
2 that's understood. I just wanted to have like, you know,
3 people to be able to go to the location and do it because
4 some of them are not going to be able to get on Zoom, and
5 they're going to have difficulties with it, but I would,
6 like, prefer the 23rd for Hempstead, and -- but I do
7 understand, if we have to do Zoom, we'll do what we have
8 to do.

9 MR. MILLER: Sure. Sure.

10 MR. STEIN: By the way, James, are you providing any
11 spacesuits -- or never mind my humor, but okay. We'll
12 move on. Don't mind me.

13 MR. MILLER: Barry --

14 MR. STEIN: Yes?

15 MR. MILLER: -- remember we have a guest on the line
16 observing, so let's be nice.

17 MR. STEIN: Okay.

18 MR. MILLER: Any other question or comments, guys?

19 MR. STEIN: No, I think it's fine. Very nicely
20 done, Michael.

21 MR. MILLER: All right. Thank you all. And do I
22 have a motion for adjournment?

23 MR. STEIN: So adjourned, if no one else -- I don't
24 know why this takes longer than the whole meeting. I
25 move to adjourn.

1 MR. MELKONIAN: Second. Marty.

2 MR. MILLER: Marty? All in favor, aye.

3 IN UNISON: Aye.

4 MR. MILLER: Guys, thanks again.

5 And Cherell, thank you so much. I appreciate your
6 time and doing an awesome job. You're keeping us in
7 order.

8 James and -- who did I leave out? April.

9 MR. STEIN: Did Jeannetta ever show up?

10 MS. GRAY-HUERTAS: April, yes.

11 MR. STEIN: Did Jeannetta ever -- okay. You were
12 hiding. I didn't hear your voice. That's why -- hi,
13 Jeannetta. It's Barry Stein.

14 UNIDENTIFIED SPEAKER: Hi, Jeannetta.

15 UNIDENTIFIED SPEAKER: Hi, Jeannetta. Jeannetta?

16 MR. STEIN: No, she didn't show up, then, I guess,
17 no; almost surprised.

18 MR. MILLER: All right. Guys, again, thanks for
19 showing up, and be safe, and we will --

20 UNIDENTIFIED SPEAKER: Goodnight, guys.

21 MR. STEIN: Goodnight. Thank you, everyone.

22 Michael, nice meeting, very professional, and stay
23 safe. Take care.

24 Goodnight, everybody.

25 MR. MILLER: Thanks.

1 UNIDENTIFIED SPEAKER: Goodnight, everybody.

2 UNIDENTIFIED SPEAKER: Goodnight. Thank you.

3 [END RECORDING]

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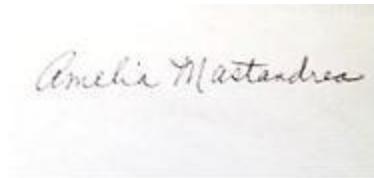
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C E R T I F I C A T I O N

1
2 The prior proceedings were transcribed from audio
3 files and have been transcribed to the best of my
4 ability. I further certify that I am not connected by
5 blood, marriage or employment with any of the parties
6 herein nor interested directly or indirectly in the
7 matter transcribed.

8
9
10 A photograph of a handwritten signature in cursive script, which reads "Amelia Mastandrea". The signature is written in dark ink on a light-colored, slightly textured paper background.

11
12 Signature

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14 Date April 24, 2020

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State of New York

Executive Chamber

No. 202.1

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, do hereby continue Executive Order 202, dated March 7, 2020, and I hereby continue any suspension or modification of law made by Executive Order 202 for thirty days until April 11, 2020, except that such Executive Order is amended to read as follows:

FURTHER, pursuant to the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 11, 2020 the following:

Suspension of laws and regulations to allow for expansion of services and temporary facilities for health and human service providers:

- Subdivisions (a) and (e) of section 401.3 and section 710.1 of Title 10 of the NYCRR, to the extent necessary to allow hospitals to make temporary changes to physical plant, bed capacities, and services provided, upon approval of the Commissioner of Health, in response to a surge in patient census;
- Parts 709 and 710 of Title 10 of the NYCRR, to the extent necessary to allow construction applications for temporary hospital locations and extensions to be approved by the Commissioner of Health without considering the recommendation of the health systems agency or the Public Health and Health Planning Council, and to take such further measures as may be necessary to expedite departmental reviews for such approval;
- Sections 34-2.6 and 58-1.7 of Title 10 of the NYCRR, to the extent necessary to permit clinical laboratories to operate temporary collecting stations to collect specimen from individuals suspected of suffering from a COVID-19 infection;
- Section 41.34 of the Mental Hygiene law and Part 620 and section 686.3 of Title 14 of the NYCRR, to the extent necessary to allow facilities certified pursuant to Article 16 of the Mental Hygiene law to increase and/or exceed certified capacity limits without following site selection procedures and/or without providing notification to the appropriate local governmental unit upon approval of the commissioner of OPWDD;

- Section 33.17 of the Mental Hygiene Law and associated regulations to the extent necessary to permit providers to utilize staff members in the most effective means possible to transport individuals receiving services from the Office of Mental Health or a program or provider under the jurisdiction of the Office of Mental Health during the emergency, provided such facilities take all reasonable measures to protect the health and safety of such individuals;
- Sections 29.11 and 29.15 Mental Hygiene Law and section 517 of Title 14 of the NYCRR to the extent necessary to permit mental health facilities licensed pursuant to Article 31 of the Mental Hygiene Law that are treating patients during the emergency to rapidly discharge, including conditionally discharge, transfer, or receive such patients, as authorized by the Commissioner of the Office of Mental Health, provided such facilities take all reasonable measures to protect the health and safety of such patients and residents, including safe transfer and discharge practices;
- Section 29.13 of the Mental Hygiene Law and associated regulations to the extent individuals in areas affected by the emergency are temporarily receiving services from different providers, whose immediate priority is to stabilize the individual, address acute symptoms, and provide supports including medication and stress relief, such that it is impossible to comply with development, assessment, scope and frequency, and documentation requirements for treatment plans;
- Sections 131, 132 and 349-a of the Social Services Law to the extent necessary to allow screenings to be conducted by telephone;
- Sections 2510 and 2511 of the Public Health Law, to the extent necessary to waive or revise eligibility criteria, documentation requirements, or premium contributions; modify covered health care services or the scope and level of such services set forth in contracts; increase subsidy payments to approved organizations, including the maximum dollar amount set forth in contracts; or provide extensions for required reports due by approved organizations in accordance with contracts;
- Subdivision 4 of section 6909 of the Education Law, subdivision 6 of section 6527 of the Education Law, and section 64.7 of Title 8 of the NYCRR, to the extent necessary to permit physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by this executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection;
- Section 400.9 and paragraph 7 of subdivision h of section 405.9 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals and nursing homes licensed pursuant to Article 28 of the Public Health Law ("Article 28 facilities") that are treating patients during the disaster emergency to rapidly discharge, transfer, or receive such patients, as authorized by the Commissioner of Health, provided such facilities take all reasonable measures to protect the health and safety of such patients and residents, including safe transfer and discharge practices, and to comply with the Emergency Medical Treatment and Active Labor Act (42 U.S.C. section 1395dd) and any associated regulations;
- Subdivision 3 of section 2801-a of the Public Health Law and section 600.1 of Title 10 of the NYCRR, to the extent necessary to permit the Commissioner of Health to approve the establishment of temporary hospital locations and extensions without following the standard approval processes and to take such further measures as may be necessary to expedite departmental reviews for such approval;
- Section 2999-cc of the Public Health Law and any regulatory provisions promulgated thereunder by the Department of Health, the Office of Mental Health, the Office of Addiction Services and Supports, and the Office for People with Developmental Disabilities, to the extent necessary to allow additional telehealth provider categories and modalities, to permit other types of practitioners to deliver services within their scopes of practice and to authorize the use of certain technologies for the delivery of health care services to established patients, pursuant to such limitations as the commissioners of such agencies may determine appropriate;

Suspension of laws and regulations relating to child care to allow flexibility for providers while continuing to protect the health and safety of children:

- Sections 414.7, 416.7, 417.7, 418-1.7, 418-2.7, 414.8, 416.8, 417.8, 418-1.8, and 418-2.8 of Title 18 of the NYCRR insofar as that regulation sets the ages of children who can be served and the standards for care; Sections 414.13, 416.13, 417.13, 418-1.13, 418-2.13 of Title 18 of the NYCRR suspending requirements for staff qualifications; Section 390 of the Social Services law suspending provisions setting capacity limits for family and group family day care programs and standards for staff/child ratios in all child care modalities; Sections 390(3) and 390-a of the Social Services Law and regulations at 18 NYCRR Sections 413(g), 414.14, 415.13, 416.14, 417.14, 418-1.14, 418-2.14, allowing for the waiver of certain provisions establishing training and inspection requirements for

child day care; and Section 424-a of the Social Services Law insofar as allowing for the waiver of fees paid for statewide central register of child abuse and maltreatment database check;

- Section 410-w of the Social Services Law and sections 404.1, 404.7, 415.2, 415.3, 415.6 of Title 18 of the NYCRR insofar as that statute and those regulations establish financial eligibility standards, the reimbursement requirements, and set timeliness requirements for the provision of services including payment for absences due to COVID-19 abatement processes;

Suspension of regulations to prevent delays in providing home delivered meals and in providing services under the Expanded In-Home Services for the Elderly Program (EISEP) to older adults:

- Clause (d) of subparagraph (ii) of paragraph (3) of subdivision (a) of section 6654.10 of Title 9 of the NYCRR, insofar as it requires an assessment be conducted prior to or within 10 days of the initiation of home delivered meals;
- Subdivision (h) of section 6654.16 of Title 9 of the NYCRR, insofar as it requires an assessment be conducted within 10 working days after the completion of the screening intake and prior to the initiation of services under the Expanded In-Home Services for the Elderly Program (EISEP);
- Subdivision (n) of section 6654.16 of Title 9 of the NYCRR, to allow for a care plan to remain in effect for a period exceeding 12 months under the Expanded In-Home Services for the Elderly Program (EISEP) when such care plan would otherwise expire during the period in which a disaster emergency is declared;
- Subdivision (x) of section 6654.16 of Title 9 of the NYCRR, modifying requirements for reassessments to be conducted every 12 months or within 5 days of becoming aware of a change in circumstance under the Expanded In-Home Services for the Elderly Program (EISEP);

Suspension of law to allow waiver of requirements necessary for apportionment of school aid:

- Section 3604(7) of the Education Law, to the extent consistent and necessary to allow the commissioner to disregard such reduction in the apportionment of public money due to a failure by a school to meet the instructional requirements proscribed within this section due to the properly executed declaration of a local state of emergency as defined within sub-section (i), a school is directed to close by a state or local health official or following a properly executed declaration of a state of emergency as defined within sub-section (i), limited to the extent that those specified schools are unable to make up missed instructional days;

Suspension of laws and regulations relating to emergency procurement:

- Sections 553(22), 559, 1209, and 1265-a of the Public Authorities Law, and 21 NYCRR Part 1002, to the extent necessary to purchase necessary equipment, materials, supplies, or services, without following the standard procurement processes, including the standard prompt payment policy;

Suspensions of law relating to appearances by defendants:

- Notwithstanding any other provision of law and except as provided in section 182.30 of Article 182 of the Criminal Procedure Law, the court, in its discretion, may dispense with the personal appearance of the defendant, except an appearance at a hearing or trial, and conduct an electronic appearance in connection with a criminal action pending in any county in New York State, provided that the chief administrator of the courts has authorized the use of electronic appearance due to the outbreak of COVID-19, and the defendant, after consultation with counsel, consents on the record. Such consent shall be required at the commencement of each electronic appearance to such electronic appearance.

Suspension of law relating to waiting periods for unemployment insurance claimants whose claims arise directly out of COVID-19 outbreak:

- Subdivision 7 of Section 590 of the Labor Law, so far as it relates to the waiting period for unemployment insurance claimants whose claims for unemployment insurance arise directly out of closings of schools or other workplaces in which claimants were employed, or out of claimants' isolation or quarantine in connection with COVID-19; and

Suspension of law allowing the attendance of meetings telephonically or other similar service:

- Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed;

Suspension of law allowing residents of nursing homes to vote with modified visitor policies in place:

- Subdivision 8 of section 8-407 of the Election Law to allow individuals not employed by the Board of Elections to assist residents of nursing homes or adult care facilities in the completion of absentee ballot applications and voting;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 11, 2020:

- Any guidance issued by the New York State Department of Health related to prevention and infection control of COVID-19 at nursing homes and adult care facilities, including but not limited to guidance on visitation, shall be effective immediately and shall supersede any prior conflicting guidance issued by the New York State Department of Health and any guidance issued by any local board of health, any local department of health, or any other political subdivision of the State related to the same subject.
- Any large gathering or event for which attendance is anticipated to be in excess of five hundred people shall be cancelled or postponed for a minimum of thirty days.
- Any place of business or public accommodation, and any gathering or event for which attendance is anticipated to be fewer than five hundred people, shall operate at no greater than fifty percent occupancy, and no greater than fifty percent of seating capacity, for thirty days effective on Friday, March 13, 2020, except that any theater seating five hundred or more attendees for a live performance located in a city of one million or more shall not hold any further performances after 5pm on March 12, 2020.
- The two preceding directives shall not apply to a school, hospital, nursing home, other medical office or facility as determined by the Commissioner of Health, mass transit or mass transit facility, governmental facility, law enforcement facility, or retail establishments including grocery stores. The Commissioner of Health may allow for businesses that are not public gathering spaces to exceed five hundred persons if the occupancy is less than fifty percent capacity subject to public health review.



G I V E N under my hand and the Privy Seal of the
State in the City of Albany the twelfth
day of March in the year two
thousand twenty.

BY THE GOVERNOR

A handwritten signature in black ink, appearing to be "M. C.", written over a horizontal line.

Secretary to the Governor

A handwritten signature in black ink, appearing to be "Andrew Cuomo", written over a horizontal line.

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