

# COMPREHENSIVE EMERGENCY MANAGEMENT PLAN



*Town of Queensbury*

John Strough  
Supervisor

Home of Natural Beauty... A Good Place to Live"

*Note: This plan represents general guidelines, which may be modified by emergency personnel as appropriate. This plan does not create any right or duty that is enforceable by a court of law.*

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## **EXECUTIVE SUMMARY**

### **Introduction:**

This plan results from the recognition on the part of local government and state officials that a comprehensive plan is needed to enhance the Town of Queensbury's ability to manage an emergency or disaster situation in the Town of Queensbury. It was prepared by Town officials in coordination with Warren County Office of Emergency Services. This plan constitutes an integral part of the statewide Emergency Management program and contributes to its effectiveness. New York State Executive Law Article 2 - B, gives the authority to the Town of Queensbury to establish a Comprehensive Emergency Management Plan, and also empowers the Town Supervisor to act during an emergency.

The development of this plan includes an analysis of potential hazards that could affect the Town of Queensbury and an assessment of the capabilities existing in the Town to deal with potential problems.

### **Comprehensive Approach:**

Dealing with disasters is an ongoing and complex undertaking. Through implementation of risk reduction measures before a disaster or emergency occurs, timely and effective response during an actual occurrence, and provisions both short and long term recovery assistance after the occurrence or disaster, lives can be saved and property damage minimized. Comprehensive emergency management emphasizes the interrelationship of activities, functions and expertise necessary to deal with emergencies.

### **Management Responsibilities:**

The role and responsibilities of Town departments and related agencies, both emergency and non - emergency related, are outlined in this plan. Assignments are made within the framework of the present Town of Queensbury capability and existing organizational responsibilities. The EOC Manager or designee shall coordinate all emergency management activities for the Town.

The Town of Queensbury shall use the National Incident Management System (NIMS) as a guide to coordinate the response to emergencies. Through the NIMS system, Incident Command System (ICS) will be the management tool for all command, control and coordination of resources and personnel.

Town responsibilities are closely related to the responsibilities of Warren County, in managing all phases of an emergency. The County of Warren has the responsibility to assist local government in the event that they have fully committed its resources, and is still unable to cope with the emergency. Similarly, New York State is obligated to provide assistance to the County, (through NYSOEM) after County resources have been exhausted and the County is unable to cope with the emergency.

Conclusion:

This plan provides general all hazards emergency management guidance, using existing organizations to allow the Town of Queensbury to meet its responsibilities before, during and after an emergency.

## **SECTION 1 - GENERAL CONSIDERATIONS AND PLANNING GUIDELINES**

### **A. Policy Regarding Comprehensive Emergency Management**

1. A wide variety of emergencies caused by nature or technology result in loss of life, property and income and disrupt the normal functions of government, communities and families, and can cause human suffering.
2. Town government must provide leadership and direction to prevent, mitigate, respond to and recover from dangers and problems arising from emergencies in the community.
3. Under authority of Section 23 of the New York State Executive Law, a town is Authorized to develop a Comprehensive Emergency Management Plan to prevent, mitigate, respond to and recover from emergencies and disasters. To meet this responsibility, the Town of Queensbury has developed this Comprehensive Emergency Management Plan.
4. This concept of Comprehensive Emergency Management includes three phases:
  - a. Risk Reduction - Prevention and Mitigation
    - i. Prevention refers to those short or long term activities which eliminate or reduce the number of occurrences of disasters.
    - ii. Mitigation refers to all activities which reduce the effects of disasters when they do occur.
    - iii. Section II of this Plan, Risk Reduction, describes activities to prevent or minimize the impact of hazards in the community.
  - b. Response
    - i. Response operations may start before the emergency materializes, for example, on receipt of advisories that floods, blizzards, or ice storms could impact the jurisdiction. This increased readiness response phase may include such pre-impact operations as:
      - o Detecting, monitoring, and assessment of the hazard
      - o Alerting and warning of endangered populations
      - o Protective actions for the public
      - o Allocating/distributing of equipment/resources

- ii. Most response activities follow the immediate impact of an emergency. Generally, they are designed to minimize casualties and protect property to the extent possible through emergency assistance. They seek to reduce the probability of secondary damage and speed recovery operations.
  - iii. Response operations in the affected area are the responsibility of and controlled by the community, supported by the Warren County Office of Emergency Services, as appropriate
- c. Recovery
- i. Recovery activities are those following a disaster to restore the community to its pre-emergency state, to correct adverse conditions that may have led to the damage, and to protect and improve the quality of life in the community. It includes risk reduction actions to prevent or mitigate a recurrence of the emergency.

## **B. Purpose and Objectives of the Plan**

1. This Plan sets forth the basic requirement for managing emergencies in the Town.
2. The objectives of the Plan are:
  - a. To identify, assess and prioritize vulnerabilities to emergencies or disasters and the resources available to prevent or mitigate, respond to, and recover from them.
  - b. To outline short, medium, and long range measures to improve the Town's capability to manage hazards.
  - c. To provide that the Town government, in concert with the County government, will take appropriate actions to prevent or mitigate the effects of hazards and be prepared to respond to and recover from them when an emergency or disaster occurs.
  - d. To provide for the efficient utilization of all available resources during an emergency.
  - e. To provide for the effective utilization and coordination of County, State, and Federal programs to assist disaster victims, and to prioritize the
  - f. response to the needs of the elderly, disabled, low income, and other groups which may be inordinately affected

### **C. Legal Authority**

1. This Plan in whole or in part, may rely upon the following laws (as amended and updated) for the power necessary for its development, adoption, and implementation:
  - a. New York State Executive Law, Article 2-B
  - b. New York State Defense Emergency Act
  - c. Robert T. Stafford Federal Disaster Relief & Emergency Assistance Act
  - d. Town of Queensbury Resolution

### **D. Concept of Operations**

1. By NYS Law, the primary responsibility for responding to emergencies rests with town government, and with the Town's Supervisor. Town government agencies and the emergency service organizations in the town play an essential role as the first line of defense and response when Responding to a disaster, the Town is required to utilize its own facilities, equipment, supplies, personnel, and other resources first. The Town Supervisor has the executive authority for the direction and coordination of disaster operations. The Town's Safety Officer, who is designated as the EOC Manager serves as the front line manager of the Town's emergency management activities.
2. The Town of Queensbury will utilize the Incident Command System (ICS) to manage all emergencies requiring multi-agency response. The Town of Queensbury recommends and encourages all emergency services organizations in the Town to utilize ICS.
3. When Town resources are inadequate, the Town Supervisor or Incident Commander may obtain assistance (under mutual aid agreements/plans) from other political subdivisions and from the County government.
4. A request for assistance from the County will be made by the Town Supervisor to the Warren County Office of Emergency Services.

5. The Warren County Office of Emergency Services Emergency Manager has the authority to coordinate the County disaster operations, and coordinate response to requests for disaster assistance from the local governments
6. The Warren County Office of Emergency Services may coordinate requests for assistance from other political subdivisions within Warren County, and (through NYSOEM) with other counties in the State.
7. When the disaster is beyond the management capabilities of Warren County, the Warren County Office of Emergency Services may request NYS assistance through the State Office of Emergency Management (NYSOEM).
8. State assistance is supplemental to local and county emergency efforts.
9. Direction/control of State risk reduction, response and recovery actions is exercised by the NYS Disaster Preparedness Commission (DPC) and coordinated by the Warren County Office of Emergency Management. The Warren County Office of Emergency Services will assist the Town, and serve as liaison to the State.
10. Upon the occurrence of an emergency or disaster which is clearly beyond the management capability and emergency resources of State and local (town and county) governments, The Governor may find that federal assistance is required and may request such assistance from the president of the United States by requesting a declaration of a major disaster or emergency.

#### **E. Plan Maintenance and Updating**

1. The Town Board, along with the CEMP committee is responsible for maintaining and updating this plan and will adopt same at its annual organizational meeting in January.
2. All Town departments and agencies are responsible for annual review of their emergency response role and procedures, and shall provide input on any changes to the Plan to the Town's Safety Officer by November 1<sup>st</sup> of each year.
3. The Plan should be reviewed and updated annually or after any incident requiring implementation of the plan.

## **SECTION II - RISK REDUCTION**

### **A. Town Hazard Mitigation Planning**

1. The Town Supervisor is the central point of contact for hazard mitigation.
2. The Town Supervisor is responsible for coordinating with the Warren County Hazard Mitigation Coordinator in reducing hazards potentially affecting the Town of Queensbury.
3. All Town agencies/ Departments will participate in risk reduction activities at the direction of the Town Board.

### **B. Identification and Analysis of Potential Hazards**

1. The Town Safety Officer and Town Supervisor, with the assistance of such other persons as they deem appropriate, hereinafter known as the Emergency Management Planning Committee, and in coordination with the Warren County Office of Emergency Services, and Hazard Mitigation Coordinator, has and will:
  - a. Identify potential hazards in the Town, and outside the Town that could affect the Town;
  - b. Determine the probable impact each of those hazards could have on people, property and infrastructure
  - c. Where possible, delineate the geographic areas affected by potential hazards (e.g. flood inundation zones), plot them on maps, and designate them as hazard areas
2. Significant potential hazards to be identified and analyzed include natural, technological and human-caused hazards.

To comply with Sections B (1) and (2) above, hazards that pose a potential threat to the Town have been identified and analyzed by the Town Emergency

Management Planning Committee using the computer program HAZNY, provided by the NY Office of Emergency Management.

**This Hazard Analysis:**

- a. Provides a basic method for analyzing and ranking the identified hazards including identification of geographic areas and populations at risk to specific hazards
- b. Establishes priorities for planning for those hazards which have received a high ranking of significance
- c. Was conducted by the Town of Queensbury with guidance from Warren County Office of Emergency Services, and New York State Office of Emergency Management.
- d. Has been submitted to the Warren County Office of Emergency Services.

*Note: The complete Hazard Analysis is located in Annex 1, and is attached to and made a part of this plan*

**C. Risk Reduction Policies, Programs and Reports**

1. Town agencies will coordinate with Warren County in promoting and planning, programs and activities to reduce hazard risks in their areas of responsibility and to encourage hazard awareness education and post-disaster self-sufficiency amongst Town of Queensbury residents and businesses.
  - a. Examples of the above include:
    - o To encourage the review of the Queensbury CEMP, zoning ordinances, & building codes to take into account significant hazards in the Town
    - o Promote compliance with and enforcement of existing laws, regulations and codes that are related to hazard risks, e.g. building and fire/life safety codes, flood plain regulations
    - o Encourage Town ( County and State) Highway Department(s) to address dangerous conditions on roads used by hazardous materials carriers

2. The Queensbury Town Board is responsible for land use management of Town owned land and the review (with the Planning Board and Zoning Board of Appeals) of land use management actions throughout the Town, including:
  - o Authorizing Town land use management programs
  - o Developing and adopting comprehensive master plans for community development, zoning ordinances, subdivision regulations and building codes
  - o Coordinating with Warren County agencies in developing and adopting plans for community development in the Town
3. In all of the above activities, the Town Board will take into account the significant hazards identified in the Town of Queensbury.
4. The Town of Queensbury Emergency Management Planning Committee will participate in risk reduction workshops sponsored by The Warren County Office of Emergency Services or NYSOEM, if and when such are offered. The Committee will meet annually to identify specific hazard reduction actions that could be taken for those hazards determined by the HAZNY analysis to be the most significant.
5. A report of the proposed hazard reduction activities will be presented to the Town Supervisor and the Warren County Hazard Mitigation Coordinator for consideration and funding.

#### **D. Emergency Response Capability Assessment**

1. Periodic assessment of the Town's capability to manage the emergencies that could be caused by the hazards identified in the Town is a critical part of Risk Reduction.
2. The Emergency Management Planning Committee will, every two years:
  - a. Assess the Town's current capability for dealing with those significant hazards that have been identified and analyzed, including, but not limited to:
    - o the likely time of onset of the hazards
    - o the impacted populations' preparedness levels
    - o the existence of effective warning systems
    - o the Town's means to respond to anticipated casualties and damage

3. To assist the Emergency Management Planning Committee in its assessment, the Town Safety Officer, in coordination with the Warren County Office of Emergency Services (and with the assistance of the regional office of NYSOEM) will conduct table-top exercises based upon specific hazards and hazard areas identified by the Committee.
4. The Emergency Management Planning Committee will identify emergency response shortfalls and make recommendations for implementing corrective actions to the Town Safety Officer and the Town Supervisor.

**A. Training of Emergency Response Personnel**

1. The Town of Queensbury Fire and EMS agencies, in coordination with the Town of Queensbury Safety Officer, and the Warren County Office of Emergency Services, has the responsibility to:
  - a. Arrange and provide, with the assistance of state agencies including but not limited to NYS Office of Emergency Management, New York State DOH Bureau of EMS, and New York State Office of Fire Prevention training programs for Town emergency response personnel, including all volunteers
  - b. Encourage and support training for emergency response in the Town, including (but not limited to) training that would:
    - o Include information on the characteristics of the hazards and their consequences and the implementation of emergency response actions including protective measures, notification procedures and available resources
    - o Include appropriate level Incident Command System (ICS) training, as mandated by the NIMS program
    - o Provide emergency personnel with the skills necessary to help reduce or eliminate hazards and increase their response capabilities
    - o Cover crisis management situations, which would require additional specialized training and perhaps refresher training
  - c. Conduct periodic exercises and drills to evaluate the Town's capabilities and preparedness that test major portions of the elements and responsibilities in the Town's Comprehensive Emergency Management Plan and the readiness of warning and communication equipment.

2. Volunteers participating in emergency services response such as fire and rescue operations, ambulance services, first aid and other emergency medical services, emergency shelter operations, etc. should be trained by those agencies in accordance with established procedures and NYS recognized standards.

#### **F. Public Education & Awareness**

1. The Warren County Office of Emergency Services (or agencies to whom it delegates or with whom it shares such responsibilities) is responsible for:
  - o Providing education on hazards and home/business preparedness to the public and making the public aware of hazards in their communities
  - o Offering the public with the opportunity to review plans the County has developed.
2. The Town of Queensbury shall participate in the public education activities, including offering Town facilities, such as meeting rooms in the Town Hall, for public education forums. Such forums shall:
  - o Share information for the purpose of encouraging emergency preparedness & self-reliance amongst Town residents

#### **G. Monitoring of Identified Hazard Areas**

1. All Town agencies will attempt to be aware of known hazards in the Town, so that they might detect a hazardous situation in its earliest stages.
  - o The Town will share with appropriate response agencies information it receives, for example, about the storage of hazardous materials in the Town.
2. As a hazard's emergence is detected, this information is to be immediately provided to the Warren County 911 Communications Center, and disseminated to Town officials and emergency response agencies per established county protocol.

3. When appropriate, monitoring stations may be established regarding specific hazard areas where individuals responsible for performing the monitoring tasks can be stationed.
4. Monitoring tasks include detecting the hazard potential and taking measurement or observations of the hazard. Examples of such are: rising water levels in rivers and streams, toxic exposure levels for hazardous chemicals (liquids or gases), slope and ground movement, shore erosion, formation and breakup of ice jams, dam conditions, mass gatherings.
5. All Town hazard monitoring activity will be coordinated with the Town's Safety Officer and the Warren County Office of Emergency Services.

## **SECTION III - RESPONSE**

### **A. Response Organization and Assignment of Responsibilities**

#### **1. Town Supervisor Responsibilities, Powers, and Succession**

The Town Supervisor is ultimately responsible for Town emergency response activities and:

- Controls the use of all Town owned resources and facilities for disaster response,
- May declare a local state of emergency in the Town, and may promulgate emergency orders to waive local laws, ordinances, and regulations,
- Requests assistance from other towns, and Warren County, when it appears that the incident will escalate beyond the capability of Town resources,
- May provide assistance at the request of other local governments both within and outside Warren County.

#### **2. In the event of the immediate unavailability of the Town Supervisor, the following line of command and succession has been established to ensure continuity of government and the direction of emergency operations:**

- The Deputy Town Supervisor will assume the duties and responsibilities until the Supervisor is available.
- If none of the above officials are available, the responsibilities shall pass to the senior member of the Town Board.

#### **3. The Role of the Safety Officer**

The Town of Queensbury Safety Officer is designated as the EOC Manager:

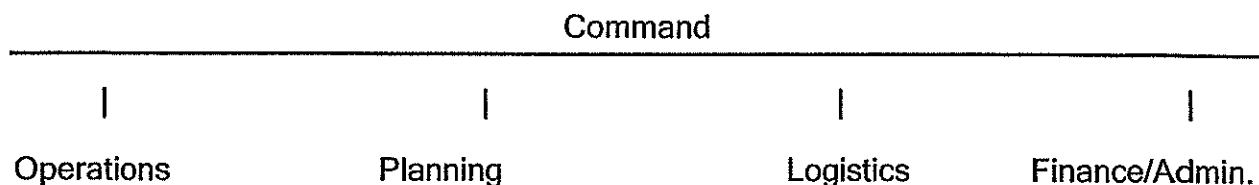
- a. Maintains and manages the Town Emergency Operations Center
- b. Facilitates coordination between the Town and:
  - The Incident Commander
  - Town response agencies
  - Local governments outside the Town
  - Warren County

- Private emergency support organizations

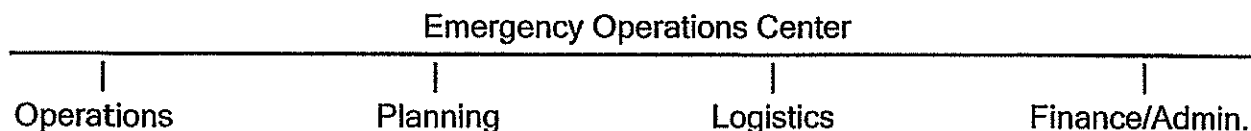
#### 4. The Town Emergency Response Organization

##### The Incident Command System (ICS)

- a. The Town of Queensbury adopts the use of the Incident Command System (ICS), as developed by the National Incident Management System (NIMS), and formally adopted by Warren County, and the State of New York, for emergencies requiring multi-agency response. ICS allows flexibility in its implementation so that its structure can be tailored to the specific situation at hand. ICS should be initiated by the emergency forces first responding to an incident.
- b. ICS is organized by functions. There are five:
  - Command
  - Operations
  - Planning
  - Logistics
  - Finance
- c. Under ICS, an Incident Commander (IC) has the overall responsibility for the effective on-scene management of the incident, and must ensure that an adequate organization is in place to carry out all emergency functions. The IC directs emergency operations from an Incident Command Post, the only command post at the emergency scene.
- d. In minor incidents, the five ICS functions may all be managed directly by the IC
- e. Larger incidents usually require that one or more of the functions be set up as separate sections under the IC.
- f. Within the Command function, the IC has additional responsibilities for Safety, Public Information, and Liaison. These activities can be assigned to staff under the IC.
- g. An on scene ICS with all five functions organized as sections as depicted as:



- h. During an emergency, Town response personnel must be cognizant of the Incident Command System in place and their role in it. Some Town personnel may be responders to the scene and part of the on-scene ICS structure in a command or general staff role. Other Town personnel may be assigned to the Town Emergency Operations Center (EOC) or other locations where they will provide support to the responders at the scene.
- i. The Incident Commander is usually selected due to his or her position as the most qualified responding officer at the scene. The IC must be fully qualified to manage the incident. As an incident grows in size or becomes more complex a more highly qualified Incident Commander may be assigned by the responsible jurisdiction.
- j. A major emergency encompassing a large geographic area may have more than one emergency scene. In this situation, separate Incident Commanders may set up command at multiple locations. In this case, an Area Command may be established, and may be instituted or supported by County government.
- k. Town response personnel operating at the Town EOC will be organized by ICS function, as depicted below and interface with their on-scene counterparts, as appropriate.



## **5. Section Chiefs**

- a. Whenever the EOC is established, Town response forces should be assigned to specific ICS functions wherever they are needed including at the scene, at the EOC in a support role, or at an Area Command, if established. See Table 1 for probable ICS functional assignments by agency. Assignments may change as situation dictates or as directed by the EOC Manager
- b. Agency Responsibilities
  - i. The Town Supervisor shall exercise ultimate responsibility and oversight for emergency response, and shall delegate ICS responsibilities as described in Table 1, or as special circumstance warrants. The Town Supervisor has designated the Town's Safety Officer as the EOC Manager.

## **B. Managing Emergency Response**

### **1. Incident Command Post and Emergency Operations Center**

- a. On-scene emergency response operations will be directed and controlled by the Incident Commander from an Incident Command Post located at or near the emergency site. This will be the only command post at the emergency scene. All other facilities at the scene used by agencies for decision-making should not be identified as a command post. A Command Post will be selected by the Incident Commander based upon the logistical needs of the situation and located at a safe distance from the emergency site.
- b. The Town EOC will be used to support Incident Command Post activities and to coordinate Town resources and assistance. The EOC can also be used as an Area Command Post when Area Command is instituted. The Town EOC is located at the Activities Center. Alternative sites may be a fire station, or the Warren County Office of Emergency Services Communication Bus.
- c. The EOC Manager is responsible for managing the EOC or auxiliary EOC during emergencies.

- d. If required, the EOC will be staffed to operate continuously on a twenty-four hour a day basis. In the event of a 24-hour operation, two 12 & ½ hour shifts will be utilized. (The additional 1/2 hour is for shift change briefings.) Designation of shifts will be established as conditions warrant by the Town Supervisor or the EOC Manager.
- e. Work areas will be assigned to each agency represented at the EOC.
- f. If required, staging areas for emergency equipment and personnel will be established. Staging areas may include:
  - o Town of Queensbury Fire Stations
  - o Queensbury School District Campus
  - o Town Municipal lot(s)
  - o Warren County Municipal Center
  - o or any area deemed suitable to the operation by IC

## **2. Notification and Activation**

- o An initial notification of an emergency situation may originate from the public, police, fire, Town agencies, or from Warren County, and will usually be received via the Warren County Communication Center.
- o Upon receiving initial notification of an emergency impacting the Town, the agency that received the notification will contact the Town Supervisor or Deputy Supervisor. If required an emergency will be declared and an appropriate response level determined (see page 21)
- o If the emergency notification requires dispatch of the Town's Fire and EMS personnel, the Supervisor, Deputy Supervisor or EOC manager will establish contact with the Incident Commander.

First responders may or may not require additional response personnel, or may request minimal assistance from other response personnel, such as mutual aid between fire and EMS agencies.

When the incident is beyond the capabilities of the initial responding agency(s), the Incident Commander will notify the Warren County 911 Center, and update the response level.

Each emergency is to be classified into one of three Town Response Levels according to the nature and magnitude of the incident

- Controlled Emergency: Controlled emergency situation without serious threat to life health, or property, which requires no assistance beyond initial first responders, and involving only Town owned buildings, vehicles or infrastructure.
- Limited Emergency: Limited emergency situation with some threat to life, health, or property, but confined to limited area, usually within the Town, or involving a small population
- Full Emergency: Full emergency situation with major threat to life, health, or property involving large population, County and possibly State involvement

Upon notification of an emergency response level, the Incident Commander, via the Warren County 911 Center, will request that the Town Supervisor or Deputy Supervisor be notified.

Town emergency response personnel will be activated according to the Response Level classification:

- Controlled Emergency: Possibly only the Safety Officer and the Town Supervisor or Deputy Supervisor.
- Limited Emergency: The Safety Officer is activated, and augmented by select members of the Town response organization as determined by the Safety Officer and the Town Supervisor or Deputy Supervisor.
- Full Emergency: Full EOC staffing is achieved as soon as possible. Except for first responders to the scene, assignment of Town response personnel to other locations including the emergency scene will be made through the EOC. Inform all staff that the EOC will open, but indicate which shift (am or pm) is to respond. The other shift should be encouraged to rest and get their affairs in order and be ready for the next shift

### 3. Assessment and Evaluation

As a result of information provided by the EOC Section Chiefs, the Command Section at the EOC will, as appropriate, in coordination with the on scene Incident Commander:

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- Develop policies by evaluating the safety, health, economic, environmental, social, humanitarian, legal and political implications of a disaster or threat
- Analyze the best available data and information on the emergency
- Explore alternative actions and consequences

**ICS Function and Response Activities by Agency**

AGENCY	RESPONSE ACTIVITIES
Town Supervisor . . . . .	Ultimate situation responsibility, Declaration of State of Emergency, Promulgation of Emergency Orders.
Police Command (WCSO) . . . . .	Law enforcement, communications, warning of evacuation, traffic control, and crime control.
Fire Command. . . . .	Possible Incident Command of initial emergency responding agencies; firefighters and hazardous material spill response
EMS Command . . . . .	Medical care and treatment, transport
Public Information Officer (PIO) . . . . .	Disseminate public information through the media liaisons
Highway Superintendent . . . . .	Damage control, debris removal, assessment, restoration
Director of Building and Codes . . . . .	Structural damage assessments, code violations
Water Superintendent . . . . .	Water supply, sewage control,
Town Health Officer . . . . .	Liaison, medical advice, disease control
Director of Planning & Zoning . . . . .	Situation assessments, advance planning, mitigation review
Town Attorney . . . . .	Legal advice

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Animal Control Officer . . . . .	Animal safety, displacement issues, carcass removal
Budget Officer . . . . .	Funding, purchasing, financial recordkeeping
Assessor . . . . .	Liaison for property owners and insurance companies
Town Clerk . . . . .	Legal documents and filings
Director of IT . . . . .	Liaison for information technology issues. (This function may be performed by an outside firm, under contract to provide these services)
Activity Center Director . . . . .	Liaison for personal needs assessments, work with support groups and outside agencies
Town Board . . . . .	Liaison with ward residents, provide information related to specifics within their ward in conjunction with the PIO
Safety Officer . . . . .	The facilitator of the CEMP and the activities of the CEMP committee, when the EOC is not active. Is also designated EOC Manager.

### **C. Declaration of Local State of Emergency and Promulgation of Local Emergency**

#### **Orders**

1. In response to an emergency, or its likelihood, upon a finding that public safety is imperiled, the Town Supervisor or Deputy Supervisor may proclaim a state of emergency pursuant to section 24 of the State Executive Law Article 2-B.
2. Such a proclamation authorizes the Town Supervisor to deal with the emergency situation with the full executive and legislative powers of Town government.
3. This power is extended through the promulgation of local emergency orders. For example emergency orders can be issued for actions such as:
  - o Establishing curfews
  - o Restrictions on travel
  - o Evacuation of facilities & areas
  - o Closing of places of amusement or assembly
4. Describes the requirements for proclaiming a State of Emergency and promulgating Emergency Orders.
5. Emergency responders have implicit authority and powers to take reasonable immediate action to protect lives and property absent an emergency declaration or emergency orders.

### **D. Public Warning and Emergency Information**

1. In order to implement public protective actions there should be a timely, reliable and effective method to warn and inform the public.

Activation and implementation of public warning is an EOC Manager or Incident Command responsibility.

Information and warnings to the public that a threatening condition is imminent or existing can be accomplished through the use of the following resources.

Though public warning may, in many cases, be implemented solely by on-scene personnel, the use of the systems in (a), (b), (c) and (f) below require strict coordination with the Warren County Office of Emergency Services or the Warren County Emergency Communications Center.

a. Emergency Alert System (EAS)

Formerly known as Emergency Broadcast System (EBS), involves the use of the broadcast media including television, radio, & cable TV, to issue emergency warnings. EAS can be activated by select County officials

b. NOAA Weather Radio (NWR)

Is the Voice of the National Weather Service providing continuous 24-hour radio broadcasts of the latest weather information including severe weather warnings directly from the Weather Service office in Albany. NWR will also broadcast non- weather-related emergency warnings. NWR broadcasts on select high-band FM frequencies, not available on normal AM-FM radios. Radios with NWR frequencies, automated alarm capabilities, and Specific Area Message Encoding (SAME) technology are generally available. NWR broadcast signal can be received by County-wide. NWR is also a component of EAS. Emergency broadcasts on the NWR can also be initiated by select County officials.

c. Stationary Fire Sirens

There is one type of stationary warning siren in use in the Town of Queensbury, fire sirens. Located at fire stations throughout the Town for alerting volunteer firefighters, these sirens are not always in repair or working condition. They may activate to indicate an emergency but are not part of the alert procedures associated with this plan.

d. Emergency service vehicles with siren and public address capabilities.

Many police and fire vehicles in the Town are equipped with siren and public address capabilities. These vehicles may be available during an emergency for route alerting of the public.

e. Door-to-door public warning

Can be accomplished in some situations by the individual alerting of each residence/business in a particular area. This can be undertaken by any designated group such as, police, fire police, and firefighters; visiting each dwelling in the affected area and relating the emergency information to the building occupants. To achieve maximum effectiveness, the individual delivering the warning message should be in official uniform.

f. Hyper-Reach System (Mass Notification)

- i. The Town of Queensbury has an inter municipal agreement with Warren County the use of the Mass Notification System allowing the Warren County Sheriff's Office to send phone messages to targeted areas requiring notification.

2. Town and County officials will advocate, as part of their normal dealing with special institutions such as schools, hospitals, nursing homes, major industries and places of public assembly, that they obtain and use tone-activated receivers/monitors with the capability to receive NOAA Weather Radio (NWR) with SAME reception and /or sign up for Hyper Reach notification.
3. Special arrangements may be made for providing warning information for the hearing impaired.
4. The Command Staff position of Public Information Officer may be established. This should be done in coordination with on-scene Incident Command, and the EOC Manager. The PIO will coordinate with the Incident Commander, Town EOC manager and if activated, the County EOC's PIO. The EOC Manager activates the PIO position; if not activated, the EOC Manager is PIO.
5. In some cases, depending upon the magnitude of the incident, the Town may rely upon Warren County to establish and maintain a Joint Information (JIC) Center. Regardless, the Public Information Officer may establish and manage a Joint Information Center (JIC) from where to respond to inquiries from the news media and coordinate all official announcements and media briefing. This will be at a location away from the EOC. The following items would be undertaken by the PIO:

- Provide essential information and instructions including the appropriate protective actions to be taken by the public, and identification of shelter locations to the broadcast media and press.
- Coordinates the release of all information with the key departments and agencies involved both at the EOC and on-scene.
- Check and control the spreading of rumors. (Watch TV, listen to radio, social media websites).
- Arrange and approve interviews with the news media and press by emergency personnel involved in the response operation.
- Arrange any media tours of emergency sites (Coordinate with County PIO and Incident Commander).

#### **E. Emergency Medical and Public Health**

A high impact disaster can cause injury and death to large numbers of people. In addition, damage to and destruction of homes, special facilities, and vital utilities may place the public at substantial risk including but not limited to food and water contamination, communicable diseases, and exposure to extreme temperatures.

There may be established within the Operations section an appropriately designed Emergency Medical/Public Health functions to ensure that health and medical problems for the public are being addressed.

*Note: The Town Health Officer will ask physicians designated by the Town to coordinate this function through Public Health.*

#### **F. Meeting Human Needs**

The Planning and Operations functions are responsible for ascertaining what human needs have been particularly affected by an emergency and responding to those unmet needs with the available resources of Town and County government and the assistance of volunteer agencies and the private sector. This includes the needs of emergency responders and their families.

There may be established within the Operations section a Human Needs Group to perform the tasks associated with the functions above.

*Note: The EOC Manager will ask the person designated by the supervisor to coordinate this function.*

#### **G. Restoring Public Services**

1. The Operations and Planning sections are responsible for ascertaining the emergency's effect on the infrastructure and the resultant impact on public services, and ensuring that restoration of services is accomplished without undue delay.
2. There may be established within the Operations section a Public Infrastructure function, assigned appropriately, to perform the tasks associated with (1) above.
3. During response operations relating to debris clearance and disposal, the Town of Queensbury should act in cognizance of and in cooperation with the Warren County Department of Public Works.

#### **H. Resource Management**

1. The Planning Section is responsible for the identification and Logistics is responsible for allocation of additional resources needed to respond to the emergency situation.
2. Resources owned by the Town should be used first in responding to the emergency.
3. All Town-owned resources are under the control of the Town Supervisor during a declared emergency and can be utilized as necessary.
4. Resources owned by other municipalities can be utilized upon agreement between the requesting and offering government, and should be coordinated through the Warren County Office of Emergency Services.
5. Resources owned privately cannot be commandeered or confiscated by government during an emergency. However, purchases and leases of privately owned resources can be expedited during a declared emergency. In addition, it is not uncommon for the private sector to donate certain resources in an emergency.

**I. Instructions for Declaring a State of Emergency and Issuing Emergency Orders**

1. The Town Supervisor, or legal designee pursuant to this plan, can declare a local State of Emergency for all of, or anywhere in, the Town. The County Executive can declare a State of Emergency for anywhere in Warren County, including the Town of Queensbury. All States of Emergency and Emergency orders shall go through Warren County OES.
2. A local State of Emergency is declared pursuant to section 24 of the State Executive Law.
3. It can be declared in response to, or anticipation of, a threat to public safety.
4. A declaration of a local State of Emergency may be verbal or written.
5. If it is verbal, it must be followed with a written format within a reasonable amount of time.
6. The declaration should include the time and date, the reason for the declaration, the area involved, and the expected duration.
7. The written declaration shall be kept on file in the Town Clerk's Office, with copies to the Warren County Clerk, and the New York Secretary Of State (via the NYSOEM, WCOES).
8. A local State of Emergency must be declared BEFORE Emergency Orders are issued.
9. A local State of Emergency should be formally rescinded when the declaration is no longer needed.
10. Only the Town Supervisor, or legal designee, may rescind a local State of Emergency.
11. Though a rescission may be verbal or written, if the declaration was written, the rescission should also be written.
12. The rescission should include the time and date of the original declaration, the reason for the local State of Emergency, and the time and date the State of Emergency is rescinded.

*TOWN OF QUEENSBURY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN*

13. The written decision should be kept on file in the Town Clerk's Office with copies to the Warren County Clerk, NYSOEM and the NY Secretary of State, via WCOES. Public notification shall be made through media outlets.

14. Reference the Warren County Disaster Declaration Kit

## II. Sample Declaration of a Local State of Emergency

A State of Emergency is hereby declared in \_\_\_\_\_ effective

For: \_\_\_\_\_  
(Area within the town; or the entire town)

\_\_\_\_\_ on \_\_\_\_\_  
(Time) (Date)

This State of Emergency has been declared due to: \_\_\_\_\_

\_\_\_\_\_  
(Description of situation that led to the declaration being issued)

This situation threatens public safety.

This State of Emergency will remain in effect until 1) a certain date; or 2) rescinded by a subsequent order.

As the Chief Executive of the Town of Queensbury, I \_\_\_\_\_  
(Name of Town Supervisor or acting Chief Executive of the Town)

exercise the authority given me under section 24 of the New York State Executive Law, to preserve the public safety and hereby render all required and available assistance vital to the security, well-being, and health of the citizens of the Town of Queensbury. I hereby direct all departments and agencies of the Town of Queensbury to take whatever steps necessary to protect life, property, and public infrastructure, and provide such emergency assistance deemed necessary.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Print Name: \_\_\_\_\_

### III. Questions and Answers on declaring a State of Emergency

#### *Why should I declare a local state of emergency?*

It increases your powers as the Chief Executive Officer. These new powers can include:

- Issuing emergency orders
- Implementing public protective measures
- Suspending local laws
- Requesting supplemental assistance.

#### *Can a declaration give legal protection?*

Yes. A declaration of a local State of Emergency provides legal protection and immunities for the Chief Executive and local emergency officials when they make decisions and take actions to respond to disasters or emergencies.

#### *Will the declaration help raise public awareness?*

Yes. A declaration of a local State of Emergency helps make the public aware of the hazards associated with a disaster. It also can emphasize the protective measures you may need to ask citizens to take.

#### *Can a State of Emergency be declared at any time?*

No. A local State of Emergency can be issued when a situation exists that has or will place the public at risk and that will require extraordinary measures for proper protection.

#### *When should I declare a local State of Emergency?*

You should consider declaring a local State of Emergency when a dangerous situation is present or imminent and emergency officials are considering protective actions such as:

- Evacuation of people for a large or heavily populated area street, road, housing development multi-resident buildings
- Sheltering people in designated areas or buildings
- Large-scale closing of roads due to conditions considered to be dangerous to lives and property

You should also consider declaring a local State of Emergency if the following conditions are present and pose a dangerous threat to the municipality:

- Riots or civil unrest
- Hostage situations
- Terrorist situations
- Impending emergency or disaster caused by natural forces (floods, blizzards, ice storms, tornadoes)

*Can I issue the declaration verbally?*

Yes. The Chief Executive may issue a declaration verbally if time is a crucial matter. However, you must follow the verbal declaration with a written declaration

*Must the declaration be filed?*

Yes. It should be kept on file at the Office of the Town Clerk. (With copies as noted above).

*Do I have to extend the declaration of State of Emergency after 5 days?*

No. The State of Emergency does not have to be extended, but Local Emergency Orders do, and since one cannot issue Local Emergency Orders without a State of Emergency being in effect, one should extend the State of Emergency.

*Does the law establish a time limit for a State of Emergency?*

No. But for Local Emergency Orders to be in effect, there must be a State of Emergency in effect, it is best to include a time of duration in the original Declaration of the State of Emergency. If the emergency continues beyond that time, a succeeding declaration may be issued with a time limit (or a statement that the State of Emergency is continuing until it is formally rescinded). When the proclamation is no longer needed, it should be formally rescinded.

*Can I issue Local Emergency Orders without a State of Emergency?*

No. A State of Emergency must be declared before you may issue Local Emergency Orders.

*Will a declaration help in getting assistance from the state?*

Yes. If you declare a local State of Emergency and you determine the disaster is beyond the capacity of County resources, the County Executive may request the Governor to provide assistance from state resources.

*Must I rescind a declaration of State of Emergency?*

No. However, a written rescinding statement should be made when the emergency no longer exists. The Chief Executive can rescind the declaration of emergency at any time.

*If I don't rescind a State of Emergency, does it end automatically?*

Maybe. If a time limit was indicated in the declaration of State of Emergency it will end automatically at that the time and date indicated. If no time limit was specified, the State of Emergency does NOT end automatically.

*When should I rescind a State of Emergency?*

You should rescind it when the conditions that warranted the declaration no longer exist

*Must the rescission be issued in writing?*

It is recommended, in the same manner as a declaration of State of Emergency is recommended, to be issued in written form.

*Must the rescission be filed?*

Yes. It is recommended that it be filed in the Office of the Town Clerk

#### **IV. Instructions for issuing local Emergency Orders**

1. Local Emergency Orders can be issued only if there is a State of Emergency in effect pursuant to section 24 of the State Executive Law (see section A. above).
2. Local Emergency Orders can be issued at the Town level only by the Town Supervisor and or a person acting for the Supervisor pursuant to this plan. The County Executive can issue emergency orders for anywhere in Warren County, including the Town of Queensbury, following the declaration of a local State of Emergency by the County Executive.
3. Local Emergency Orders must be written.
4. Local Emergency Orders should include the time and date they take affect, the reason for the declaration, the area involved, and the duration.
5. A Local Emergency Order expires automatically after five (5) days. It can be rescinded before that by its own terms, or by a recision by the County Executive. It is also automatically rescinded when the State of Emergency is rescinded.
6. The Town Supervisor may extend Local Emergency Orders for periods not to exceed five (5) days each during the State of Emergency.
7. Local Emergency Orders must be published as soon as practicable in a newspaper of general circulation and provided to radio and television media for broadcast.
8. Local Emergency Orders must be executed in triplicate and filed within 72 hours or as soon as practicable in the Office of the Town Clerk, County Clerk, NYSOEM and the Office of the Secretary of State via WCOES.
9. Local Emergency Orders must be re-filed if they are extended.

V. Sample Local Emergency Order

Local Emergency Order Evacuating Vulnerable Areas

I, \_\_\_\_\_ Supervisor of the Town of Queensbury, in accordance with  
a declaration of a State of Emergency issued at \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_  
(Place) (Time) (Date)

and pursuant to Section 24 of the New York State Executive Law hereby order the  
evacuation of all persons from the following Ward(s)/ District(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This evacuation is necessary to protect the public from:

\_\_\_\_\_.

This order is effective immediately and shall apply until removed by order of the Town's  
Chief Executive.

Failure to obey this order is a criminal offense.

Signed this \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ at \_\_\_\_\_ (time)

in the Town of Queensbury, New York.

Signed: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Witness: \_\_\_\_\_ Name: \_\_\_\_\_

## VI. Questions and Answers on issuing Local Emergency Orders

*Can anyone issue a Local Emergency Order?*

No. Only the Chief Executive of a county, city, town or village may issue a Local Emergency Order.

*What can a local Emergency Order include?*

An emergency order can require whatever is necessary to protect life and property or to bring the emergency situation under control as long as what it is within the constitutional powers of county government.

*Can a Local Emergency Order be issued at any time in an emergency?*

No. A Local Emergency Order can be issued only after the Chief Executive declares a local State of Emergency.

*Is it in effect indefinitely?*

No. A Local Emergency Order is effective from the time and in the manner prescribed in the order. It terminates 5 days after issuance, or by rescission by the Chief Executive, or a declaration by the Chief Executive that the State of Emergency no longer exists, whichever occurs sooner.

*Can an order be modified once it's issued?*

Yes. A Local Emergency Order may be amended, modified, or rescinded at any time by the Chief Executive during the State of Emergency.

*Can a Local Emergency Order be extended beyond five days?*

Yes. The Chief Executive may extend an order for additional periods up to 5 days each during the local State of Emergency. Each extension must be re-filed.

*Must the media be informed?*

Yes. The Local Emergency Order must be published as soon as practicable in a newspaper of general circulation in the area affected by the order. It should be published under the paid legal advertisement section. It must also be provided to radio and television media for broadcast.

*Can a citizen who disobeys an emergency order be arrested?* Yes. Any person who knowingly violates any Local Emergency Order of a Chief Executive issued pursuant to Section 24 of the Executive Law can be found guilty of a class B misdemeanor.

## **SECTION IV - RECOVERY**

### **A. Damage Assessment**

1. The Town will participate in and cooperate with Warren County Office of Emergency Services, New York State Office of Emergency Management (NYSOEM) and the Federal agencies (DHS/FEMA) in damage assessment activities.
2. The Town Safety Officer shall coordinate with the County, State and Federal agencies in developing a Town damage assessment protocol used to coordinate damage assessment activities in the Town during and following an emergency, designating a Town official (perhaps the Code Enforcement Officer or Highway Superintendent) to coordinate with the damage assessment officer from the County, and maintaining detailed records of emergency expenditures.
3. All Town department and agencies in the Town will cooperate fully with the County OES, and participate in damage assessment activities, including:
4. OES, and participate in damage assessment activities, including:
  - a. Risk Assessment
    - o Identifying Town agencies, personnel, and resources to assist and support damage assessment activities
    - o Identifying non-government groups such as non-profit organizations, trade organizations and professional people that could provide damage assessment assistance; i.e. Engineer, building contractor.
    - o Fostering agreements between Town government and the private section for technical support
  - b. Response
    - o Obtaining and maintaining documents, maps, photos, and videos of damage
    - o Reviewing procedures and forms for reporting damage to higher levels of government

**c. Recovery**

- Selecting personnel to participate in damage assessment survey teams
- Preparing and submitting Request for Public Assistance in applying for Federal Disaster assistance (if such designation has been made)
- Assigning local representatives who will accompany the County/ State/Federal Survey Team(s)
- Following-up with the County's authorized representative and NYSOEM submitting proof of insurance, if required
- Preparing and submitting project listing, if small project grant is sought follow eligibility regarding categorical or flexibly funded grants
- Maintaining accurate and adequate documentation for all costs on each project observing FEMA time limits for project completion
- Requesting final inspection of completed work, and/or providing appropriate certificates
- Preparing and submitting final claim for reimbursement
- Assisting with the mandatory state audit consulting with the Governor's authorized representative for assistance, as needed, if they are present
- Maintaining a detailed and accurate summary of damage suffered and recovery actions taken

**B. Planning for Recovery**

1. Recovery includes community development and redevelopment
2. Community development is based on a comprehensive community development plan (part of the Town's Comprehensive Plan) prepared under the direction of the Town Board.
3. Following a public hearing process, the Comprehensive Plan is officially adopted by the Town Board as the policy for the Town.
4. The Town must have public and political support for land use planning and the corresponding plan implementation tools such as zoning ordinances, subdivision regulations, private road and driveway regulations, and building codes, and the Warren County Hazard Mitigation Plan. As a result, by applying these laws/regulations successfully after a disaster, the Town will have pre-disaster prevention and mitigation capability (with a view towards future disasters/emergencies).

5. A central focal point on analytical and coordination planning skills, which could obtain the necessary political leadership and support when needed, is required to coordinate the programs and agencies necessary to bring about a high quality of recovery and community redevelopment.
6. A recovery taskforce will be developed by the Town Board with assistance from the Comprehensive Emergency Planning Committee, and will:
  - a. Direct the recovery with the assistance of the Town department and agencies coordinated by the Town's Safety Officer.
  - b. Prepare a local recovery and redevelopment plan as appropriate, unless deemed unnecessary pursuant to Section 28-a of the NYS Executive Law. That recovery and redevelopment plan shall include:
    - o Replacement, reconstruction, removal, relocation of damaged/destroyed infrastructures/buildings
    - o Establishment of priorities for emergency repairs to facilities, buildings, and infrastructures
    - o Economic recovery and community development
    - o New and/or amended zoning ordinances, subdivision regulations, highway, building and sanitary codes
    - o Sections which account for and incorporate, to the extent practical, relevant existing plans and policies
7. Prevention and mitigation measures should be incorporated into all recovery planning, where possible.
8. Responsibilities for recovery assigned to local governments depend on whether or not a State disaster emergency has been declared pursuant to Article 2-B of the NYS Executive Law.
  - a. if the Governor declares a State disaster emergency, then under Section 28-a, the Town shall have the following responsibilities: if the town is included in the declared disaster area, it shall prepare a local recovery and redevelopment plan, unless the Town Board shall determine that such a plan is unnecessary and/or impractical.
  - b. If this scenario arises, all required forms and documentation will be prepared in conjunction with the Warren County Hazard Mitigation Coordinator and the Warren County Office of Emergency Services.

## **C. Reconstruction**

### **1. Reconstruction consists of two phases:**

- Phase 1: short-term reconstruction to return vital life support systems to minimum operating standards.
- Phase 2: long-term reconstruction and development which may continue for years after a disaster and will implement the official adopted plans, policies and programs for redevelopment including risk reduction projects to avoid or reduce the hazards which contributed to the disaster.

### **2. Long-term reconstruction and recovery includes activities such as:**

- Scheduling planning for redevelopment
- Analyzing existing State and federal programs to determine how they may be modified or applied to reconstruction
- Conducting public meetings and formal hearings
- Providing temporary housing and facilities
- Providing public assistance
- Coordinating State/Federal recovery assistance
- Monitoring of reconstruction progress
- Preparation of periodic progress reports to be submitted to the Warren County Office of Emergency Services and to NYSOEM.
- Identifying and prioritizing areas to survey for damage
- Completing project worksheets and maintaining files of those worksheets

It is essential that, from the outset of emergency response actions, Town response personnel keep detailed records of all expenditures for: labor used use of owned equipment use of borrowed or rented equipment use of materials from existing stock contracted se

#### **D. Damage Assessment**

Damage assessment will be conducted by County and Town government employees such as: public works engineers, building inspectors, code enforcement officers and assessors. They will be assisted by members of non-profit relief organizations such as the American Red Cross for individual assistance. When necessary, non-government personnel from the fields of engineering, construction, insurance, property evaluation and related fields may supplement the effort.

There will be two types of damage assessment: Public Assistance (damage to public property and the Town infrastructure, e.g. sewage, water supply, roads, bridges, sanitation and some non - profit; and Individual Assistance (IA) teams (to assess the impact on individuals & families, agriculture, and the private sector).

Town damage assessment information will be reported to the EOC Manager and to the Warren County Office of Emergency Services.

1. All damage assessment activities in the disaster area will be coordinated with the onsite incident commander (when appropriate) the EOC Manager and the Town official assigned to coordinate damage assessments.
2. The Town official designated to coordinate damage assessment for individual assistance will provide the following information to complete the Damage Assessment Report: (Appendix 11)
  - o Destroyed property
  - o Property sustaining major damage
  - o Property sustaining minor damage.
3. That Town official will also provide information on the damage to private property in dollar loss to the extent not covered by insurance for:
  - o Homes
  - o Businesses
  - o Industries
  - o Utilities
  - o Hospitals, institutions, and private schools.

4. That Town official will also provide information on the damage to public property in dollar loss to the extent not covered by insurance for:

- Road systems
- Bridges
- Water control facilities such as dikes, levees, channels
- Public buildings, equipment and vehicles
- Publicly owned utilities
- Parks and recreational facilities

5. Keep track of the cost, in dollar value, for the following:

- Individual assistance in the areas of mass care, housing and individual family grants;
- Community services provided beyond normal needs;
- Debris clearance and protective measures taken such as pumping, sand-bagging, construction of warning signs & barricades, emergency levees, etc.;
- Financing overtime and labor required for emergency operations

The final report will be submitted to the Warren County Office of Emergency Services, and is required for establishing the eligibility for any State and/or Federal assistance. Estimation of the information included in the report should be provided to the Warren County Office of Emergency Services as soon as possible and additional information as it becomes available. (NOTE: Forms for collecting this information are contained in NYSOEM's Public Assistance Handbook of Policies and Guidelines for Applicants).

## **E. Reconstruction Operations**

Reconstruction operations must conform to existing State/Federal laws and regulations concerning environmental impact. This would include application at designated historical sites.

1. Role of the Town Clerk or designee
  - a. Unless otherwise designated by Warren County, a representative from the Department of Public Works in cooperation with the Hazard Mitigation Coordinator will serve as the County's authorized agent in disaster assistance applications to the respective State and Federal government agencies.
  - b. The Town Clerk will serve as the Town's authorized agent, and will work with the County's representative to:
  - c. Attend any public assistance applicant briefing conducted by Federal and/or State Emergency management officials
  - d. Review NYSOEM's Public Assistance Handbook of Policies and Guidelines for Applicants

## **F. Public Information on Recovery Assistance**

1. Public Information Officers (PIO's) are responsible for making arrangements with the broadcast and print media in adequately reporting to the public on:
  - a. What kind of emergency assistance is available to the public
  - b. Who provides the assistance
  - c. Who is eligible for assistance
  - d. What kinds of records are needed to document items which are damaged or destroyed by the disaster
  - e. What actions to take to apply for assistance
  - f. Where to apply for assistance

2. The following types of assistance may be available:
  - a. Food stamps (regular or emergency)
  - b. Temporary housing (rental, mobile home, motel/hotel)
  - c. Unemployment assistance and job placement (regular and disaster unemployment)
  - d. Veterans benefits
  - e. Social Security benefits
  - f. Disaster and emergency loans (Small Business Administration and Farmers Home Administration)
  - g. Tax refunds
  - h. Individual and family grants
  - i. Legal assistance
  - j.
3. All the above information will be prepared jointly by the Federal, State, County and Town PIO's as appropriate and furnished to the broadcast & print media for timely reporting to the public.

**Record of Meetings and Revisions**

- 7/29/2015 - Committee members conducted new Hazard analysis (HAZNY)
- 12/2/2015 - Committee members approved plan for 2016 adoption
- 3/9/2016 - Table top activity to verify trailer inventory
- 8/24/2016 - Committee members conducted new Hazard analysis (HAZNY)
- 12/13/2016 - Committee members approved plan for 2017 adoption
- 3/3/2017 - Committee meeting, table top to verify trailer inventory
- 4/5/17 - Committee meeting to begin planning of disaster drill
- 4/26/2017 - Committee planning meeting for tabletop
- 11/30/2017 - Committee meeting for 2018 plan adoption
- 3/9/2018- Committee members conducted HAZNY analysis
- 12/13/2018 -Committee meeting for 2019 plan adoption

## **Background**

On **3/9/2018** (the)Town of Queensbury conducted a hazard analysis using the automated program, *HAZNY* (Hazards New York). *HAZNY* was developed by the American Red Cross and the New York State Emergency Management Office.

The results of this hazard analysis are presented in this report.

### ***HAZNY* and (the) Town of Queensbury**

*HAZNY* is an automated interactive spreadsheet that asks specific questions on potential hazards in a community and records and evaluates the responses to these questions. *HAZNY* also includes historical and expert data on selected hazards. *HAZNY* is designed specifically for groups, rather than individual use. Town of Queensbury assembled a group of local officials to consider and discuss the questions and issues raised by the *HAZNY* program. Representatives from (Enter what agency facilitated the workshop) facilitated the meeting and recorded the results.

### **The Results**

The Group analyzed hazards potentially affecting (The) Town of Queensbury. *HAZNY* rated each hazard based on the Group's assessment and assigned a numerical value.

These values are categorized as follows:

**321 to 400 HIGH HAZARD**

**241 to 320 MODERATELY HIGH HAZARD**

**161 to 240 MODERATELY LOW HAZARD**

**44 to 160 LOW HAZARD**

The Group rated the 20 hazards as follows:

<i>Hazard</i>	<i>Rating</i>
<i>TRANS ACCIDENT</i>	275
<i>SEVERE STORM</i>	266
<i>DAM FAILURE</i>	262
<i>FIRE</i>	260
<i>EXTREME TEMPS</i>	256
<i>WINTER STORM (SEVERE)</i>	217
<i>TERRORISM</i>	197
<i>HURRICANE</i>	196
<i>FLOOD</i>	190
<i>TORNADO</i>	189
<i>ICE STORM</i>	180
<i>EPIDEMIC</i>	179
<i>ACT OF VIOLENCE</i>	178
<i>HAZMAT (IN TRANSIT)</i>	174
<i>UTILITY FAILURE</i>	172
<i>CYBER SECURITY</i>	159
<i>HAZMAT (FIXED SITE)</i>	151

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<i>EARTHQUAKE</i>	144
<i>STRUCTURAL COLLAPSE</i>	144
<i>METH LABS</i>	134

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Hazard(s) rated as moderately high: TRANS ACCIDENT, SEVERE STORM, DAM FAILURE, FIRE, EXTREME TEMPS

**TRANS ACCIDENT: 275, Moderately High Hazard**

**Potential Impact:** Several Locations

**Cascade Effects:** Some Potential

**Frequency:** A Frequent Event

**Onset:** No Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** One to Two Days

**Impact:**

- Serious Injury or Death to Extremely Large Numbers
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**SEVERE STORM: 266, Moderately High Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** A Frequent Event

**Onset:** Several Hours Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death Unlikely
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**DAM FAILURE: 262, Moderately High Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** One Day

**Recovery Time:** One to Two Weeks

**Impact:**

- Serious Injury or Death to Extremely Large Numbers
- Severe Damage to Private Property
- Severe Structural Damage to Public Facilities

**FIRE: 260, Moderately High Hazard**

**Potential Impact:** Several Locations

**Cascade Effects:** Highly Likely

**Frequency:** A Regular Event

**Onset:** No Warning

**Hazard Duration:** Four days to One Week

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**EXTREME TEMPS: 256, Moderately High Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** A Frequent Event

**Onset:** Several Days Warning

**Hazard Duration:** Four days to One Week

**Recovery Time:** Less Than One Day

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers

- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

Hazard(s) rated as moderately low: WINTER STORM (SEVERE), TERRORISM, HURRICANE, FLOOD, TORNADO, ICE STORM, EPIDEMIC, ACT OF VIOLENCE, HAZMAT (IN TRANSIT), UTILITY FAILURE

**WINTER STORM (SEVERE): 217, Moderately Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** A Regular Event

**Onset:** Several Days Warning

**Hazard Duration:** Two to Three Days

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Moderate Damage to Private Property
- Little or No Structural Damage to Public Facilities

**TERRORISM: 197, Moderately Low Hazard**

**Potential Impact:** Throughout a Small Region

**Cascade Effects:** Highly Likely

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** One to Two Weeks

**Impact:**

- Serious Injury or Death to Large Numbers
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**HURRICANE: 196, Moderately Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** An Infrequent Event

**Onset:** Several Days Warning

**Hazard Duration:** Two to Three Days

**Recovery Time:** One to Two Weeks

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**FLOOD: 190, Moderately Low Hazard**

**Potential Impact:** Throughout a Small Region

**Cascade Effects:** Highly Likely

**Frequency:** An Infrequent Event

**Onset:** Several Hours Warning

**Hazard Duration:** Two to Three Days

**Recovery Time:** One to Two Days

**Impact:**

- Serious Injury or Death Unlikely
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**TORNADO: 189, Moderately Low Hazard**

**Potential Impact:** Throughout a Small Region

**Cascade Effects:** Highly Likely

**Frequency:** An Infrequent Event

**Onset:** Several Hours Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**ICE STORM: 180, Moderately Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** An Infrequent Event

**Onset:** One Day Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death Unlikely
- Moderate Damage to Private Property
- Moderate Structural Damage to Public Facilities

**EPIDEMIC: 179, Moderately Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** A Rare Event

**Onset:** More Than One Week Warning

**Hazard Duration:** More Than One Week

**Recovery Time:** More Than Two Weeks

**Impact:**

- Serious Injury or Death to Extremely Large Numbers
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**ACT OF VIOLENCE: 178, Moderately Low Hazard**

**Potential Impact:** Single Location

**Cascade Effects:** Some Potential

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** More Than Two Weeks

**Impact:**

- Serious Injury or Death to Extremely Large Numbers
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**HAZMAT (IN TRANSIT): 174, Moderately Low Hazard**

**Potential Impact:** Several Locations

**Cascade Effects:** Highly Likely

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** Two to Three Days

**Recovery Time:** Three Days to One Week

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Little or No Damage to Private Property
- Moderate Structural Damage to Public Facilities

**UTILITY FAILURE: 172, Moderately Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Highly Likely

**Frequency:** An Infrequent Event

**Onset:** Several Hours Warning

**Hazard Duration:** One Day

**Recovery Time:** Less Than One Day

**Impact:**

- Serious Injury or Death Unlikely
- Little or No Damage to Private Property

- Little or No Structural Damage to Public Facilities

**Hazard(s) rated as low: CYBER SECURITY, HAZMAT (FIXED SITE), EARTHQUAKE, STRUCTURAL COLLAPSE, METH LABS**

**CYBER SECURITY: 159, Low Hazard**

**Potential Impact:** Several Locations

**Cascade Effects:** Some Potential

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** More Than One Week

**Recovery Time:** Less Than One Day

**Impact:**

- Serious Injury or Death Unlikely
- Moderate Damage to Private Property
- Little or No Structural Damage to Public Facilities

**HAZMAT (FIXED SITE): 151, Low Hazard**

**Potential Impact:** Several Locations

**Cascade Effects:** Highly Likely

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** One Day

**Recovery Time:** One to Two Days

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**EARTHQUAKE: 144, Low Hazard**

**Potential Impact:** Throughout a Large Region

**Cascade Effects:** Some Potential

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** Less Than One Day

**Recovery Time:** Less Than One Day

**Impact:**

- Serious Injury or Death Unlikely
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**STRUCTURAL COLLAPSE: 144, Low Hazard**

**Potential Impact:** Single Location

**Cascade Effects:** Highly Unlikely

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** One Day

**Recovery Time:** One to Two Days

**Impact:**

- Serious Injury or Death to Large Numbers
- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**METH LABS: 134, Low Hazard**

**Potential Impact:** Single Location

**Cascade Effects:** Some Potential

**Frequency:** A Rare Event

**Onset:** No Warning

**Hazard Duration:** One Day

**Recovery Time:** One to Two Days

**Impact:**

- Serious Injury or Death is Likely, but not in Large Numbers

- Little or No Damage to Private Property
- Little or No Structural Damage to Public Facilities

**HAZARDS THAT OCCUR WITH NO WARNING**

**TRANS ACCIDENT**

**DAM FAILURE**

**FIRE**

**TERRORISM**

**ACT OF VIOLENCE**

**HAZMAT (IN TRANSIT)**

**CYBER SECURITY**

**HAZMAT (FIXED SITE)**

**EARTHQUAKE**

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**STRUCTURAL COLLAPSE**

**METH LABS**

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\* No warning was selected from the Onset Tab.

**HAZARDS THAT OCCUR MOST OFTEN\***

**TRANS ACCIDENT**

**SEVERE STORM**

**EXTREME TEMPS**

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\*A frequent event was selected on frequency Tab.

**HAZARDS THAT PRESENT THE GREATEST THREAT TO LIFE\***

**TRANS ACCIDENT**

**DAM FAILURE**

**TERRORISM**

**EPIDEMIC**

**ACT OF VIOLENCE**

**STRUCTURAL COLLAPSE**

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\*Serious injury and death in large or extremely large numbers was selected from the Impact Tab.

# TOWN OF QUEENSBURY

## EMERGENCY SHELTERS

Shelters	Contact	Station	Cell	
WGF Fire Station	Pete Flewelling	792 8144	857 0718	
WGF EMS	Connie Goedert	798 5011	796 1010	
South Q Fire	John Harrington	792 8669	222 3669	
Central Fire	Joe Mali	792 8539	4412369	
Bay Ridge Fire	Chuck Mellon	792 6979	361 1303	
North Q Fire	Pete Carr	656 9614	796 1254	<a href="mailto:epcarrs6@gmail.com">epcarrs6@gmail.com</a>
SUNY Adirondack Gym	Anthony Palangi	74302246	796 6673	<a href="mailto:palangia@sunyacc.edu">palangia@sunyacc.edu</a>
Queensbury School	Rob Chapman	824 5670		<a href="mailto:rchapman@queensburyschool.org">rchapman@queensburyschool.org</a>
	William O'Reilly	8244630	361 5894	<a href="mailto:woreilly@queensburyschool.org">woreilly@queensburyschool.org</a>

# OTOWN OF QUEENSBURY

## CHAIN OF COMMAND

Town Supervisor

|

Deputy Town Supervisor

|

Town Board

|

|

|

EOC Manager

Federal  
(DHS-FEMA)

State  
(SOEM)

Warren County  
(Director of OES)

|

|

|

|

|

Operations

|

Fire/EMS

|

Police

|

WCSD

|

FDs

|

Chief

|

NYSP

|

Captain

|

Medical

|

Clothing

|

Counseling

|

Assessor

|

Planning / Zoning

|

Codes---Hwy Super.

|

Damage

|

Planning

|

Logistics

|

Transportation

|

IT

|

Human Resources

|

Record Keeping

|

Procurement

|

Accounting

|

Supply

|

Administration / Finance

|

Supply

|

Accounting

|

Procurement

|

Record Keeping

|

STAFFING OF EOC  
LONG DURATION INCIDENTS

As outlined in the plan, Section 111 Response, Part 11 managing Emergency Response, Section A 4, page 20, the following outlines a probable staffing matrix, with rotation on a 12. 5 basis:

<u>Title</u>	<u>Shift 1</u>	<u>Shift 2</u>
Chief Operating Officer	Supervisor	Deputy Supervisor
EOC Manager	Mike Palmer	Dave Hatin
Planning / OPS	Craig Brown	Bruce Frank
Logistics	Chuck Rice	TBD
Finance	Barb Tierney	Joanne Watkins
PIO	Ted Bigelow	Rollie Merrill
Communications	Gary Stillman	Richard Goedert

Descriptions of each job function have been attached

TOWN OF QUEENSBURY						
EMERGENCY CALL LIST						
TOWN OFFICIALS	Contact	Office	Home	Cell	Email	
Supervisor	John Strough	761 8230	798 9696	791 2495	<a href="mailto:qbysupervisor@queensbury.net">qbysupervisor@queensbury.net</a>	
Town Board	Tony Metivier		793 8027	932 1109	<a href="mailto:ward1@queensbury.net">ward1@queensbury.net</a>	
	Catherine Atherden		480 3334		<a href="mailto:ward2@queensbury.net">ward2@queensbury.net</a>	
	George Ferrone		793 4595	796 3572	<a href="mailto:ward3@queensbury.net">ward3@queensbury.net</a>	
	Jen Switzer		792 5976	791 7209	<a href="mailto:ward4@queensbury.net">ward4@queensbury.net</a>	
Town Clerk	Caroline Barber	761 8234	761 7008	307 9944		
Hwy Super.	Dave Duell	761 8210	743 0938	857 0725	<a href="mailto:daved@queensbury.net">daved@queensbury.net</a>	
Deputy Hwy Super	D Marc Benware	761 8212			<a href="mailto:marchb@queensbury.net">marchb@queensbury.net</a>	
Codes	Dave Hatin	761 8253		222 5044	<a href="mailto:daveh@queensbury.net">daveh@queensbury.net</a>	
Assesor	Terri Ross	761 8243	798 1069	744 1067	<a href="mailto:terir@queensbury.net">terir@queensbury.net</a>	
Water Dept	Chris Harrington	792 8866	793 5818	944 7237	<a href="mailto:chrish@queensbury.net">chrish@queensbury.net</a>	
Planning/Zoning	Craig Brown	761 8218		791 6394	<a href="mailto:craigb@queensbury.net">craigb@queensbury.net</a>	
Accounting/ Budget	Barb Tierney	761 8240		369 8483	<a href="mailto:barbarat@queensbury.net">barbarat@queensbury.net</a>	
Facilities	Chuck Rice	761 8258	893 2214	361 4257	<a href="mailto:chuckr@queensbury.net">chuckr@queensbury.net</a>	
	Gary Austin			361 2503		
IT	Alan Van Tassel	793 1111			choose option for emergency	
FM	Mike Palmer	761 8206	409 4930	361 0241	<a href="mailto:firemarshal@queensbury.net">firemarshal@queensbury.net</a>	
	Gary Stillman	761 8205	745 1718	955 8535	<a href="mailto:garys@queensbury.net">garys@queensbury.net</a>	
Health Officer	Dr Andrew Garner	798 9401				
Fire Departments						
Bay Ridge	Chief Chip Mellon	792 6979		761 3825	<a href="mailto:cmmellon@gmail.com">cmmellon@gmail.com</a>	
North Q	Chief Pete Carr	656 9614		796 1254	<a href="mailto:epcarrs6@gmail.com">epcarrs6@gmail.com</a>	
Central	Chief Adam Norton	792 8539		932 3515	<a href="mailto:joefireman42@hotmail.com">joefireman42@hotmail.com</a>	
South Q	Chief John Harrington	792 8669		222 3669	<a href="mailto:jharrington32@sqfd.org">jharrington32@sqfd.org</a>	
West	Chief Jeff Dailey	792 8144		361 6217	<a href="mailto:jdwgffire@yahoo.com">jdwgffire@yahoo.com</a>	

EMS							
BRRS		Captain Regina Ladd	743 9566				
NQRS		Captain PJ Callahan	656 9525		307 8880	<a href="mailto:pjc19902004@yahoo.com">pjc19902004@yahoo.com</a>	
WGF		Captain Mark Desimon	798 5011		683 1854	<a href="mailto:medic915200@yahoo.com">medic915200@yahoo.com</a>	
Warren County							
Dispatch			743 2501				
OES		Brain LaFlure	761 6537		361 0132		
		Amy Drexel	761 6490		232 4281		
Sheriff		Bud York	743 2518		222 2322		
Public Health		Ginelle Jones	761 6583		321 0150		
DPW		Kevin Hajos	761 6556				
NYS							
State Police		Queensbury	745 7803			watch Center 292 2200	
DOH		Glens Falls	793 3893				
ENCON		Warrensburg	623 2407				
DOT		Warrensburg	623 3511				
OEM		Queensbury	793 6646				
City of GF		Steve Gurzler	761 3815	24 hr	376 2707		
National							
FEMA		Region 2	212 680 3600				
National Weather		Albany	435 9580		1 800 342 4511		
Red Cross		GF Office	792 6545		Disaster Relief		
		Tim Bachman			458 8111	<a href="mailto:tim.bachman@redcross.org">tim.bachman@redcross.org</a>	
	Emergency Hotline		877 773 2767				
		Don james	458 8111				
Medical							
GFH		Laura Stebbins	926 1000				
Saratoga			587 3222				
Albany Medical			262 5486				
HHHN		Queensbury	761 0300				
Conv. Medical Care			792 2181				
Utilities							
National Grid		Gas	800 892 2345				
		Electric	800 898 8501				
Verizon			800 837 4966				
Time Warner			866 892 4243				
John Ray			272 4432				
Amerigas			581 0158				
Blue Flame			745 1570				
Suburban			800 776 7263				
Shaw			793 7755				

G A Bove			747 7761			
PIO						
Ted Bigelow			791 1709	791 1709		<a href="mailto:tedbigelow55@hotmail.com">tedbigelow55@hotmail.com</a>
Rollie Merrill			792 2399	744 3722		<a href="mailto:rmerrill@roadrunner.com">rmerrill@roadrunner.com</a>
Communications						
Richard Goedert				792 1696	796 6034	<a href="mailto:dgoedert@gmail.com">dgoedert@gmail.com</a>
Director of Community Services						
Rob York			792 7143			
TOQ CEMP	Annex 4		updated	Nov-18		

## **TOWN OF QUEENSBURY DEFINITIONS**

**Article 2B** - The section of New York State Executive Law that establishes NYS Disaster Preparedness Commission, gives authority to local governments for preparing their own Comprehensive Emergency Management Plans, and empowers local Chief Executives to act during an emergency.

**Section 24** – The section of Article 2-B of the NYS Executive Law that grants the Chief Executive of a municipality or his/her designee the power to declare a local state of emergency within his/her jurisdiction and to issue local emergency orders.

**CEO (Chief Executive Officer)** - The chief elected official of a municipality – the mayor of a city, village; the supervisor of a town; the county executive or the chairman of the governing body of a county and /or his/her designee.

**Continuity of Government** – Under Section 27 of Article 2 – B, the city, town, county or village shall by local law provide for its continuity by designating a line of succession for elective and appointed officers.

**Local Emergency Order** - An order issued by the Chief Executive official of a municipality that specifically limits or curtails actions or freedoms of the population or uses of facilities within a jurisdiction, in order to protect the health and safety of the public. It is also known as an executive order.

**Rescission** – A formal discontinuation of the declaration or order of a local state of emergency or local emergency order.

**State of Emergency** - A declaration by the Chief Executive Official or his/her designee of a city, county, town or village in which the jurisdiction is faced with an emergency or disaster that endangers the population and/or property of that jurisdiction and requires extraordinary resources to adequately respond.

**Emergency Management Planning Committee** - That group of individuals charged with the responsibility to identify hazards and specific hazard reduction actions, review and implementation of the plan periodically or after an event, and recommend and implement corrective actions.

**EOC Manager** – maintains and manages the Town EOC, facilitates coordination with other agencies like; Incident Command, Town response agencies, Town Supervisor, local government, county government, private agencies.

**Safety Officer** - An employee of the Town of Queensbury who is the facilitator of the CEMP committee and the activities of the CEMP, when the EOC is not active.

## ACRONYMS

<b>CEMP</b>	Comprehensive Emergency Management Plan
<b>CEO</b>	Chief Executive Official
<b>DHSES</b>	Division of Homeland Security and Emergency Services
<b>DOH</b>	Department of Health
<b>DOT</b>	Department of Transportation
<b>DPW</b>	Department of Public Works
<b>EAS</b>	Emergency Alert System
<b>EBS</b>	Emergency Broadcast System
<b>EMS</b>	Emergency Medical Services
<b>EOC</b>	Emergency Operations Center
<b>FEMA</b>	Federal Emergency Management Agency
<b>GFH</b>	Glens Falls Hospital
<b>HAZMAT</b>	Hazardous Materials
<b>HAZNY</b>	Hazard Analysis
<b>IC</b>	Incident Commander
<b>ICS</b>	Incident Command System

<b>NIMS</b>	National Incident Management System
<b>NWR</b>	National Weather Radio
<b>NYSOEM</b>	NY Office of Emergency Management
<b>NYSP</b>	NY State Police
<b>OES</b>	Office of Emergency Services (Warren County)
<b>PIO</b>	Public Information Officer
<b>SOEM</b>	State Office of Emergency Management
<b>WCSD</b>	Warren County Sheriff's Office

## NYS Executive Law Article 2-B

### § 20. Natural and man-made disasters; policy; definitions

#### 1. It shall be the policy of the state that:

a. local government and emergency service organizations continue their essential role as the first line of defense in times of disaster, and that the state provide appropriate supportive services to the extent necessary;

b. local chief executives take an active and personal role in the development and implementation of disaster preparedness programs and be vested with authority and responsibility in order to insure the success of such programs;

c. state and local natural disaster and emergency response functions be coordinated using recognized practices in incident management in order to bring the fullest protection and benefit to the people;

d. state resources be organized and prepared for immediate effective response to disasters which are beyond the capability of local governments and emergency service organizations; and

e. state and local plans, organizational arrangements, and response capability required to execute the provisions of this article shall at all times be the most effective that current circumstances and existing resources allow.

#### 2. As used in this article the following terms shall have the following meanings:

a. "disaster" means occurrence or imminent threat of wide spread or severe damage, injury, or loss of life or property resulting from any natural or man-made causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, terrorism, cyber event, blight, drought, infestation, explosion, radiological accident, nuclear, chemical, biological, or bacteriological release, water contamination, bridge failure or bridge collapse.

b. "state disaster emergency" means a period beginning with a declaration by the governor that a disaster exists and ending upon the termination thereof.

c. "municipality" means a public corporation as defined in subdivision one of section sixty-six of the general construction law and a special district as defined in subdivision sixteen of section one hundred two of the real property tax law.

d. "commission" means the disaster preparedness commission created pursuant to section twenty-one of this article.

e. "emergency services organization" means a public or private agency, voluntary organization or group organized and functioning for the purpose of providing fire, medical, ambulance, rescue, housing, food or other services directed toward relieving human suffering, injury or loss of life or damage to property as a result of an emergency, including non-profit and governmentally-supported organizations, but excluding governmental agencies.

f. "chief executive" means:

- (1) a county executive or manager of a county;
- (2) in a county not having a county executive or manager, the chairman or other presiding officer of the county legislative body;
- (3) a mayor of a city or village, except where a city or village has a manager, it shall mean such manager; and
- (4) a supervisor of a town, except where a town has a manager, it shall mean such manager.

g. "Disaster emergency response personnel" means agencies, public officers, employees, or affiliated volunteers having duties and responsibilities under or pursuant to a comprehensive emergency management plan.

h. "Emergency management director" means the government official responsible for emergency preparedness, response and recovery for a county, city, town, or village.

## NYS Executive Law Article 2-B

i. "incident management team" means a state certified team of trained personnel from different departments, organizations, agencies, and jurisdictions within the state, or a region of the state, activated to support and manage major and/or complex incidents requiring a significant number of local, regional, and state resources.

j. "executive level officer" means a state agency officer with the authority to deploy agency assets and resources and make decisions binding a state agency.

k. "third party non-state resources" means any contracted resource that is not owned or controlled by the state or a political subdivision including, but not limited to, ambulances, construction crews, or contractors.

### **§ 21. Disaster preparedness commission established; meetings; powers and duties**

1. There is hereby created in the executive department a disaster preparedness commission consisting of the commissioners of transportation, health, division of criminal justice services, education, social services, economic development, agriculture and markets, housing and community renewal, general services, labor, environmental conservation, mental health, parks, recreation and historic preservation, corrections and community supervision and children and family services, the president of the New York state energy research and development authority, the superintendents of state police, financial services, the secretary of state, the state fire administrator, the chair of the public service commission, the adjutant general, the directors of the offices within the division of homeland security and emergency services, the office of information technology services, and the office of victim services, the chairs of the thruway authority, the metropolitan transportation authority, the port authority of New York and New Jersey, the chief professional officer of the state coordinating chapter of the American Red Cross and three additional members, to be appointed by the governor, two of whom shall be chief executives. Each member agency may designate an officer of that agency, with responsibility for disaster preparedness matters, who may represent that agency on the commission. The commissioner of the division of homeland security and emergency services shall serve as chair of the commission, and the governor shall designate the vice chair of the commission. The members of the commission, except those who serve ex officio, shall be allowed their actual and necessary expenses incurred in the performance of their duties under this article but shall receive no additional compensation for services rendered pursuant to this article.

2. The commission, on call of the chairperson, shall meet at least twice each year and at such other times as may be necessary. The agenda and meeting place of all regular meetings shall be made available to the public in advance of such meetings and all such meetings shall be open to the public. The commission shall establish quorum requirements and other rules and procedures regarding conduct of its meetings and other affairs.

3. The commission shall have the following powers and responsibilities:

- a. study all aspects of man-made or natural disaster prevention, response and recovery;
- b. request and obtain from any state or local officer or agency any information necessary to the commission for the exercise of its responsibilities;
- c. prepare and, as appropriate, revise a state comprehensive emergency management plan. The commission shall report all revisions to such plan by March thirty-first of each year to the governor, the legislature and the chief judge of the state, unless a current version of the plan is available to the public on the website of the division of homeland security and emergency services. In preparing such plans, the commission shall consult with federal and local officials, emergency service organizations including both volunteer and commercial emergency response organizations, and the public as it deems appropriate. To the extent such plans impact upon administration of the civil and criminal justice systems of the state, including their operational and fiscal needs in times of disaster emergency, the commission, its staff and any working group, task force, agency or other instrumentality to which it may delegate responsibility to assist it in its duties shall consult with the chief administrator of the courts and coordinate their preparation with him or her or with his or her representatives;
- d. prepare, keep current and distribute to chief executives and others an inventory of programs directly relevant to prevention, minimization of damage, readiness, operations during disasters, and recovery following disasters;
- e. direct state disaster operations and coordinate state disaster operations with local disaster operations following the declaration of a state disaster emergency;

## NYS Executive Law Article 2-B

f. (1) unless it deems it unnecessary, create, following the declaration of a state disaster emergency, a temporary organization in the disaster area to provide for integration and coordination of efforts among the various federal, state, municipal and private agencies involved. The commission, upon a request from a municipality and with the approval of the governor, shall direct the temporary organization to assume direction of the local disaster operations of such municipality, for a specified period of time not to exceed thirty days, and in such cases such temporary organization shall assume direction of such local disaster operations, subject to the supervision of the commission. Upon the expiration of the thirty day period the commission, at the request of the municipality, may extend the temporary organization's direction of such local disaster operations for additional periods not to exceed thirty days. The commission, upon a finding that a municipality is unable to manage local disaster operations, may, with the approval of the governor, direct the temporary organization to assume direction of the local disaster operations of such municipality, for a specified period of time not to exceed thirty days, and in such cases such temporary organization shall assume direction of such local disaster operations, subject to the supervision of the commission. Upon expiration of the thirty day period the commission, after consultation with the municipality, and with the approval of the governor, may extend the temporary organization's direction of such local disaster operations for additional periods not to exceed thirty days. In such event, such temporary organization may utilize such municipality's local resources, provided, however, that the state shall not be liable for any expenses incurred in using such municipality's resources. The state shall not be liable for the expenses incurred in using third party, non-state resources deployed to the affected area by the temporary organization, which are necessary to protect life and safety;

(2) The state incident management team shall have the authority to act as the operational arm of the temporary organization. When called to duty and deployed by the state, members of any state or local incident management team shall be deemed temporary employees of the state and shall have the same privileges and immunities afforded to regular state employees, subject to the rules and regulations promulgated by the president of the state civil service commission pursuant to section one hundred sixty-three of the civil service law;

g. assist in the coordination of federal recovery efforts and coordinate recovery assistance by state and private agencies;

h. provide for periodic briefings, drills, exercises or other means to assure that all state personnel with direct responsibilities in the event of a disaster are fully familiar with response and recovery plans and the manner in which they shall carry out their responsibilities, and coordinate with federal, local or other state personnel. Such activities may take place on a regional or county basis, and local and federal participation shall be invited and encouraged;

i. submit to the governor, the legislature and the chief judge of the state by March thirty-first of each year an annual report which shall include but need not be limited to:

(1) a summary of commission and state agency activities for the year and plans for the ensuing year with respect to the duties and responsibilities of the commission;

(2) recommendations on ways to improve state and local capability to prevent, prepare for, respond to and recover from disasters;

(3) the status of the state and local plans for disaster preparedness and response, including the name of any locality which has failed or refused to develop and implement its own disaster preparedness plan and program; and the extent to which all forms of local emergency response assets have been included, and accounted for in planning and preparation for disaster preparedness and response; and

j. develop public service announcements to be distributed to television and radio stations and other media throughout the state informing the public how to prepare and respond to disasters. Such public service announcements shall be distributed in English and such other languages as such commission deems appropriate.

k. [Redesignated]

4. All powers of the state civil defense commission are assigned to the commission.

5. The state office of emergency management within the division of homeland security and emergency services shall serve as the operational arm of the commission and shall be responsible for implementing provisions of this article and the rules and policies adopted by the commission. The director of the state office of emergency management within the division of homeland security and emergency services shall exercise the authority given to the disaster preparedness commission in section twenty-nine of this article, to coordinate and direct state agencies

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and assets in response to a state disaster emergency, through their respective agency heads, on behalf of the governor and the chair of the disaster preparedness commission, when the governor, the lieutenant governor, and the chair of the disaster preparedness commission are incapacitated or without an available means of reliable communication with the state office of emergency management. If the director of the state office of emergency management is unable to exercise this authority, then the executive deputy commissioner of the division of homeland security and emergency services shall act in this capacity. In the event that the executive deputy commissioner is unable to exercise this authority, then such authority shall be exercised by the official willing and able to do so in the following order: the superintendent of the division of state police; the state fire administrator; or the director of the office of counterterrorism within the division of homeland security and emergency services. Nothing in this subdivision shall be construed to limit the authority of the governor, lieutenant governor, or the chair of the disaster preparedness commission to oversee the director of the state office of emergency management within the division of homeland security and emergency services or any official exercising authority given to the disaster preparedness commission in section twenty-nine of this article.

### § 22. State disaster preparedness plans

1. The commission shall prepare a state disaster preparedness plan and submit such plan to the governor for approval no later than one year following the effective date of this act. The governor shall act upon such plan by July first of that year. The commission shall review such plans annually.
2. The purpose of such plans shall be to minimize the effects of disasters by: (i) identifying appropriate measures to prevent disasters, (ii) developing mechanisms to coordinate the use of resources and manpower for service during and after disaster emergencies and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) provide for recovery and redevelopment after disaster emergencies.
3. Such plans shall be prepared with such assistance from other agencies as the commission deems necessary, and shall include, but not be limited to:
  - a. Disaster prevention and mitigation. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:
    - (1) identification of hazards and assessment of risk;
    - (2) recommended disaster prevention and mitigation projects, policies, priorities and programs, with suggested implementation schedules, which outline federal, state and local roles;
    - (3) suggested revisions and additions to building and safety codes, and zoning and other land use programs;
    - (4) suggested ways in which state agencies can provide technical assistance to municipalities in the development of local disaster prevention and mitigation plans and programs;
    - (5) such other measures as reasonably can be taken to protect lives, prevent disasters, and reduce the impact of disasters.
  - b. Disaster response. Plans to coordinate the use of resources and manpower for service during and after disaster emergencies and to deliver services to aid citizens and reduce human suffering resulting from a disaster emergency shall include, but not be limited to:
    - (1) coordination of resources, manpower and services, using recognized practices in incident management and utilizing existing organizations and lines of authority and centralized direction of requests for assistance;
    - (2) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution, disposal or use of materials, including those donated, and facilities and services;
    - (3) a system for warning populations who are or may be endangered;
    - (4) arrangements for activating state, municipal and volunteer forces, through normal chains of command so far as possible and for continued communication and reporting;
    - (5) a specific plan for rapid and efficient communication, and for the integration of state communication facilities during a state disaster emergency, including the assignment of responsibilities and the establishment of communication priorities, and liaison with municipal, private and federal communication facilities;

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- (6) a plan for coordinated evacuation procedures, including the establishment of temporary housing and other necessary facilities;
- (7) criteria for establishing priorities with respect to the restoration of vital services and debris removal;
- (8) plans for the continued effective operation of the civil and criminal justice systems;
- (9) provisions for training state and local government personnel and volunteers in disaster response operations;
- (10) providing information to the public;
- (11) care for the injured and needy and identification and disposition of the dead;
- (12) utilization and coordination of programs to assist victims of disasters, with particular attention to the needs of the poor, the elderly, individuals with disabilities and other groups which may be especially affected;
- (13) control of ingress and egress to and from a disaster area;
- (14) arrangements to administer federal disaster assistance;
- (15) a system for obtaining and coordinating situational awareness including the centralized assessment of disaster effects and resultant needs; and
- (16) utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with particular attention to means of evacuation, shelter and transportation options.

c. Recovery. Plans to provide for recovery and redevelopment after disaster emergencies shall include, but not be limited to:

- (1) measures to coordinate state agency assistance in recovery efforts;
- (2) arrangements to administer federal recovery assistance; and
- (3) such other measures as reasonably can be taken to assist in the development and implementation of local disaster recovery plans.

### § 23. Local comprehensive emergency management plans

1. Each county, except those contained within the city of New York, and each city, town and village is authorized to prepare comprehensive emergency management plans. The disaster preparedness commission shall provide assistance and advice for the development of such plans. City, town and village plans shall be coordinated with the county plan.

2. The purpose of such plans shall be to minimize the effect of disasters by (i) identifying appropriate local measures to prevent disasters, (ii) developing mechanisms to coordinate the use of local resources and manpower for service during and after disasters and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) providing for recovery and redevelopment after disasters.

3. Plans for coordination of resources, manpower and services shall provide for a centralized coordination and direction of requests for assistance.

4. Plans for coordination of assistance shall provide for utilization of existing organizations and lines of authority.

5. In preparing such plans, cooperation, advice and assistance shall be sought from local government officials, regional and local planning agencies, police agencies, fire departments and fire companies, local emergency management agencies, commercial and volunteer ambulance services, health and social services officials, community action agencies, the chief administrator of the courts, organizations for the elderly and the handicapped, other interested groups and the general public. Such advice and assistance may be obtained through public hearings held on public notice, or through other appropriate methods.

6. All plans for comprehensive emergency management developed by local governments or any revisions thereto shall be submitted to the commission by December thirty-first of each year to facilitate state coordination of disaster operations.

7. Such plans shall include, but not be limited to:

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a. Disaster prevention and mitigation. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:

- (1) identification of hazards and assessment of risk;
- (2) recommended disaster prevention and mitigation projects, policies, priorities and programs, with suggested implementation schedules, which outline federal, state and local roles;
- (3) suggested revisions and additions to building and safety codes and zoning and other land use programs;
- (4) such other measures as reasonably can be taken to protect lives, prevent disasters, and reduce their impact.

b. Disaster response. Plans to coordinate the use of resources and manpower for service during and after disasters and to deliver services to aid citizens and reduce human suffering resulting from a disaster shall include, but not be limited to:

- (1) coordination of resources, manpower and services, using recognized practices in incident management, utilizing existing organizations and lines of authority and centralized direction of requests for assistance;
- (2) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution, disposal or use of materials, including those donated, and facilities and services which may be required in time of disaster;
- (3) a system for warning populations who are or may be endangered;
- (4) arrangements for activating municipal and volunteer forces, through normal chains of command so far as possible, and for continued communication and reporting;
- (5) a specific plan for rapid and efficient communication and for the integration of local communication facilities during a disaster including the assignment of responsibilities and the establishment of communication priorities and liaison with municipal, private, state and federal communication facilities;
- (6) a plan for coordination evacuation procedures including the establishment of temporary housing and other necessary facilities;
- (7) criteria for establishing priorities with respect to the restoration of vital services and debris removal;
- (8) plans for the continued effective operation of the civil and criminal justice systems;
- (9) provisions for training local government personnel and volunteers in disaster response operations;
- (10) providing information to the public;
- (11) care for the injured and needy and identification and disposition of the dead;
- (12) utilization and coordination of programs to assist victims of disasters, with particular attention to the needs of the poor, the elderly, individuals with disabilities and other groups which may be especially affected;
- (13) control of ingress and egress to and from a disaster area;
- (14) arrangements to administer state and federal disaster assistance;
- (15) procedures under which the county, city, town, village or other political subdivision and emergency organization personnel and resources will be used in the event of a disaster;
- (16) a system for obtaining and coordinating disaster information including the centralized assessment of local disaster effects and resultant needs;
- (17) continued operation of governments of political subdivisions; and
- (18) utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with particular attention to means of evacuation, shelter and transportation options.

c. Recovery. Local plans to provide for recovery and redevelopment after disasters shall include, but not be limited to:

- (1) recommendations for replacement, reconstruction, removal or relocation of damaged or destroyed public or private facilities, proposed new or amendments to zoning, subdivision, building, sanitary or fire prevention regulations and recommendations for economic development and community development in order to minimize the impact of any potential future disasters on the community.
- (2) provision for cooperation with state and federal agencies in recovery efforts.
- (3) provisions for training and educating local disaster officials or organizations in the preparation of applications for federal and state disaster recovery assistance.

### § 23-a. County registry of disabled persons; notice

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1. In each county having a local disaster preparedness plan pursuant to section twenty-three of this article, in order to meet the special needs of persons who would need assistance during evacuations and sheltering because of physical or mental handicaps, it is recommended that each chief executive maintain a registry of disabled persons located within the county. The registration shall identify those persons in need of assistance and plan for resource allocation to meet those identified needs. To assist the chief executive in identifying such persons, the county department of health, or such other county department or agency as designated by the chief executive, shall provide voluntary registration information to all of its special needs clients and to all incoming clients as part of the intake process. The registry shall be updated annually. The registration program shall give disabled persons the option of pre-authorizing emergency response personnel to enter their homes during search and rescue operations if necessary to assure their safety and welfare during disasters.

2. Upon the establishment of a voluntary registry of disabled persons as provided in subdivision one of this section, the chief executive shall make such registry available to the appropriate county, state and federal agencies for their use in delivering services in the event of a local or state disaster. The chief executive shall, upon the request of the state emergency management office, provide such registry information to such office. The chief executive may, at his discretion, use the registry information for local disaster preparedness only in coordination with other political subdivisions of the state.

3. Upon the establishment of a voluntary registry of disabled persons as provided in subdivision one of this section, at least semi-annually, each chief executive shall cause to be published in a newspaper of general circulation within the county a notice of the availability of the voluntary registration program.

4. All records, data, information, correspondence and communications relating to the registration of disabled persons as provided in subdivision one of this section are confidential, except that such information shall be available to other county chief executives for local disaster preparedness only as the chief executive of the county maintaining such registry deems necessary. Provided, however, the individual file of a person having registered with the registry of disabled persons shall be made available to that person upon request.

5. All community-based services providers, including home health care providers, shall assist the chief executive by collecting registration information for people with special needs as part of program intake processes, establishing programs to increase the awareness of the registration process, and educating clients about the procedures that may be necessary for their safety during disasters.

6. A county shall not be liable for any claim based upon the good faith exercise or performance or the good faith failure to exercise or perform a function or duty on the part of any officer or employee in carrying out a local disaster preparedness plan.

### **§ 23-b. Nursing home and assisted living facility plans**

1. After consultation with the commissioner of health, the director of the office for the aging, and the director of the state office of homeland security, the commission shall establish standards for nursing homes, adult homes, enriched housing programs and assisted living residences regarding disaster preparedness.

2. Each such facility shall be assisted in the establishment of a disaster preparedness plan. The plan shall include, but not be limited to, the following:

(a) Maintaining a supply of food, water and to the extent deemed necessary and feasible in the reasonable judgment of the operator of the facility, medication in reserve in the event that obtaining such items should become difficult or impossible.

(b) In the reasonable judgment of the facility, having access to a generator or generators sufficient to supply electrical power to the facility.

(c) Establishing an evacuation plan for residents including an alternative site suitable for temporary use.

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(d) Establishing staffing plans during a disaster.

3. Such plans shall be made available to the county emergency management office.

4. Nothing in this section shall be deemed to modify or override any requirements in regulations duly promulgated by a state agency, or to limit any lawful authority of a state agency to promulgate regulations, with respect to disaster preparedness of such facilities, the contents of their disaster preparedness plans or the process for approval of those plans.

### **§ 23-c. [Eff Feb 22, 2010] Consistency among local disaster preparedness plans**

1. The local disaster preparedness plans for each county, city, town, or village shall be so developed that no part of the local disaster preparedness plan of any county or any city, town, or village within such county conflicts with any part of the local disaster preparedness plan of any of the other said entities within such county or such county itself. In the event of any such conflict, such conflict shall be resolved by such county. The provisions of this subdivision shall not apply to a city wholly containing more than one county or to any county wholly contained within any such city.

2. In the event that any part of the local disaster preparedness plan of any county or any city, town, or village within such county conflicts with any part of the local disaster preparedness plan of any other county or any city, town, or village within any such other county, such conflict shall be resolved by the state emergency management office, as defined in paragraph (e) of subdivision one of section twenty-nine-e of this article. The provisions of this subdivision shall not apply to any county wholly contained within a city wholly containing more than one county. Any city wholly containing more than one county shall be subject to the provisions of this subdivision as if it were a county.

3. Said state emergency management office is hereby authorized and directed to promulgate any rules or regulations or take any other measures necessary to effectuate the provisions of this section.

### **§ 24. Local state of emergency; local emergency orders by chief executive**

1. Notwithstanding any inconsistent provision of law, general or special, in the event of a disaster, rioting, catastrophe, or similar public emergency within the territorial limits of any county, city, town or village, or in the event of reasonable apprehension of immediate danger thereof, and upon a finding by the chief executive thereof that the public safety is imperiled thereby, such chief executive may proclaim a local state of emergency within any part or all of the territorial limits of such local government; provided, however, that in the event of a radiological accident as defined in section twenty-nine-c of this article, such chief executive may request of the governor a declaration of disaster emergency. Such proclamation shall remain in effect for a period not to exceed thirty days or until rescinded by the chief executive, whichever occurs first. The chief executive may issue additional proclamations to extend the state of emergency for additional periods not to exceed thirty days. Following such proclamation and during the continuance of such local state of emergency, the chief executive may promulgate local emergency orders to protect life and property or to bring the emergency situation under control. As illustration, such orders may, within any part or all of the territorial limits of such local government, provide for:

- a. the establishment of a curfew and the prohibition and control of pedestrian and vehicular traffic, except essential emergency vehicles and personnel;
- b. the designation of specific zones within which the occupancy and use of buildings and the ingress and egress of vehicles and persons may be prohibited or regulated;
- c. the regulation and closing of places of amusement and assembly;
- d. the suspension or limitation of the sale, dispensing, use or transportation of alcoholic beverages, firearms, explosives, and flammable materials and liquids;
- e. the prohibition and control of the presence of persons on public streets and places;
- f. the establishment or designation of emergency shelters, emergency medical shelters, and in consultation with the state commissioner of health, community based care centers;

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g. the suspension within any part or all of its territorial limits of any of its local laws, ordinances or regulations, or parts thereof subject to federal and state constitutional, statutory and regulatory limitations, which may prevent, hinder, or delay necessary action in coping with a disaster or recovery therefrom whenever (1) a request has been made pursuant to subdivision seven of this section, or (2) whenever the governor has declared a state disaster emergency pursuant to section twenty-eight of this article. Suspension of any local law, ordinance or regulation pursuant to this paragraph shall be subject to the following standards and limits:

- (i) no suspension shall be made for a period in excess of five days, provided, however, that upon reconsideration of all the relevant facts and circumstances, a suspension may be extended for additional periods not to exceed five days each during the pendency of the state of emergency;
- (ii) no suspension shall be made which does not safeguard the health and welfare of the public and which is not reasonably necessary to the disaster effort;
- (iii) any such suspension order shall specify the local law, ordinance or regulation, or part thereof suspended and the terms and conditions of the suspension;
- (iv) the order may provide for such suspension only under particular circumstances, and may provide for the alteration or modification of the requirements of such local law, ordinance or regulation suspended, and may include other terms and conditions;
- (v) any such suspension order shall provide for the minimum deviation from the requirements of the local law, ordinance or regulation suspended consistent with the disaster action deemed necessary; and
- (vi) when practicable, specialists shall be assigned to assist with the related emergency actions to avoid adverse effects resulting from such suspension.

2. A local emergency order shall be effective from the time and in the manner prescribed in the order and shall be published as soon as practicable in a newspaper of general circulation in the area affected by such order and transmitted to the radio and television media for publication and broadcast. Such orders may be amended, modified and rescinded by the chief executive during the pendency or existence of the state of emergency. Such orders shall cease to be in effect five days after promulgation or upon declaration by the chief executive that the state of emergency no longer exists, whichever occurs sooner. The chief executive nevertheless, may extend such orders for additional periods not to exceed five days each during the pendency of the local state of emergency.

3. The proclamation of a local state of emergency and local emergency orders of a chief executive of a county shall be executed in quadruplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of the governing board of the county, the office of the county clerk, the office of the secretary of state and the state office of emergency management within the division of homeland security and emergency services. The proclamation of a local state of emergency and local emergency orders of a chief executive of a city, town or village shall be executed in quadruplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of such municipal corporation, the office of the county clerk, the office of the secretary of state and the state office of emergency management within the division of homeland security and emergency services.

4. Nothing in this section shall be deemed to limit the power of any local government to confer upon its chief executive any additional duties or responsibilities deemed appropriate.

5. Any person who knowingly violates any local emergency order of a chief executive promulgated pursuant to this section is guilty of a class B misdemeanor.

6. Whenever a local state of emergency is declared by the chief executive of a local government pursuant to this section, the chief executive of the county in which such local state of emergency is declared, or where a county is wholly contained within a city, the mayor of such city, may request the governor to remove all or any number of sentenced inmates from institutions maintained by such county in accordance with section ninety-three of the correction law.

7. Whenever a local state of emergency has been declared pursuant to this section, the chief executive of the county in which the local state of emergency has been declared, or where a county is wholly contained within a

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city, the chief executive of the city, may request the governor to provide assistance under this chapter, provided that such chief executive determines that the disaster is beyond the capacity of local government to meet adequately and state assistance is necessary to supplement local efforts to save lives and to protect property, public health and safety, or to avert or lessen the threat of a disaster.

8. The legislature may terminate by concurrent resolution, such emergency orders at any time.

### **§ 25. Use of local government resources in a disaster**

1. Upon the threat or occurrence of a disaster, the chief executive of any political subdivision is hereby authorized and empowered to and shall use any and all facilities, equipment, supplies, personnel and other resources of his political subdivision in such manner as may be necessary or appropriate to cope with the disaster or any emergency resulting therefrom.

2. Upon the threat or occurrence of a disaster, a chief executive may request and accept assistance which is coordinated and directed by the county chief executive as provided in section twenty-six of this article.

3. A chief executive may also request and accept assistance from any other political subdivision and may receive therefrom and utilize any real or personal property or the service of any personnel thereof on such terms and conditions as may be mutually agreed to by the chief executives of the requesting and assisting political subdivisions.

4. Upon the receipt of a request for assistance made pursuant to subdivision two or three of this section, the chief executive of any political subdivision may give, lend or lease, on such terms and conditions as he may deem necessary to promote the public welfare and protect the interests of such political subdivision, any services, equipment, facilities, supplies or other resources of his political subdivision. Any lease or loan of real or personal property pursuant to this subdivision, or any transfer of personnel pursuant hereto, shall be only for the purpose of assisting a political subdivision in emergency relief, reconstruction, or rehabilitation made necessary by the disaster.

5. A political subdivision shall not be liable for any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of any officer or employee in carrying out the provisions of this section.

6. The chief executive, when requesting assistance pursuant to this section may request assistance from the civil defense and disaster preparedness forces of any other political subdivision, but only if the civil defense and disaster preparedness forces of the type being requested have already been activated within the political subdivisions requesting assistance. The chief executive of any political subdivision receiving such a request is hereby authorized and empowered, subject to the provisions of section twenty-six of this article, to respond thereto.

7. Any power or authority conferred upon any political subdivision by this section shall be in addition to and not in substitution for or limitation of any powers or authority otherwise vested in such subdivision or any officer thereof.

### **§ 26. Coordination of local disaster preparedness forces and local civil defense forces in disasters**

1. Upon the threat or occurrence of a disaster, the chief executive of a county may coordinate responses for requests for assistance made by the chief executive of any political subdivision within the county.

2. Coordination of assistance shall utilize existing organizations and lines of authority and shall utilize any comprehensive emergency management plans prepared by the affected municipality.

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3. A chief executive or any elected or appointed county, city, town or village official shall not be held responsible for acts or omissions of municipal employees, disaster preparedness forces or civil defense forces when performing disaster assistance pursuant to a declared disaster emergency or when exercising comprehensive emergency management plans.

### **§ 27. Continuity of local governments**

1. Every county, except those wholly contained within a city, every city, every town and every village shall have power to provide by local law, and every other public corporation, district corporation or public benefit corporation shall have power to provide by resolution, for its continuity and that of its elective and appointive officers, including members of its legislative or governing body when, in the event of a disaster and the emergency conditions caused thereby, any of such officers is unable to discharge the powers and duties of his office or is absent from the political subdivision. In any such local law or resolution, provision may be made that the removal of a disability or the termination of an absence from the political subdivision of an officer higher on a list or order of succession provided therein to an office shall not terminate the service in such office of an individual lower on such list or order of succession who is temporarily filling such office. Notwithstanding the provisions of any general or special law or city or village charter, a local law or resolution adopted pursuant to this section may be made effective without approval at a mandatory or permissive referendum but in no case shall such local law or resolution become effective until one certified copy thereof has been filed with the clerk of the political subdivision or other appropriate official designated for such purpose by the respective legislative or governing body, one certified copy thereof has been filed in the office of the state comptroller and three certified copies thereof have been filed in the office of the secretary of state.

No provision of this subdivision shall be construed or interpreted as affecting the validity of any ordinance, local law or resolution enacted prior to April first, nineteen hundred seventy-nine or actions taken thereunder by the government of any county, city, town or village.

2. The provisions of this section shall not be applicable in any case where the continuity of the government of a political subdivision or that of any of its elective or appointive officers is otherwise provided for by or pursuant to law.

3. This section shall be construed liberally. The powers herein granted shall be in addition to and not in substitution of any power granted, procedure provided or provision made in any other law.

### **§ 28. State declaration of disaster emergency**

1. Whenever the governor, on his own initiative or pursuant to a request from one or more chief executives, finds that a disaster has occurred or may be imminent for which local governments are unable to respond adequately, he shall declare a disaster emergency by executive order.

2. Upon declaration of a disaster arising from a radiological accident, the governor or his designee, shall direct one or more chief executives and emergency services organizations to:

(a) notify the public that an emergency exists; and

(b) take appropriate protective actions pursuant to the radiological emergency preparedness plan approved pursuant to sections twenty-two and twenty-three of this article. The governor, or his designee, shall also have authority to direct that other actions be taken by such chief executives pursuant to their authority under section twenty-four of this article.

3. The executive order shall include a description of the disaster, and the affected area. Such order or orders shall remain in effect for a period not to exceed six months or until rescinded by the governor, whichever occurs first.

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The governor may issue additional orders to extend the state disaster emergency for additional periods not to exceed six months.

4. Whenever the governor shall find that a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected jurisdictions, he shall make an appropriate request for federal assistance available under federal law, and may make available out of any funds provided under the governmental emergency fund or such other funds as may be available, sufficient funds to provide the required state share of grants made under any federal program for meeting disaster related expenses including those available to individuals and families.

### **§ 28-a. Post disaster recovery planning**

1. Whenever a state disaster emergency has been declared any county, city, town or village included in such disaster area shall prepare a local recovery and redevelopment plan, unless the legislative body of the municipality shall determine such plan to be unnecessary or impractical. Prior to making such determination, the municipality shall notify the commission of its intent to forego preparation and provide an opportunity to comment to the commission. Within fifteen days after the declaration of a state disaster, any county, city, town or village included in such disaster area shall report to the commission whether the preparation of a recovery and redevelopment plan has been commenced, and if not, the reasons for not preparing such plan. Within sixty days after the declaration of a state disaster, the commission shall report to the governor and the legislature the status of local recovery and redevelopment plans, including the name of any municipality which has failed or refused to commence the development of a recovery and redevelopment plan.

2. The commission shall provide technical assistance in the development of such plans upon the request of such county, city, town or village.

3. A local recovery and redevelopment plan shall include, but need not be limited to: plans for replacement, reconstruction, removal or relocation of damaged or destroyed facilities; proposed new or amended regulations such as zoning, subdivision, building or sanitary ordinances and codes; and plans for economic recovery and community development. Such plans shall take into account and to the extent practicable incorporate relevant existing plans and policies and such plans shall take into account the need to minimize the potential impact of any future disasters on the community.

4. Proposed plans shall be presented at a public hearing upon five days notice published in a newspaper of general circulation in the area affected and transmitted to the radio and television media for publication and broadcast. Such notice shall state the time and place of the hearing and indicate where copies of the proposed plan may be inspected or obtained. Any county, city, town, or village preparing a recovery and redevelopment plan pursuant to this subdivision may, upon mutual agreement with any other such county, city, town or village, hold a joint hearing to consider such recovery and redevelopment plan.

5. Such plans shall be prepared within forty-five days after the declaration of a state disaster and shall be transmitted to the commission. The commission shall provide its comments on the plan within ten days after receiving such plan.

6. A plan shall be adopted by such county, city, town or village within ten days after receiving the comments of the commission. The adopted plan may be amended at any time in the same manner as originally prepared, revised and adopted.

7. The adopted plan shall be the official policy for recovery and redevelopment within the municipality.

8. Nothing in this section shall preclude any municipality from applying for or accepting and receiving any federal funds.

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### § 29. Direction of state agency assistance in a disaster emergency

Upon the declaration of a state disaster emergency the governor may direct any and all agencies of the state government to provide assistance under the coordination of the disaster preparedness commission. Such state assistance may include: (1) utilizing, lending, or giving to political subdivisions, with or without compensation therefor, equipment, supplies, facilities, services of state personnel, and other resources, other than the extension of credit; (2) distributing medicine, medical supplies, food and other consumable supplies through any public or private agency authorized to distribute the same; (3) performing on public or private lands temporary emergency work essential for the protection of public health and safety, clearing debris and wreckage, making emergency repairs to and temporary replacements of public facilities of political subdivisions damaged or destroyed as a result of such disaster; and (4) making such other use of their facilities, equipment, supplies and personnel as may be necessary to assist in coping with the disaster or any emergency resulting therefrom.

#### § 29-a. Suspension of other laws

1. Subject to the state constitution, the federal constitution and federal statutes and regulations, the governor may by executive order temporarily suspend specific provisions of any statute, local law, ordinance, or orders, rules or regulations, or parts thereof, of any agency during a state disaster emergency, if compliance with such provisions would prevent, hinder, or delay action necessary to cope with the disaster.

2. Suspensions pursuant to subdivision one of this section shall be subject to the following standards and limits:

a. no suspension shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all of the relevant facts and circumstances, the governor may extend the suspension for additional periods not to exceed thirty days each;

b. no suspension shall be made which does not safeguard the health and welfare of the public and which is not reasonably necessary to the disaster effort;

c. any such suspension order shall specify the statute, local law, ordinance, order, rule or regulation or part thereof to be suspended and the terms and conditions of the suspension;

d. the order may provide for such suspension only under particular circumstances, and may provide for the alteration or modification of the requirements of such statute, local law, ordinance, order, rule or regulation suspended, and may include other terms and conditions;

e. any such suspension order shall provide for the minimum deviation from the requirements of the statute, local law, ordinance, order, rule or regulation suspended consistent with the disaster action deemed necessary; and

f. when practicable, specialists shall be assigned to assist with the related emergency actions to avoid needless adverse effects resulting from such suspension.

3. Such suspensions shall be effective from the time and in the manner prescribed in such orders and shall be published as soon as practicable in the state bulletin.

4. The legislature may terminate by concurrent resolution executive orders issued under this section at any time.

#### § 29-b. Use of disaster emergency response personnel in disasters.

1. The governor may, in his or her discretion, direct the state disaster preparedness commission to conduct an emergency exercise or drill, under its direction, in which all or any of the personnel and resources of the agencies of the commission of the state may be utilized to perform the duties assigned to them in a disaster, for the purpose of protecting and preserving human life or property in a disaster. During a disaster or such drill or

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exercise, disaster emergency response personnel in the state shall operate under the direction and command of the chair of such commission, and shall possess the same powers, duties, rights, privileges and immunities as are applicable in a civil defense drill held at the direction of the state civil defense commission under the provisions of the New York state defense emergency act.

### 2. Local use of disaster emergency response personnel.

a. Upon the threat or occurrence of a disaster, and during and immediately following the same, and except as otherwise provided in paragraph d of this subdivision, the county chief executive may direct the emergency management director of a county to assist in the protection and preservation of human life or property by calling upon disaster emergency response personnel employed by or supporting that county, as specified in the county comprehensive emergency management plan, to perform the emergency response duties assigned to them.

b. The disaster emergency response personnel of the county shall be regarded as a reserve disaster force to be activated, in whole or in part, by the county emergency management director upon the direction of the county chief executive when the county chief executive, in his or her discretion, is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance are insufficient adequately to cope with the disaster.

c. Except as provided in paragraph d of this subdivision, the county chief executive may exercise the power conferred upon him in paragraph a of this subdivision, or may deactivate the disaster emergency response personnel of the county in whole or in part, on his own motion or upon the request of the chief executive officer of a village, town or city located within the county of which he is an officer.

d. Where the local office of public safety or emergency management in a city is independent of the county office of public safety or emergency management and is not consolidated therewith, the county chief executive may direct the emergency management director of the county to render assistance within such city only when the chief executive officer of such city has certified to him that the disaster emergency response personnel of the city have been activated pursuant to the provisions of subdivision three of this section and that all resources available locally are insufficient adequately to cope with the disaster.

e. When performing disaster assistance pursuant to this section, county disaster emergency response personnel shall operate under the direction and command of the county emergency management director and his or her duly authorized deputies, and shall possess the same powers, duties, rights, privileges and immunities they would possess when performing their duties in a locally sponsored civil defense drill or training exercise in the civil or political subdivision in which they are enrolled, employed or assigned emergency response responsibilities.

f. The chief executive officer of a city shall be responsible for the conduct of disaster operations within the city, including the operations directed by the county emergency management director when rendering disaster assistance within a city pursuant to this section.

g. Outside of a city, the sheriff of the county, and in Nassau county the commissioner of police of the county of Nassau, shall supervise the operations of the emergency management director when rendering peace officer duties incident to disaster assistance. The sheriff and such commissioner may delegate such supervisory power to an elected or appointed town or village official in the area affected.

h. Neither the chief executive officer of a city, nor the county chief executive, nor any elected or appointed town or village official to whom the county chief executive has delegated supervisory power as aforesaid shall be held responsible for acts or omissions of disaster emergency response personnel when performing disaster assistance.

### 3. City use of disaster emergency response personnel.

a. Upon the threat or occurrence of a disaster, and during and immediately following the same, and except as

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otherwise provided in paragraph d of this subdivision, the chief executive of a city may direct the emergency management director of the city to assist in the protection and preservation of human life or property by calling upon city disaster emergency response personnel to perform the emergency response duties assigned to them.

b. The disaster emergency response personnel of the city shall be regarded as a reserve disaster force to be activated, in whole or in part, by the city emergency management director upon the direction of the chief executive officer of the city when the latter, in his or her discretion, is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance are insufficient adequately to cope with the disaster.

c. Except as provided in paragraph d of this subdivision, the chief executive officer of a city may exercise the power conferred upon him in paragraph a of this subdivision, or may deactivate the disaster emergency response personnel of the city in whole or in part, on his own motion or upon the request of the head of the city police force.

d. Where the local office of emergency management in a city is under the jurisdiction of a consolidated county office of civil defense as provided in the New York state defense emergency act, the chief executive officer of such city seeking the assistance of disaster emergency response personnel in the protection and preservation of human life or property within such city because of such disaster, must request the same from the county chief executive in which such city is located, in the same manner as provided for assistance to towns and villages in subdivision two of this section.

e. When performing disaster assistance pursuant to this subdivision, disaster emergency response personnel shall operate under the direction and command of the city emergency management director and his or her duly authorized deputies, and shall possess the same powers, duties, rights, privileges, and immunities they would possess when performing their duties in a locally sponsored civil defense drill or training exercise in the city in which they are enrolled, employed or assigned emergency response responsibilities.

f. Where the city disaster emergency response personnel have been directed to assist in local disaster operations pursuant to paragraph a of this subdivision, and the chief executive officer of the city is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance, including local disaster emergency response personnel, are insufficient adequately to cope with the disaster, he or she may certify the fact to the county chief executive and request the county chief executive to direct the county emergency management director to render assistance in the city, as provided in subdivision two of this section.

g. The chief executive officer of a city shall be responsible for the conduct of disaster operations within the city, including the operations directed by the county emergency management director, when rendering disaster assistance within a city pursuant to this subdivision.

h. Neither the chief executive officer of a city, nor the county chief executive, shall be held responsible for acts or omissions of disaster emergency response personnel when performing disaster assistance.

### § 29-c. Radiological preparedness

#### 1. The commission:

(a) may monitor directly and record the off-site presence of radioactive material in the vicinity of nuclear electric generating facilities located in the state of New York;

(b) shall obtain from the licensees, United States nuclear regulatory commission-required high range radiation, temperature and pressure levels in the containment buildings and in the containment building vents of nuclear electric generating facilities located in the state of New York; and,

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(c) shall obtain, subject to the approval of the United States nuclear regulatory commission, any reactor data provided by the licensee to the United States nuclear regulatory commission, which the disaster preparedness commission determines, as a result of the report issued pursuant to section twenty-nine-d of this article, to be a reliable indicator of a possible radiological accident.

Upon the occurrence of a radiological accident, the commission shall promptly provide appropriate and available radioactivity monitoring data to any chief executive who requests it. For the purposes of this section, the term "radiological accident" shall be limited to a radiological accident occurring at a nuclear electric generating facility.

2. (a) Any licensee of the United States nuclear regulatory commission for a nuclear electric generating facility shall be liable for an annual fee to support state and local governmental responsibilities under accepted radiological emergency preparedness plans related to the facility operated by such licensee.

(b) The amount of such fee shall be one million dollars. Such fee, which shall be payable to the commission on or before December first, shall be expended or distributed only by appropriation.

3. Such fees shall be expended by the commission for purposes of supporting state and local government responsibilities under accepted radiological emergency preparedness plans, including:

(a) purchase, installation, maintenance and operation of equipment used by the commission and local governments to monitor and record the potential and actual presence of radioactive materials within the appropriate planning radius from a nuclear electric generating facility;

(b) purchase, storage and distribution by the commission of equipment, drugs or other material for the purpose of protecting public health and safety;

(c) personal service, administrative costs and contractual services;

(d) emergency services personnel training and the plans, development, implementation, testing and revisions; and,

(e) the state or local share when applying for matching funds.

3-a. (a) Notwithstanding the provisions of subdivision three of this section, the New York state emergency management office (SEMO) and the coalition of nuclear counties, which constitutes the counties of Monroe, Wayne, Oswego, Orange, Putnam, Rockland and Westchester, shall each receive an equal one-half portion of the total amount of proceeds resulting from the total assessments and contributions made pursuant to this section.

(b) The one-half portion of the proceeds resulting from the total assessments and contributions made pursuant to this section received by the coalition of nuclear counties shall be distributed pursuant to the following formula:

Monroe county 12.3%  
Orange county 10%  
Oswego county 12.5%  
Putnam county 9.8%  
Rockland county 18%  
Wayne county 12.4%  
Westchester county 25%

4. [Repealed]

### § 29-d. Reports

In order to assess the present preparedness in the state for any radiological accident and to determine the need for, and appropriateness of, any additional specific steps by state government, the commission shall report to the

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governor and the legislature by January first, nineteen hundred eighty-two, its findings, recommendations and proposed legislation where appropriate concerning:

1. The need for and appropriateness of additional specific state activities or programs beyond those required by the accepted radiological emergency preparedness plans or provided for under existing law, including but not limited to:

- (a) radiological monitoring equipment;
- (b) warning systems and equipment;
- (c) medical technologies and equipment;
- (d) plume transport and dose assessment models; and
- (e) nuclear fuel cycle and materials licensees other than electric generating facilities.

2. Any such recommendations shall be developed in consultation with all concerned public and private parties and shall:

- (a) take into account proven safety effectiveness;
- (b) outline any proposed costs and the means for meeting such costs;
- (c) consider related activities of the United States nuclear regulatory commission or others; and
- (d) when appropriate, discuss alternatives and various implementation stages.

### § 29-e. New York state emergency assistance program

1. For purposes of this section the following terms shall have the following meanings:

(a) "Infrastructure" shall mean and include publicly owned storm and sanitary sewers, water supply systems, drainage systems, transportation systems, roads and bridges.

(b) "Municipality" shall mean any county, city, village, or town of the state.

(c) "Public facilities" shall mean and include publicly owned buildings, including traditional government buildings, such as courthouses, firehouses, police stations, parks, recreational facilities, and correctional facilities.

(d) "Fund" shall mean the state's contingency reserve fund established by law.

(e) "The office of emergency management" shall mean the office within the division of homeland security and emergency services.

2. The governor may, upon a finding that a municipality in the state has suffered substantial damage by an unanticipated natural disaster which has resulted in significant economic distress within such municipality, issue a declaration of significant economic distress in accordance with the provisions herein. In determining whether such significant economic distress exists, the governor shall consider whether the following criteria have been met:

(a) the municipality suffered a substantial loss of assessed value;

(b) substantial damage has occurred to municipal buildings, facilities and infrastructure;

(c) the cost incurred by the municipality for clean-up operations is significant;

(d) businesses within the municipality have experienced significant economic loss due to the inability to conduct normal business due to the disaster;

(e) a significant increase in unemployment claims filed by persons employed within the municipality has occurred; and

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(f) the county or the county within which the municipality is located has been declared eligible by the United States small business administration for physical disaster and economic injury disaster loans. In addition, the governor shall also consider the extent that other financial resources, including federal assistance and insurance, are available to assist the municipality to repair damage caused by the disaster.

3. (a) Upon the issuance of a declaration of significant economic distress due to unanticipated natural disaster by the governor, a municipality recognized by the governor as being affected by such disaster which occurred on or after December first, nineteen hundred ninety-two, may apply to the division of homeland security and emergency services on a form prescribed by such office, for reimbursement from the state's contingency reserve fund for reimbursement of extraordinary and unanticipated costs associated with the reconstruction or repair of public buildings, facilities or infrastructure.

(b) Where the municipality applying for assistance authorized pursuant to this section is a city, and such application pertains to a county wholly contained within such city, such city may submit separate applications for such assistance for each such county.

(c) Such municipality shall be granted the assistance provided pursuant to this section, within the amounts made available by appropriation from the fund, upon approval of such application, provided that such municipality agrees to have a local disaster preparedness plan pursuant to section twenty-three of this article in effect by December thirty-first, nineteen hundred ninety-three. On or after December thirty-first, nineteen hundred ninety-three, no municipality shall be eligible for reimbursement of such expenses unless such plan is in effect.

(d) Municipalities which have received assistance pursuant to this section shall, as soon thereafter as may be possible, amend their respective local disaster preparedness plans to include corrective measures that must be taken in order to avoid, to the extent possible, similar emergencies in the future.

(e) Municipalities applying for assistance pursuant to this section shall accurately describe the emergency conditions which necessitate the expenditure of funds for which reimbursement is being sought pursuant to this section.

(f) In providing assistance pursuant to this section, the division of homeland security and emergency services may give preference to applicants which demonstrate the greatest need or which document that such assistance will be utilized to bring the applicant into compliance with federal or state law.

(g) In the event that amounts appropriated are insufficient to provide for full reimbursement of all extraordinary and unanticipated costs incurred by such municipality approved for reimbursement pursuant to this section, the division of homeland security and emergency services is authorized to provide a pro rata share of the appropriations, appropriated herein, to such municipality.

4. (a) The commissioner of the division of homeland security and emergency services as defined in article twenty-six of this chapter with the advice and consent of the disaster preparedness commission created pursuant to this article, shall have the power to make such rules and regulations as may be necessary and proper to effectuate the purposes of this section.

(b) The commissioner of the division of homeland security and emergency services shall by March fifteenth of each year report to the governor and the legislature describing the activities and operation of the program authorized by this section. Such report shall set forth the number of reimbursement applications received and approved; the identities of the counties, cities, towns and villages receiving reimbursement together with the amount and purpose of the reimbursement.

**§ 29-f. [Repealed]**

**§ 29-g. Emergency management assistance compact**

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1. The emergency management assistance compact is made and entered into by and between the participating member states which enact this compact, hereinafter called party states. For the purposes of this agreement, the term "states" is taken to mean the several states, the commonwealth of Puerto Rico, the District of Columbia, and all United States territorial possessions.

The purpose of this compact is to provide for mutual assistance between the states entering into this compact in managing any emergency or disaster that is duly declared by the governor of the affected state or states, whether arising from natural disaster, technological hazard, man-made disaster, civil emergency aspects of resource shortages, community disorders, insurgency or enemy attack.

This compact shall also provide for mutual cooperation in emergency related exercises, testing or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party states or subdivisions of party states during emergencies, such actions occurring outside actual declared emergency periods. Mutual assistance in this compact may include the use of the states' national guard forces, either in accordance with the national guard mutual assistance compact or by mutual agreement between states.

2. Each party state entering into this compact recognizes that many emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential in managing these and other emergencies under this compact. Each state further recognizes that there will be emergencies which require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency. This is because few, if any, individual states have all the resources they may need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

The prompt, full and effective utilization of resources of the participating states, including any resources on hand or available from the federal government or any other source, that are essential to the safety, care and welfare of the people in the event of any emergency or disaster declared by a party state, shall be the underlying principle on which all provisions of this compact shall be understood.

On behalf of the governor of each state participating in the compact, the legally designated state official who is assigned responsibility for emergency management will be responsible for formulation of the appropriate interstate mutual aid plans and procedures necessary to implement this compact.

3. (a) It shall be the responsibility of each party state to formulate procedural plans and programs for interstate cooperation in the performance of the responsibilities listed in this section. In formulating such plans, and in carrying them out, the party states, insofar as practical, shall:

(1) Review individual state hazard analysis and, to the extent reasonably possible, determine all those potential emergencies the party states might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster, emergency aspects or resource shortages, civil disorders, insurgency or enemy attack.

(2) Review party states' individual emergency plans and develop a plan which will determine the mechanism for the interstate management and provision of assistance concerning any potential emergency.

(3) Develop interstate procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans.

(4) Assist in warning communities adjacent to or crossing the state boundaries.

(5) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue and critical lifeline equipment, services and resources, both human and material.

(6) Inventory and set procedures for the interstate loan and delivery of human material resources, together with procedures for reimbursement or forgiveness.

(7) Provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances that restrict the implementation of the above responsibilities.

(b) The authorized representative of a party state may request assistance of another party state by contacting the authorized representative of that state. The provisions of this agreement shall only apply to requests for assistance

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made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request shall be confirmed in writing within thirty days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as, but not limited to, fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time that they will be needed.

(3) The specific place and time for staging of the assisting party's response and a point of contact at that location.

(c) There shall be frequent consultation between state officials who have assigned emergency management responsibilities and other appropriate representatives of the party states with affected jurisdictions and the United States government, with free exchange of information, plans and resource records relating to emergency capabilities.

4. Any party state requested to render mutual aid or conduct exercises and training for mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof provided, that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state.

Each party state shall afford to the emergency forces of any party state, while operating within its state limits under the terms and conditions of this compact, the same powers (except that of arrest unless specifically authorized by the receiving state), duties, rights and privileges as are afforded forces of the state in which they are performing emergency services. Emergency forces will continue under the command and control of their regular leaders, but the organizational units will come under the operational control of the emergency services authorities of the state receiving assistance. These conditions may be activated, as needed, only subsequent to a declaration of a state of emergency or disaster by the governor of the party state that is to receive assistance or commencement of exercises or training for mutual aid and shall continue so long as the exercises or training for mutual aid are in progress, the state, or states, of emergency or disaster remains in effect or loaned resources remain in the receiving states, whichever is longer.

5. Whenever any person holds a license, certificate or other permit issued by any state party to the compact evidencing the meeting of qualifications for professional, mechanical or other skills, and when such assistance is requested by the receiving party state, such person shall be deemed licensed, certified, or permitted by the state requesting assistance to render aid involving such skill to meet a declared emergency or disaster, subject to such limitations and conditions as the governor of the requesting state may prescribe by executive order or otherwise.

6. Officers or employees of a party state rendering aid in another state pursuant to this compact shall be considered agents of the requesting state for tort liability and immunity purposes and no party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith shall not include willful misconduct, gross negligence or recklessness.

7. Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that among the states that are parties hereto, this instrument contains elements of a broad base common to all states, and nothing contained herein shall preclude any state from entering into supplementary agreements with another state or affect any other agreements already in force between states. Supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, and equipment and supplies.

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8. Each party state shall provide for the payment of compensation and death benefits to injured members of the emergency forces of that state and representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own state.

9. Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with such requests provided, that any aiding party state may assume, in whole or in part, such loss, damage, expense or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost provided, however, that any two or more party states may enter into supplementary agreements establishing a different allocation of costs among those states. Expenses under subdivision eight of this section shall not be reimbursable under this provision.

10. Plans for the orderly evacuation and interstate reception of portions of the civilian population as the result of any emergency or disaster of sufficient proportions to so warrant, shall be worked out and maintained between the party states and the emergency management/services directors of the various jurisdictions where any type of incident requiring evacuations might occur. Such plans shall be put into effect by request of the state from which evacuees come and shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends, and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies and all other relevant factors. Such plans shall provide that the party state receiving evacuees and the party state from which the evacuees come shall mutually agree as to reimbursement of out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care, and like items. Such expenditures shall be reimbursed as agreed by the party state from which the evacuees come. After the termination of the emergency or disaster, the party state from which the evacuees come shall assume the responsibility for the ultimate support of repatriation of such evacuees.

11. (a) This compact shall become operative immediately upon its enactment into law by any two states; thereafter, this compact shall become effective as to any other state upon its enactment by such state.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until thirty days after the governor of the withdrawing state has given notice in writing of such withdrawal to the governors of all other party states. Such action shall not relieve the withdrawing state from obligations assumed hereunder prior to the effective date of withdrawal.

(c) Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval be deposited with each of the party states and with the federal emergency management agency and other appropriate agencies of the United States government.

12. This compact shall be construed to effectuate the purposes stated in subdivision one of this section. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be affected thereby.

13. Nothing in this compact shall authorize or permit the use of military forces by the National Guard of a state at any place outside the state in any emergency for which the president is authorized by law to call into federal service the militia, or for any purposes for which the use of the army or the air force would in the absence of express statutory authorization be prohibited under section 1385 of title 18, United States code.

14. The legally designated state official who is assigned responsibility for emergency management shall not offer resources to, or request resources from, another compact member state, without prior discussion with and

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concurrence from the state agency, department, office, division, board, bureau, commission or authority that may be asked to provide resources or that may utilize resources from another compact member state.

15. The director of the state emergency management office shall, on or before the first day of January, two thousand two, provide to the legislature and the governor copies of all mutual aid plans and procedures promulgated, developed or entered into after the effective date of this section. The director of the state emergency management office shall annually hereafter provide the legislature and governor with copies of all new or amended mutual aid plans and procedures on or before the first day of January of each year.

### § 29-h. Intrastate mutual aid program

1. Creation. There is hereby created the intrastate mutual aid program to complement existing mutual aid agreements in the event of a disaster that results in a formal declaration of an emergency by a participating local government. All local governments within the state, excepting those which affirmatively choose not to participate in accordance with subdivision four of this section, are deemed to be participants in the program.

2. Definitions. As used in this section, the following terms shall have the following meanings:

- a. "Employee" means any person holding a position by election, appointment, or employment by a local government;
- b. "Local government" means any county, city, town or village of the state;
- c. "Local emergency management [fig 1] director" means the local government official responsible for emergency preparedness, response and recovery;
- d. "Requesting local government" means the local government that asks another local government for assistance during a declared emergency, or for the purposes of conducting training, or undertaking a drill or exercise;
- e. "Assisting local government" means one or more local governments that provide assistance pursuant to a request for assistance from a requesting local government during a declared emergency, or for the purposes of conducting training, or undertaking a drill or exercise; and
- f. "Disaster" shall have the same meaning as in section twenty of this article.

3. Intrastate mutual aid program committee established; meetings; powers and duties.

- a. There is hereby created within the disaster preparedness commission an intrastate mutual aid program committee, for purposes of this section to be referred to as the committee, which shall be chaired by the commissioner of the division of homeland security and emergency services, and shall include the state fire administrator, the commissioner of health, and the commissioner of agriculture and markets, provided that each such official may appoint a designee to serve in his or her place on the committee. The committee shall also include five representatives from local public safety or emergency response agencies, who shall serve a maximum two-year term, to be appointed by the commissioner of the division of homeland security and emergency services, with regard to a balance of geographic representation and discipline expertise.
- b. The committee, on the call of the chairperson, shall meet at least twice each year and at such other times as may be necessary. The agenda and meeting place of all regular meetings shall be made available to the public in advance of such meetings and all such meetings shall be open to the public.
- c. The committee shall have the following powers and responsibilities:
  - (1) to promulgate rules and regulations, acting through the division of homeland security and emergency services, to implement the intrastate mutual aid program as described in this section;
  - (2) to develop policies, procedures and guidelines associated with the program, including a process for the reimbursement of assisting local governments by requesting local governments;
  - (3) to evaluate the use of the intrastate mutual aid program;
  - (4) to examine issues facing participating local governments regarding the implementation of the intrastate mutual aid program; and
  - (5) to prepare reports to the disaster preparedness commission discussing the effectiveness of mutual aid in the state and making recommendations for improving the efficacy of the system, if appropriate.

4. Local government participation in the intrastate mutual aid program.

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- a. A local government may elect not to participate in the intrastate mutual aid program, or to withdraw from the program, by its governing body enacting a resolution declaring that it elects not to participate in the program and providing such resolution to the division of homeland security and emergency services. Participation in the program will continue until a copy of such resolution is received and confirmed by the division of homeland security and emergency services.
- b. A local government that has declined to participate in the program may, acting by resolution through its governing body and providing a copy of the resolution to the division of homeland security and emergency services, elect to participate in the program.
- c. Nothing in this section shall preclude a local government from entering into mutual aid agreements with other local governments or other entities with terms that supplement or differ from the provisions of this section.
- d. Nothing in this section shall affect any other agreement to which a local government may currently be a party, or later enter into, including, but not limited to, the state fire mobilization and mutual aid plan.

5. Fire related resources. Notwithstanding the authority vested pursuant to this section, all fire related resources shall be administered pursuant to section two hundred nine-e of the general municipal law.

6. Requesting assistance under the intrastate mutual aid program.

a. A participating local government may request assistance of other participating local governments in preventing, mitigating, responding to and recovering from disasters that result in locally-declared emergencies, or for the purpose of conducting multi-jurisdictional or regional training, drills or exercises. Requests for assistance may be made verbally or in writing; verbal requests shall be memorialized in writing as soon thereafter as is practicable. Notwithstanding the provisions of section twenty-five of this article, the local emergency management director shall have the authority to request and accept assistance and deploy the local resources of his or her jurisdiction under the intra-state mutual aid program.

b. Once an emergency is declared at the county level, all requests and offers for assistance, to the extent practical, shall be made through the county emergency management office, or in the case of the city of New York, through the city emergency management office. All requests for assistance should include:

- (1) a description of the disaster;
- (2) a description of the assistance needed;
- (3) a description of the mission for which assistance is requested;
- (4) an estimate of the length of time the assistance will be needed;
- (5) the specific place and time for staging of the assistance and a point of contact at that location; and
- (6) any other information that will enable an assisting local government to respond appropriately to the request.

c. Assisting local governments shall submit to the requesting local government an inventory of the resources being deployed.

d. The written request for assistance and all inventories of resources being deployed shall be submitted to the division of homeland security and emergency services within three calendar days of the request for or deployment of such resources.

7. Division of homeland security and emergency services responsibilities under the intrastate mutual aid program. The division of homeland security and emergency services shall provide notification by mail to each local government with a comprehensive description of the intrastate mutual aid program, including a statement that all local governments are participants of the program unless they expressly opt out pursuant to subdivision four of this section; maintain a current list of participating local governments with their authorized representatives and contact information, and provide a copy of the list to each of the participating local governments on an annual basis during the second quarter of each calendar year; monitor and report to the intrastate mutual aid program committee on the use of the intrastate mutual aid program; coordinate the provision of mutual aid resources in accordance with the comprehensive emergency management plan and supporting protocols; identify mutual aid best practices; when practical, provide the committee with statistical information related to the use of mutual aid during recent regional disaster responses; and assist with the development, implementation and management of a state-wide resource typing system.

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### 8. Reimbursement of assisting jurisdiction by requesting jurisdiction; resolving disputes regarding reimbursement.

- a. Any assisting local government requesting [fig 1] reimbursement under this program for loss, damage or expenses incurred in connection with the provision of [fig 2] assistance that seeks reimbursement by the requesting local government shall make such request in accordance with procedures developed by the intrastate mutual aid committee.
- b. Notwithstanding the provisions of section twenty-five of this article or any inconsistent provision of law to the contrary, any requesting local government requesting assistance under this program shall be liable and responsible to the assisting local government for any loss or damage to equipment or supplies and shall bear and pay the expense incurred in the operation and maintenance of any equipment and the cost of materials and supplies used in rendering assistance under this section.
- c. The assisting local government shall be liable for salaries or other compensation for its employees deployed to a requesting local government during the time they are not rendering assistance pursuant to such request, and shall defray the actual traveling and maintenance expense of its employees and equipment while they are rendering assistance under this section. The requesting local government shall reimburse the assisting local government for any moneys paid for such salaries or other compensation and traveling and maintenance expenses incurred from activities performed while rendering assistance under this program.
- d. Notwithstanding paragraph c of this subdivision, any voluntary ambulance service rendered pursuant to a request for assistance under this program that affects a volunteer ambulance workers service award or supplemental service award from a service award program or a supplemental service award program established pursuant to article eleven-aa, article eleven-aaa, or article eleven-aaaa of the general municipal law shall be the responsibility of the political subdivision which adopted the service award program or supplemental service award program and not the responsibility of the requesting local government.
- e. Where a dispute arises between an assisting local government and a requesting local government regarding reimbursement for loss, damages or expenses incurred in connection with the provision of aid, the parties will make every effort to resolve the dispute within thirty business days of written notice of the dispute by the party asserting noncompliance.

### 9. Performance of services.

- a. (1) Employees of an assisting local government shall continue under the administrative control of their home jurisdiction. However, in all other cases where not prohibited by general, special or local law, rule or regulation, employees of an assisting local government shall be under the direction and control of the local emergency management director or other official charged with performing emergency management functions for the requesting local government;
- (2) Performance by employees of an assisting local government of services for a requesting local government pursuant to this section shall have no impact upon whether negotiating unit employees represented by an employee organization, recognized or certified pursuant to section two hundred six or two hundred seven of the civil service law, exclusively perform such services, as that phrase is used by the public employment relations board, on behalf of the requesting local government;
- b. Assets and equipment of an assisting local government shall continue under the ownership of the assisting local government, but shall be under the direction and control of the local emergency management director or other official charged with performing emergency management functions for the requesting local government.

### 10. Liability.

- a. Each local government is responsible for procuring and maintaining insurance or other coverage as it deems appropriate.
- b. While rendering assistance under the intrastate mutual aid program, employees of the assisting local government shall have the same immunities and privileges as if such duties were performed within their home jurisdiction. An assisting local government providing assistance pursuant to the intrastate mutual aid program shall be liable for the negligence of its employees, which occurs in the performance of their duties in the same manner and to the same extent as if such negligence occurred in the performance of their duties in their home jurisdiction.
- c. Employees of an assisting local government responding to or rendering assistance pursuant to a request for assistance who sustain injury or death in the course of, and arising out of, their response are entitled to all applicable benefits as if they were responding in their home jurisdiction. The assisting local government shall be

## NYS Executive Law Article 2-B

liable for all costs or payments for such benefits as required by law.

d. Nothing in this section shall be construed to prevent the assisting and requesting local governments from agreeing to other terms related to liability and compensation. Local governments may choose to enter into an agreement, at any time, to alter these terms as they deem necessary.

e. Nothing in this section shall be construed to provide any protection against liability, or to create any liability, for an individual who responds to a state of emergency where aid has not been requested, or where aid has not been authorized by the individual's [fig 1] home jurisdiction.

11. Obligation of insurers. Nothing in this section shall impair, alter, limit or modify the rights or obligations of any insurer under any policy of insurance.

12. License, certificate and permit portability.

a. State certified emergency medical services providers who respond outside of their normal jurisdiction pursuant to a request for assistance under this program shall follow their normal operating protocols as if they were responding and rendering services in their home jurisdiction.

b. Any other individual authorized and deployed by a participating local government when responding pursuant to a request for assistance under this program shall have the same powers and duties as if they were responding in their home jurisdiction.

# TOWN OF QUEENSBURY

## MEDIA CONTACTS

### Radio

ADK Broadcasting	793 7733
Froggy 107.1	
Q 101.7	
The Point 100.3	
WENU 1410	

Regional Radio Group	761 9890
WCKM 98.5	
WCQL 95.9	
WWSC 1450	

### Television

TV - 8		798 8000
WNYT	Ch 13	800 999 9698
WTEN	Ch 10	436 4822
WRGB	CH 6	346 6666
FOX 23		436 0771

### Newspapers

Post Star	792 3131
Saratogian	583 8729
Times Union	454 5694
Chronicle	792 1126

## TOWN OF QUEENSBURY

### TRANSPORTATION CONTACTS

Buses	Contact	Office	Home	Cell	Email
Queensbury School	Cheri Martindale	824 5660	798 3861		<a href="mailto:cmartindale@queensburyschool.org">cmartindale@queensburyschool.org</a>
Lake George School	Ron Service	668 2131	668 5151		
GGFT	Scott Sopcyk	792 1086		796 4193	<a href="mailto:ssggft@choicemail.com">ssggft@choicemail.com</a>
Brown Coach		843 4700			
Upstate Tours		584 5252			
Yankee Trails		621 0460			
GF Schools	Gene Figler	761 6104	683 1401		
CWI Transit	Cindy	743 2716 X 11116			<a href="mailto:transitconnection@cwinc.org">transitconnection@cwinc.org</a>

TOQ CEMP

Annex 8

updated 12/12/2017

**TOWN OF QUEENSBURY**  
**EMERGENCY MANAGEMENT PLANNING COMMITTEE**

**Town Supervisor**

**Town Board Representative (1)**

**Highway Superintendent**

**Safety Officer**

**Secretary**

**Director of Building and Codes**

**Director of Zoning and Planning**

**Director of Facilities**

**Fire Service Representative (1)**

**EMS Service Representative (2)**

**Warren County OES Representative**

## **TOWN OF QUEESNBURY**

### **POSITION DESCRIPTIONS / RESPONSIBILITIES**

#### **POSITION: PLANNING SECTION CHIEF**

**POSITION DESCRIPTION:** The Planning Section Chief is responsible for the collection, evaluation, dissemination and use of information about the development of the incident and the status of resources. Information is needed to understand the current situation, predict the probable course of incident events, and prepare alternative strategies and control operations for the incident. The Planning Section Chief conducts the Planning Meeting and is responsible for producing a written Incident Action Plan (if so directed by the Incident Commander). The Planning Section Chief activates and supervises units within the Planning Section; Situation Unit, Resource Planning Section Coordinator Unit, Documentation Unit, Demobilization Unit and Technical Specialists.

#### **POSITION: LOGISTICS SECTION CHIEF**

**POSITION DESCRIPTION:** The Logistics Section Chief is responsible for providing all support needs to the incident (except air). Support needs include facilities, services, personnel, equipment and supplies. The Logistics Section Chief participates in the development and implementation of the Incident Action Plan, and activates and supervises the units within the Logistics Section.

#### **POSITION: FINANCE / ADMINISTRATION SECTION CHIEF**

**POSITION DESCRIPTION:** The Finance / Administration Section Chief is responsible for managing all financial aspects of the incident. He / she is responsible for tracking all incident costs and providing guidance to the EOC Manager on financial issues that may have an impact on incident operations.

#### **POSITION: EOC MANAGER**

**POSITION DESCRIPTION:** The EOC Manager's responsibility is the overall management of the Town EOC. On most incidents the command activity is carried out by a single EOC Manager. The EOC Manager is selected by qualifications and experience. The EOC Manager may have a deputy, who may be from the same agency, or from an assisting agency. Deputies may also be used at section and branch levels of the ICS organization. Deputies must have the same qualifications as the person for whom they work as they must be ready to take over that position at any time.

**POSITION: TOWN SUPERVISOR**

**POSITION DESCRIPTION:** The Town Supervisor coordinates the Town's emergency response activities and activates the Town's response organization and initiates Town response activities, maintains and manages the Emergency Operations Center, declares a local state of emergency based on the severity of the situation and the necessity to use additional executive power to respond effectively to the emergency, notifies and briefs Town departments, agencies and other organizations involved in an emergency response, facilitates coordination with Warren County, State of New York and other local jurisdictions.

**POSITION: OPERATIONS**

**POSITION DESCRIPTION:** The operations sector is the link between the external operations or "boots on the ground", and the EOC. This person is the point of contact for information and resources. Will also handle radio communications.

**TOQ CEMP Annex 10**

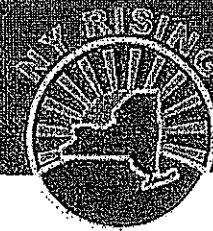
# **TOWN OF QUEENSBURY**

## **GUIDELINES FOR FIELD DAMAGE ASSESSMENTS**

- **Developing standard procedures can help communities better manage post-disaster recovery. Local officials may encounter a large number of damaged structures, and a high volume of permit applications.**
- **Communities can effectively administer post-disaster activity, if preparation is made prior. Some actions to consider:**
  - 1) Keep all elected officials briefed as soon as possible after the event**
  - 2) Issue permits for repairs and reconstruction**
  - 3) Prepare accurate information of building assessments**
  - 4) Coordinate with local utilities for re-establishment of services after permit requirements are satisfied**
  - 5) Re- canvas affected areas for unauthorized construction**
  - 6) Keep the public and individual building owners informed**
  - 7) Establish a format with GIS to track status of damaged buildings, including those that have been inspected, pending a permit, working under a permit and substantially damaged structures**
  - 8) Inform Warren County Office of Emergency Services to both private and public infrastructure damages. Include estimated dollar amounts and pictures during or just after the response phase.**
- **Some communities waive permit fees and inspection fees post-disaster, however waiving of fees does not waive the requirement for permits**

- Immediately after a disaster, a “windshield review” shall be undertaken to establish a baseline for further action. The review should be conducted by building and codes officials from the Town of Queensbury, or in conjunction with County, State or other agencies.
- In addition, rapid evaluations should also be conducted. This is based on an exterior inspection of structures within the damaged area.
- Typically, evaluated structures are tagged or placarded based on the preliminary evaluation. A form to assist in the evaluation, ATC – 45 Rapid Evaluation Safety Assessment Form can be used to collect information and assist GIS mapping after the inspection .
- Placarding of inspected structures, is as follows:
  - 1) Green Placard: (Inspected) this signifies that no apparent hazard was identified, and that there are no restrictions on use or occupancy.
  - 2) Yellow Placard: (Restricted Use) this signifies that safety of the building questionable or hazardous conditions exist that warrant restrictions on occupancy and use. Further evaluation is required.
  - 3) Red Placard: (Unsafe) this signifies an extreme hazard or unsafe condition and a risk exists for further damage or collapse. These structures are unsafe for use and occupancy. A Red tag is not a Demolition Order.

# Building Damage Levels and What They Mean



Right after a disaster, the responsibility of many Code Enforcement Officials or Building Inspectors responsibility is to rapidly evaluate all of the structures in the municipality for damage. Homeowners often don't know their homes have been inspected because the damage evaluations happen before they return to their homes. Other times, the Code Enforcement Official or Building Inspector may be the first public official a homeowner has contact with when they return home. In either case, the damage evaluation performed on a home serves several different purposes.

The main purpose of rapid assessment damage evaluation is to allow local governments to use the information gathered in their application for federal disaster assistance through FEMA. Local governments can also use building damage totals for emergency management planning purposes. Rapid assessment damage evaluations may also be used to provide an idea of the amount of work needed to restore a home.

During a "rapid building assessment damage evaluation," using an ATC-45 Rapid Evaluation Safety Assessment Form<sup>1</sup>, a Code Enforcement Official or Building Inspector will determine whether the structure has sustained any damage. The inspection is usually of a structure's exterior; occasionally the interior is inspected. When the interior is inspected, the Code Enforcement Official or Building Inspector is usually trying to determine the level water reached in the basement or first floor when it can't easily be determined from the outside. Sometimes, placards<sup>2</sup> or stickers are placed on structures indicating a rapid assessment damage evaluation was performed. Building damage levels usually categorize damage the following way:

- **None (Green Placard/Sticker)** - No damage was observed, and the structure may be safely occupied.
- **Minor damage (Green Placard/Sticker)** - This is where the least amount of damage has occurred. You may probably be able to safely occupy the structure, but some repair work (which may require permits) may be necessary, such as:
  - o Replacing water-damaged interior finish materials, such as gypsum board and fiberglass batt insulation;
  - o Replacing broken or missing exterior building finishes necessary for weather-tightness, such as siding, roofing, windows and doors; and
  - o Having electrical wiring, equipment and system inspected, allowing power to be restored to the structure.

- **Moderate damage (Yellow RESTRICTED Placard/Sticker)** - This is where there has been damage done to the foundation, roof and/or walls of the structure, but limited structural damage. Building equipment and systems, such as the heating and ventilating, electrical and plumbing also usually need repair or replacement. A building having moderate damage generally can't be occupied until work has been done to restore the structure to a livable condition. To live in it again, it will be necessary to do the following:
  - o Get the required building (and other) permits
  - o Have the work inspected at proper intervals
  - o Get a Certificate of Occupancy or Compliance
- **Severe damage (Red UNSAFE Placard/Sticker)** - This is where a structure's foundation walls have failed, its roof and/or bearing walls are gone, or it has moved off its foundation. Structures having severe damage will need to be almost totally rebuilt before they can be occupied, and will have to meet all of the new construction standards of the building codes. Because of this, most severely damaged structures are replaced with new ones.
- **Destroyed** - This is where a structure has damage beyond any repair, or is gone completely.

Before you begin rebuilding, or even get a building permit, a more detailed damage evaluation/inspection of your home may be necessary. These evaluations may require that you hire an architect or engineer, or a licensed electrician. Because your local Code Enforcement Official or Building Inspector is probably already familiar with the amount of damage caused by the disaster in your neighborhood, and may have a general idea of the damage your property sustained, your next step should be to contact your local building department and ask the following questions:

- Who is the local Code Enforcement Official or Building Inspector?
- Has any post-disaster inspection of my home been performed?
- What was the damage level (if the building does not have a placard/sticker)?
- Based on the damage level, do I need to have more detailed evaluations/inspections before I can apply for a building (or other) permit, and if so, what are they?

## Useful Information

- Applied Technology Council: <http://www.atccouncil.org/>

<sup>1</sup> Applied Technology Council

<sup>2</sup> Green placard/sticker - UNSAFE and yellow placard/sticker - RESTRICTED USE. Red placard/sticker - UNSAFE. Any specific use and/or other restrictions should be found on the placard/sticker.

# ATC-45 Rapid Evaluation Safety Assessment Form

## Inspection

Inspector ID: \_\_\_\_\_ Inspection date: \_\_\_\_\_

Affiliation: \_\_\_\_\_ Inspection time: \_\_\_\_\_ ☐ AM ☐ PM

Areas inspected: ☐ Exterior only ☐ Exterior and interior

## Building Description

Building name: \_\_\_\_\_

Address: \_\_\_\_\_

Building contact/phone: \_\_\_\_\_

Number of stories: \_\_\_\_\_

"Footprint area" (square feet): \_\_\_\_\_

Number of residential units: \_\_\_\_\_

### Type of Building

☐ Mid-rise or high-rise

☐ Low-rise multi-family

☐ Low-rise commercial

☐ Pre-fabricated

☐ One- or two-family dwelling

### Primary Occupancy

☐ Dwelling

☐ Other residential

☐ Public assembly

☐ Emergency services

☐ Commercial

☐ Offices

☐ Industrial

☐ Other: \_\_\_\_\_

☐ Government

☐ Historic

☐ School

## Evaluation

Investigate the building for the conditions below and check the appropriate column.

### Observed Conditions:

Collapse, partial collapse, or building off foundation

Building significantly out of plumb or in danger

Damage to primary structural members, racking of walls

Falling hazard due to nonstructural damage

Geotechnical hazard, scour, erosion, slope failure, etc.

Electrical lines / fixtures submerged / leaning trees

Other (specify) \_\_\_\_\_

☐ See back of form for further comments.

Minor/None Moderate Severe

☐

☐

☐

☐

☐

☐

☐

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### Estimated Building Damage (excluding contents)

☐ None

☐ > 0 to < 1%

☐ 1 to < 10%

☐ 10 to < 30%

☐ 30 to < 70%

☐ 70 to < 100%

☐ 100%

## Posting

Choose a posting based on the evaluation and team judgment. Severe conditions endangering the overall building are grounds for an Unsafe posting. Localized Severe and overall Moderate conditions may allow a Restricted Use posting.

☐ INSPECTED (Green placard)

☐ RESTRICTED USE (Yellow placard)

☐ UNSAFE (Red placard)

Record any use and entry restrictions exactly as written on placard: \_\_\_\_\_

Number of residential units vacated: \_\_\_\_\_

## Further Actions Check the boxes below only if further actions are needed.

☐ Barricades needed in the following areas: \_\_\_\_\_

☐ Detailed Evaluation recommended:

☐ Structural

☐ Geotechnical

☐ Other: \_\_\_\_\_

☐ Substantial Damage determination recommended

☐ Other recommendations: \_\_\_\_\_

☐ See back of form for further comments.

# New York State Division of Homeland Security & Emergency Services

## FIELD REPORT

This is an Exercise: ☐ Yes ☐ No

Request State Assistance

☐ Yes ☐ No

- Notes:
- A. When applicable - consolidate data for each jurisdiction.
  - B. When applicable - provide separate reports for severely impacted jurisdictions.
  - C. Do Not Delay this report for lack of data. Submit updates as new information is gained.
  - D. Submit form by Email, Fax, or verbally convey information to the State OEM Regional Office or State Warning Point

Report Number: _____		Event Name: _____	
Date/Time of Event: _____		Date/Time of Report: _____	
Date: _____	Time (24 hr): _____	Date: _____	Time (24 hr): _____
1. State OEM Region: _____ County: _____		Person Submitting: _____	
2. Phone: _____		Cell Phone: _____	Email: _____

3. Briefly Describe Emergency and the Area Affected (communities, region, site[s], residential, commercial, etc.):

4. Percent of Initial Assessment Completed: ☐ 25% ☐ 50% ☐ 75% ☐ 100%

5. Conditions are (Mark one): ☐ Worsening ☐ Unknown ☐ Stable ☐ Improving ☐ Event Concluded

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Human Impacts	Fatalities	Injured	Missing	At Risk	Evacuated Relocated	Sheltered	Shelter In Place	Requiring Feeding
6. Estimated Numbers:								
Critical Infrastructure	Roads	Bridges Tunnels	Public Transport	Rail System	Water	Sewer	Electric	Gas
7. Out of Service								
8. Damaged								
9. Destroyed								
Critical Facilities	Police Station	Fire Station	EMS Station	Hospital	Nursing Homes	Fuel Supply	Comms. Systems	Dams Levees
10. Out of Service								
11. Damaged								
12. Destroyed								
Buildings	Homes	Apartments	Businesses	Industries	Public Facilities	Schools	Utilities	Other
13. Damaged								
14. Destroyed								
15. Closed								

16. Has a local "State of Emergency" been declared? (Mark one) ☐ Yes ☐ No

Briefly describe or attach any announcements, public advisories, or emergency orders in effect:

17. Special Information/Concerns:

# Public Infrastructure Assessment Form

Town/City/Village: \_\_\_\_\_ Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

[illegible]

## Possible Infrastructure

### Highway Infrastructure

- Bridges
- Culverts
- Roads

### Government Owned Buildings/ Equipment/ Vehicles

- Cemeteries
- Dams/ Reservoirs
- Emergency Squad Buildings
- Fire Departments
- Libraries
- Schools

### Non-Profit

- Places of Worship
- Volunteer Organizations

# Individual Assistance Assessment Form

[illegible]

## Damage Codes

1. Break/Seal Wall repair
2. Furnace inspection/repair/replacement
3. Appliance inspection/repair/replacement
4. Professional tool replacement
5. Electrical system inspection/repair
6. Foundation movement/repair
7. Debris removal interior and exterior. (Need for communities to develop special removal procedures at zero cost. Need to waiver dumping fees.)
8. Structural repair, wallboard, rotted wood, etc.
9. Lawn mowing equipment
10. Contents damage
11. Mildew abatement
12. Food spoilage
13. Wells – inspections/repair – decontaminating
14. Septic system damage – inspect/repair
15. Dwelling access – driveway, sidewalks, disabled ramps.
16. Replacement access – driveway, sidewalks, disabled ramps.
17. Replacement of handicap aide devices
18. OTHER- Please explain in comments section

# UNSAFE

**DO NOT ENTER OR OCCUPY  
(THIS PLACARD IS NOT A DEMOLITION ORDER)**

This structure has been inspected, found to  
be seriously damaged and is unsafe to  
occupy, as described below.

Date \_\_\_\_\_  
Time \_\_\_\_\_

This facility was inspected under  
emergency conditions for

(Jurisdiction)

Do not enter except as specifically  
authorized in writing by jurisdiction.  
Entry may result in death or injury.

Inspector (ID / Agency)

Facility Name and Address

Do Not Remove, Alter, or Cover this Placard  
until Authorized by Governing Authority

# INSPECTED

## LAWFUL OCCUPANCY PERMITTED

This structure has been inspected (as indicated below) and no apparent structural hazard has been found.

☐ Inspected Exterior Only

☐ Inspected Exterior and Interior

Report any unsafe condition to local authorities; reinspection may be required.

Inspector Comments:

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---

Facility Name and Address:

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---

---

Date \_\_\_\_\_

Time \_\_\_\_\_

(Caution: Aftershocks since inspection may increase damage and risk.)

This facility was inspected under emergency conditions for:

\_\_\_\_\_  
(Jurisdiction)

Inspector ID / Agency \_\_\_\_\_

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Do Not Remove, Alter, or Cover this Placard  
until Authorized by Governing Authority

# RESTRICTED USE

**Caution:** This structure has been inspected and found to be damaged as described below:

Entry, occupancy, and lawful use are restricted as indicated below:

Facility Name and Address:

Date

Time

This facility was inspected under emergency conditions for:

(Jurisdiction)

Inspector ID / Agency

**Do Not Remove, Alter, or Cover this Placard  
until Authorized by Governing Authority**