



NEW YORK STATE SENATOR

Susan Serino

SERINO DEMANDS ANSWERS FOR STILL-SHUTTERED BUSINESSES, SEEKS GUIDANCE AND FINANCIAL RELIEF

SUSAN SERINO August 13, 2020

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Hyde Park, NY—Ahead of the Legislature’s Joint Public Hearing on the Impact of COVID-19 on the Workforce, Senator Sue Serino today held a virtual press conference to urge the state to immediately release health and safety guidelines to any and all businesses that have yet to receive clearance to reopen. Serino is also calling on the state to recognize the disproportionate financial hardship the excessive delay in reopening has caused these particular industries and is demanding the state provide immediate financial and regulatory

relief to those they have refused to allow to reopen.

Serino was joined by representatives from over 20 Hudson Valley businesses as well as Dutchess County Executive Marcus Molinaro, and leaders of the National Federation of Independent Business (NFIB), the Dutchess County Regional Chamber of Commerce and the Putnam County Business Council.

“No one is asking for a rush to reopen. We all agree health and safety must be our top priority, but the state has fallen down on the job by refusing to even acknowledge the plight of these particular industries that have been totally left behind,” said Senator Sue Serino. “I am hearing from countless constituents who are at a loss as the state has gone radio silent, refusing to answer questions or provide even a timeline for when they can expect to receive guidelines that would allow them to plan for a safe reopening. It’s not right. These are real people, with real families to support, whose businesses have been the backbone of our communities for decades. These hardworking New Yorkers—and the thousands they employ—deserve answers, and they deserve relief now.”

Specifically, the participants called on the state to apply its established rules fairly across the board, to communicate clearly with these businesses and to release the guidelines they desperately need to reopen safely. Serino made it clear that if the state has a legitimate, scientific reason for keeping a business closed, then it needs to communicate that to them directly and give the businesses an opportunity to effectively address the concern. Serino went on to argue that if the state still believes they cannot safely reopen, then it needs to step up and provide them with immediate financial support by using some of the billions of dollars in unused CARES Act funding to create a relief fund to support flexible grants these businesses can use to pay bills, support employees, and cover the costs of modifications they had made to try to keep up with the state’s changing expectations. Serino also noted that the state has the power to provide immediate relief to businesses across New York by suspending the collection of certain taxes and fees and **taking action to hold them harmless when it comes to calculating their unemployment insurance rates.**

Additionally, Serino and many participants highlighted the fiscal impact that keeping these businesses closed will have on local governments, which depend on their tax revenue to fund essential services.

Dutchess County Executive Marc Molinaro said, *“We need answers. The state has ceased communication with a number of industries and the silence is deafening. These businesses and their employees have gone months without guidance and support. We’re not advocating we throw the doors open on everything, but the fact is that by keeping these businesses closed with no hint of an end in sight, the state is destroying the livelihood of those who depend on these sectors for employment.”*

Greg Biryla, NFIB’s New York State Director, said, *“New Yorkers have much to be proud of. The state’s infection rate is down, healthcare capacity is stable, and because of deliberate caution, many industries and regional economies have reestablished operation and commerce without a major outbreak. This is largely because of sound leadership and unprecedented personal sacrifice from so many New Yorkers – including the small businesses that sustain our communities and employ half the state’s population. Many small business owners continue to sacrifice. Uncertainty surrounds their livelihoods, personal wellbeing, and the incomes that support their own families, and their employees’. Gyms, bowling allies, amusement facilities, event venues, and local restaurants have seen four phases of New York’s reopening come and go but still they remain closed or their operations severely curtailed while questions and bills pile up. Responsibility, caution, and public safety have guided the state’s action to date and that must continue. But the businesses still closed deserve to know why, they deserve to know what the state’s realistic timeline is for their futures, they deserve the right to plan and prepare.*

Frank M. Castella, Jr., President & CEO of the Dutchess County Regional Chamber of Commerce said, *“I commend the Governor for keeping the general public well-informed, and for continuing to focus on the reduction of COVID-19 spread, however there has been an inconsiderate and noticeable lack of communication, imbalance of guidance and clarity for many businesses. Organizations have been understanding, compliant and patient for the better part of five months. To repay their cries for help by ignoring them is unacceptable. Albany must respond with an adequate resolution and meaningful assistance programs – beyond the suggestion of a loan. Additionally, the current system for guidance and enforcement isn’t sufficient, just or fair, and must be addressed. One size does not fit all and the NAICS code system wasn’t designed for closing businesses during a pandemic. To rely on this cut and dry method, without implementing commonsense and consistent practical case-by-case evaluation, is unnecessarily harming jobs and our economy.”*

“When New York pulled the rug out from under hundreds - if not thousands - of fitness centers, malls and movie theaters last June, our local gyms were already at the end of their rope,” said Jennifer Maher,

chairwoman, Putnam County Business Council. *"We acknowledge that public health and safety is always the main priority, but we question the protracted lack of communication and guidance on timing or alternative fixes for these businesses. Compounding the distress of local fitness centers, and catering halls, competing businesses just across the border in Connecticut are servicing many of the clientele from our east Putnam businesses . A loss of clients is among a long list of dire outcomes associated with these prolonged closures. Businesses need to reopen, so people can regain a routine, and manage COVID-related financial burdens. Gyms are needed to battle depression and isolation."*

Jackie Mangiamele, Office Manager of Lyceum Cinemas, said, *"Our Vermont theatres have been opened since June without causing any spike in positivity results. We have many people traveling from Troy, NY to see movies in our theatre in Bennington, Vermont. We have installed the same filters in our a/c system that malls were required to do to open. We are ready to open safely and to provide our patrons some happiness that everyone needs right now!"*

Amy Hardisty, Owner of White Hall Events, said, *"You cannot leave the 12 million Americans that make up the wedding and event industry: unemployed, uninformed, unqualified for adequate aid, and unable to make a living. You cannot leave 2.5 million couples unable to get married safely this year. Despite being part of a \$72 Billion-dollar industry, we are not big businesses, we have not been bailed out, and most importantly, we have not been addressed in any reopening plan. Governor Cuomo, you have to address our industry. You have to guide us, so that we can guide our clients. We want to work with you. We need a plan to ensure that weddings and events happen safely. Making plans and executing them is what we Event Planners do best. Please work with us!"*

Mike Polasek, Owner of Simply Gourmet, said, *"Like others, The catering industry has been decimated with this pandemic. Simply Gourmet has lost over 80% of our revenue. Getting guidance from the state has at times seemed impossible. To this date, the catering industry has received ZERO guidance. A simple search of the phase 3 or 4 guidelines yields no results of the word catering, event, wedding, etc. In addition, we have no idea of what kind of a timeline we can expect to get guidance. On numerous occasions we asked for clarification from the State and have never gotten an answer. We are left to interpret it ourselves which leaves us open to disciplinary actions without warning if we do it wrong."*

Nick Crecco of Villa Barone in Mahopac, said, *"This whole craziness of not having any guidelines is just destroying us all and destroying our industry. All of our tenants are demanding money back, which we just don't have because we have had no cash flow for over 160 days. I employ 70 people in Putnam County at a very large facility. We can enforce social distancing and proper management. We have restaurants that are less than 1,000 square feet feeding over 200 dinners per night, and everyone's doing it right, abiding by social distancing, yet I have a 70,000 square foot facility but we can't host more than fifty people. It just doesn't make any sense. We are on the verge—all of us in this industry—of collapse. As*

business owners we can enforce the guidelines given to us and we will be able to continue in the proper way.”

Joe Bonura Jr., Owner, Bonura Hospitality Group, said, *“What the state fails to understand is a wedding is the most important day of someone’s life. They are not just going to put it off indefinitely. We know that weddings are happening—in people’s back yards, at campgrounds, in parks—people are gathering and not following health and safety guidelines. As professionals we have the tools to host these events safely. If this industry doesn’t get guidance immediately, we will have to cancel all of fall events which will decimate these businesses. we stand ready and willing to work with the state to create effective plans to reopen and move forward safely.”*

Dave Kenyon, Owner Gold’s Gym Hudson Valley, said, *“My father-in-law, Bill Austin, has been in business for 42 years this month here in Dutchess County. We employ over 200 people in our 2 locations, and like most businesses, quite a few of these employees have become like family. Almost every health and fitness center in New York is family-owned and operated. Physical activity saves lives and protects health. There are almost 2,100 health and fitness centers in New York, employing close to 90,000 residents in all parts of the state. These fitness centers help more than 4.6 million people stay healthy, active, and strong. Governor Cuomo, you have said numerous times that New Yorkers need to be responsible and do the right things to keep the spread of COVID-19 in check. The reopening plan submitted by the NYS Fitness Alliance includes extensive safety protocols for employees, members, and contractors. This plan meets or exceeds CDC, DOH and OSHA guidelines, and includes protocols for assisting the State in contact tracing efforts. It was also reviewed favorably by a third-party infectious disease specialist. We are ready to responsibly open and not only stop the spread of the virus, but help people recover from it and make them stronger for the future.”*

Kristi Redl of All Sport Health and Fitness said *"For weeks now we have been working with other fitness facilities to create a reopening plan that puts the health and safety of our members at the forefront. We have taken the adequate steps needed to make sure our facility adheres to all social distancing guidelines and have been constantly monitoring what facilities in other states are doing to make sure we are offering the most thought out plan. While we have been doing all that we can, the Governor and state have been radio silent. We are ready and willing to take whatever steps necessary, but now, New York State needs to do their part."*

Representing Independent Yoga Studios, Schools and Instructors, Liz Glover Wilson, owner of two yoga studios in the Hudson Valley, said, *"We are a relevant industry that needs answers. There are over 600 registered yoga schools and studios in the State of New York, supported by 11,095 registered instructors. Yoga and meditation are based on ancient techniques and scientific teachings similar to jiu jitsu, chi gong, and martial arts. While we have seen these studios open, we question why*

Yoga studios remain closed, ignored, and miscategorized along with gyms and fitness centers. A recent study by Yoga Journal and Yoga Alliance, noted that there are 36 million people practicing yoga today. Some statistics say that yoga is having a \$4 billion impact on the NYS economy annually. 94% of practitioners do yoga for wellness-related reasons. Yoga is wellness, and health care; providing physical, mental and emotional health and balance for practitioners. We have not been given a clear answer why we are not allowed to open. Many studios are closing and many more will be forced to close. We respectfully ask the Governor to reconsider the Yoga Industry and allow us to open mindfully. We only have wellness in mind.”

Don Murphy, Owner of Gold’s Gym Newburgh said, *“The New York State Fitness Alliance stands as the united voice of fitness center owners across NY State. The comprehensive reopening plan that was submitted to the Governor’s office several weeks ago is safe, a conclusion that is supported by the findings of Dr. Ravi Durvasula from Loyola University Medical Center, who states, ‘I have reviewed coronavirus mitigation practices at a variety of public venues, including nursing homes, restaurants, bars, and department stores. Your proposal is one of the most thorough approaches I have encountered and I concur with your plans.’*

Additionally, the services of the fitness industry are essential to the physical & mental health and overall well-being of millions of New Yorkers, many of whom are now suffering from anxiety, depression, and numerous other health concerns without access to their facilities.”

Steve Farris, Owner, Fit Social, said, *“As a small business owner my responsibility is to serve our members and community with respect to their commitment to our services. Much alike, I feel the governor’s office should extend the same courtesies as we committed to be a small business in the great state of New York. As we understand the effects of COVID and precautions to keep everyone safe, there seems to be an immense disconnect between our industry (fitness) and communication from the office that creates the policies, rules, and regulations. Business was shut down on our five month anniversary, and we have yet to receive any clear communication 5 months later. Our member accounts have been frozen since day one with practically no revenue to support our overhead. Without clear guidance and a plan to share with our member community how can we be expected to survive?”*

Bill Diamond, President of Diamond Properties, said, *“Under the Spins Bowl and Grand Prix New York Racing brands, Diamond Properties operates 6 entertainment venues in NY. At this point it has been roughly 5 months since we have been forced to close. Most of the bowling centers in NY are family owned, and have been with the same family for 2 generations. It seems bizarre that while skating rinks, public indoor swimming pools, sports training facilities, and even restaurants are allowed to operate, bowling centers are not even afforded the option of operating at limited capacity. I can honestly see no reason why, for example, a league bowler is not allowed to visit his regular bowling center with his own*

bowling ball, and bowling shoes, and bowl on a private lane. I can honestly say that if New York continues to keep all bowling and entertainment venues closed much longer the Cuomo administration will go down as the cause for annihilating the once thriving bowling industry in NY.”

Additional local business participating in the event include:

- Mike Arteaga, Mike Arteaga’s Health & Fitness Center
- Michael Bucci, Vice Chair Elect of the Putnam County Business Council
- Caryn Cannova, Owner of Kismet at Caryns
- Joe Ciatto, World Gym Brewster
- MaryRose Donaghy, Firefly Power Yoga
- Steve Farris, Fit Social
- Don Murphy, Vice Chairman of the NYS Fitness Alliance
- Alexandra Pedatella and Jon Gregorio, Orangetheory Fitness Hudson Valley
- Kelley Redl Hardisty, Guardian Self Storage
- Jeanne Stark, Owner of Hudson Valley Ceremonies
- Stacey Tompkins, Tompkins Excavating

To watch the press conference in its entirety, [please click here](#).