

# Bond

Update and Discussion on  
Continuing Legal and  
Practical Issues Related to  
COVID-19  
May 26, 2020



 **BOND** SCHOENECK  
& KING ATTORNEYS

1

## Introduction



**Peter A. Jones**  
Deputy Chair, Labor & Employment  
pjones@bsk.com  
Syracuse, NY

 **BOND** SCHOENECK  
& KING ATTORNEYS

2

## CARES Act Final Regulations and Loan Forgiveness Application



**Jeffrey B. Scheer**

Member  
jscheer@bsk.com  
Syracuse, NY



**Kate M. Chmielowiec**

Associate  
kchmielowiec@bsk.com  
Syracuse, NY



3

## Update from Albany







**Caitlin A. Anderson**

Associate  
canderson@bsk.com  
Albany, NY



4

## The Week In Review

-  Executive Orders 202.32 and 202.33
-  Updated Guidance from Empire State Development
-  State Legislature Returning
-  Reopening Updates



5

## Executive Orders 202.32 and 202.33

- Allows gatherings of 10 or fewer individuals
  - Does **NOT** apply to businesses
- Extends abatement of interest and penalties for an additional 100 days for sales and use taxes due by March 20, 2020.



6

## Updated Essential Business Guidance

1. **Essential health care operations including...**
  - **emergency** veterinary and livestock medical services...
2. **Essential infrastructure including...**
  - hotels, and other places of accommodation, **including campgrounds**. **Campgrounds must take precautions to ensure campers maintain appropriate social distancing and adhere to proper cleaning and disinfecting protocols, including but not limited to maintaining six feet of distance between campers, unless wearing an acceptable face covering, excluding persons from the same household who are camping together.** ...
13. **Recreation...**
  - ...provided that no establishment offer chartered **motorized** watercraft services or **motorized** boat rentals. Restaurant activity at such sites are limited to take-out or delivery only.



7

## State Legislature Returns

- [S.8113-A/A.10521](#): prohibits the termination or disconnection of utility services for a residential customer for the non-payment of an overdue charge during the COVID-19 state of emergency.
- [S.1892-B/A.10290-B](#): prohibits the eviction of residential tenants suffering financial hardship during the “COVID-19 covered period” from March 7<sup>th</sup> until the restrictions on businesses and gatherings have expired.
- [S.8243-C/A.10351-B](#): requires New York regulated banking institutions to make applications for the forbearance for residential mortgages available and grant such applications for a period of 180 days.



8

## State Legislature Returns

- [S.8275-A/A.10348-A](#): suspends the forfeiture of unemployment benefits during the COVID-19 state of emergency.
- [S.8289-B/A.10394-A](#): requires residential health care facilities to submit an annual pandemic emergency plan to the Department of Health.
- [S.7982/A.9036](#): extends the Child Victims Act by an additional year.



9

## Reopening Guidance

- New York Forward Business Reopening Lookup Tool: NAICS Code
  - [www.businessexpress.ny.gov/app/nyforward](http://www.businessexpress.ny.gov/app/nyforward)
- Industry Guidelines
  - <https://forward.ny.gov/industries-reopening-phase>
- Statewide Guidelines
  - <https://forward.ny.gov/statewide-guidelines>
- Empire State Development FAQs on Reopening
  - <https://esd.ny.gov/nyforward-faq>

### Statewide Guidelines Lake and Ocean Beaches

[VIEW SUMMARY GUIDELINES](#)

[READ AND AFFIRM DETAILED GUIDELINES](#)

[PRINT BUSINESS SAFETY PLAN TEMPLATE](#)

[LOCAL GOVERNMENT NOTIFICATION](#)

### Religious and Funeral Services

[VIEW SUMMARY GUIDELINES](#)

[READ AND AFFIRM DETAILED GUIDELINES](#)

[PRINT BUSINESS SAFETY PLAN TEMPLATE](#)



10

## Business Safety Precautions: PLAN

- 1. Protections** for Employees and Customers
- 2. Layout:** Changes to the Physical Workspace
- 3. Adaptive** Health Protocols
- 4. Notation:** Put the Plan in Writing



11

## Phase One Reopening and Anticipated Issues in Phase Two



**Adam P. Mastroleo**

Member  
amastroleo@bsk.com  
Syracuse, NY



**Katherine R. Schafer**

Member  
kschafer@bsk.com  
Syracuse, NY



12

CARES Act Final Regulations and Loan Forgiveness Application

Jeff Scheer, [jscheer@bsk.com](mailto:jscheer@bsk.com)

Kate Chmielowiec, [kchmielowiec@bsk.com](mailto:kchmielowiec@bsk.com)

Update from Albany

Caiti Anderson, [canderson@bsk.com](mailto:canderson@bsk.com)

Phase One FAQs and Anticipated Issues in Phase Two

Adam Mastroleo, [amastroleo@bsk.com](mailto:amastroleo@bsk.com)

Katie Schafer, [kschafer@bsk.com](mailto:kschafer@bsk.com)

