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CERTIFIED COPY OF RESOLUTION ADOPTED BY THE NICHOLS TOWN BOARD

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ADOPTED

RESOLUTION NO 01-2021

TOWN OF NICHOLS PUBLIC HEALTH EMERGENCY PLAN

**WHEREAS**, on September 7, 2020, Governor Cuomo signed legislation requiring all public employers to create plans to protect employees in the event of another health emergency declaration in New York State; and

**WHEREAS**, the protection of public employees during a public health emergency is a critical aspect of operational continuity; and

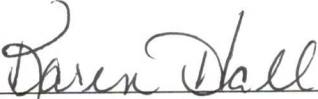
**WHEREAS**, the Town Board of the Town of Nichols will meet its statutory obligations for dealing with this matter; and

**NOW THEREFORE** upon a motion by Councilwoman Barb Crannell, seconded by Councilmen Bill Middleton, and carried; therefore, be it

**RESOLVED**, that on this day Tuesday, March 9<sup>th</sup> of 2021, the Town Board of the Town of Nichols adopted the Town of Nichols Public Health Emergency Plan.

This is to certify that I am Town Clerk of the Town of Nichols. As such, I keep its official records, including its minutes, and in that capacity, I do hereby certify that the above resolution, numbered 01-2021 was approved during the March 9, 2021 Town Board Meeting.

Witness of my official signature and seal this day March 9, 2021.

  
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Karen Hall

Nichols Town Clerk

# Public Employer Health Emergency Plan for the Town of Nichols, NY

Date: March 9, 2021

## Promulgation

This plan has been developed by the Town of Nichols (hereinafter referred to as the "Municipality") in accordance with the amended New York State Labor Law section 27-c.

This plan has been developed with the input of Town employees, as required by the amended New York State Labor Law.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of the Municipality or its valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

This plan has been approved in accordance with requirements applicable to the agency, jurisdiction, authority, or district, as represented by the signature of the authorized individual below.

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As the authorized official of the Municipality, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with New York State Labor Law section 27-c, to address public health emergency planning requirements.

Signed on this day: March 9, 2021

By: Kevin K. Engelbert

Title: Town Supervisor

Signature: Kevin K. Engelbert

# Record of Changes

Date of Change	Description of Change	Implemented by

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## Purpose, Scope, Situation Overview, and Assumptions

### Purpose

The passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

### Scope

This plan was developed exclusively for and is applicable to the Municipality. This plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

### Situation Overview

The health and safety of our employees and contractors is crucial to maintaining our mission essential operations. We encourage all employees and contractors to use [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
  - After using the restroom
  - After returning from a public outing
  - After touching/disposing of garbage
  - After using public computers, touching public tables, and countertops, etc.
- Practice social distancing when possible
- If you are feeling ill or have a fever, notify your immediate superior immediately and go home
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Clean and disinfect workstations at the beginning, middle, and end of each shift
- Other guidance which may be published by the CDC, the State Department of Health, or County health officials.

### Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the Coronavirus pandemic but may also be applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of our employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact our own operations.
- Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety

- The public and our constituency expects us to maintain essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job
- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

## Concept of Operations

The Chief Executive Officer of the Municipality, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion of the insert title of chief executive.

Upon implementation of this plan, all employees and contractors of the Municipality shall be notified by email, mail, phone and/or text message, with details provided as possible and necessary, and with additional information and updates provided on a regular basis as such information becomes available. Residents of the Municipality will be notified of pertinent operational changes by updates to the Municipality's website. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Municipality's Clerk or their designee will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Chief Executive Officer of the Municipality, their designee, or their successor will review information, direction, and guidance from public health officials and the Governor's office, and direct the changes to this plan as necessary.

When it is safe to do so, and in accordance with guidance from public health officials and the State, the Chief Executive Officer of the Municipality, their designee, or their successor will direct the resumption operations, either as normal or modified as necessary.

## Mission Essential Functions

When confronting events that disrupt normal operations, the Municipality is committed to ensuring that essential functions continue even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

1. Maintain the safety of employees, contractors, and our constituency
2. Provide vital services
3. Provide services required by law



4. Sustain quality operations
5. Uphold the core values of the Municipality

The Municipality has identified as critical only those priority functions that are required or are necessary to provide essential functions. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the essential functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

Essential functions are prioritized according to:

- The time criticality of each essential function
- Interdependency of a one function to others
- The recovery sequence of essential functions and their vital processes

Priority 1 identifies the most essential of functions, with priority 4 identifying functions that are essential, but least among them.

The mission essential functions for the Municipality have been identified as:

Essential Function	Description	Priority
Information Technology	Provides all hardware and software for the municipality. Maintains the Municipality's network and phone system.	
Emergency Services (Police/Fire/EMS)	Provide protection to people and property, provide emergency medical assistance.	
Water/Sewer Service	Responsible for infrastructure maintenance water/sewer and operation of water and sewer treatment facilities	
Garbage	Responsible for trash removal	
Building maintenance/janitorial services	Responsible to maintaining a clean and safe workplace for other employees to carry out functions.	
Highway	Responsible for maintenance of roads including road repair and debris/snow removal	
Code Enforcement	Enforce building and property maintenance codes, particularly those relating to health and safety	
Clerk's Office	Responsible for maintaining all records of the Municipality. Facilitates inter and intra-office communications. Serves as main point of contact with the general public.	
Court	Handling of all essential court matters with a particular focus on criminal matters to the extent such matters cannot be handled remotely.	
Others		

### Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each



essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.

Essential Function	Essential Positions/Titles	Justification for Each
Information Technology	<ul style="list-style-type: none"> <li>• Manager</li> <li>• Staff</li> <li>• Staff</li> </ul>	<p>The IT manager establishes all priorities for IT tasks and organizes staff.</p> <p>IT staff members provide support in setting up hardware and software, network management, and help desk support.</p>
Emergency Services	<ul style="list-style-type: none"> <li>• Chiefs of Police/Fire/EMS</li> <li>• Staff</li> </ul>	<p>The chiefs establish all priorities for EMS tasks and duties and organizes staff.</p> <p>The staff provide the emergency services to the community.</p>
Water/Sewer	<ul style="list-style-type: none"> <li>• Staff</li> </ul>	Operate and maintain water/sewer systems
Garbage	<ul style="list-style-type: none"> <li>• Staff</li> </ul>	Collect and dispose of trash
Building maintenance/janitorial services	<ul style="list-style-type: none"> <li>• Manager</li> <li>• Staff</li> </ul>	<p>Manager establishes priorities for cleaning, maintenance, and repair and identifies high travel areas requiring additional cleaning/sanitization</p> <p>Staff clean, maintain, and repair buildings.</p>
Highway	<ul style="list-style-type: none"> <li>• Department head</li> <li>• Staff</li> </ul>	<p>Department head prioritizes and directs road repairs and debris/snow removal</p> <p>Staff carry out repairs and debris/snow removal</p>
Code Enforcement	<ul style="list-style-type: none"> <li>• Staff</li> </ul>	Necessary for ensuring individuals have healthy and safe residences and that businesses carry on in a safe and healthy manner.
Clerk's Office	<ul style="list-style-type: none"> <li>• Clerk</li> <li>• Staff</li> </ul>	<p>Clerk supervises the carrying out of record keeping and communications</p> <p>Clerk and staff maintain records and serve as main point of contact between municipality and the general public.</p>
Court	<ul style="list-style-type: none"> <li>• Judge/Justice</li> <li>• Staff</li> </ul>	Handle essential matters based upon NYS guidance with a particular focus on handling criminal matters.

## Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, we can decrease crowding and density at work sites.

### Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

1. Identification of staff who will work remotely
2. Approval and assignment of remote work
3. Equipping staff for remote work, which may include:
  - a. Internet capable laptop

- b. Necessary peripherals
- c. Access to VPN and/or secure network drives if handling sensitive information
- d. Access to software and databases necessary to perform their duties
- e. A solution for telephone communications
  - i. Phone lines may need to be forwarded to off-site staff

## **Equipment**

Contractors will be required to provide their own equipment and internet/phone services. Employees will be required to utilize their personal internet/phone service while working remotely. Employees will be required to utilize their personal computers and laptops and peripheral equipment to perform their functions to the extent they possess such items. IT will assist employees in installing any and all required software or applications for the employees to carry out their functions. Employees who require computers, laptops and/or peripheral equipment to perform their function and who do not possess such items shall promptly notify their immediate superior. The Municipality has some computers and laptops and peripheral equipment that it will distributed as needed, in the sole discretion of the Chief Executive Officer or their designee. The Municipality may reallocate the distribution of such computers and laptops and peripheral equipment from time to time as needed, in the sole discretion of the Chief Executive Officer or their designee. The Clerk or their designee shall maintain a list of all equipment and where such equipment is located.

## **Troubleshooting/ Communication**

The IT department will be available by email, phone, and video call to help address IT issues.

Communications between employees shall be maintained through email, phone, and video call. Departments shall implement regular conference calls via phone or video.

Employees are expected to communicate to their immediate superior any workflow and operational issues and any delays arising from working remotely.

## **Staggered Shifts**

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, the Municipality will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours

The following protocol will be used to implement the steps identified above:

Highway crew will work independently in the highway garage or social distance while outdoors. Building & Grounds crew will do the same. Utilities Department only has one full time employee. Office staff has individual offices.



## Personal Protective Equipment

The use of personal protective equipment (PPE) to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. Necessary PPE may include:

- Masks
- Face shields
- Gloves
- Disposable gowns and aprons

Note that while cleaning supplies are not PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
  - a. As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee and contractor during any given work shift for at least six months
  - b. Public employers must be able to mitigate supply chain disruptions to meet this requirement
3. Storage of, access to, and monitoring of PPE stock
  - a. PPE must be stored in a manner which will prevent degradation
  - b. Employees and contractors must have immediate access to PPE in the event of an emergency
  - c. The supply of PPE must be monitored to ensure integrity and to track usage rates

### Amount of PPE for Essential Employees and Contractors

Based on the list of essential functions and positions set forth in this document, the Municipality shall develop a list of required inventory and amounts of such inventory as set forth below:

PPE Item	Number of essential employees/contractors requiring PPE item	Total number of PPE required
Masks	10	20
Gloves	7	14
Face shields	1	1
Gowns	0	0
Hand Sanitizer (gallons)	3	3

### Sources of PPE

Name	PPE Supplier can Provide	Phone/Email	Contact person if any
Tioga County Public Health	Masks & gloves	(607) 687-8600	

## Storage of PPE

An emergency supply of PPE shall be stored at the Town Highway Garage. The Chief Executive Officer and each department head shall be able to immediately access the emergency supply of PPE and shall promptly notify the Clerk any time the supply is accessed. The Clerk shall maintain an inventory of all PPE within the emergency supply. On an annual basis the Clerk or their designee shall review the PPE supply and dispose and replace any expired or unusable PPE.

## Staff Exposures, Cleaning, and Disinfection

### Staff Exposures

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. Following CDC guidelines, we have established the following protocols:

- A. If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected, which is a prolonged presence within six feet with that person):
  1. Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting and practice social distancing in accordance with current CDC/public health guidance for the communicable disease in question.
    - a. These employees and contractors will work remotely during this period of time as they are able to.
    - b. These employees and contractors shall promptly notify their immediate superior and the Clerk in the event of potential exposure.
    - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing
  2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
    - a. Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
    - b. In-person interactions with the subject employee or contractor will be limited as much as possible.
    - c. Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol at least every hour, as practical. See the section on Cleaning and Disinfection for additional information on that subject.
    - d. If at any time they exhibit symptoms, refer to item B below.
    - e. The Chief Executive Officer is the decision-maker in these circumstances, and such employee's immediate superior is responsible for ensuring these protocols are followed
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
  1. Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees, customers, and visitors. They should immediately be sent home with a recommendation to contact their physician.



2. Employees and contractors who exhibit symptoms outside of work should notify their immediate superior and stay home, with a recommendation to contact their physician.
  3. Employees should not return to work until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider.
  4. Unless advised otherwise, employees will comply with applicable provisions of the Municipality's Handbook and any applicable collective bargaining agreement as they relate to absence due to illness, the use of sick leave and returning to work. An ill employee will be expected, if the employee is able, to promptly notifying their immediate superior and the Clerk of absence due to illness. The Municipality may require medical verification or a doctor's note before applying sick time or allowing an employee to return to work.
  5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
  6. The Chief Executive Officer must be informed in these circumstances and is responsible for ensuring these protocols are followed.
- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
1. Apply the steps identified in item B, above, as applicable.
  2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
    - a. CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
    - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
    - c. See the section on Cleaning and Disinfection for additional information on that subject.
  3. Identification of potential employee and contractor exposures will be conducted
    - a. If an employee or contractor is confirmed to have the disease in question, the Clerk or their designee should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
    - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
  4. The Clerk must be notified in these circumstances and is responsible for ensuring these protocols are followed

We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

#### Cleaning and Disinfecting

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

1. As possible, employees and contractors will clean their own workspaces in the beginning, middle, and end of their shifts, at a minimum.
  - a. High touch surfaces will be disinfected regularly, at least every two hours, and
  - b. High traffic areas and areas that are accessible to the public/constituents will be disinfected regularly; additional disinfection shall occur on an as needed basis.
  - c. Each department head, or their designee, shall be responsible for ensuring that common/high traffic areas that their employees work in or near are cleaned and disinfected regularly
2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with soap and water before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

## Employee and Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances may arise. This policy may be altered based upon changes in law or regulation, as applicable.

It is our policy that employees of the Municipality have access to appropriate paid and unpaid leave time for testing, quarantining, and caring for dependents as they are entitled under the Municipality's Handbook or applicable law. The Municipality may, in its own discretion, provide additional paid or unpaid leave time to employees in the event of a public health emergency.

Additional provisions may be enacted based upon need and the guidance and requirements in place by federal and state employment laws, FMLA, executive orders, and other potential sources.

Contractors, either independent or affiliated with a contracted firm, are not classified as employees of the Municipality, and as such are not provided with paid leave time by the Municipality, unless required by law.

## Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work and off-site visits. This information may be used by the Municipality to support contact tracing within the organization and may be shared with local public health officials.

The Municipality shall track the hours and locations of employees who work in-person.

The Clerk or their designee shall be responsible for handling and maintaining such records.

## Housing for Essential Employees

There are circumstances within a public health emergency when it may be prudent to have essential employees lodged in such a manner which will help prevent the spread of the subject communicable disease to protect these employees from potential exposures, thus helping to ensure their health and safety and the continuity of the Municipality's essential operations.

If such a need arises, hotel rooms are expected to be the most viable option. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, the Municipality may coordinate with the appropriate emergency officials to help identify and arrange for these housing needs. The Chief Executive Officer is responsible for coordinating this.