

April 16, 2020

As we continue to navigate the COVID-19 crisis together, please continue reaching out to us as issues arise for you and for your businesses. We are and will continue to remain in regular contact with key stakeholders at the State Agencies and with the Administration to advocate on your behalf. Below please find updates and new information since our last update.

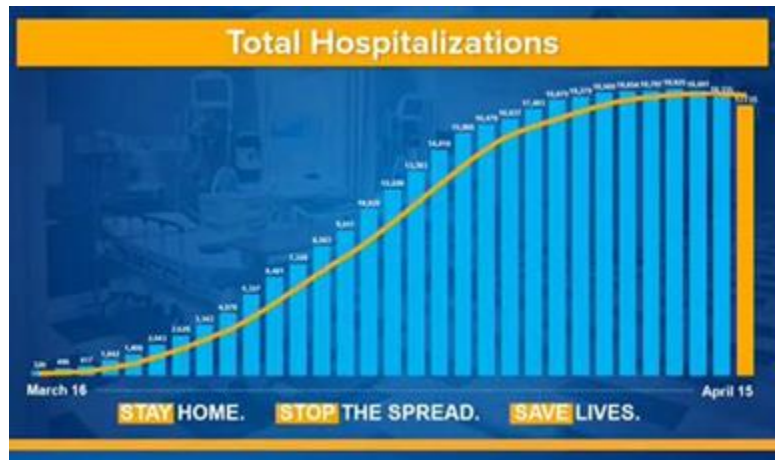
WHAT'S NEW TODAY

Governor Cuomo Press Briefing

- [NY PAUSE](#) social distancing protocols will be extended in coordination with other states until May 15.
- The Governor is going to expand Executive Order 202.17 (outlined below) to require wearing a mask when on public transportation systems and in private transportation carriers and for-hire vehicles. Additionally, all operators of public systems, private carriers and for-hire vehicles must wear a mask at all times. Executive Order 202.17 requires wearing a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance. The mandate will be effective Friday, April 17 at 8 p.m.



- The curve continues to flatten and is slightly down for the third straight day. The amount of new hospitalizations and number of intubations continues to decrease significantly, but there are still many (1,956 yesterday) new COVID hospitalizations every day.



- There were a total of 606 COVID-19-related deaths yesterday. This represents a slight decrease under the previous day – but for the last several days the number was generally flat. A total of 12,192 New Yorkers have passed away from coronavirus.



- The Governor continued to outline his plan to “Un-Pause NY” which includes controlling the rate of infection, strengthening the healthcare system, increase testing capacity with the Federal Government, and a phased return to a “new normal.”



- A phased return to a “new normal” will follow a gradual increase of businesses opening based on “essential” and health safety criteria. The State will bring people back to work in a gradual increase of percentage of workers allowed to be on site based on a matrix of need and risk.

Risk v. Reward Analysis		
How do businesses reopen?		
	"More-Essential" Industry	"Less-Essential" Industry
Low Infection Risk	First priority – 100%	25% - 50% - 75%
Higher Infection Risk	25% - 50% - 75%	Serious precautions – no vulnerable employees or customers, antibody & diagnostic testing

Risk v. Reward Analysis		
When do businesses reopen?		
	"More-Essential" Industry	"Less-Essential" Industry
Low Infection Risk	First Priority – ASAP	As infection rate goes down... ↓ ...pace of reopening goes up ↑
Higher Infection Risk	As infection rate goes down... ↓ ...pace of reopening goes up ↑	Last priority – dependent on infection decline and precautions put in place.

- The Governor said we must reimagine the workplace to find ways to separate people and work remotely when possible. Businesses need to begin planning ways to make their workforce operate safely including redesigning transportation, the workplace, and customer interactions.

“Reimagine the Workplace”

“New Normal” Precautions and Practices

Transport: Ensure your employees have means for safe transport (i.e., masks, gloves for public transit) or require telecommuting/work from home.

Workplace: Ensure workplace designed to include social distancing measures (i.e., desks six feet apart, conference rooms redesigned), telecommuting for those who can and the most vulnerable

Customer Interaction: Ensure measures designed to ensure minimal contact with customers, ensure public-interacting employees have necessary protective supplies such as gloves, masks, etc.). Need for special precautions for businesses that primarily interact with most vulnerable.

Proactive Infection Plan: Ensure protocols in place should an employee develop COVID-19 symptoms or test positive (i.e. work from home plan)

STAY HOME. STOP THE SPREAD. SAVE LIVES.

- If the process to reopen leads to an increase in the virus spreading and hospitalization the State will have to close again. Modeling is not conclusive on how fast the virus will spread so as we start reopening the State will be attempting to keep track of this and if it gets too high businesses will have to close again. Under current social distancing protocols the infection rate is 0.9% and the infection rate that would overwhelm the hospital system is 1.2%, leaving a small margin for error.
- New York has been aggressive in testing and has completed 500,000 in 30 days – more than California, Florida, and Michigan combined. However, that is only a fraction of the 19 million

people and 9 million workers in the State. The Governor says the Federal Government needs to step in to coordinate widespread testing.

- New York is sending 100 ventilators to New Jersey.

U.S. Small Business Administration

The SBA is currently unable to accept new applications for the Paycheck Protection Program based on available appropriations funding.

[New York State Executive Order 202.17](#)

- Effective at 8 p.m. on Friday, April 17, 2020 any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.
- Amends the below section of Executive Order 202.16 to require such letters be issued by the Attorney General.
 - Executive Order 202.16: “The New York City Department of Law shall issue no-action or no-filing letters received during the duration of this executive order within 45 days from submission of such no-action or no-filing application made to the department of law for essential projects involving affordable housing and homeless shelters. For each application granted by the department of law which permits the applicant to solicit public interest or public funds preliminary to the filing of an offering statement or for the issuance of a “no-filing required” letter. The New York City Department of Finance shall process and record condominium declarations for essential projects involving hospitals or health care facilities, affordable housing, and homeless shelters within 30 days of receipt of such filing.”

[New York City Executive Order 107](#)

- Extends the Campaign Finance Board's deadline to review disclosure reports from thirty days to sixty days.
- Suspends the requirement for assessors to conduct in person examinations of real estate, provided that any examination of a parcel of real estate required by such section shall be conducted by electronic means.
- Extends any license or permit issued by the City, and authorized by a local law or rule, that will expire or is otherwise required to be renewed during the State of Emergency.
- Suspends all applicable implementation deadlines related to section 225-a of the New York City Charter concerning participatory budgeting, section 3202(a)(4) of the New York City Charter concerning publication of a poll site language assistance methodology and section 23-1102(b)(12) of the New York City Administrative Code concerning publication of language access implementation plans, and order that such deadlines are tolled for the duration of the emergency.

- New York State Department of Tax and Finance: [Temporary Authorization to Use Digital Signatures on Certain Documents Due to the Novel Coronavirus, COVID-19](#)
- New York State Attorney General:
 - [Small Business Bulletin on the Paycheck Protection Program](#)
 - [Tenant Protections Specific to COVID-19](#)
- Empire State Development: [Guidance for Determining Whether a Business Enterprise is Subject to a Workforce Reduction Under Recent Executive Orders](#)
 - There have been no changes since our last update.
- New York City: [Agency Suspensions and Reductions](#)
 - There have been no changes since our last update.

Attached please find a comprehensive document with guidance from across government agencies. We will be updating this document as information becomes available and including it in our daily updates.

In addition to our regular email updates, Ostroff Associates has established two dedicated webpages that will be updated in real time with any new information from government sources relating to COVID-19. Please use these websites as a resource and share with others who would benefit.

Update Page: <https://www.ostroffassociates.com/covid-19-updates/>

News Page: <https://www.ostroffassociates.com/category/covid-19/>

Please let us know if you have any questions or concerns.

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