

**RESOLUTION ADOPTING PLAN FOR CONTINUATION OF OPERATIONS
PURSUANT TO NEW YORK LABOR LAW SECTION 27-C**

WHEREAS, New York Labor Law Section 27-c requires each public employer to prepare a plan for the continuation of operations should the governor declare a state disaster emergency involving a communicable disease in the future; and

WHEREAS, in accordance with Section 27-c, the Town drafted such a plan and presented it to all certified representatives of the Town's employees, and these representatives were granted an opportunity to review said draft and make recommendations thereto; and

WHEREAS, in accordance with Section 27-c, the Town considered and responded to such recommendations in writing, and made appropriate revisions to the draft; and

WHEREAS, a revised plan is attached hereto; now, therefore,

BE IT RESOLVED, in accordance with Section 27-c, the Town Board for the Town of Carmel hereby adopts the attached operations plan, and directs the Town Clerk for the Town of Carmel to publish and post said plan in a clear and conspicuous location at Town Hall, in the employee handbook, and on the Town's employee intranet, by no later than April 1, 2021.

Resolution

Offered by: Councilman Barile
 Seconded by: Councilman Lombardi and Supervisor Schmitt

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

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I, Ann Spofford, Town Clerk of the Town of Carmel, Putnam County, New York, do hereby certify that the foregoing resolution is a true and exact copy of the original on file in my office which was adopted by the Town Board of said Town at a duly called and held meeting on the **17th** day of **March, 2021**; and of the whole thereof.

March 18, 2021
Dated

Ann Spofford
Ann Spofford, Town Clerk

**TOWN OF CARMEL
SECTION 27-C OPERATION PLAN**

Pursuant to Section 27-c of the New York Labor Law, the Town of Carmel (the “Town”) has prepared the following plan for the continuation of operations in the event the Governor declares a state disaster emergency involving a communicable disease (“state disaster emergency”). This plan is subject to change at the discretion of the Town Board in accordance with applicable law and guidance from local, state, and federal health or other agencies, including but not limited to the Centers for Disease Control and Prevention (“CDC”). Nothing in this plan shall be deemed to impede, infringe, diminish or impair the rights of the Town or any employee or collective bargaining representative under any law, rule, regulation or collective bargaining agreement.

a. Restricted Access and Personal Protective Equipment.

1. In the event of a state disaster emergency, Town Hall and other Town buildings may be closed completely at the direction of the Governor and/or Supervisor. In the event Town buildings remain open, access may be limited to “essential” employees identified below. Further, the public’s access may be limited to certain areas of Town buildings. Additional measures may be taken to limit physical or close contact among individuals in accordance with applicable laws and guidance. Employees may also be prohibited or restricted from working in others’ private homes or at other remote locations.
2. Disposable masks will be procured from a third-party vendor and stored at the worksite. Masks will be restocked regularly to ensure employees may replace them should they become damaged or unsanitary. In the event a Department Head believes additional personal protective equipment (“PPE”) is required, they may submit a request to the Town Board who will review it and procure and distribute such PPE to the extent the Board deems it appropriate to do so.

b. Essential Positions and Titles.

1. Effective April 1, 2021, the Town considers the following to be “essential” employees as defined by Section 27-c (1)(d) because they require: direct interaction with the public; physical inspection of premises; manual labor; and/or access to physical Town records: (i) Town Supervisor; (ii) uniformed members of the Police Department; (iii) Dispatchers; (iv) Building & Codes Enforcer; (v) Assistant Building Inspector; (vi) Fire Inspector; (vii) Account Clerk II; (viii) Town Assessor; (ix) Sr. Real Property Appraiser; (x) Town Comptroller (and some accounting staff); (xi) Town Engineer; (xii) Engineering Projects Coordinator; (xiii) Highway Superintendent; (xiv) Deputy Highway Superintendent; (xv) Highway Laborers; (xvi) Building & Grounds Maintenance Supervisor; (xvii) Tax Receiver; (xviii) Deputy Tax Receiver; (xix) Town Clerk; (xx) Deputy Town Clerk; (xxi) Recreation Director; and (xxii) Sr. Recreation Leader.

2. Though an essential role requires some presence by an employee in order to perform the job, an essential employee may still be able, and required, to perform some job functions remotely.
3. The Town reserves the right to modify the above list in the event of a state disaster emergency in accordance with factors including, but not limited to, Town operations and needs, as well as technological capabilities and applicable laws, rules and regulations.
4. The Town shall continue to provide reasonable accommodations to employees with disabilities in accordance with applicable law.

c. Non-Essential Positions and Titles.

1. The Town's Information Technology ("IT") Contractor is prepared to enable non-essential employees (as defined by Section 27-c (1)(c)) identified by the Town to telecommute promptly in the event of a state disaster emergency that requires them to be away from their worksite. The IT Contractor provides the necessary secure connections to employees' workstations to ensure full access for those employees working remotely, including essential employees who may perform some of their duties away from the work site. The Town's phone system allows all employees to access voicemail, and voicemail messages are transmitted to the employees' email accounts.
2. In the event a Department Head believes any additional devices or technology are required, they may submit a request to the Town Board who will review it and procure and distribute such devices or technology to the extent the Board deems it appropriate to do so.

d. Responding to Positive Tests and Exposures.

1. Any Town employee, contractor, or elected official who tests positive for the communicable disease causing the state disaster emergency must notify the Town Supervisor and their Department Head immediately and stay away from the worksite until further notice. In accordance with applicable law, individuals who test positive may also be required to submit a copies of lab reports and/or isolation orders. Individuals who test positive will receive leave time in accordance with applicable law, Town policies, and collective bargaining agreements.
2. Any Town employee, contractor, or elected official who is exposed to (as defined by the CDC) or shows symptoms of the communicable disease causing the state disaster emergency must notify the Town Supervisor and their Department Head immediately and stay away from the worksite until further notice. Such individuals will receive

leave time in accordance with applicable law, Town policies, and collective bargaining agreements.

3. In the event any Town employee, contractor, or elected official tests positive for, is exposed to, or exhibits symptoms of the communicable disease causing the state disaster emergency, the Town may take actions including, but not limited to:
 - i. Gathering information from the individual regarding their activities and possible exposures in the workplace;
 - ii. Notifying other individuals who may have been exposed to the communicable disease, consistent with applicable laws and guidance including but not limited to those regarding workplace safety and employee confidentiality;
 - iii. Notifying required local, State, and/or federal agencies or entities;
 - iv. Closing buildings or areas of buildings used by the individual(s) suspected or confirmed to have the communicable disease;
 - v. Opening outside doors and windows to increase air circulation in the area;
 - vi. Cleaning and disinfecting areas used by the person suspected or confirmed to have the communicable disease, such as offices, bathrooms, common areas, and shared equipment;
 - vii. Staggering work shifts;
 - viii. Securing emergency housing for exposed employees, contractors, or elected officials; and
 - ix. Following any other requirements determined by the New York State Department of Health, such as contact tracing or testing, social distancing, hand hygiene and disinfectant, or mask wearing.
4. To aid in the gathering of relevant information and provision of benefits, essential employees and contractors will be required to precisely track their work locations and hours in a manner prescribed by the Town.