

Saratoga County Reopening Advisory Group Minutes
August 19, 2020 – 3:00 p.m.

Chairman Lawler called the meeting to order and welcomed all in attendance in person and on the phone.

Mr. Hellwig gave a control room update. The reopening of gyms and fitness facilities was approved on Monday. Mr. Hellwig said that they were caught off guard as there are some places, like Saratoga County, that environmental services is not done by the Public Health Department. In the guidance documents, they were told that the local officials would be in charge of putting the plan together. Mr. Hellwig said that he had a conversation this morning with the Chair of the NYS Fitness Alliance, which is a group of owners, studios, fitness centers and similar operations, working together to plan for the reopening. The chair communicated that what their membership needs the most, is guidance on what the process is. Mr. Hellwig said that Mr. Cooke, staff from Public Health, as well as other County Staff, have come up with an outline of a plan. The reopening is authorized for gyms on Monday, the inspection process must be completed by September 2nd. The hope is to have something out to gyms within the next day or so. Mr. Hellwig said that when speaking with the Chair of the Alliance, he said it would be helpful if he could provide Saratoga County with the number of facilities that fit the description so that we can reach out to all of them, however this information does not exist in a database. The plan is that once the information is ready to go out, a press release will be sent out, information put on the website and any other means of media to communicate to the businesses. Mr. Hellwig said that one of the things the State does, is they have environmental engineers that handle items such as air quality and HVAC systems. This is something the County does not have on staff as it has never been required because of our role relative to inspections. Mr. Hellwig said that they are working with owners to figure out a way to accomplish the task, to be in compliance with it. Mr. Shimkus said that most people believe this only pertains to gyms and fitness centers, however, it also includes gyms and fitness centers in higher education institutions, yoga, Pilates, barre studios, boxing, kick boxing, boot camps, CrossFit, dance studios, hotels with fitness centers, private employers with fitness centers on site. The number is in the hundreds, not dozens. The number is on par with restaurants, and are almost all small locally owned places.

Mrs. Duncan said that this is a very difficult time right now with this additional unexpected workload. Mrs. Duncan said that the second in command to Commissioner Zucker just resigned this past week unexpectedly, so there is a lot of unrest happening and staff shortages not only at the state but in local government. Mrs. Duncan said that there is a draft plan put in place by Cathy Medick, their plan is to send out a press release with information on the new regulations. Mrs. Duncan said that an inspection check sheet with a safety plan will need to be submitted to the Public Health Department, it may include certified HVAC documentation, prior to scheduling an onsite or virtual visit. The Public Health Preparedness staff can help to monitor the email and review submitted gym checklists, safety plans and certified HVAC documentation. The Emergency Preparedness Coordinator Lori Prock has a background in OSHA inspection, and therefore some qualifications to be able to handle these particular document approvals. These are draft plans, but it's a start. Mrs. Duncan said that every Township has a particular Health Board and their Code Enforcement Officers may be a part of helping the County with this. Mrs. Duncan

said that these inspections really belong to an environmental department. Mrs. Duncan said that the NYS district office is currently very short staffed, and they are probably suffering with a staffing shortage throughout all of the state and this is probably why the State is pushing back now. All of the Townships have businesses in this sector, and in order to support these businesses reopening, assistance is necessary. It's not clear at this point how this will be accomplished. Inspections could be done in short order if done virtually. Another option would be to hire someone, this option is included in the draft plan. Mr. Shimkus said that the guidance provides for the Chief Executive Counties, outside of NYC, to decide how this guidance will be created within their jurisdiction. Another provision that is included is that the same Executive can decide to opt out of indoor group fitness and aquatic classes. Mr. Burke said that the County would need something from the DOH that officially delegates that responsibility. Mr. Hellwig said that there was no control room call today and will bring it up at the next call on Friday. Mr. Lawler said that he does not believe it is in the County's interest, business communities interest or residents interest to opt out, and would prefer to present a path forward that includes group classes. The group agreed. Mr. Connolly said that he would not rule it out, but for now would like to go ahead. Mr. Shimkus said that he also spoke with people from the Fitness Alliance and they have studies that have shown that fitness facilities that have been limited, follow social distancing, requiring masks, follow all of the items in the guidance, have been very successful. Mr. Shimkus said that the opening is more stringent than restaurants, being at 33% occupancy. It needs to be the smallest number possible, if there is a group within a room, they start with social distancing, and if that number is higher than 33% of the room's occupancy, the groups must be at the lowest possible number.

Mr. Lawler said that there are two problems. One is to present requirements to the business sector and two is the required inspection. Mr. Lawler said that he assumes if we do an inspection, the business goes on an approved list of some sort. Additionally, everyone wants to do this by Monday. Mr. Shimkus said that the business can open, but the inspection needs to happen by two weeks of opening. Ms. Gaston said that she would like to know from the Control Room what if anything the State is planning on doing regarding Counties, and if there is any funding available. Mrs. Duncan said that another option is to postpone the start date of these facilities opening. Mrs. Duncan said that all of her efforts right now have been with reopening schools and said it's unbelievable how they expect the departments to safely open schools and opening gyms at the same time. Mrs. Duncan suggested postponing the opening of gyms until someone can be hired to perform the inspections. Sheriff Zurlo said that the gyms have been waiting for this date for 5 months and that we just need to do the best we can, he believes postponing it would be a bad idea. Mr. Pemrick agreed and said that we need to allow them to open. Mr. Dake suggested subcontracting the inspections, not sure to whom it could be subcontracted to, but this would be a way to scale it more rapidly. Mr. Lawler asked the group how they feel about augmenting Public Health with some additional temporary hires to deal with this over the next several weeks. Mr. Connolly said he believes it not a question of who is hired, but how many. Mr. Pemrick agreed and maybe it should umbrella right down to the Town level. If there criteria that a local code enforcer might be able to follow, identify the smaller operations such as yoga studios, etc. in each of the Towns and have them served by the Towns and as larger areas need more assistance, maybe some of the local town people that have quickly received some experience could be used in the larger areas. Mr. Lawler asked Mrs. Duncan if a checklist with the regulations could be developed to help those inspecting. Mrs. Duncan said yes and that there is a plan and attestation that needs to be completed and submitted to the DOH. Mrs. Duncan expressed concern over the number of

facilities that would need to be inspected in a short two weeks. Mr. Lawler said that businesses that are currently shut down and rely solely on the fitness aspect should be prioritized, whereas facilities in places such as hotels, still have their hotel revenue and don't rely solely on their gym facilities for income. Mrs. Duncan said that the NY Forward Safety template is right on the Governors website for essential business, and an online attestation can be completed there, and then the attestation can be confirmed by either a virtual or in-person visit. Mr. Hellwig said that the list of ESD reports of completed attestations are emailed to the Control room daily. Mr. Hellwig said that up until now, attestations and plans were being done and held at the business level, in this instance, we would need to inspect and verify that the plans are actually in place. Mr. Hellwig said that it is very vague on how the local entity determines compliance.

A discussion took place on how a database would be created for those businesses that will require the inspections. Mr. Dake suggested that a county email be created specifically for gyms/fitness facilities reopening. Mr. Hellwig said that a press release needs to be done, to get the word out, that there are two pieces to this. 1. Go to the State website and complete the affirmation and, 2. in order for them to get an inspection from the County, a form needs to be submitted. Mr. Hellwig said that the County should have a standardized document to make it easier to manage, with which data can be pulled off of. If this information comes back to the Public Health Department in various different forms, it could compromise the inspection process. Mrs. Duncan suggested that the State forms be completed, then downloaded and sent to the Public Health Department would work best. Mrs. Duncan said that they have already had 12 gyms call to request inspections. Ms. Gaston said that she would agree with a standardized form, whether it's the State form or another form that will allow the Health Department determine specifically what they want to ask and track it. Having a completed form submitted will also help to prioritize the inspections.

Mr. Connolly summarized that there is a plan and an affirmation. The affirmation is submitted to the State. Mr. Hellwig said that Empire State Development provides a list daily of those who have completed the affirmation. This can be used as a cross reference for those requesting inspections. Mr. Connolly said that the process should be easy, once the affirmation is completed, a plan would be completed, request an inspection from the County via email, the information is cross referenced with the ESD list, and do a zoom virtual inspection. Mr. Connolly said that it would be the only way to get through these inspections quickly, and get the businesses open. A follow up with an in person inspection could also be done within a 45 day period if necessary. These zoom videos can be recorded and stored for proof if needed later. Mr. Lawler asked Mrs. Duncan if this would work for her. Mrs. Duncan said she really does not know until they try it. Mrs. Duncan said that the Office of Emergency Services has also offered to assist the Emergency Preparedness Team, and utilize Deputy Fire and EMS Coordinators to assist in this process. It just needs to be organized and ensure they have enough staff to do it. Mr. Lawler said that it's important to get the message out to the business community to have the form completed and attest to the form. It will be up to the business to follow up to request the inspection. A press release can be sent out from the County, information put on the County and Chamber websites. Mrs. Duncan said that Ms. Medick is developing the plan. Another call is scheduled for tomorrow morning so they should have something that can be shared by tomorrow afternoon. It was decided that the group be reconvened in the very near future so that the plan can be finalized.

The next meeting was scheduled for Friday August 21, 2020 at 12:30pm.

Mrs. Duncan said that they are working very hard with the schools on their reopening plans, some virtual meetings were held with Superintendents. Public forums were also held. School Nurses have been given a large number of resources and algorithms to follow for their reopening as they screen and monitor for COVID in the schools.

Mr. Lawler thanked the employees in the Public Health Department and Sheriff's Department for the amazing job they are doing.

Mr. Lawler tabled the remainder of the agenda items.

The meeting was adjourned.

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board