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January 27, 2021

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

RE: Allowing the statewide reopening of billiard halls

Dear Governor Cuomo:

I write to follow-up on my correspondence issued October 1, 2020, requesting that the Empire State Development Corporation, under your direction, develop a plan for the immediate safe reopening of billiard halls throughout New York State.

Today, I write respectfully requesting your administration's urgent consideration of the recent New York State Supreme Court decision (**370 BREWERTON ROAD, LLC d/b/a Brick House Billiards Bar and Restaurant et al., v. ANDREW M. CUOMO**) that provided preliminary injunction relief allowing 16 billiard halls across New York State to reopen following phase four rules for indoor entertainment. The lead attorney for the plaintiffs stated that the court's preliminary ruling means that billiard halls could operate much like bowling alleys or casinos, which are presently functioning at 50 percent capacity in accordance with state requirements. While the case awaits a final ruling, Judge Neri's issuance of preliminary injunction relief bodes well for the 16 billiard halls that brought this legal action.

As stated in my letter from October, billiard halls – which have been closed in New York State since March 16, 2020 – have made sanitation and cleanliness a top priority. In many venues, patrons will be provided their own sanitized billiard balls and cue sticks to use and will be directed to go to an assigned sanitized table. Billiard halls also can provide a unique, socially distanced, safe experience for patrons as they are specifically centered around reserved table spaces and times. Groups stay at their assigned table rather than coming and going from their table to other social spaces within the business.

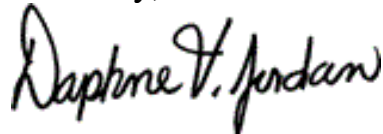
Billiard halls allow small groups to enjoy socially distanced activities if correctly arranged. Billiard halls routinely undertake extensive sanitation protocols to ensure the health and safety of customers.

Millions of New Yorkers and I concurred with your comment on January 11, 2021 in favor of reopening our economy when you stated “We will have nothing left to open. We must reopen the economy, but we must do it smartly and safely.” Governor, those words were true January 11, and they remain true today.

We need to reopen our economy, safely and sensibly, with every consideration toward on-site COVID-19 mitigation. Doing so will provide a lifeline to countless small businesses at serious risk of being crushed by the COVID-19 pandemic’s ongoing economic fallout. The next logical step in this necessary effort would be looking to the State Supreme Court’s initial ruling in 370 BREWERTON ROAD, LLC d/b/a Brick House Billiards Bar and Restaurant et al., v. ANDREW M. CUOMO that billiard halls can re-open.

Our state should extend the reopening of these initial 16 billiard halls to all such facilities on a statewide basis. I encourage you to strongly consider pending legal precedent and immediately authorize such re-openings. Thank you for your consideration of my request.

Sincerely,

A handwritten signature in black ink that reads "Daphne V. Jordan". The signature is written in a cursive style with a large initial "D".

Daphne Jordan
State Senator, 43rd District