Western New York expected to enter phase 4 on Tuesday

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religious gatherings, but people need to continue wearing masks, socially distancing and washing their hands frequently to stay safe,” Cuomo said.

The state’s criteria for entering phase 4 are what is known at this point.

LOW-RISK INDOOR & OUTDOOR ENTERTAINMENT:
Per the “New York Forward” web page, “state regulations allow for the reopening of "indoor and outdoor arts and entertainment activities, which are subject to separate DOI guidance. Finally, this guidance also does not address higher-risk indoor arts and entertainment activities, including but not limited to, professional sports (e.g., arcades, bowling alleys), casinos, concerts, movie theaters, performing arts, or other theater activities. Any such return is planned to be phased in at a later date.”

Moreover, the phase four affirmation states, “This guidance does not apply to outdoor zoos, zoos, botanical gardens, and other related low-risk outdoor arts and entertainment activities, which are subject to separate DOI guidance. Finally, this guidance also does not address high-risk indoor and outdoor arts and entertainment activities, including but not limited to, professional sports (e.g., arcades, bowling alleys), casinos, concerts, movie theaters, performing arts, or other theater activities. Any such return is planned to be phased in at a later date.”

“Responsible Parties must ensure that the work-
force and patron/visitor presence is limited to no more than 33% of the maximum occupancy or capacity for a facility or site, at all times, including during any given time, inclusive of patrons/visitors, who must only be permitted entry into the institution in the event of being able to wear an acceptable face covering, provided that the patron/visitor is over the age of two, and able to medically tolerate such covering; and

“Responsible Parties must ensure that the space is at least six feet is maintained among individuals, including employees and patrons/visitors, with the exception of groups visiting the outdoor arts and entertainment location/or indoors only on a space-by-space basis, which are members of the same household or party, at all times, unless safety or the core activity requires a shorter distance (e.g., operating cash registers, moving and lifting objects, using an elevator), in which case, individuals must wear an acceptable face covering.”

HIGHER EDUCATION:
The “New York Forward” website reads, “Higher education institutions must develop and submit a plan for reopening and operating that complies with DOI COVID-19 public health emergency. See ‘In- terim COVID-19 Guidance for Higher Education Institutions’ for more information. During the COVID-19 public health emergency, all operators of higher education institutions must ensure that they are current with any updates to local, state, and federal requirements related to higher education and auxiliary activities and incorporating those changes into their opera-
tions.”

Mandatory protocols include:

Any time individuals come within six feet of another person who does not reside in the same residence (i.e., roommate), acceptable face coverings must be worn. This provision should not be construed to require physical distancing among roommates or family members, but simply while inside an individual’s resi-
dence.

In consultation with the local health department, identify where students who are exposed to, or infected with COVID-19 will be residing and how daily needs (e.g., food, medication) will be met if it becomes necessary to have a pe-
ier of quarantine or isolation.

Reference relevant industry-specific guidelines provided by the Department of Health and — available on the New York Forward website — for performing operations of dining halls, research, office workspaces, gyms, transportation, retail stores, and other activities specifically.”

MEDIA PRODUCTION:
“New York Forward” noted, “These guidelines apply to media production businesses/activities in regions of New York that have entered Phase 4. For the purpose of this guidance, ‘media production activities’ encompass all activities undertaken in motion picture, music, television, and video production on set, location, or at any production or recording site.”

Phased Reopening

For Empire State Development, “New York Forward” allows non-essential arts and entertainment on a regional and industry-specific basis, as each region meets the criteria necessary to protect public health. The State’s plan focuses on getting New Yorkers back to work to help New York State’s economic recovery. The Department of Health issued a renewed spread of the COVID-19 virus or overwhelming local hos-

trial systems.”

On Wednesday, Cuomo said there would be no fifth phase in the opening plan.

He is currently using the “Per-
cent Positive Results By Re-
gion limits” as a determinant to when regions can enter a new phase. This chart “includes the to-

daily number of COVID-19 cases conducted and, of those tests, how many were positive each day.”

Among the metrics:

% Total Persons Tested: The number of tests of individuals per-
formed on the test date. This total includes positives, negatives, and inconclusive results.

% Tested Positive: The number of new persons tested positive for COVID-19 infection on the test date.

% Positive Results: Percent-
age of positive test results over the