

December 13, 2022

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Hochul,

All New Yorkers deserve good jobs and open spaces for their kids to play. In Freeport, NY, a community of color is in danger of losing both if legislation passed by the state legislature this year takes effect. Our coalition of Freeport community groups, labor unions, and environmental organizations urges you to veto A10002-A/S8541-A, which was recently delivered to your office and would authorize the Village of Freeport to remove access to Cleveland Park as a green space to allow the development of an e-commerce warehouse on the site.

The legislation should be vetoed because it relies on a defective home rule message and would hurt local workers and community members. Further, the sale is now subject to litigation by Attorney General Letitia James over violations of the State Environmental Quality Review Act.

Cleveland Park is the last open green space in the village. For 70 years, schoolchildren have used the fields for youth sports. In its efforts to close the park, the village has sued Freeport Union Free School District to end its easement for the park, litigation that remains ongoing. The park is located in North Freeport, a community of color, and also serves as a play space for residents of Moxey Rigby affordable housing complex and the Liberty Park Apartment community. By condemning and selling this park in minority-majority North Freeport, the village hopes to finance a new park in white South Freeport. This is the definition of environmental racism.

If the sale is allowed to proceed, an Amazon-style warehouse will be built on the site, which would deal another blow to working Long Islanders. When Amazon opens a new facility, average warehouse wages in the county decline 6%, while turnover rates skyrocket. Further, workers at Amazon warehouses suffer twice as many injuries as workers at other warehouses. The village stated in early media reports that Amazon was considering purchasing the property. In the end, the village voted to sell the park to Panattoni Group, a frequent Amazon developer, to develop an e-commerce warehouse.

The village sent two home rule messages to the state legislature in support of the legislation. When the legislature voted on the bill, it was likely unaware that the home rule messages were issued in willful violation of the state's Open Meetings Law. The Nassau County Supreme Court has since found that the Village "violated the OML regarding Meeting 1[April 18] and Meeting 2

[May 2]... Respondents’ failure to produce the notice in accordance with the OML appears to be ‘intentionally vague as to shield the public from the true purpose of the [meeting]...’¹ The Court hereby finds that Respondents’ violations were not a ‘result of an unintentional failure’ (POL €107) and in fact were willful in nature.”

The legislature was also likely unaware of the villages’ alleged violations of the State Environmental Quality Review Act. Attorney General James sued the village in August 2022 over its failure to take a hard look at the environmental impacts of the proposed project and loss of parkland.

Residents have been told ultimately that the sale of Cleveland Park will support the revitalization of Cow Meadow Park, a park located at the farthest edge of South Freeport. Cow Meadow Park is located in a well-known flood zone area. It is also not easily accessible to residents without increased transportations options throughout the village. Cow Meadow Park is a 40 to 50 minute walk from Freeport High School (on the opposite edge of Freeport), and a 30 to 40 minute walk from John W. Dodd Middle School, which is quite centrally located in the Village of Freeport.

The residents of North Freeport should not have to choose between jobs and their park. They should not have to accept development that drives down their wages. We urge you to stand with us and veto A10002-A/S8541-A.

Sincerely,

Long Island Federation of Labor
Long Island Progressive Coalition
Teamsters Joint Council 16
United Auto Workers Region 9A
New York Communities for Change
Make the Road New York
Black Girls Walk
Women’s Diversity Network
Young Long Island for Justice
ALIGN
American Economic Liberties Project
National Employment Law Project
Fight Corporate Monopolies

¹ Decision and Order, *Freeport Union Free School District vs. Incorporated Village of Freeport*, Nassau County Supreme Court, June 27, 2022, P. 8.