

April 28, 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

- The curve continues on a downward trajectory, the number of new COVID hospitalizations yesterday was below 1,000.



- There were a total of 335 COVID-19-related deaths on April 27th. Of these, 306 were hospital deaths, and 29 were in nursing homes. This continues the trend downward, but generally flat. A total of 17,668 New Yorkers have passed away from coronavirus.



- The State will be using two main data points for reopening, based on facts – if a hospital system in an area exceeds 70% capacity or the rate of transmission of the virus hits 1.1, those are danger signs. Reopening will not happen unless you have rates below these factors.



- New York State is unique – we have New York City which is one of the densest areas on the globe, and Upstate which is much different. The percentage of tests that are positive in Upstate is comparable to many states in the Mid-West.



- The Governor reiterated that Un-PAUSE New York will be based upon a regional analysis with everyone working off the same data points and opening template. The Governor emphasized that we have to be smart about this and take into account many factors including if that region has met the CDC 14-day guidelines, healthcare capacity, how to handle isolation (home vs. hotels), not opening “attractive nuisances” that bring in people from outside that region, and ensuring the regional plan fits in with the overall State and multistate plan.

MAY 15th – Un-PAUSE Regional Analysis

BE SMART

1. CDC guidelines – 14-day decline
2. Industries – Phase 1: Construction/Manufacturing – Phase 2 – identify businesses- which ones? No regional “attractive nuisances”
3. What business precautions will be in place – social distancing? PPE, monitoring?
4. Healthcare capacity up to 70% – ICU up to 70%– flu season – stockpile equipment, PPE?
5. Testing regimen? – How many tests (Dr. Birx: 30/1k people/month) sites, turnaround, advertising?
6. Tracing system? Mayor Bloomberg – At least 30 tracers per 100k people
7. Isolation facilities?
8. Regional coordination?
 - Schools, transportation, testing, tracing
9. Reimagine tele-medicine
10. Reimagine tele-education
11. Regional “Control Room”
12. Protect and respect essential workers – testing, equipment, public transportation disinfecting

STAY HOME. STOP THE SPREAD. SAVE LIVES.

- When discussing business reopening, phase 1 will include construction and manufacturing jobs. These sectors not only employ a lot of people, but also are able to put into place proper precautions. Phase two will involve identifying how businesses can incorporate what we have learned. In order to reopen, businesses must plan on how to institute social distancing and testing while operating. Social distancing, continued testing and ongoing monitoring protocols are a part of our new normal.



- The Governor announced the creation of the New York Forward Reopening Advisory Board of 100 business, community and civic leaders who will work with state officials in developing a reopening plan for the State's economy. The members of the Advisory Board are below:
 - Quenia Abreu - President New York Women's Chamber of Commerce
 - Elizabeth Alexander - President, The Andrew W. Mellon Foundation
 - Vincent Alvarez – President, NYC Central Labor Council
 - Ajay Banga – CEO, MasterCard
 - Kathy Behrens - President, Social Responsibility & Player Programs, National Basketball Association
 - Bill Berkley – Chair, NYU
 - Albert Bourla – CEO, Pfizer
 - Elizabeth Bradley - President, Vassar College
 - Kyle Bragg – President, SEIU 32BJ
 - Heather Briccetti – President & CEO, The Business Council
 - Tory Burch - Executive Chair, Tory Burch LLC
 - Gerrard P. Bushell - former President and CEO of the Dormitory Authority of the State of New York (DASNY)
 - James Cahill – President, NYS Building and Construction Trades
 - Wellington Chen - Executive Director of Chinatown Business Improvement District
 - Mario Cilento – President, NYS AFL-CIO
 - Henry Cisneros – Siebert, Brandford, Shank & Co.
 - Dr. Katherine Conway-Turner - President, SUNY Buffalo State College
 - Steven M. Cohen - Former Secretary to the Governor
 - Stacey Cunningham - President, NYSE
 - Vijay Dandapani – President & CEO, Hotel Association of NYC
 - Sonya Del Peral – Nine Pin Ciderworks
 - Mylan Denerstein - Partner, Gibson, Dunn & Crutcher
 - Alicia Fernandez Dicks - President/CEO, Community Foundation of Oneida and Herkimer
 - James Dolan - CEO, Madison Square Garden

- Stacey Duncan - Executive Director, The Agency
- Leecia Eve - Vice President of State Government Affairs, Verizon
- Bill Ford – CEO, General Atlantic LLC
- Jane Fraser – President, Citigroup
- Adena Friedman - President & CEO, Nasdaq
- Bea Grause – President, Healthcare Association of New York State
- Jonathan Gray – President & COO, Blackstone Group
- George Gresham – President, 1199SEIU
- Horacio Gutierrez - General Counsel, Spotify
- Sabrina HoSang Jordan - CEO, Caribbean Food Delights, Inc.
- Maria Imperial – CEO, YWCA White Plains & Central Westchester
- Shirley Ann Jackson - President, Rensselaer Polytechnic Institute
- Dr. Amarilis Jacobo - President, National Hispanic Dental Association
- Jeremy Jacobs Jr - Co-Chief Executive Officer, Delaware North
- Michele Johnson – YWCAs of Elmira – President of YWCAs NYS
- René Jones – Chair & CEO, M&T Bank
- Michel Khalaf – President & CEO, MetLife
- Pat Kane – Executive Director, New York State Nurses Association
- Gary LaBarbera – President, Building and Construction Trades Council of Greater New York
- Mary Beth Labate - President, Commission on Independent Colleges and Universities
- Kevin Law – President & CEO, Long Island Association, Inc.
- Jon Ledecy – Co-Owner, NY Islanders
- Kewsong Lee - Co-CEO, Carlyle Group
- Randy Levine - President, NY Yankees
- Mayra Linares-Garcia - VP of Public Affairs and Communications at Liberty Coca-Cola Beverages
- Melanie Littlejohn - Chair, Board of Directors, CenterState CEO
- Joanie Mahoney - Chief Operating Officer, SUNY ESF
- Carl McCall - Former Chair, SUNY Board of Trustees; Former NYS Comptroller
- Brenda McDuffie - President & CEO at Buffalo Urban League
- Cheryl McKissack Daniel - President & CEO, McKissack & McKissack
- Father Joseph McShane - President, Fordham University
- Elizabeth Moore - General Counsel, Con Edison
- Wes Moore – CEO, Robin Hood
- Marc Morial – President & CEO, National Urban League
- William J. Mulrow – Former Secretary to the Governor
- John McAvoy – Chairman, President & CEO, Con Edison
- Danny Meyer – CEO, Union Square Hospitality Group
- Dr. Belinda S. Miles - President, SUNY Westchester Community College
- Frankie Miranda – President & CEO, Hispanic Federation
- Orinthia T. Montague - President, Tompkins Cortland Community College
- Candice Niu - Executive Director, China General Chamber of Commerce
- Ana Oliveira - Chair of Board, Brooklyn Chamber of Commerce; SVP, NY Retail Market Executive, Investors Bank

- Kim Pegula – President and CEO, Pegula Sports and Entertainment
- Elizabeth Peralta - Executive Director, National Supermarket Association
- Clotilde Perez-Bode Dedecker - President/CEO, Community Foundation for Greater Buffalo
- Charles Phillips - Chair, Infor
- Martha Pollack - President, Cornell University
- Ted Potrikus - President & CEO, Retail Council of New York State
- Ken Raske – President, Greater NY Hospital Association
- Scott Rechler – CEO & Chairman, RXR Realty
- Andrew Rigie – President, NYC Hospitality Alliance
- Linda Brown-Robinson – President, Syracuse Onondaga NAACP
- Lisa Rosenblum – Vice Chair, Altice
- Jane Rosenthal – Co-Founder & CEO, Tribeca Enterprises
- Steven Rubenstein – Chairman, Association for a Better New York
- Bill Rudin – Rudin Management Company
- Kevin Ryan – Co-Founder, MongoDB
- Julie Samuels - President, Tech:NYC
- Rob Sands - Chairman, Constellation Brands
- Theresa Sanders - President of the Urban League of Long Island
- Jaime Saunders – CEO, United Way of Greater Rochester
- Diane Serratore - Executive Director, Help From People to People
- Carlo Scissura - President & CEO, NY Building Congress
- Leonard Schleifer – CEO, Regeneron Pharmaceuticals
- Josh Silverman – CEO, Etsy
- Lisa Sorin - President, Bronx Chamber of Commerce
- Rob Speyer – President & CEO, Tishman Speyer
- Ty Stone - President, Jefferson County Community College
- Ken Sunshine - CEO, Sunshine Sachs Consultants
- Steve Swartz – President & CEO, Hearst; Co- Chair, Partnership for NYC
- Chandrika Tandon – Chair, Tandon Capital Associates
- Elinor Tatum - Publisher and Editor in Chief, New York Amsterdam News
- Crickett Thomas-O’Dell - Regional Director, Workforce Development Institute
- Bill Thompson – Chairman, CUNY
- Merryl Tisch – Chairman, SUNY
- Erin Tolefree - Executive Vice President, Baldwin Richardson Foods
- Elizabeth Velez – CEO Velez Organization & Chair, NY Building Congress
- Fanny Villarreal - Executive Director, YWCA Syracuse Onondaga County
- Dennis Walcott – Former NYC School Chancellor
- John Waldron – President and COO, Goldman Sachs
- Darren Walker – President, Ford Foundation
- Peter Ward – President, NY Hotel & Motel Trades Council, AFL-CIO
- Nicole Wegman - Senior Vice President, Wegmans
- Anthony Welters - Executive Chairman, BlackIvy Group, LLC
- Jim Whelan – President, Real Estate Board of New York
- Jeff Wilpon - COO, NY Mets
- Tren’ness Woods-Black – Sylvia’s Restaurant

- Sheena Wright – President & CEO, United Way of New York City
 - Kathy Wylde – President & CEO, Partnership for NYC
 - Jo-Ann Yoo - Executive Director, Asian American Federation
 - Kristine M. Young - President, Orange County Community College
 - Lourdes Zapata - President & CEO at South Bronx Overall Economic Development Corporation
- For healthcare capacity, factors such as how many beds/ICU beds are available, and plans for flu season will be taken into account. The healthcare system cannot go over 70% capacity for hospital and ICU beds. With flu season coming in the Fall, hospitalization rates will go up and that must be anticipated by having a PPE reserve in place.



- Testing will be key moving forward. In order for testing to be effective it must be frequent, have the right number of testing sites in accessible locations, and regions must fully advertise testing locations. The State will work off of the Federal government recommendation of 30 tests per 1,000 people per month. The State will prioritize symptomatic people, individuals who have come into contact with symptomatic people, and front line & essential workers.
- Contact tracing must be effectively implemented as well – working with Mayor Bloomberg on that. There must be least 30 contact tracers for every 100,000 people, taking into consideration the regional infection rate.
- The Governor reiterated the importance of the creation of a regional “control room” in order to monitor when we start to reopen to watch what is happening, gather the data all (hospital capacity, rate of infection, PPE burn rate and businesses) into one central place, and gauge it every day to determine next steps.
- Regarding public transit workers, the Governor addressed the issue of homeless people on the subway in New York City and that we have to and will do better to make sure the homeless are protected, as are our essential workers.

- \$3.1B in unemployment had been paid out as of Friday April 24th. The State has 3,000 people manning phones to work on claims, but even as they work through the backlog it continues to build. There are approximately 400,000 outstanding claims, most of which are pandemic unemployment insurance – something the State has never dealt with before. Per DeRosa, the Executive Order on a 90-day ban on evictions will be extended if it needs to be in order to accommodate this backlog.
- Many of the Summer attractions around the State, such as the State Fair, would fall under “attractive nuisance” and may not be able to take place unless proper precautions are in place or we see a change in virus.
- Decision will be made at the end of this week on both schools and potential summer schools.
- Regarding private colleges and SUNY, cannot tell you what September will look like – it is a long way away.
- Guidance will be released later today on elective surgeries for regions that can resume.

UP-TO-DATE GUIDANCE

- New York State Education Department:
 - [Services to Students with Disabilities During Statewide School Closures Due to Novel Coronavirus \(COVID-19\) Outbreak in New York State](#)
- Federal Emergency Management Agency:
 - [Public Assistance Training Webinars](#)
- 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
 - [Updated: Office of Administrative Trials and Hearings \(OATH\)](#)

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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