

**OFFICE OF THE COUNTY EXECUTIVE**

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November 18, 2022

New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

To Secretary to the Commission Hon. Michelle L Phillips:

I am writing to respectfully, but vigorously, request your office provide the final determination of your investigation into the low water pressure issues that occurred during a fatal fire in the Village of Spring Valley on March 23, 2021.

On that day, a fire erupted at Evergreen Court Home for Adults in Spring Valley that was home to over 100 people. Spring Valley Fire Fighter Jared Lloyd and resident Oliver Hueston died during the inferno that forced fire crews to stretch hoses more than 2/3's of a mile to find a hydrant with sufficient water pressure to extinguish the flames.

You don't have to be a first responder to know how dangerous and problematic it is to have low-water pressure during an emergency such as a fire when every second counts.

While I was pleased to see the New York State Department of Public Service (NYSDPS) immediately launch an investigation following the incident, to date we have not received any results of that investigation despite being on the heels of the two-year anniversary.

Back in February of this year, DPS Communications Officer James Denn claimed to our Fire and Emergency Services Director Chris Kear, "the DA's investigation is still open and that, as a matter of course, we must wait until the conclusion of that investigation before we can take any actions."

Director Kear immediately reached out to the Rockland County District Attorney's Office who provided the below response:

- PSC is free to provide any updates and or progress reports on their investigation. Nothing going forward will interfere or impede their investigation.
- PSC has not communicated anything recently to the Rockland County DA's Office on any progress or findings.

Despite forwarding that to DPS Communications Officer Denn in February, we're still waiting on updates or findings of your investigation.

If there is an issue with water pressure, we need to know as soon as possible so it can be addressed and corrected and every day you delay places more lives at risk.

It is frustrating that my administration is forced to constantly reach out to your staff only to be brushed off and told the investigation is "ongoing" with no "statutory timeframe" of completion.

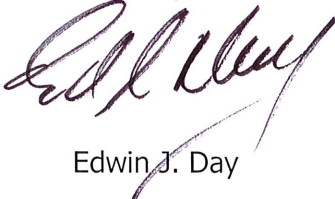
In a recent News 12 interview connected to this incident, Governor Kathy Hochul was quoted saying "more needs to be done" regarding public and fire safety, adding "we can find out so much and prevent tragedies when you can investigate on the front end."

While I agree with that statement the actions of the NYSDPS speak otherwise. It is outrageous and insulting not just to the residents of Rockland County, but families across New York State, that despite two lives being lost to a fire, including a volunteer firefighter, your office has not concluded this critical investigation.

Since March of 2021, the Village of Spring Valley has continued business as usual regarding land use issues and planning board approvals, of which the withheld information could very well impact. By forcing the municipality to operate under the presumption that everything is fine, NYSDPS will be complicit if any future deaths occur in a fire once again impacted by low water pressure.

Out of respect for the families of those who died, and the residents, visitors, and first responders who remain in harm's way, I urge NYSDPS to reveal the conclusions of this investigation immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin J. Day". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edwin J. Day

Rockland County Executive

CC: Governor Kathy Hochul