

KYLE ATHAYDE
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BEATRICE DISMAN, ASST. TREASURER
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THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

July 13, 2021

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

Dear Governor Cuomo,

On March 12, 2020, you issued Executive Order 202.1 which allowed

“any public body to meet and take such actions authorized by the law without permitting in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.”

In response to this directive, Manhattan Community Boards and our staffs quickly adapted our operations to comply with this Executive Order, and to continue our New York City Charter-mandated public duties.

For the past fifteen months, our Community Boards have conducted virtual public meetings to great success. The ability to join remotely, whether online or by phone, has allowed board members to perform their duties safely, and has increased engagement from the public, many of whom were previously unable to attend in-person meetings due to their schedules and personal commitments.

The results of a Manhattan Community Board 6 survey beginning in January 2021 that asked for public input on how meetings should be conducted post-pandemic show that the public is overwhelmingly in favor of continuing to meet remotely. In fact, **74% of the public that we surveyed preferred meeting remotely**. Over half of the community residents polled revealed that our remote meetings allowed them to attend a Board meeting for the first time. In short, the version of the Open Meetings Law that was in effect until the end of June *actually made our meetings more open*.

Manhattan Community Board 6 had hoped to share this data in a public forum with your agencies to ensure that any decisions regarding the Open Meetings Law would not only take into account the voices of the public, but would also demonstrate adaptation to and learning from the challenges created by the COVID-19 pandemic.

While it is wonderful news that New York State has been successful in vaccination rates and has seen declining COVID-19 hospitalizations and positivity, Manhattan Community Boards are concerned about a sudden return to in-person meetings. Many upcoming meetings have been planned for months with full agendas, guest speakers, and the expectation that attendees can attend remotely. Given that several Community Boards rely on local organizations for spaces to hold in-person meetings, many of which are not ready to hold meetings of this nature and size, we must now scramble to find public space or cancel meetings, figure out proper health precautions for in-person meetings without guidance to guarantee public safety, and force members, many of whom may have health considerations, to return to in-person meetings to ensure quorum.

In the immediate future, we request that you work with the State Legislature to allow Community Boards and other public bodies throughout the State to operate remotely.

Finally, the pandemic demonstrated how our current Open Meetings Law is antiquated. The lifting of restrictions does not mean that people will revert to the behaviors of a pre-pandemic world. **A post-pandemic New York State requires that our Open Meetings Law be amended to reflect how the pandemic has changed our behaviors and expanded the ability to provide public services to our communities.** As this process to adapt our Open Meetings Law to the realities of a post-pandemic world evolves, we ask that the conversations are inclusive of public voices.

Sincerely,



Kyle Athayde
Chair, Manhattan Community Board 6



Tammy Meltzer
Chair, Manhattan Community Board 1



Jeannine Kiely
Chair, Manhattan Community Board 2



Alysha Lewis-Coleman
Chair, Manhattan Community Board 3



Vikki Barbero
Chair, Manhattan Community Board 5



Steven M. Brown
Chair, Manhattan Community Board 7



Russell Squire
Chair, Manhattan Community Board 8



Barry Weinberg
Chair, Manhattan Community Board 9



Cicely Harris
Chair, Manhattan Community Board 10



Nilsa Orama
Chair, Manhattan Community Board 11



Eleazar Bueno
Chair, Manhattan Community Board 12

Cc: Hon. Andrea Stewart-Cousins, New York State Senate Majority Leader
Hon. Carl Heastie, New York State Assembly Speaker