



**BUSINESS
COUNCIL OF
WESTCHESTER**

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**WESTCHESTER
ECONOMIC
RECOVERY
TASK FORCE**

**Strategies and Recommendations for
Westchester County Reemergence**

INTRODUCTION



Dear Governor Cuomo and County Executive Latimer:

Enclosed please find The Business Council of Westchester’s (BCW) Economic Recovery Task Force first list of recommendations and needs that we hope will assist both of your administration’s reemergence plans.

The BCW’s Economic Recovery Task Force consists of business leaders from the private and public sectors. The Task Force members were asked to submit key issues that their respective industry will need to address during the reemergence process.

It is important to note, that many industries will be facing the same challenges as they look to ensure the safety of their employees and their clients. The report also includes some recommendations that we hope your administrations will find helpful.

As Westchester County begins its “re-opening” Phase 1 process, the BCW’s Economic Recovery Task Force will continue to meet and look to identify strategies and systems that will assist businesses over these next few months. The BCW will continue to send both of your administrations those ideas that hopefully will be of help to your long-term plans.

Thank you.

A handwritten signature in black ink that reads "Marsha Gordon".

MARSHA GORDON
President and CEO
The Business Council of Westchester

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ARTS

PARAMETERS, NOT GENERALIZATIONS

Arts and Culture should not all be grouped together into this one category for a Phase 4 opening as not all institutions are created equally. While it is understandable that large performing arts groups need and should be in Phase 4, there are many institutions that do and can function in smaller groups such as art studios, small classes and administration offices which should be able to open sooner in Phase 2.

RISK TOLERANCE

We all need to be responsible in doing our part to mitigate the spread of the virus; however, we will never be able to guarantee risk from infection of COVID, flu, car crashes, etc. It is important that lawmakers keep this crisis in context with the reality of other risks.

CATEGORIZATION

In addition to having guidelines specific to organizations of similar size, guidelines for our different lines of business would be extremely helpful. For example, many institutions contain a large theater with over 100 seats, but also have education classes and camps and do small private rentals—being able to open for those smaller groups would be helpful.

LIABILITY

In addition to concerns about employee claims, how do we protect against audience claims? Strong guidelines/requirements for patrons and or a hold harmless provision would help safeguard us. We need a liability plan ... what do we need to do, what should it look like?

FUNDING

In addition to other funding opportunities for support through an extended closure, as the State starts to think about infrastructure support we hope they'll think about capital support for arts organizations that may have to reconfigure to remain open, viable, and compliant.

NEEDS

- + Who actually has the legal authority to interpret who should be open and who shouldn't be open?
- + Clear guidelines on health protocols required or recommended by businesses, as well as updates on social distancing guidelines.
- + Easy access to masks and disinfectant.
- + Guidelines on cleaning protocols and recommendations of outside companies to hire.
- + Price breaks on some of the necessary services to allow us to restart our public operations while meeting the restrictions on capacity and cleanliness.
- + Other funding opportunities which will help us sustain operations while operating at reduced capacity—since many of the available grants are either appropriately targeted toward individuals (gig workers, artists), or more focused on NYC.



BIOTECH

- + Businesses will need easy access to PPE for their employees. A sustainable amount of supplies is imperative.
- + Careful monitoring of the capacity levels of healthcare facilities to handle a reoccurrence of the virus. Real time regional data to monitor the number of confirmed cases, clusters, etc.
- + Easy access to testing kits.
- + A clear strategy should the virus return in later months.
- + Plans on how public transportation will remain safe for commuters.
- + Guidance/support on how to handle childcare needs now that schools, day care facilities, and summer camps are not operating.

ENERGY/ENVIRONMENT

- + Westchester County's energy landscape is dramatically changing. The Indian Point Energy Center, the provider of approximately 25% of our region's electricity, will fully cease operations in 2021.
- + In addition there is the Con Edison gas moratorium for the southern part of the county that went into effect in March 2019.
- + Climate Leadership and Community Protection Act that was enacted last year setting an ambitious mandate for the state to hit net-zero emission in just three decades. The BCW is concerned that it will:
 - Double energy costs in the state;
 - Raise the carbon footprint of New York State;
 - Not be implemented in New York State's stated timeframe with the currently available resources or 15-year timeframe available resources; and
 - With a gas moratorium in effect, only a 15%–25% reduction of carbon emissions is possible by 2050.

ENERGY POLICY RECOMMENDATIONS FOR 2020

- + Fair programs to reduce all types of air emissions from all other sectors of the economy (transportation, residential, commercial, industrial) in addition to the electric generation sector.
- + Establish the New York State Renewable Reclamation Projects Program for the development of renewable electric generation projects.
- + Additional funding for the New York State Cessation and Mitigation Fund to assist municipalities and localities with the loss of property tax revenue following the closure of an electric generating facility.
- + Elimination and reduction of taxes, surcharges and fees. Approximately 25% of a typical monthly electric bill is for taxes, fees, and surcharges.
- + Provide more electric car infrastructure such as more charging stations along major highways and at transportation hubs to encourage more drivers to purchase electric vehicles.



ENTERTAINMENT, HOSPITALITY AND TRANSPORTATION

- + Liability Protections: This may be handled at the federal level as there are currently conversations happening around setting the standard of ‘gross negligence’ for claims that could be made against companies by employees or customers.
- + Access to adequate PPE equipment at a reasonable cost, as this will be a large expense added to company operations.
- + Access to approved cleaning supplies.
- + Clear and concise guidelines from regulators.
- + Safe and reliable transportation for workforce.
- + Safe and reliable child care for children of employees.
- + Flexibility from unions on existing job descriptions, roles and responsibilities as companies begin to open up and implement new health & safety protocols.
- + Flexibility from unions as workforce members are brought back from furlough, but then may require time off, which will necessitate temporary returns of other employees from furlough.

NEEDS

- + A reliable source of quality PPE. We utilize a large quantity of supplies due to the nature of our business.
- + Higher quality N95 masks may also be necessary in the case where a customer is known to have active infection and service is absolutely necessary.

WANTS

- + Protection from frivolous lawsuits. There needs to be legislation passed that reduces the likelihood of these suits.

WISHES

- + Reduced or suspended fees. In the limo industry, they pay a TLC annual registration fee in NYC and Westchester County. Their vehicles for the most part have been parked in their lots and not generating any income.
- + Permit expiration dates should be extended 6 months. Same for restaurants and hotels that have to file for operating permits.

SPECIFIC TO HOSPITALITY

- + Hospitality and tourism, among the hardest hit sectors of our economy already, will continue to suffer from decreased demand even as a recovery begins. PPE should be offered at the same preferred pricing and ease as it is to all front-line workers via government mandates.
- + Any way that government can ease cash expenses, such as taxes and fees, and ensure affordable access to capital will help hotels survive and be positioned to recover.
- + Marketing will be a key success factor during the recovery. Additional funding and support to be administered by the County’s designated and official tourism and marketing organization to overcome challenges.
- + Standards to ensure the health and safety of our guests and employees must be clear, consistent and practicable.
- + The hospitality industry looks to the Legislature for protection from frivolous regulatory and legal action based, for example, on employee complaints that notice of furloughs and layoffs failed to meet advance notice or specific language requirements.

RESTAURANTS

- + Lower seating capacities. Maybe 25% the first week or two, then moved up to 50% for the next phase.
- + Maximum three or four guests per table with a set number of minimum feet between tables.
- + Hand sanitizer dispensers will be placed throughout for guests and staff to use.
- + All restaurant employees will wear masks.
- + Mobile payments, curbside, contact-free delivery is here to stay, which may mean more efficient and well-organized reservation systems.
- + Single-use disposable paper menus, or laminated menus that are regularly sanitized. Or wall menus/chalkboards.
- + Pre-packaged plastic utensils at the tables are a possibility.
- + A required distance between bar seats.
- + Prices should and will come down and some restaurants may change their entire menus to satisfy consumer needs.
- + Glass dividers/partitions between tables as well as ultraviolet virus-killing machines at various dining room positions.
- + More outdoor dining.
- + Staff training will be critical to maintaining these changes.
- + Restaurant owners and chefs will continue to be inventive with meal kits, baked goods, family meals, interactive cooking demos, farm-crop boxes, etc.

FINANCE

- + Gauging the level of employee expectations regarding pre-entry health screens for them and customers.
- + Plexiglas barriers at all work stations between employee and customers and also, between employees.
- + Evaluating how to manage social distancing as that varies by location.

- + Whether or not masks will be required for employees and customers.
- + We are identifying potential challenges with our teams ability to work full time due to child care commitments, transportation, personal health concerns and possible other issues.

HEALTHCARE

Westchester County's healthcare sector has been on front lines 24/7 from day one of the pandemic. The Task Force will continue to work closely with the leaders of our healthcare sector to assist them as they move forward with their daily work post COVID-19.

- + Create and implement telehealth product.
- + Provide health screening and temperature checks for patient, provider and staff safety.
- + Expand clinical hours and increase patient-per-hour limits.

- + Strictly follow all infection control practices including frequent hand sanitization and hand washing. All workforce members asked to self-monitor by taking their temperature twice daily and assessing for COVID-19-like illness.
- + Environmental services team members trained on cleaning all areas of buildings under current guidelines.
- + Lobbies and many waiting areas/lounges closed. Ensure that common areas are not used for gathering.



HIGHER EDUCATION

- + Access to testing.
- + Liability protection.
- + Flexibility to develop plans that reflect the heterogeneity of the higher education sector.
- + Improve the state's successful Tuition Assistance Program by increasing the minimum and maximum awards and permitting graduate students to participate in it.
- + Modify the Enhanced Tuition Awards Program to attract additional participants by removing government-imposed caps on tuition charges and residency and employment requirements.
- + Maintain the Bundy Aid Program, a successful program that helps make college more affordable, and the Higher Education Capital Matching Grant Program, which creates jobs while simultaneously helping schools to modernize and enhance their facilities.

MUNICIPALITIES

- + State to facilitate permitting and approvals. It is very difficult for municipalities to navigate the approval process with the State.
- + Huge obstacle is the required match on State grants. These grants were awarded pre-COVID-19. At this point, the financial conditions of each municipality might preclude these capital projects from moving forward as we're not able to produce the required match.
- + Waive required matches so that municipalities can proceed with the grant funds only and not hold back projects.
- + Make sure that the State does not cut any funding to municipalities. It will be catastrophic.
- + Expand decontamination services in all public facilities and community spaces, which requires the appropriate equipment and supplies. Provide State funding or share service partnership.
- + As a result of COVID-19 the need for adequate food supplies has increased significantly. Current resources (equipment, supplies, staffing and funding) are not sufficient to meet the new demands.



NOT-FOR-PROFITS

NEEDS

- + Continue, and increase, access to telemedicine and remote service delivery across all health care/human services settings and all payers.
- + Personnel costs are typically the largest expense for most NFP businesses. Any plan to re-emerge must include protections for workers including provision of adequate and appropriate PPE, job protections, sick leave, testing for return to work, safe working environments, etc.
- + As state, county, and local budgets are being hit hard by COVID-19 responses, any plan to re-emerge should include strong consideration to continue existing contracts with NFPs.

WANTS

- + Many NFPs self-insure for unemployment. This is becoming a significant expense due to the high number of layoffs and furloughs. Further reimbursement for those who self-insure would provide significant financial relief.
- + Develop a process for families and individuals who can't pay their rent to apply for state relief. Adding the burden of "rent forgiveness" entirely on landlords would further weaken the financial stability of both nonprofit and for-profit housing operators.

CHILD CARE

- + Affordable, accessible and quality child care is a critical component in providing a healthy and productive workforce. Child care is unaffordable for nearly all low- and middle-income families in New York.
- + Child care businesses, unable to meet rising costs, are closing their doors in rising numbers.
- + The BCW and the Child Care Council of Westchester, Inc. will continue to urge the Governor and State Legislature on the importance of making a significant investment in child care.



PROFESSIONAL SERVICES

- + The NYS mandates on precautions needed for employees to return to work must be clarified. Given that NYS is generally more employee friendly, how do we handle employees who refuse to be screened or who are opposed to leaving the workplace as they do not agree that they are symptomatic.
- + Additionally, requirements such as Plexiglas, thermos-screens, automated doors and the like are all expensive. NYS should provide support to businesses for the costs of compliance. Otherwise these are essentially unfunded mandates.
- + Supplies must be available and accessible. Items such as hand sanitizer, sanitizing wipes, masks, gloves and the like are very difficult to find.
- + Employer negligence needs to be waived for allowing employees to come back to work, or the contractor that goes into a house or on a job site.
- + In law firms, attorneys have their own offices and paralegals and secretaries have separate work areas. Therefore, when businesses open up, they do not need to be at or below 50% workforce to maintain proper social distancing.
- + Provide guidelines on building and court standards in the context of access (ingress, egress, and elevators), social distancing in common areas, increased cleaning and air recirculation.
- + A major issue facing the legal industry is that a vast majority of staff have children. Without schools, day camps, and daycare being allowed to open until Phase 4 of the Governor's plan, most businesses will be not able to fully operate.
- + Work Share Program: The State should continue the Unemployment Work Share Program until schools, camps, and daycare centers are permitted to reopen.



REAL ESTATE/BROKERAGE

- + Encourage that present State guidelines be modified to allow Commercial Properties be shown if they are vacant in Phase 1 assuming that brokers and clients follow safety guidelines that are in place. Showing of occupied premises and real estate offices can stay in Phase 2.
- + Tax credits to developers/owners who make capital expenditures for new construction and to owners/leaseholders of older properties who install modern HVAC in their buildings with improved air circulation in tenant spaces and other common areas in multi-tenanted buildings.
- + Simplify/Amend SEQRA to expedite approval processes and encourage developers who find State regulations too stringent to enter the market.
- + Reopening schools which is in Phase 4 may be appropriate to open sooner in some counties that are under control.
- + Streamline cumbersome business licensing requirements and regulations that inhibit businesses from opening or operating in the State.
- + Vital for real estate agents to be allowed to practice in person services with appropriate health and safety protocols and social distancing to minimize contact.
- + Other issues of concern include having access to municipal offices to access and file necessary documents to effect transactions.

REAL ESTATE/CONSTRUCTION

NEEDS

- + Level playing field for private construction. Private construction was shut down in March, but thousands on essential construction projects kept working safely with success.
- + Reliable supply chains of PPE suitable for construction.
- + Level playing field in terms of safety protocols.
- + Expectation of timely responses from municipal officials for permitting, planning, inspections, etc.
- + Increase hygiene of facilities and availability of preventative equipment.

WANTS

- + Option for existing construction projects to do "outside work" as a soft launch of Phase 1, even if the health metrics do not allow for a full Phase 1.
- + County Planning Department to step in and support municipalities who have insufficient resources for a timely response on permitting, planning and inspections.
- + Where social distancing and existing OSHA regulations are in conflict, err on the side of OSHA.

WISHES

- + More expeditious timelines for regulatory and public review by municipalities for permitting, planning, and inspections.
- + Financial support for low income housing tax credits from the states or feds.
- + Just as New York State signed into law the Emergency Disaster Treatment Protection Act (EDTPA), which expanded N.Y.S. Executive Order No. 202.10 (March 23, 2020) that provides limited civil liability for healthcare professionals during the COVID-19 crisis, the State should expand this umbrella of protection to include commercial real estate owners (CRE).
- + Clarification on the applicability of the current COVID-19 crisis as it relates to a landlord's right (similar to the Citizen Arrest statute) that permits a property owner to restrain or "detain" persons whom they have probable cause to believe have committed or about to commit violations of their property.
- + New York State should recommend (not mandate) all commercial real estate property owners create the position of a COVID-19 Compliance Officer in order to facilitate the flow of Covid-19-related information, updates to rules and regulations, sharing of best practices.

RETAIL

- + Partner with BCW and members of the County Executive's office, Westchester Tourism & Film, as well as the Media to present a united front that going to retail shopping venues can be safe, if taken the necessary precautions. We need the current language to evolve from "stay home" to "be prepared when you do go out".
- + Ensure Bee Line Bus operating schedules can align with operating hours at the mall, and that safety measures are communicated effectively, so our teams feel comfortable using public transportation.

SMALL BUSINESS

NEEDS

- + **Disaster Trained Advisors:** To help them come up with ideas and methods to follow CDC guidelines. Ideally volunteers or no charge.
- + **Specific Products at Low or No Cost:** Signage and graphics, floor markers, hand sanitizing stations, hand washing stations and disinfectants for their customers and/or employees.
- + **PPE:** Gloves and masks in bulk for customers and/or employees.
- + **State or Federal Funded Contractors:** Knowledgeable about putting plastic barriers in place and help with rearranging work spaces.
- + **Cleaning Contractors:** For overnight cleaning that specialize in disinfectants.

WANTS

- + **Consultants:** Experts in online marketing and ways to pull in more customers other than done in pre-COVID-19 conditions.
- + **Training:** Advisors to help with training workers in reducing transmission through CDC recommendations.
- + **Technical Help:** Setting secure work at home environments for employees including phone communication, social media and eCommerce set up.
- + **Multilingual Assistance:** For questions and to navigate the various agencies.

WISHES

- + Tax breaks.
- + Grants or greater forgivable loans.
- + Complete government financial assistance until the crisis is over.



ADDITIONAL TASK FORCE SUGGESTIONS

NEED TO HAVE

GUIDANCE AND DIRECTION

- + Clear guidelines for reopening of businesses—dates, protocols, mandates—by vertical.
- + Consistent standards around health safety requirements for employees and customers (PPE, numbers inside establishments, queuing, etc.).
- + Procedures for non-compliance.
- + Best Practices, even if not mandated.

EMPLOYEES

- + Ceasing unemployment payments to provide incentive to go back to work.

SUPPLIES

- + Free PPE for employees and customers.
- + Plexiglass barriers.
- + Sanitizing materials.

FUNDING

- + PPP use of funds for any needs (plus 8 weeks count from when they re-open or when appropriate)
- + Flexible PPP loan forgiveness.
- + Tax Reduction.
- + To communicate with consumers regarding reopenings, procedures.

TRAINING

- + To convert to online/virtual channel.
- + For touchless payment.
- + For implementing social distancing measures
- + For instituting parameters around consumer contact with product (try-ons, returns, etc.)

RISK MITIGATION

- + Testing and results (access for employees).
- + Release from liability with respect to infection spread

COMMUNICATION

- + Messaging to ease employee/consumer concerns.
- + Signage.

WANT TO HAVE

SUPPLIES

- + Thermometers.
- + If not free, then group purchasing for cleaning staff/sanitizing supplies.

CONSUMER INCENTIVES

- + Sales tax holidays (1–2 weeks) to encourage immediate boom in retail sales when stores reopen
- + Shop Local campaign.

VERTICAL SPECIFIC

- + Boutique Fitness: Excluded from definition of gyms/fitness since limiting capacity and following guidelines for fewer than 10 people in space at any given time.
- + Restaurant: Specific guidelines for restaurants regarding the “vague” 6 ft distancing rule. Are barriers sufficient? Loss of seating impacts ability to pay expenses/payroll.

WISH TO HAVE

SUPPLIES

- + Sanitizing fogger.

FUNDING

- + Tax breaks for businesses forced to downsize due to distance restrictions.
- + Rent forgiveness.
- + Capital to relaunch for businesses that need to close/bankrupt.

CONSUMER INCENTIVES

- + Hygiene Rating System (like A/B rating for restaurants).

PARTNERSHIPS

- + With local and state government to collaborate on new environment.
- + Across municipalities to apply consistent criteria.

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