



To: Board Members
From: Charles H. Greenthal Management Corp.
Re: Clarifications on the Four (4) Phases or NY Forward

On June 9, New York's ten regions began a [four-phase](#) reopening process following the statewide P.A.U.S.E. mandate enacted in response to the coronavirus pandemic. Taking lessons learned from other states and countries that opened irresponsible or without a real plan, the State put in place a multiphase protocol for regions to reopen, prioritizing industries that pose the lowest risk of infection for employees and customers.

The details of each phase are not necessarily set in stone, as the state has already adjusted the original guidelines, like adding outdoor dining to phase two. Given the "fluid" nature of the circumstances we find ourselves in, and the "moving targets" that are the criteria for reopening in terms of what can reopen, when and how, we thought we'd prepare the following, to help you understand the four (4) phases, as things currently stand.

Phase I

As things stand, New York City remains in Phase one, which allows construction, manufacturing and wholesale supply-chain businesses to reopen, as well as many retailers for curbside pick-up, instore pick up or drop off only. Phase I retail categories include:

- Clothing
- Shoes
- Electronics
- Appliances
- Web and mail order
- Florists
- Jewelry
- Luggage
- Sporting goods
- Malls will remain closed in NYC while it remains in Phase I.

Agriculture, forestry, fishing, and hunting businesses can also resume, as can landscaping and gardening businesses, drive-in movie theaters, and low-risk recreational activities like socially distant sports such as tennis. The Governor and Mayor are of differing opinions as to when NYC might join Phase II. Currently the Mayor believes Phase II will not begin until early July - assuming the Governor agrees, and New Yorkers and businesses continue to follow Phase II protocols and prohibitions in good faith.

The criteria for NYC to qualify for Phase II reopening are as follows:

- A 14-day decline in coronavirus hospitalizations and deaths on a three-day rolling average.
- 15 or fewer total new confirmed cases of COVID-19 or five or fewer new deaths on a three-day rolling average.
- Fewer than two new coronavirus patients admitting to hospitals per 100,000 residents.
 - As of June 14, New York [reported](#) 23 deaths, the lowest number since mid-March.
- 30 percent of both total hospital beds and ICU beds must be available.
- Hospitals must have a 90-day stockpile of PPE.
- Capacity to conduct 30 diagnostic tests per month for every 1,000 residents
- At least 30 contact tracers for every 100,000 residents, or more if projections warrant that.

The following are already open or allowed to open statewide as of 6/7/20

High-school graduations: Beginning June 26, NY high schools will be able to hold outdoor graduation ceremonies, limited to no more than 150 people,

Dental Services: Dental practices were allowed to reopen statewide on June 1.

Veterinary Services: Veterinary practices have also been allowed to reopen.

Small gatherings: All NY residents can gather in small, socially distanced groups of ten people or less "for any lawful purpose or reason," G

Parks and Beaches: State parks, beaches, and lakeshores in New York (and beaches in New Jersey, Connecticut, and Delaware) have all reopened, mostly at reduced capacity, provided visitors adhere to social-distancing protocols.

New York City Beaches: All NYC beaches are closed for swimming. Visitors must remain social distanced and cannot congregate or play sports.

Long Island Beaches: Some beaches on Long Island have been restricted to county residents only, so would-be visitors should check for restrictions before hitting the sand.

Campgrounds: Campgrounds and RV parks have been allowed to reopen statewide.

Racetracks: Horse-racing tracks and the Watkins Glen International auto-racing track reopened, without fans, on June 1.

Phase II

The other nine regions of the state entered phase two as of June 10. Phase Two allows a wider range of businesses to reopen, including:

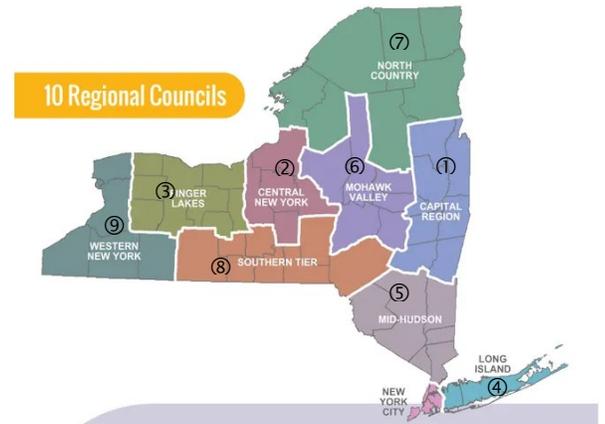
- *Offices*
- *Outdoor dining,*
- *Places of worship (at 25 percent capacity),*
- *Storefront retailers*
- *Professional-services, finance, insurance, administrative support*
- *Real estate and rental-leasing industries.*
- *Salons and barbershops will be also able to reopen with limited capacity, as will car dealerships*
- *For retail, malls will remain closed*

The city is considering allowing city restaurants to “massively” expand their curbside seating space, using roadside along the curb and converting parking spaces for dining, to help them compensate for the need to reduce their seating to accommodate social distancing protocols.

That said please be aware that on Sunday, Governor Andrew Cuomo warned that businesses that violate social-distancing protocol could see their reopening “reversed.”

Currently the only regions that qualify for Phase II reopening are as follows:

1. Capital Region
2. Central NY
3. Finger Lakes
4. Long Island
5. Mid-Hudson
6. Mohawk Valley
7. North Country
8. Southern Tier
9. Western NY



Pursuant to the Governor’s Executive Orders, the following businesses *remain* closed in Phase II areas:

- **Malls;** specifically, any indoor common portions of retail shopping malls with 100,000 or more square feet of retail space available for lease must remain closed to the public; however, any stores without their own external entrance(s) may operate via curbside pickup in Phase 1 and 2 providing purchased items to customers at or near the general mall entrance and any stores with their own external entrance(s) separate from the general mall entrance (*e.g. strip malls, anchor tenants*), may open for curbside and in-store pickup in Phase 1 and all in-store retail activities in Phase 2.
- **Indoor on-premise restaurant and bar service,** excluding take-out or delivery for off-premise consumption in Phase 1 and outdoor on-premise restaurant and bar service in Phase 2.
- **Large gathering/event venues,** including but not limited to establishments that host concerts, conferences, or other in-person performances or presentations in front of an in-person audience.
- **Gyms, fitness centers, and exercise classes,** except for remote or streaming services.
- **Video lottery and casino gaming facilities.**
- **Movie theaters,** except drive-ins.
- **Places of public amusement,** whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, arcades, fairs, children’s play centers, funplexes, theme parks, bowling alleys, family and children’s attractions.

Phase Three

This third phase will focus on the **hospitality industry, allowing restaurants and other food-service businesses to reopen for dine-in service, as well as hotels** — which are already considered essential businesses and are allowed to serve overnight guests, but this phase will likely mean they will be able to reopen their dine-in restaurants, spas, and gyms.

Phase Four

The final phase will allow schools, and arts, entertainment, and recreation businesses to reopen — including theaters, movie theaters, and other entertainment venues, as well as museums and other artistic institutions.

As things stand, schools will remain closed in the state for the remainder of the 2019/2020 academic year.

New Yorkers are asked to continue following social distancing protocols and wearing face masks or coverings when unable to maintain 6 feet of distance apart. Unfortunately, many people in the city have begun to push the envelope, by congregating in large groups outside bars and restaurants. As a result, the Governor has threatened to roll back the City’s planned reopening for Phase II. Since we are all anxious to return to “normal”, we urge all to continue following the appropriate protocols and mandates to ensure we can satisfy the requirements for reopening and enjoy the summer.

To learn more about what is permitted to open in each phase, and the associated guidelines provided by the state, go to the “NY Forward website at <https://forward.ny.gov/phase-two-industries>.

Be well and stay safe.