



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

July 27, 2020

Jay Schneiderman
Supervisor Town of Southampton
116 Hampton Road Southampton, NY 11968

Dear Supervisor,

I am sure that you are aware the State of New York is in a Declared State of Emergency, since March 7, 2020 due to the prevalence of COVID-19. I know you are aware of the many efforts this state has made in conjunction with many local governments to combat it. The Governor's Executive Orders require social distancing as well as limitations on businesses and other activities, for instance, no non-essential gathering is permitted in excess of fifty individuals, per Executive Order 202.53 until August 20, 2020.

As Commissioner of Health, I have also issued a number of health regulations and emergency orders to safeguard the public health and reduce the spread of COVID-19.

In that regard I am greatly disturbed by reports concerning the "drive-in" concert held in your town this past weekend, which apparently involved thousands of people in close proximity, out of their vehicles, a VIP area where there was no pretense of a vehicle, and generally not adhering to social distancing guidance. I am at a loss as to how the Town of Southampton could have issued a permit for such an event, how they believed it was legal and not an obvious public health threat.

Please report to me within 24 hours on the following:

- Did the town issue a permit for the concert?
- If the permit was issued, how was the permit consistent with applicable state regulations and laws relative to COVID-19?
- If there was a permit issued, what security presence did you have planned for the concert?
- What town officials were at the concert and why was it allowed to continue when it became clear violations were rampant?

Please be advised that all responses to these questions, are a submission to a state department conducting an investigation, and any submission will be deemed to be a sworn statement. I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Howard Zucker M.D.".

Howard Zucker, M.D., J.D.
Commissioner of Health