

James Nolan

Minority Whip
Legislator, 15th District
Chair, Committee on Appointments



Committee Assignments:
Legislation
Parks & Recreation

To: Vedat Gashi, Chairman of the Board of Legislators
Sunday Vanderberg, Clerk of the Board of Legislators
Colin Smith, Chair of the Legislation Committee
Jewel Williams Johnson, Chair of the Budget & Appropriations Committee
Catherine Parker, Chair of the Human Services, Human Rights & Equity
Committee

From: James Nolan, Legislator, District 15

Date: June 7, 2023

Re: Resolution By The Westchester County Legislature Requesting New York State Governor Kathy Hochul And The County Of Westchester Put An End To Mayor Adam's Inhumane And Ill-Conceived Treatment Of Undocumented Migrants By Placing Them Into Westchester Municipalities Without Prompt Notice Or Providing Adequate Support And Necessary Resources

Attached is a Legislative Resolution asking for the State of New York and/or the City of New York to provide resources and notice when placing undocumented migrants into municipalities in Westchester County

Please refer to the Legislation Committee, the Budget & Appropriations Committee, and the Human Services, Human Rights & Equity Committee

A RESOLUTION BY THE WESTCHESTER COUNTY LEGISLATURE REQUESTING NEW YORK STATE GOVERNOR KATHY HOCHUL AND THE COUNTY OF WESTCHESTER PUT AN END TO MAYOR ADAM'S INHUMANE AND ILL-CONCEIVED TREATMENT OF UNDOCUMENTED MIGRANTS BY PLACING THEM INTO WESTCHESTER MUNICIPALITIES WITHOUT PROMPT NOTICE OR PROVIDING ADEQUATE SUPPORT AND NECESSARY RESOURCES.

WHEREAS, GOVERNOR HOCHUL EARMARKED ONE BILLION DOLLARS (\$1,000,000,000.00) IN THE 2023 NEW YORK STATE BUDGET, WHICH WAS AWARDED **EXCLUSIVELY** TO THE CITY OF NEW YORK PURPORTEDLY TO PROVIDE FOR THE HUMANE AND THOUGHTFUL TREATMENT OF THE INFLUX OF THOUSANDS OF UNDOCUMENTED MIGRANTS INTO THE CITY OF NEW YORK AS A RESULT OF THE LACK OF THE FEDERAL GOVERNMENT'S LACK OF SECURITY RESULTING IN A CRISIS AT OUR COUNTRY'S BORDERS; AND

WHEREAS, THE GOVERNOR FAILED TO INCLUDE ANY PLAN WITH THE ONE BILLION DOLLAR (\$1,000,000,000.00) AWARD TO WESTCHESTER COUNTY SUCH THAT THERE WAS NO PROVISION FOR ADEQUATE REGULATIONS AND SUFFICIENT RESOURCES TO MEET THE MIGRANTS' NEEDS WHILE PROVIDING LOCAL CONTROL TO PROTECT AND ENSURE PUBLIC SAFETY, HEALTH, AND WELFARE; AND

WHEREAS, MAYOR ADAMS NEVER HAD A PLAN, DOESN'T HAVE A PLAN, AND HAS COMPLETELY FAILED TO PLAN FOR THE INFLUX OF MIGRANTS AND THE MOST EFFICIENT USE OF THIS VERY SIGNIFICANT AMOUNT OF TAXPAYER DOLLARS; AND

WHEREAS, INSTEAD, MAYOR ADAMS IS USING THESE FUNDS TO HERD UP THE MIGRANTS AND DRIVE THEM LIKE LIVESTOCK TO SURROUNDING MUNICIPALITIES IN WESTCHESTER COUNTY; AND

WHEREAS, MAYOR ADAMS' SCHEME TO "TEMPORARILY" HOUSE THESE HOMELESS MEN, WOMEN, AND CHILDREN IS TO ILLEGALLY CONVERT SUBURBAN HOTELS INTO NEW YORK CITY HOMELESS SHELTERS WITHOUT COMPLYING WITH THE APPLICABLE LOCAL CODES INCLUDING, BUT NOT LIMITED TO, BUILDING, FIRE, ZONING AND EDUCATION CODES THROUGHOUT THE STATE OF NEW YORK; AND

WHEREAS, THESE HOTELS ARE NOW ILLEGAL NEW YORK CITY HOMELESS SHELTERS THAT HAVE BEEN CREATED WITHOUT ANY PLANNING, REVIEW, OR LOCAL APPROVAL PROCESS AND THEY

UNDERSTANDABLY OVERWHELM THE LOCAL INFRASTRUCTURE, EDUCATION SYSTEM, AND AVAILABLE RESOURCES SUCH THAT THE MIGRANT MEN, WOMEN, AND CHILDREN ARE SUBJECTED TO INHUMANE CONDITIONS WHILE UNDERMINING THE QUALITY OF LIFE IN THE SURROUNDING NEIGHBORHOODS RESULTING IN NUMEROUS COMPLAINTS FROM RESIDENTS; AND

WHEREAS, EVEN AS THIS CRISIS UNFOLDS AND GROWS BY THE DAY THE STATE OF NEW YORK AND THE CITY OF NEW YORK FAIL TO PROVIDE ANY LEADERSHIP, GUIDANCE, OR BASIC INFORMATION SO THAT THE CRISIS IS EXACERBATED AND MORE PEOPLE SUFFER FROM THEIR LACK OF PLANNING AND FORESIGHT; AND

WHEREAS, BECAUSE OF THE LACK OF PROPER STATE GUIDELINES, REGULATIONS, OR FUNDING, MUNICIPALITIES WITHIN THE COUNTY OF WESTCHESTER AND HER MUNICIPALITIES ARE FORCED TO FEND FOR THEMSELVES AS IT TRIES TO DEAL WITH THE CRUSHING IMPACT OF THIS MASSIVE UNFUNDED MANDATE; AND

WHEREAS, IN ORDER TO ADEQUATELY ADDRESS THE GROWING HUMANITARIAN AND CIVIC CONCERNS THE COUNTY NEEDS TO EXPLORE EVERY AVENUE AND HAVE THE FULL AUTHORITY TO CARRY OUT ITS DUTY TO PROTECT AND PRESERVE THE HEALTH SAFETY, AND WELFARE OF ALL OF ITS RESIDENTS INCLUDING THE MIGRANTS; AND

WHEREAS, SINCE THESE HOTELS ARE BEING CONVERTED TO NEW YORK CITY HOMELESS SHELTERS MUNICIPALITIES SHOULD BE ABLE TO REGULATE THEM AS SUCH UNDER ZONING, BUILDING, AND FIRE CODES IN ADDITION TO THE CONSUMER PROTECTION CODE; AND

WHEREAS, IT IS CLEAR AND UNDENIABLE THAT THE STATE OF NEW YORK AND MORE PARTICULARLY THE CITY OF NEW YORK CAN NO LONGER IGNORE THIS MASSIVE PROBLEM AND MUST TAKE SWIFT AND CERTAIN ACTION TO CORRECT IT SO THAT THE MIGRANT MEN, WOMEN, AND CHILDREN CAN BE TREATED HUMANELY AND ALL THE RESIDENTS OF WESTCHESTER COUNTY CAN BE TREATED FAIRLY AND HUMANELY; AND

WHEREAS, IN THE ABSENCE OF A PROMPT AND EFFECTIVE RESPONSE BY GOVERNOR HOCHUL, OR MAYOR ADAMS THE COUNTY OF WESTCHESTER MUST EXHAUST ALL LAWFUL REMEDIES TO PROTECT ITS INTERESTS WHILE ALSO PROTECTING THE DIGNITY AND HUMANITY OF THE INDIVIDUALS THAT HAVE BECOME THE EMBODIMENT OF THIS FLAWED AND FAILED POLICY; AND

NOW THEREFORE BE IT RESOLVED, THAT THE COUNTY OF WESTCHESTER CALLS FOR GOVERNOR HOCHUL AND MAYOR ADAMS TO

IMMEDIATELY STOP THE HOUSING OF UNDOCUMENTED MIGRANTS IN THE COUNTY OF WESTCHESTER; AND

BE IT FURTHER RESOLVED, THAT IF GOVERNOR HOCHUL AND MAYOR ADAMS FAIL TO IMMEDIATELY STOP THE HOUSING OF UNDOCUMENTED MIGRANTS IN THE COUNTY OF WESTCHESTER THEN THE COUNTY OF WESTCHESTER MUST BE ABLE TO EXERCISE ITS LOCAL AUTHORITY, ENFORCEMENT, AND DISCRETION TO REGULATE, CONTROL, AND TERMINATE THE OPERATION OF ANY HOTEL THAT HAS BEEN TRANSFORMED INTO AN ILLEGAL NEW YORK CITY HOMELESS SHELTER; AND

BE IT FURTHER RESOLVED, THAT IF THE FOREGOING MEASURES DO NOT OR CAN NOT STOP THE HOUSING OF UNDOCUMENTED MIGRANTS IN HOTELS IN THE COUNTY OF WESTCHESTER THEN THE COUNTY LEGISLATURE HEREBY RESOLVES THAT THE COUNTY OF WESTCHESTER MUST IMMEDIATELY SEEK AN ORDER FROM THE SUPREME COURT OF THE STATE OF NEW YORK ENJOINING THE HOUSING OF MIGRANTS IN HOTELS IN THE COUNTY OF WESTCHESTER AND HER MUNICIPALITIES UNTIL THE STATE OF NEW YORK AND/OR THE CITY OF NEW YORK PRESENT A DETAILED PLAN WITH ADEQUATE FUNDING AND RESOURCES TO HUMANELY ACCOMMODATE THE MIGRANTS WHILE PRESERVING THE RIGHTS OF THE RESIDENTS OF THE COUNTY OF WESTCHESTER; AND

ALSO, BE IT FURTHER RESOLVED, THAT THE CLERK OF THE BOARD OF LEGISLATORS IS DIRECTED TO SEND A COPY OF THIS RESOLUTION TO MAYOR ERIC ADAMS, GOVERNOR KATHY HOCHUL, LIEUTENANT GOVERNOR ANTHONY DELGADO, AND THE MEMBERS OF THE WESTCHESTER COUNTY STATE DELEGATION