

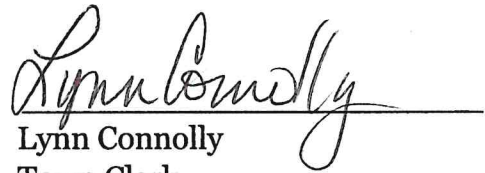
TOWN OF COPAKE

**EMERGENCY
RESPONSE PLAN**

April 13, 2023

CERTIFICATION

Lynn Connolly, Clerk of the Town of Copake hereby certifies that on the 13th day of April 2023, this EMERGENCY RESPONSE PLAN was adopted by the majority vote of the Town Board of the Town of Copake, Columbia County.


Lynn Connolly
Town Clerk
Town of Copake

Dated: April 13, 2023

TOWN OF COPAKE

EMERGENCY RESPONSE PLAN

Scope/Purpose: This Plan is intended to:

1. Identify Agencies within the Town of Copake and related resources along with their functions and area of responsibility to provide for the delivery and coordination of services to support the citizens of the community in the event of emergency from man-made or natural disaster or other peril.
2. Establish respective responsibilities of the Town officials and Departments and the various agencies within the Town and County.
3. Ensure that there is collaboration, communication and cooperation between the Town Supervisor, the officials and Departments of the Town and the various Agencies within the Town of Copake.
4. Provide a Standard Operating Procedure for Town of Copake officials and Departments and local Agencies in performing their respective functions during such declared emergencies.

Agencies & Responsibilities:

Town of Copake Officials and Departments

Supervisor

Responsibility: Pursuant to New York State Executive Law Article 2-B and Executive Law § 24, the Supervisor is responsible for the conduct of disaster operations within the Town. The Supervisor shall declare a local State of Emergency if circumstances warrant such an order. The Supervisor shall use any and all facilities, equipment, supplies, personnel and other resources of the Town in such a manner as may be necessary or appropriate to cope with the disaster. The Supervisor shall direct the activities of all agencies within the Town. The Supervisor shall utilize services of the town Emergency Operations Center (EOC) and its staff for implementation of necessary measures to achieve emergency operations. The Supervisor may appoint a Town Emergency Coordinator to assist in the administration of the emergency operations.

The Supervisor shall ensure contact information is exchanged with the county Director of Emergency Management and/or County EOC if activated.

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Supervisor	Jeanne E. Mettler	518-822-7673	
Deputy Supervisor	Richard Wolf		

Town Board

Responsibility: The Town Board, take actions as necessary to support town agencies in providing appropriate services to meet public need to include coordinating with county, state and federal officials to secure resources. Such service and actions shall include assisting town agencies as named in this plan with proper documentation and recordkeeping of the emergency, coordinating incident documentation with county, state or federal agencies to secure any appropriate financial reimbursements for services and formulating the release of public information or aid as it pertains to the emergency.

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Supervisor	Jeanne E. Mettler	518-822-7673	
Town Board Member	Richard Wolf		
Town Board Member	Terry Sullivan		
Town Board Member	Stanley Gansowski		
Town Board Member	Jeffrey Judd		

Town Clerk

Responsibility: The Town Clerk is responsible for the maintenance and availability of essential records, documents, and other materials, required during the emergency.

In order to be prepared for any emergency which may occur, the Town Clerk shall ensure there is a sufficient supply of the following forms: Time Sheets, Vouchers, Supply/Materials Request, EOC Log Forms, and Message Forms.

The Town Clerk shall ensure that an EOC can be established with the least delay.

The Town Clerk shall maintain up to date contact information for all individuals and agencies listed herein. Contact information will be updated as needed and will be approved by the Town Board annually at the Organizational Meeting in January.

During an Emergency the Town Clerk shall receive notification and briefing from the Supervisor, report to the EOC, perform designated duties and be prepared to brief the Supervisor.

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Town Clerk	Lynn Connolly		
Deputy Town Clerk	Liana Gaston		

Other Town Employees

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Dog Control Officer	Kyle Miller		
Building Manager	Robert Callahan		
Administrative Asst.	Gwen Menshenfried		

Town Highway Department

Responsibility: Provide resources and take actions to the best of their abilities and as necessary to maintain highways and transportation corridors for the response of emergency responders, the maintenance of public utilities, and the needs of the general public as deemed safe and appropriate. In performing these duties, the town highway department shall work in conjunction with local emergency responders, county highway department, state department of transportation, public utilities, or private contractors as necessary to manage emergency incidents to maintain passable highways as reasonably possible and / or to barricade such highways when not safely passable.

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Superintendent	William Gregory		
Deputy Superintendent	Jeremy Holdridge		

Town Park Building Manager

Responsibility: Provide for access, use, and coordination of the Town Park Building to support functions such as a Warming Station, a Shelter, Staging Area, or other purpose as deemed necessary and appropriate to support emergency operations.

<u>Title</u>	<u>Name</u>	<u>Cell</u>	<u>Home</u>
Park Building Manager	Robert Callahan		

Town Building Department

Responsibility: To provide support to emergency and town agencies to evaluate buildings and properties for the purpose of assessing collapse hazards, ability to safely occupy, or provide other hazard assessment as necessary and appropriate.

<u>Title</u>	<u>Name</u>	<u>Office</u>
Code Enforcement Officer/Building Inspector	Erin Reis	518-329-1234 Ext. 5

Agency: Fire & Emergency Services

Responsibility: Provide emergency service for all instances of fire suppression, hazardous material release, the rescue of persons, and any actions as necessary and feasible to protect and preserve life and property of citizens within their jurisdictions. Additionally, to utilize the county and state Fire Mobilization Mutual Aid Plan to request and receive additional fire and emergency services to render aid as necessary and appropriate.

Copake Fire 390 Center Hill Road Copake, N.Y. 12516

Email: chief@copakefire.org
depchief@copakefire.org
ac3@copakefire.org

Phone: 518-329-4161 518-329-0470

Fax: 518-329-0474

911 Center 518-828-4114

Chief John DeRocha 518-396-7985

Deputy Chief Randi Shadic Cell: 518-928-8319

Assistant Chief Jason Mato Cell: 518-965-1552

Craryville Fire 4210 County Rd 7, Craryville, NY 12521

Email: Craryvillefire@fairpoint.net

Phone: 518 325-3665

Chief Bill Baker 518 929-7001 Cell 518-325-8888

1st Asst. Chief John Pieser 518-929-6770

2nd Asst. Chief Michael Busch 518-567-7419

Hillsdale Fire [Hillsdale/Copake Fire District]

Address: 9387 NY-22, Hillsdale, NY 12529

Email: HillsdaleFireCompany@gmail.com

Phone: 518-325-4721 Fax: 518-325-9571

Chief Richard Briggs 518-755-3177 Cell

1st Asst. Chief Josh Stalker 518-779-4554 Cell

2nd Asst. Chief Robert Burns 518-755-3643 Cell

Agency: Emergency Medical Services

Responsibility: Provide emergency medical aid to citizens as deemed necessary to render out of hospital care. Additionally to function as appropriate within the county emergency medical services plan.

Community Rescue Squad 283 Mountain View Road Copake, New York

Email communityrescuesquad@gmail.com Copake338@gmail.com

Phone: 518-329-2200

Operations Officer: Peter Doty Cell:

CMH Rapid Care 283 Mountain View Road Copake, New York

Telephone: 518-329-3902

Columbia County Departments

Agency: Columbia County Office of Emergency Management

Responsibility: The mission of the Columbia County Office of Emergency Management is to minimize personal injury, loss of life and damage to property and the environment from man-made or natural disasters through mitigation, preparedness, response and recovery; while working with local, state and federal agencies, overseeing operations of the County Emergency Operation Center, all in accordance with the Columbia County Comprehensive Emergency Management Plan.

Director: David Harrison, Jr.

Location: Emergency Services Training Facility

50 Grandinetti Drive

Ghent, NY 12075

Mailing: 85 Industrial Tract

Hudson, NY 12534

Telephone: 518-828-1212

24 Hour: 518-828-1263

Fax: 518-828-1279

Emails:

cceoc@columbiacountyny.com

david.harrison@columbiacountyny.com

Agency: Columbia County Department of Health and Office for the Aging

Responsibility: Senior Citizens and residents with Functional Needs

1. Columbia County Department of Health has the Special Needs Registry and the Office for the Aging has the “My Daily Call” program for senior citizens and/or people with functional needs who do not have daily contact with someone.
2. The town will refer town residents to these programs and assist them with contacting the appropriate agency for registration of services if needed.
3. During a disaster and/or other state of emergency declared in the town, these agencies will be contacted for information to assist with locating and making welfare checks of town residents and to provide information relative to sheltering, warming, or aid stations.

Office for the Aging: 518-828-4258

columbiacountyny.com/columbia-county-office-for-the-aging/

Columbia County Department of Health 518-828-3358

Columbia County Department of Social Services 518-828-9411

Agency: Public Health Services

Responsibility: Provide direction, coordination and services as necessary and appropriate to aid citizens in the event of concerns or in outbreaks of communicable disease or illness or actions as needed to preserve public health.

Columbia County Health Department

Address: 325 Columbia Street, Hudson, NY 12534

Email: ccdoh@columbiacountyny.com

Phone: (518)-828-3358 After Hours: 518-828-3344

Public Health Director: Victoria McGahan

Agency: Emergency Shelter Services

Responsibility: Provide designated locations and facilities to shelter persons in times of loss of electrical power, public utility, OR when evacuations are deemed necessary due to natural, man-made or other disaster. Such shelters may be in the form of Warming Centers,

Overnight Shelters, or Public Information/Aid Centers. Columbia County Emergency Management works with the American Red Cross (ARC) to provide emergency sheltering. Typically, it can be 48- 72 hours before an ARC shelter can be established. The town supervisor, working with town officials and agencies (and Columbia Co Emergency Management when needed) will provide a warming/cooling/charging centers (for cellphones and personal devices) and/or temporary sheltering location until such a time that a longer-term ARC shelter is established. For sheltering purposes, the ARC can be contacted via Columbia County Emergency Management or by calling their 24hr emergency number (800-831-0927). For residents who must evacuate due to fire damage to their home, the Columbia County Fire Coordinator's Office works with the ARC to provide temporary housing and other emergency support.

American Red Cross 24hr 1-800-831-0792

Agency: Law Enforcement

Responsibility: As there is no local police agency, all law enforcement services as required by the town shall be provided through the services of the Columbia County Sheriff Office, the New York State Police, or the New York State Park Police as appropriate.

Columbia County Sheriff Office:

Sheriff Donald Krapf Office 518-828-3344 Cell:

New York State Police:

Livingston Barracks 518-851-3111

New York State Park Police:

Staatsburg HQ 845-889-8866

Taconic State Park

Chris Rickard, Park Manager 518-329-3993

Agency: Public Utility

NYSEG

New York State Electric & Gas 1-800-572-1131

Marilyn Keis-Hartunian Cell: 518-369-4734

NYSEG OUTAGES LIST:

<https://www.nyseg.com/outages/reportorviewoutage/viewoutagelist>

Consolidated Communications 1-877-746-3198

Charter/Spectrum Cable 1-844-891-1260

OTHER COMMUNITY CONTACT INFORMATION

Agency: **Places of Worship**

Community Methodist Church	518-329-2523
Our Lady of Hope Catholic Church	518-329-4711
West Copake Reformed Church	518-329-0300
St. Johns in the Wilderness Episcopal	518-329-3674

Agency: **Taconic Hills Central School District**

Responsibility: Taconic Hills School District may serve as a shelter- for warming, cooling and or charging cellphones and or personal devices, if requested.

Dr. Neil Howard, Jr. Superintendent of Schools
518-325-2800
73 County Route 11A
Craryville, New York

Agency: **Public Library**

Responsibility: The Roeliff Jansen Community Library shall assist with communications if requested, will serve as a drop off/pick up location for supplies if requested and will be available for a warming/cooling/charging station as necessary.

Director: Tamara Gaskell
Email: director@roejanlibrary.org
Telephone: 518-325-4101
Cellphone:

HOSPITALS

Albany Med	518-262-3131
Albany Memorial	518-471-3221
Berkshire Med	413-447-2000
CMH ER	518-828-7601
Fairview Hospital	413-528-0790

Northern Dutchess 845-871-3440

Sharon Hospital 860-364-4000

Mid-Hudson Regional/St. Francis 845-483-5000

St Peter's Hospital 518-525-1550

RAPID CARE CENTERS

Columbia Memorial Hospital Rapid Care

2827 US-9

Valatie, NY 12184

518-758-4300

Well Now Urgent Care

446 Fairview Avenue

Suite 200

Hudson, NY 12534

518-267-3496

LOCAL RESIDENTIAL CONTACT INFORMATION

Taconic Shores Property Owners Association

Contact# 518-621-2341

Camphill Village-Copake

Contact# 518-329-4851

SEASONAL HIGH-DENSITY POPULATIONS

- Bronx House Emanuel Children/Adult Camp [Berkshire Hills Eisenberg Camp]
 - Contact Info:
 - Business Phone 914-693-8952
 - Adam Weinstein, Executive Director
- Camp Pontiac Children Camp
 - Contact Info:
 - Business Phone 518-329-6555
 - Michael Etra, Director
- Waubeeka Family Campground
 - Contact Info:
 - Business Phone 518-261-1791
 - James Vining, Manager

- Copake Camping Resort
 - Contact Info:
 - Business Phone 518-329-2811
 - Lisa Hurn, Manager

- Taconic State Park Campground/Recreation Area
 - Contact Info:
 - Business Phone 518-329-3993
 - Chris Rickard, Park Manager

Town of Copake Emergency Plan

Standard Operating Procedures

A). Emergency Declarations

The Town Supervisor shall be responsible for determining the need to make any emergency declaration. Such declarations may be in the case of natural or man-made disasters to include floods, fires, hazardous materials releases, tornadoes, ice storms, snow storms, heavy rains, sheer winds, earthquake, extreme heat or cold, or act of public violence / threat or when an evacuation of the public is deemed necessary. Declaring a local State of Emergency Article 2b Declaration shall be in accordance with the provisions of NYS General Municipal Law, Town Law, and any other applicable rules or regulations. The county and state Offices of Emergency Management may assist in making such promulgation or declaration. When such declarations are made all local agencies as named in this plan shall be made aware to include the details of the declaration and the duration intended. *See Appendix A, attached. Information for Local Chief Executives Regarding Declaring a State of Emergency and Issuing Emergency Orders*

B). Sheltering

As an incident may dictate either by its circumstances or its anticipated duration a decision may be made by the Town Supervisor to open a shelter as any of the following:

1. **Warming Stations and Cooling Centers** [for use by individuals for periods generally less than 24 hours] During extended power outages affecting large numbers of town residents, the Supervisor may activate the Town Hall and or the Park Building as a Warming Center (extreme cold), Cooling Center (excessive heat) Charging Center (for cellphones and other personal devices, anytime). These centers will provide town residents (experiencing the power outage) a place to go for a short period of time to warm up, cool down and/or charge their mobile devices. Wi-fi is also available in both the Town Hall and Park Building.

The Town Supervisor is authorized to open Warming, Cooling and Charging Stations whether or not the Town has declared a State of Emergency.

If activated, the Columbia County Emergency Management Department should be notified and the times of operation posted to

the town's social media site and publicized through a special edition of the Copake Connection.

If activated, each Fire Department serving the town of Copake [Copake Fire , Craryville Fire, Hillsdale Fire] shall be notified by the town supervisor or such designee and the times and locations of sheltering, warming, or available aid operations be posted for viewing by the public at each fire station. Such posting at the fire station may be by a placard on the main fire hall outside entry door, an outdoor sign or billboard and on a fire departments website or social media page.

2. **Shelters** [for use by individuals for periods generally of 24 hours or longer, with provision of meals] When determination is made for the opening of "Shelters" **The American Red Cross** shall be contacted to act as the lead for supplying and coordinating necessary resources to include staffing and supplies. The **Columbia County Office of Emergency Management** should be notified and the details regarding the shelter shall be posted to the Town's social media site and publicized through a special edition of the Copake Connection.
3. **Evacuation Centers** [duration to be determined by need]
4. **Aid Stations** as determined by situational need to provide distribution of water, dry ice, medications, food or whatever may be deemed appropriate for the situation.

In addition to the Town Hall and Park Building, other locations for such Warming Stations, Shelters, or Evacuation Centers may include the Taconic Hills School Complex, the Roeliff Jansen Community Library or any other area as so designated as necessary for the emergency.

C) **Communication Plan**

Any or all the following may be utilized as forms of inter-agency communication relative to coordinating emergency operations.

1. Email

Town Supervisor: CopakeSupervisor@townofcopake.org

Town Clerk: copaketownclerk@townofcopake.org

Town Highway Superintendent: copakehighway@townofcopake.org

Town Park Manager: Robert Callahan bob258@aol.com

2. Telephone contact

Town Hall EOC: 518-329-1234 x 2

Town Supervisors Office: 518-329-1234 x 1

Cell for Supervisor Jeanne Mettler: 518-822-7673

Town Clerk's Office: 518-329-1234 x 2

Cell for Town Clerk Lynn Connolly

Town Park Building: 518-329-4242

Cell for Robert Callahan

Town Highway Department: 518-325-4222

Cell for Highway Superintendent Bill Gregory

Copake Fire Station non-emergency: 518-329-4161 or 518-329-0470

Craryville Fire Station non-emergency: 518-325-3665

Hillsdale Fire Station non-emergency: 518-325-4721

Community Rescue Squad non-emergency: 518-329-2200

See Appendix B for separate log of Contact information

3. Two way radio

155.865 Local municipal shared frequency [Highway/Fire/EMS]

Agencies with 155.865 communication capability

- Copake Highway Department
- Copake Fire Department
- Community Rescue Squad
- Copake Town Hall
- Copake Fire Station EOC

Local Fire / EMS / Law Enforcement Agencies shall utilize their respective communication systems to communicate in conjunction with the county 911 Center as according to their protocols.

D). Public Information Release

The release of official statements, directives, or emergency declarations as they may pertain to town wide multiple agency emergency operations shall be approved by the Town Supervisor or his/her representative using a designated person as the

source for the release of such information. Once approved such information may be disseminated by the following:

1. Copake Connection
2. Town Facebook Page or other social media
3. Town Website
4. Radio / television
5. Newspaper
6. Posting to the Town Hall Bulletin Board, the sign at the Copake Memorial Park and the signs at the three Fire Departments serving the Town of Copake
7. Roeliff Jansen Community Library- social media, email blasts etc.
8. Mass Emergency Communications via 911- see (F) below.

The Town Clerk will keep a log of all communications which are approved.

E). Emergency Operation Center(s)

Operation Centers shall be supplied with back-up power electrical power to assure 24/7 operation and be equipped with telephone and two-way radio communication.

1. Copake Town Hall – At the determination of the Town Supervisor or if the Town Supervisor is unavailable, his/her Deputy or if appointed, the Town Emergency Coordinator, the Town Hall may be established as a local Emergency Operations Center (EOC) for the purposes of coordinating all appropriate local resources as deemed necessary to fulfill the needs of the emergency. (If the Town Hall is not available, the Town Park Building may be designated as the local EOC.) When activated, each agency named in this plan which is deemed a necessary partner for the current situation shall be notified that an EOC has been established by the Town of Copake and that either

a) a representative of each assigned agency shall report as requested to the town EOC to provide routine updates of operations, necessary documentation, or other input as required. OR

b) As an alternative to staffing the Town Hall EOC by local Fire, Police, EMS, Highway Dept. and Public Utility representatives, the Town Supervisor or designee may establish a briefing schedule for phone contact with each agency to provide and maintain abreast of current data and information to aid the Town Supervisor or designee in making appropriate decisions for sheltering, evacuations, or establishing aid centers.

Such Town EOC activation notifications can be made by the Town Supervisor or designee to the specified agencies via phone, fax, text or email. Agencies notified should immediately acknowledge receipt of such notification.

Pertinent Information to be utilized by the Town Supervisor or designee in making such determinations for sheltering, aid stations and evacuations may include reports of:

- Power outages in terms of number of properties affected and the anticipated duration of the outage.
 - Road Closures and/or Detours
 - Driving Conditions
 - Fire spread, Smoke or Toxic Plume release
 - Pending or current weather predictions
 - An escalation of citizens requiring medical treatments or services
 - Any other circumstance as deemed appropriate to the current situation.
2. Copake Fire Station - At the determination of the Copake Fire Incident Commander, the Copake Fire Station located at 390 Center Hill Road may activate its EOC. When activated it shall be for the purpose of providing local coordination of fire department services to include accountability and assignment of resources to handle fire and rescue emergency response. When activated its operation will be coordinated with the Columbia County 911 Center in Hudson and with any other local EOC so activated. The Copake Fire Station EOC shall utilize communication capabilities to include land-line phone, fax, and two-way radio to include Columbia, Berkshire, and Litchfield County Fire; local and county EMS, Copake Town Highway, Taconic State Park Operations, and Copake Fire Operations frequencies. Dutchess County Fire, Columbia County Highway Department, and certain local law enforcement agency's [CCSO / NYSP] will be monitored radio channels at the Copake Fire EOC.
 3. Craryville Fire Station - At the determination of the Craryville Fire incident Commander, the Craryville Fire Station located at 4210 County Route 7, Craryville, NY 12521 may activate its EOC. When activated it shall be for the purpose of providing local coordination of fire department services to include accountability and assignment of resources. When activated its operation will be coordinated with the Columbia County 911 Center in Hudson and with any other local EOC so activated.
 4. Hillsdale Fire Station - At the determination of the Hillsdale Fire incident Commander, the Hillsdale Fire Station located at 9387 NY-22, Hillsdale, NY 12529, may activate its EOC. When activated it shall be for the purpose of providing local coordination of fire department services to include accountability and assignment of resources. When activated its operation will be coordinated with the Columbia County 911 Center in Hudson and with any other local EOC so activated.

In the event that a Fire Department activates an EOC, the Chief of the Fire Department shall notify the Town Supervisor.

F). Mass Emergency Notification

The mass emergency notification system used by Columbia County is NYALERT provided by New York State. Columbia County 911 and Emergency Management have access and ability to send emergency and immediate public safety messages to all of Columbia County or to only certain sections of the county (all or part of the Town of Copake). Emergency notifications are transmitted to all landline phones within the area chosen. For Copake residents to receive notification on their cell phone by text and/or by email, they must open a free personal account at the NYS website <https://alert.ny.gov/> and enter their cell phone and email address. Various types of notifications offered can be chosen in the personal account.

During a major emergency incident or imminent public safety event, to request that an emergency notification be sent, the Town Supervisor (or other town official as designated) and/or the Fire Department Incident Commander of the Fire District having jurisdiction for the incident can contact County 911 at their non-emergency number or Columbia County Emergency management at the contact numbers provided within this plan. In the event that the Town requests that 911 sends out a message to residents, the Supervisor or his or her designee shall inform the Fire Departments in the Town. If any of the Fire Departments intend to request that a 911 message be sent, the Department shall notify the Supervisor.

INFORMATION FOR LOCAL CHIEF EXECUTIVES REGARDING DECLARING A STATE OF EMERGENCY AND ISSUING EMERGENCY ORDERS

The following information can be used by local Chief Executives and Emergency Managers on matters pertaining to declaring a "local state of emergency", pursuant to Article 2-B of the State Executive Law. This document addresses the most commonly asked questions regarding a local state of emergency. Additional information or clarification may be obtained by contacting your local, County or State Office of Emergency Management. If you have a specific legal question regarding the use of the provisions found in 2-B it is always best to consult with your attorney.

A. INSTRUCTIONS FOR DECLARING A LOCAL STATE OF EMERGENCY:

1. Only the local chief executive (County Executive, Town Supervisor, Village or City Mayor) can declare a local state of emergency covering all or any part of his/her jurisdiction.
2. A local state of emergency is declared pursuant to section 24 of the NYS 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 should be written.
5. The declaration should include the time and date, the reason for the declaration, the area involved, and the expected duration.
6. The written declaration should be kept on file in the Municipal or County Clerk's Office. Copies of the written state of emergency must be sent to the Department of State and the State Office of Emergency Management.
7. A local state of emergency must be declared BEFORE emergency orders are issued.
8. A local state of emergency should be formally rescinded when the declaration is no longer needed.
9. Only the local chief executive, or person authorized to act for the local chief executive, may rescind a local state of emergency.
10. The rescission should be written.
11. 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.
12. The written rescission should be kept on file in the Municipal or County Clerk's Office. Copies of the rescission should be sent to the Department of State and the State Office of Emergency Management.

B. QUESTIONS AND ANSWERS ON DECLARING A STATE OF EMERGENCY

1. ***Who is considered a local chief executive for the purpose of declaring a local state of emergency?***

The Mayor of a City or Village, a Town Supervisor, the County Executive or County Manager are considered local Chief Executives. When a County does not have a County Executive or Manager, the Chairman or other presiding officer of the County Legislature serves as Chief Executive. In cases where the City, Village or Town has a Manager, then the Manager serves as the Chief Executive.

2. ***Why should I declare a local state of emergency?***

It provides the local chief executive with additional powers in order to respond adequately to a disaster. These powers, exercised through the issuance of emergency orders, include, but are not limited to:

- Establishing curfews;
- Implementing public protective measures (e.g., controlling traffic, prohibiting ingress and egress into the affected area, prohibiting the sale of alcohol and firearms);
- Establishing shelters, medical shelters, or alternate care sites;
- Suspending local laws; and
- Requesting supplemental assistance.

3. ***Can a declaration give legal protection?***

Yes. A declaration of a local state of emergency provides legal protection and immunities for the local chief executive and local emergency officials when they make decisions and take actions to respond to disasters or emergencies.

4. ***Can a state of emergency be declared at any time?***

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

5. ***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, or impending emergency or disaster caused by natural forces (floods, blizzards, ice storms, tornadoes).

6. ***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.

7. ***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 your jurisdiction's resources, and the resources of the county, the **County Chief Executive** may request the Governor to declare a state disaster emergency which will allow the Governor to provide assistance from state resources.

8. ***Must I rescind a declaration of state of emergency?***

No. Executive Law § 24 does not require you to rescind the declaration of a state of emergency, however, a written rescinding statement should be made when the emergency no longer exists. The local chief executive can rescind the declaration of emergency at any time.

9. ***If I don't rescind a state of emergency, does it end automatically?***

Yes. If no time limit was specified in the declaration, the state of emergency will terminate automatically 30 days after the effective date of the state of emergency. In the alternative, if a time limit was indicated in the declaration of state of emergency it will terminate at that the time and date indicated therein.

10. ***When should I rescind a state of emergency?***

Even though the state of emergency will automatically terminate after 30 days, you should rescind it when the conditions that warranted the declaration no longer exist.

11. ***Must the rescission be issued in writing?***

No. However, it is recommended, in the same manner as a declaration of state of emergency is recommended, to be issued in written form.

12. ***Must the rescission be filed?***

No. However, it is recommended that it be filed in the Office of the Municipal or County Clerk.

C. INSTRUCTIONS FOR ISSUING LOCAL EMERGENCY ORDERS

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

1. Local emergency orders can only be issued by the local chief executive for his/her own jurisdiction following the declaration of a local state of emergency by that same executive.
2. Local emergency orders must be written.
3. Local emergency orders should include the time and date they take effect, the reason for the declaration, the area involved, and the duration.
4. A local emergency order expires automatically after five (5) days. It can be rescinded before that by its own terms, or by a rescission by the local chief executive. It is also automatically rescinded when the state of emergency is rescinded
5. The local chief executive may extend local emergency orders for periods not to exceed five (5) days each during the state of emergency.
6. 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.
7. Local emergency orders may be terminated at any time by the local legislative body via concurrent resolution.
8. Local emergency orders must be executed in triplicate and filed within 72 hours or as soon as practicable in the Office of the County Clerk, and the Office of the Secretary of State.
9. Local emergency orders must be re-filed if they are extended.

D. QUESTIONS AND ANSWERS ON ISSUING LOCAL EMERGENCY ORDERS

1. ***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.

2. ***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 the local government. An emergency order should be used to execute the additional powers given to the chief executive by virtue of declaring a local state of emergency. *See section B.4 above.*

3. ***Can a local emergency order be issued at any time after I've declared an emergency?***

Yes. Once the local chief executive has declared a local state of emergency s/he can issue local emergency orders.

4. ***Is it in effect indefinitely?***

No. A local emergency order automatically terminates 5 days after issuance, or by rescission by the local chief executive, or a declaration by the local chief executive that the state of emergency no longer exists, whichever occurs sooner. It can also be terminated at any time by concurrent resolution by the local legislative body.

5. ***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 local chief executive during the state of emergency.

6. ***Can a local emergency order be extended beyond five days?***

Yes. The local 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.

7. ***Can a citizen who disobeys an emergency order be arrested?***

Yes. Any person who knowingly violates any local emergency order of a local chief executive issued pursuant to Section 24 of the Executive Law can be found guilty of a class B misdemeanor.

E. ADDITIONAL QUESTIONS AND ANSWERS REGARDING DECLARATION OF A STATE OF EMERGENCY

1. ***Do I have to declare a local state of emergency to receive state and federal disaster assistance?***

No. A local state of emergency is not required for the municipality to receive state and federal aid. By proclaiming a local state of emergency, the local chief executive of a community is stating that a serious situation exists, or is imminent, that will affect public health and safety and may require extraordinary measures for effective response or recovery. The Governor may, on his own initiative, declare a state disaster emergency for the affected local area, which will allow the use of state assets. In addition, the threshold for seeking assistance from higher levels of government is the inability to respond adequately with available local resources. The declaration of a local state of emergency can be an acknowledgement that the disaster is beyond the capabilities of the local government.

2. ***What are the advantages of declaring a local state of emergency?***

The declaration of a local state of emergency increases the powers of the local chief executive. These powers are implemented through the use of emergency orders. Additionally, an emergency declaration gives greater legal protection and immunities for local chief executives and local emergency officials when making decisions and taking actions during disasters and emergencies.

3. ***Are there circumstances when it would be inappropriate to declare a local state of emergency?***

A local state of emergency can be declared and emergency orders can be issued in the event of a disaster, rioting, catastrophe or similar public emergency---or when there is reasonable apprehension of an immediate danger from such events. Declarations under Executive Law generally have been in response to disasters, emergencies and related catastrophes or threats that pose an immediate peril or have an acute impact on the community and public safety.

In many cases, the need to proclaim a local state of emergency is obvious. When a situation exists which has or will place the public at risk and will require extraordinary measures for proper protection, a declaration should be made. For example, a Category III hurricane travelling up the coast, a blizzard that dumps 4' of snow in a short period of time, an explosion and subsequent release at a local chemical plant.

In most situations assessing the need for the special powers, authorities and protections are primary concerns when deciding whether to declare a local state of emergency. When the incident can be effectively managed within the capabilities of the community and extraordinary measures are not required for response or recovery, a local state of emergency is not necessary. Examples would be a minor hazardous materials incident or normal and low-lying flooding from rains or spring snowmelt.

4. *Can a local state of emergency be declared in anticipation of a disaster or in advance of an expected emergency?*

Yes. If the impending disaster or emergency creates an imminent danger and may imperil public safety, a local state of emergency can be proclaimed. Doing so permits the community to obtain resources or take actions needed to provide more timely public protection or services in anticipation of an emergency (for example, ordering an evacuation).

5. *When a municipality declares a local state of emergency, must the county also declare?*

No. It is not necessary for the County to declare a local state of emergency because a municipality does.

6. *Can a county declare an emergency in an area if the affected town, village, or city has not done so?*

Yes. The county chief executive can declare an emergency if it determines the situation may have impacts or requirements that affect the county and its resources. The county chief executive may declare a local state of emergency for any portion of the county, including part or all of any Town, Village or City --- even when the local jurisdiction does not declare.

7. *Should the local state of emergency include the entire jurisdiction or can a declaration be made for a specific area within the jurisdiction?*

A local state of emergency can include the entire jurisdiction, or it can be designated for a specific geographical section or area of the community. In either case, the declaration area should be clearly defined. Counties may consider issuing a declaration for specific communities and contiguous areas, in case the situation has impacts or requirements extending beyond a local site. For example, when the Governor declares a state disaster emergency for an event that has occurred within one county, that county will be specifically named along with the generic statement "and contiguous counties."

8. *Does declaring a local state of emergency require the local jurisdiction to pay for assistance it receives from other local governmental units?*

Under the provisions of the Intrastate Mutual Aid Program (IMAP) (Exec. Law § 29-h), the assisting local government is authorized to seek reimbursement from the requesting local government. The assisting local government may choose to lend or loan resources to the requesting local government without any expectation of reimbursement. However, this expectation should be made clear prior to sending or accepting resources. If the assisting local government offers to provide resources and makes it clear that it is expecting to be reimbursed, the requesting jurisdiction may choose to refuse to accept assistance or accept the resources and reimburse the assisting local government. The IMAP committee

is responsible for creating guidelines to be used and procedures to be followed when requesting reimbursement for the deployment of resources from the assisting local government.

9. *If a local state of emergency is declared, does it allow officials to confiscate or demand the use of private resources, property, and equipment?*

No. Declaring a local state of emergency does not permit government to demand or confiscate private property and resources. The local chief executive can undertake emergency actions on any property within his or her jurisdiction, including private property, with the possible exception of Federal and Indian property.

10. *Is there a difference between a disaster declaration, an emergency declaration or proclamation and a local state of emergency?*

The wording in Article 2-B of the Executive Law refers to a proclamation of a local state of emergency. When a declaration is issued, it actually means a local state of emergency is in effect, as proclaimed by the local chief executive. The terms "disaster declaration," "local state of emergency," and "disaster proclamation" are often used interchangeably to refer to the same thing. However, the correct term as cited in § 24 of the Executive Law is "local state of emergency."

11. *Is the local chief executive the only local official that can declare a local state of emergency?*

Yes. The local chief executive is the only official that can proclaim a local state of emergency under provisions of § 24 of the Executive Law. It is important to keep in mind that the declaration of a local state of emergency **does** not affect the statutory powers, duties, and authorities which may be given to other local officials pursuant to other provisions of New York State or local laws. For example, a Sheriff can declare a "Special Emergency" relating to public safety under provisions of the General Municipal Law (§ 209-f(2)). These declarations are applied in specific circumstances and are not considered to be as comprehensive as a proclamation under Article 2-B.

12. *What is the relationship between a local state of emergency and emergency orders? How are each applied and handled?*

A local state of emergency is a declaration or proclamation by the local chief executive that a disaster has occurred and certain emergency conditions exist. The declaration is a statement to the public that some type of hazard or threat exists and has been determined to pose a risk to the community and to public safety. It also establishes a legal basis for the local chief executive and local emergency officials to implement authorities and actions to address the situation.

Once a local chief executive proclaims a local state of emergency, it then permits him or her to issue emergency orders. Emergency orders are the specific actions taken by the local chief executive when a local state of emergency is in effect. An evacuation order or an order limiting access in certain areas would be examples of emergency orders.

13. *Can a local state of emergency be used to suspend existing local laws?*

Yes. A local chief executive can use a local state of emergency to suspend local laws, ordinances and regulations, provided certain conditions outlined in § 24(1)(g) of the Executive Law are met. Requirements associated with suspension of local laws can be complex and should be done in consultation with your local attorney. Before local laws can be suspended, either the Governor must have declared a state disaster emergency, or after a local chief executive has declared a state of emergency, the county chief executive has requested assistance from the Governor. Suspensions must be reasonably necessary as a result of the disaster and provide for minimum deviation from the intent of the law, ordinance or regulation.

Local chief executives cannot suspend state or federal laws, rules, or regulations.

14. *Will declaring a local state of emergency expose me to a greater risk of liability?*

No. Section 25(5) of the Executive Law provides immunity for local officials when making discretionary decisions during a disaster or emergency. Although a declaration of a local state of emergency cannot prevent lawsuits against public officials and municipalities, having a proclamation in effect provides greater protection from liability. While a declaration provides immunity, it is still important that local officials act within the scope of their authority and experience. It is also recommended that a local disaster preparedness plan be followed to the extent possible during the response and recovery to such a disaster.

15. *Do the individuals who provide assistance in response to or recovery from a disaster have any kind of liability protection?*

Yes. Individuals, such as public officers, employees or affiliated volunteers that have duties or responsibilities specified in the local comprehensive emergency management plan are given protection from liability in § 29-b of the Executive Law. These individuals, referred to as Disaster Emergency Response Personnel (DERP), when operating under the command of the county emergency management director, receive the same privileges and immunities they would receive if they were participating in a local civil defense drill in the political subdivision in which they are enrolled. When participating in a civil defense drill, civil defense forces (DERPs in Article 2-B) are provided with immunity from liability (Defense Emergency Act – NYS Unconsolidated Laws § 9193)

16. *Is it necessary to declare a local state of emergency to order an evacuation of the general public?*

Yes. Section 24 of the Executive Law gives the local chief executive the authority to issue emergency orders, which could include the requirement for an evacuation in time of emergency to protect public health and safety. At times, on-scene responders may recognize a need for a limited and immediate evacuation. It may not always be possible or practical to declare a local state of emergency. In these situations, evacuations are commonly conducted as a recommended emergency protective measure, without a local state of emergency and order, and are completely voluntary.

17. *When can the Governor declare a state disaster emergency?*

When the Governor, on his own initiative or upon request from one or more local chief executives, finds that a disaster has occurred or is imminent for which local governments are unable to respond adequately, he may declare a state disaster emergency. In many cases, when state agencies can provide emergency assistance pursuant to existing authorities and resources, a declaration by the Governor is not required.

18. *Is a Governor's state disaster emergency declaration necessary to receive federal aid?*

A declaration by the Governor is not necessary to request federal assistance. A decision by the Governor to declare a state disaster emergency is based upon the scope of the disaster and the authority needed to direct state resources.

State requests for federal disaster assistance are based on an assessment of response and recovery demands and damages to the public and private sectors. The assessment is done in coordination with FEMA staff, and further determines if the implementation of various supplemental federal disaster relief programs is warranted in relation to the scope of the disaster and the capability of state and local governments to effectively address response and recovery needs.

19. *Can the Governor request federal assistance immediately?*

Yes. In catastrophic disasters, where the need for early federal support from the President is proven, the Governor may request federal involvement immediately. When requesting disaster assistance from the President, federal law requires the Governor to submit specific information and meet certain requirements, supported by impact statements and damage estimates. By federal law, the Governor has 30 days to request federal assistance from the President.

In emergencies of less significant scope, a determination on the extent and kinds of federal assistance to be requested are generally not made until a comprehensive damage assessment is completed to ascertain the exact type of assistance needed. It may be that federal disaster relief programs can be implemented under the authority of a Federal Agency (such as the U.S. Small Business Administration, U.S. Department of Agricultural, the U.S. Corps of Engineers, etc.), and that Presidential assistance is not warranted. Such an assessment is conducted jointly by state and local governments, usually with technical assistance from FEMA.

STATE OF EMERGENCY DECLARATION

A State of Emergency is hereby declared in _____
effective at: _____ (area within municipality, or entire municipality)

_____ on _____
(time) (date)

This State of Emergency has been declared due to

(description of situation)

This situation threatens the public safety.

This State of Emergency will remain in effect for thirty (30) days or until rescinded by a subsequent order.

As the Chief Executive of _____,
(name of municipality)

I, _____, exercise the authority given me under
(name of Chief Executive)

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 this Municipality.

I hereby direct all departments and agencies of

_____ to take whatever steps necessary to
(name of municipality)

protect life and property, public infrastructure, and provide such emergency assistance deemed necessary.

(Name)

(Signature)

(Title)

(Date)

EMERGENCY ORDER

Local Emergency Order for:

(name(s) of area(s)/municipality(ies) affected by this order)

I, _____, the Chief
Executive

of _____, in accordance with a declaration of a State of
(name of municipality)

Emergency issued on _____, 20____, and pursuant to Section 24 of
(date SOE was issued)

New York State Executive Law, do hereby order

(description of the action ordered and the area(s) affected and the reason for the order)

This order shall take effect

("IMMEDIATELY" or specify date and time)

and shall remain in effect for five (5) days unless rescinded earlier by order of the Chief Executive. This order may also be renewed in (5) five-day increments.

Failure to obey this order is a criminal offense, punishable by law under New York State Executive Law § 24(5).

Signed this the _____ day of _____, 20____, at _____ o'clock, in ,
(date) (month) (year) (time)

_____, New York.
(municipality)

(Name) (Signature)

(Witness Name) (Witness Signature)

(Title) (Date)

Appendix B

CONTACT INFORMATION

TOWN OFFICIALS

Town Supervisor and Town Board

Jeanne E. Mettler	Cell	Home
Richard Wolf	Cell	
Terry Sullivan	Cell	Home
Stanley Gansowski	Cell	Home
Jeffrey Judd	Cell	

Town Clerk

Lynn Connolly	Cell	Home
---------------	------	------

Highway Department

Superintendent

William Gregory	Cell
-----------------	------

Deputy Superintendent

Jeremy Holdridge	Cell
------------------	------

Code Enforcement Officer

Erin Reis	Cell
-----------	------

Building Manager

Robert Callahan	Cell	Home
-----------------	------	------

Dog Control Officer

Kyle Miller	Cell
-------------	------

AGENCIES AND DEPARTMENTS

Copake Fire Department

518-329-4161

518-329-0470

Chief

John DeRocha	Cell
--------------	------

Deputy Chief

Randi Shadic	Cell
--------------	------

Assistant Chief

Jason Mato	Cell
------------	------

Craryville Fire Department

518-325-3665

Chief

Bill Baker	Cell	Home
------------	------	------

1st Asst. Chief

John Pieser Cell

2nd Asst. Chief

Michael Busch Cell

Hillsdale Fire Department

Chief

Richard Briggs Cell

1st Asst. Chief

Josh Stalker Cell

2nd Asst. Chief

Robert Burns Cell

Columbia County Emergency Management Department

David Harrison, Jr. 518-828-1212

Columbia County 911

24 Hour 518-828-1263

Columbia County Sheriff

Donald Krapf Cell 518-929-5329 Office 518-828-3344

Taconic State Park

Chris Rickard 518-329-3993

NYS Police

Livingston Barracks 518-851-3111 845-877-7300