



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Subcommittee on
Volunteer Emergency Services
COMMITTEES
Aging
Energy
Judiciary
Local Governments
Veterans' Affairs

MONICA WALLACE
Assemblymember 143rd District
Erie County

August 7, 2020

Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

Thank you for your leadership during this unprecedented crisis. New York's response to this pandemic has been exemplary, and health care experts around the country have pointed to the state's response as a model for responsibly resuming economic activity while keeping infection rates low.

As of today, the statewide positive test rate remains steady at about 1 percent, and most regions throughout the state are below that. The fact that New York went from the epicenter of the pandemic to a national example for successful containment is a testament to the thoughtful, cautious, and data-driven approach the state has taken under your leadership.

We likely are at the point where infection rates in our state are the lowest they will be throughout this pandemic. Yet many businesses remain closed. In recent weeks, we have been in discussions with small business owners of gyms, movie theaters, bowling alleys, pool halls, and spa service providers, to name just a few. Those owners are seeking guidance and clarity from the state as to when, or if, they will be permitted to resume operations during this public health emergency. They have been patiently awaiting further guidance from the state, but their patience and financial resources have been exhausted. They seek definitive guidance as to whether the state will permit them to resume operations at some point in the near future. As state representatives, we owe them an answer.

If state health experts still believe it is not safe to open some or all of these businesses, we must explain why and support those explanations with data and science. We must explain why a bowling alley, for example, is more likely to spread the disease than indoor dining. If reopening is anticipated once additional benchmarks are met, that information should be shared. If there are additional measures a business can take to facilitate safe reopening, such as installing advanced indoor air filtration systems, that option should be made available. Finally, if it is the Department of Health's position that there are simply no circumstances under which a particular business or industry can operate safely during this state of emergency, we owe it to those businesses to tell them that, so that they can make the difficult financial decisions that follow. To leave these businesses simply waiting, wondering, and continuing to invest in PPE and protective measures without any insight into whether those investments are helpful, is unfair and contrary to any notion of transparency in government.

We understand the gravity of the issues we are currently dealing with – including trying to weigh whether and under what circumstances we can resume in-person K-12 school. We agree that returning students to school in a safe and responsible manner must take priority.

But many of these businesses have invested time and money developing plans and acquiring equipment to facilitate a safe reopening. If those thoughtful plans are adhered to, it is likely these businesses can resume operations at reduced capacities without risking further outbreaks. The state's robust contract tracing system will assist in identifying

whether particular industries become problematic despite best efforts to control the virus.

We welcome the opportunity to discuss the issue in more detail and to work collaboratively to craft regional benchmarks for reopening.

Sincerely,



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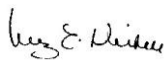
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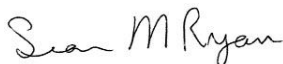
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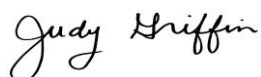


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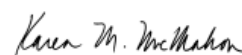
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