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SENATOR DAPHNE JORDAN
43RD SENATE DISTRICT

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May 8, 2020

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

Dear Governor Cuomo:

As the State Senator serving and representing the 43rd Senate District, I am proud to join the undersigned duly elected local leaders in calling for the state's immediate reconsideration of Columbia, Rensselaer, Saratoga, and Washington Counties, respectively, as part of the Capital Region to satisfy required metrics to allow a much-needed safe, sensible, regional re-opening of these four counties.

Our state has been operating for nearly two months under your NY on PAUSE directive, the stated, honorable intention of which was to flatten the curve of COVID-19 related ICU hospitalizations, especially among senior citizens and immunocompromised individuals. Thankfully, we have successfully flattened the curve, as evidenced by weeks of statistics and reports showing a precipitous decline in COVID-19 hospitalizations and mortality. This is something that all New Yorkers can, and should, take great pride in. We owe a special debt of gratitude for our excellent, dedicated health care workers that have consistently and courageously delivered compassionate, quality medical care that has saved countless lives during this crisis.

However, since the issuance of your NY on PAUSE Executive Order, job losses, looming business closures, economic devastation, and significant declines in state and local sales tax revenues have occurred, especially for upstate that had not seen nearly as many COVID-19-related deaths and hospitalizations as downstate. Considering these facts, I partnered with companies, communities, and local leaders in continually calling on you to begin the necessary process of a phased-in re-opening New York State.

During your May 4 press conference, you stated that to re-open, a region must have at least 14 days of decline in total hospitalizations and deaths. Also, you said that regions with few COVID-19 cases could not exceed 15 new total cases, or five new deaths, on a three-day rolling average. Furthermore, you outlined several specific metrics that must be met to qualify for a re-opening including a 14-day decline in hospitalizations or under 15 new hospitalizations; a 14-day decline in hospital deaths or fewer than five deaths; new hospitalizations of two under 100,000 residents; share of total beds; share of ICU beds available; 30 per 1,000 residents tested monthly, and at least 30 contact tracers per 100,000 residents.

Our Capital Region, as defined by you, has not met the first metric. In terms of hospitalization rates, as of May 5, Columbia County has 15 (the majority of which are attributed to nursing homes), Rensselaer County has six, Saratoga County has ten, and Washington County has one, while Albany County had 32. The clear disparity in hospitalization numbers is striking. Combined, Columbia, Rensselaer, Saratoga, and Washington County have a hospitalization rate equivalent to that of Albany County. Thus, these four counties will be impacted by Albany County

and any re-opening will be prolonged with Albany County figures included as part of the Capital Region determination.

The Capital Region as presently constituted does not meet the sixth metric because the state has not made testing a priority for the 43rd Senate District, which has put the encompassing counties at a distinct disadvantage as tests have been directed downstate. However, it would be inequitable to hold our community to a high rate of testing now to re-open because there is too much catching up to do. The counties are bearing the costs of buying their own additional test kits because the state still is not giving them what they requested. Testing is important moving forward, but it's unfair to tie businesses' hands because it hasn't been the state's priority until now.

The respective counties within the 43rd Senate District – Columbia, Rensselaer, Saratoga, and Washington – do not want to be included with Albany County in achieving the metrics. Meeting all seven metrics is certainly unattainable especially because the contact tracing you specified has not been enacted. For example, how long will it take to train and hire tracers? 30 days? 60 days? This would be too late. The metric of 30 contact tracers per 100,000 residents is, logically speaking, a wholly impractical measurement given the need for training and administrative support for this new function that would need to be undertaken by localities, many of which have seen their local budgets decimated from the pandemic's financial fallout.

Under the seven metrics you outlined, including Columbia, Rensselaer, Saratoga, and Washington County as part of the Capital Region will make it virtually impossible for them to successfully re-open by May 15 which is when NY on PAUSE is slated to conclude. Using your criteria outlined on May 4, as of today no region of New York State successfully qualifies for re-opening on May 15. Indeed, under your criteria, Columbia, Rensselaer, Saratoga, and Washington Counties currently meet only four of your seven prescribed metrics despite their having far fewer COVID-19 hospitalizations and hospital deaths than many other counties. These four counties have largely controlled the COVID-19 outbreak, a fact for which their local leaders, public health, and emergency services personnel should be commended.

Governor, the curve has been flattened, New Yorkers have done, and continue doing, their part to stop the continued spread of COVID-19 and save lives. While we must remain vigilant, continue practicing social distancing, and take extra care to protect those most at-risk, it is time to move forward with a realistic, reachable timetable for a safe, sensible, regional re-opening – business-by-business, sector-by-sector – for our local communities of Columbia, Rensselaer, Saratoga, and Washington Counties, respectively. An indefinite continuation of your NY on PAUSE directive will cause further devastation to our economy, communities, and way of life here in upstate, especially in the four counties that are part of the 43rd Senate District.

Thank you for your attention to our request seeking an immediate reclassification of Columbia, Rensselaer, Saratoga, Washington Counties so they are not included as part of the Capital Region to meet your stated metrics to qualify for re-opening by May 15.

Sincerely,



Daphne Jordan
State Senator, 43rd District

Edward Kinowski, Supervisor, Town of Stillwater

Todd Kusnierz, Supervisor, Town of Moreau

Kyle Noonan, Councilman, Town of Moreau

John Lant, Supervisor, Town of Wilton

Jack Lawler, Supervisor, Town of Waterford

Dan Pemrick, Supervisor, Town of Greenfield

Kevin Tollisen, Supervisor, Town of Halfmoon

Jeremy Connors, Town Councilman, Town of Halfmoon

Paul Hotaling, Town Councilman, Town of Halfmoon

John Wasielewski, Town Councilman, Town of Halfmoon

Judy Wood-Shaw, Mayor, Village of Stillwater

Dan Shaw, Supervisor, Town of Easton

Kelly Hoffman, Vice Chairperson, Rensselaer County Legislature, District 2

Robert Bayly, Rensselaer County Legislature, District 2

Leon Fiacco, Rensselaer County Legislature, District 2

Thomas Grant, Rensselaer County Legislature, District 2

Ken Herrington, Majority Leader, Rensselaer County Legislature, District 3

Dan Casale, Rensselaer County Legislature, District 3

Todd Tessman, Rensselaer County Legislature, District 3

Robert Loveridge, Vice Chair, Finance, Rensselaer County Legislature, District 4

Scott Bendett, Rensselaer County Legislature, District 4

Charles Peter, Rensselaer County Legislature, District 4

Bruce Patire, Rensselaer County Legislature, District 5

Jeff Wysocki, Rensselaer County Legislature, District 5

Mike Stammel, Chairman, Rensselaer County Legislature, District 6

Joseph Bott, Supervisor, Town of North Greenbush

Mary Frances Sabo, Councilwoman, Town of North Greenbush

Larry Eckhardt, Supervisor, Town of Stephentown

Ingrid Gundrum, Supervisor, Town of Grafton

David Harris, Supervisor, Town of Schodack

Philip Herrington, Supervisor, Town of Brunswick

Nancy Perry, Supervisor, Town of Sand Lake

Tim Salisbury, Supervisor, Town of Schaghticoke

Mark Surdam, Supervisor, Town of Hoosick

Hollie Kennedy, Councilwoman, Town of East Greenbush

PJ Roder, Councilman, Town of Stephentown

Matt Murell, Supervisor, Town of Stockport, Chairman Columbia County Board of Supervisors

Arthur Bassin, Supervisor, Town of Ancram

Hugh Clark, Board Member, Town of Ancram

Bonnie Hunt, Board Member, Town of Ancram

James Guzzi, Supervisor, Town of Livingston

Tistrya Houghtling, Supervisor, Town of New Lebanon

Ron Knott, Supervisor, Town of Stuyvesant

Patsy Patrice Leader, Supervisor, Town of Kinderhook