



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

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In the News – State

Gov. Cuomo Protects Columbus Monument

The New York State Board for Historic Preservation has listed New York City's Central Park monument to Christopher Columbus on the State Register of Historic Places. This designation now requires that any State-funded activity or permit affecting the statue would have to be reviewed by the State Historic Preservation Office and negative impacts would have to be corrected or mitigated.

The statue was listed on the State Register on September 20th after a unanimous vote of the State Board for Historic Preservation. Immediately after adding the statue to the State Register, State Parks forwarded a nomination of the statue to the National Park Service for listing on the National Register of Historic Places.



According to Governor Andrew Cuomo, the 76-foot rostral column was erected in 1892 in Central Park by New York's growing Italian-American community, which embraced Columbus as a unifying figure to help Italians overcome discrimination and gain inclusion in mainstream society.

"The Columbus Monument is a powerful symbol of the Italian-American community and a testament to New York's role in assimilating immigrants from all over the world in our state," Governor Cuomo said. "This designation sends a strong message of the statue's importance to our state's history and how worthy it is of preservation so that future generations can see it, appreciate it and learn from it."

A listing on the State Register of Historic Places is an honorific designation indicating the importance of the statue in New York State's history and its worthiness for preservation for generations. Other statues and buildings on the State Register of Historic Places include the Statue of Liberty, Radio City Music Hall, the Empire State Building, and Central Park.

A National Register listing is an honored recognition of historic significance and offers protections for the statue under state and federal historic preservation laws. This listing would also make the statue eligible for state and federal grant programs.

According to the Governor, the Columbus Monument is historically significant as an outstanding example of public art as well as a representation of ethnic and social history. Italian immigrants faced strong prejudice and hostility as they arrived in increasing numbers in the late 19th century. Seeking inclusion in mainstream American society, Italian American community leaders turned to the image of Columbus to create an Italian American ethnic identity that they believed would overcome prejudice and promote assimilation. Funds for the statue were raised by Carlo Barsotti, founder of *Il Progresso*, the first Italian-language daily newspaper in America, and the Columbus statue is one of five statues dedicated to great Italians erected in New York City during the first three decades that *Il Progresso* was published. It was designed by Italian sculptor Gaetano Russo, well-known as a sculptor of allegorical figures and commemorative monuments in Italy.



NY State of Health Announces 2019 Health Insurance Options

NY State of Health, the state's official health plan marketplace, this week announced the health plan options that will be available to consumers in 2019. The 2019 Open Enrollment Period begins November 1st and will continue through January 31, 2019. Over 95 percent of Marketplace enrollees will see no cost increase in 2019, according to plan representatives.

Households that currently have coverage through NY State of Health will begin to receive their 2019 renewal notices later this month and may begin renewing coverage on November 16th. Consumers who are new to the Marketplace will be able to enroll in coverage for 2019 when the Open Enrollment Period begins on November 1st.

Qualified Health Plans

All of the insurers that offered Qualified Health Plans last year will offer them again in 2019. The 12 insurers are:

- Capital District Physicians Health Plan
- Empire Blue Cross and Empire Blue Cross Blue Shield
- Excellus (Excellus Blue Cross Blue Shield in Central NY and Univera in Western NY)
- Fidelis Care
- Health Insurance Plan of Greater New York (EmblemHealth)
- Healthfirst
- HealthNow New York, Inc. (BlueShield of Northeastern NY; BlueCross BlueShield of Western NY)
- Independent Health
- MetroPlus Health Plan
- MVP Health Care
- Oscar Insurance Corporation
- United Healthcare of New York, Inc.

The Essential Plan

Capital District Physicians Health Plan (CDPHP) joins the 2018 plan providers, bringing the total number of offerers in 2019 to 16:

- Affinity Health Plan
- Capital District Physicians Health Plan
- Crystal Run Health Plan
- Excellus (Excellus Blue Cross Blue Shield in Central NY and Univera in Western NY)
- Fidelis Care
- Health Insurance Plan of Greater New York (EmblemHealth)
- Healthfirst
- HealthNow New York, Inc. (BlueCross BlueShield of Western NY)
- HealthPlus HP (Empire BlueCross BlueShield HealthPlus)
- Independent Health
- MetroPlus Health Plan
- Molina Healthcare
- MVP Health Care.
- United Healthcare of New York, Inc.
- WellCare of New York
- YourCare Health Plan

The Small Business Marketplace (SBM)

The SBM offers health insurance coverage for all small businesses with 100 or fewer employees.

Employers must enroll directly through insurers and certified brokers. In 2019, nine insurers including United Healthcare (Oxford) which is new to the SBM, will offer over 2,000 products across the state:

- Capital District Physicians Health Plan
- Excellus (Excellus Blue Cross Blue Shield in Central NY and Univera in Western NY)
- Healthfirst
- Health Insurance Plan of Greater New York (EmblemHealth)
- Independent Health
- MetroPlus Health Plan
- MVP Health Care
- Oscar Insurance Corporation
- United Healthcare (Oxford)

Dental Plans

The Marketplace will also offer the following stand-alone dental plans on the individual Marketplace:

- Delta Dental
- Dentcare
- Dentegra
- Empire BlueCross and Empire Blue Cross BlueShield
- Guardian
- HealthNow New York, Inc. (BlueShield of Northeastern NY; BlueCross BlueShield of Western NY)
- Healthplex
- Solstice

In the News – City



MTA Faces Its Greatest Challenges in Decades



The Metropolitan Transportation Authority (MTA) has been slow to reverse the deterioration in service and its financial plan entails considerable risk, according to an analysis released this week by New York State Comptroller Thomas DiNapoli. Even with planned fare and toll increases of 4 percent in 2019 and 2021 and another round of budget reductions, the MTA projects operating budget gaps that total \$262 million in 2020, \$424 million in 2021, and \$634 million in 2022.

"Our regional transit system is in crisis. Service has deteriorated on the city's subways and buses, the Long Island Railroad and Metro-North. Subway ridership has fallen notwithstanding the largest job expansion in New York City's history," Comptroller DiNapoli said. "Despite an infusion of \$836 million in state and city funds, there has been little improvement so far in subway service. Riders are leaving the system in frustration and deserve better, especially considering the proposed increase in fares."

Comptroller DiNapoli noted that the MTA has a number of big ticket programs planned with uncertain funding. New York City Transit has proposed a ten-year initiative with a cost of up to \$40 billion to modernize the subway system, but funding has not been identified. The MTA is seeking billions from the state and city to help fund its 2020-2024 five-year capital program (the 2014-2019 plan totaled \$32 billion). It is also seeking federal funding for extending the Second Avenue Subway.

The Comptroller identified the assumption that "the current economic expansion will continue uninterrupted" as the largest risk to the operating budget. In addition, he noted that the MTA expects subway ridership to resume growing in 2019 after falling for three consecutive years. Additional risks include the cost of future labor agreements.

Comptroller DiNapoli's report also found:

- Subway weekday on-time performance fell from 87.7 percent in 2010 to 63.4 percent in 2017, the lowest since at least 1991.
- LIRR had its worst on-time performance (91.4 percent) in 18 years in 2017. While LIRR delays attributed to Amtrak have declined by 51 percent through August, the number attributed to the LIRR itself have increased by 22 percent.
- Metro-North on-time performance has also fallen, from 97.8 percent in 2009 to 93.4 percent in 2017.

- Annual subway ridership has declined for two consecutive years and had fallen by 2.8 percent through July 2018. (Weekday ridership fell in 2017 for the first time since 2009 and is expected to drop again this year, the first two-year decline since 1992.) The MTA believes the decline results from poor service, service disruptions from repair work, fare evasion, and increased competition from for-hire vehicles, such as Uber and Lyft.

Briefs

Spectrum/Charter Settlement Talks Extended Again

NYS Public Service Commission (PSC) Chairman John Rhodes signed an order Wednesday giving Spectrum/Charter 45 more days to submit its exit plan and to petition the PSC to reconsider its July 27th order requiring the company to leave the state.

Spectrum/Charter now has until November 26th to file for a rehearing and until December 24th to file an exit plan. In granting the 45-day extension, Chairman Rhodes said the action "should not be viewed as an indefinite grant of time for discussions to continue between...staff and the company

The company asked the PSC for a 60-day extension to file its exit plan and petition for a rehearing, saying the discussions have been productive. PSC staff recommended a 45-day extension, saying it agreed the "talks have been productive and should continue..."

The PSC ruled July 27th that Spectrum/Charter has repeatedly failed to meet deadlines to extend its cable network to unserved and underserved rural areas of the state. It revoked its January 8, 2016, approval of Charter's merger with Time Warner Cable in the state.

Mayor de Blasio And UFT Reach Preliminary Agreement On 43-month Contract

The City of New York and the United Federation of Teachers (UFT) have reached a preliminary contract agreement for over 129,000 City workers. The proposed 3-year, 7-month contract would begin on 2/14/19 and expire on 9/13/22. The contract increases salaries for UFT-represented staff, including teachers, guidance counselors, social workers, paraprofessionals, and school psychologists.

In addition to providing UFT member with raises of 2%, 2.5%. and 3% over the course of the contract, the agreement would allow the Chancellor to designate up to 180 schools to receive a "Hard-to-Staff Differential" to attract and retain good teachers, guidance counselors and other hard-to-staff positions. UFT members will be eligible for an additional \$5,000-\$8,000 in salary per year.

Terms of the agreement must be approved by the union's full in-service membership.

OneNYC: Mayor de Blasio Announces City Awarded More Than \$10 Billion To M/WBES Since 2015

Mayor Bill de Blasio this week announced that the City has awarded more than \$10 billion to minority and women-owned business enterprises (M/WBES) since 2015, when the Mayor established his OneNYC goal to award \$20 billion to M/WBES by 2025. In 2018 alone, the City awarded more than \$3.7 billion to M/WBES through mayoral and non-mayoral agencies.

The top five performing agencies include (total awards since 2015):

1. *Design and Construction* awarded more than \$1 billion.
2. *Parks and Recreation* awarded more than \$455 million.
3. *Information Technology & Telecommunications* awarded more than \$449 million.
4. *Environmental Protection* awarded more than \$434 million.
5. *Transportation* awarded more than \$275 million.

In 2016, the Mayor set a goal to award 30 percent of all mayoral and certain non-mayoral contracts to M/WBES by 2021. In 2018, these agencies have awarded more than \$1 billion to M/WBES, or 19 percent of the value of City contracts. That's up from 11.4 percent in 2017.

President Signs U.S. Rep. Donovan's Disaster Recovery Reform Provision Into Law

Legislation, sponsored by U.S. Representative Daniel Donovan (R-Staten Island/Brooklyn) to allow the use of grant money to pay off federal loans was included in the recently enacted Federal Aviation Administration Reauthorization Act, according to published reports.

Specifically, a provision in the Act reverses a 2011 Department of Housing and Urban Development rule prohibiting Small Business Administration loans from being paid off with grant money. Following Superstorm Sandy, the Federal Emergency Management Agency (FEMA) encouraged storm victims to take advantage of SBA loans after they had exhausted aid from FEMA.

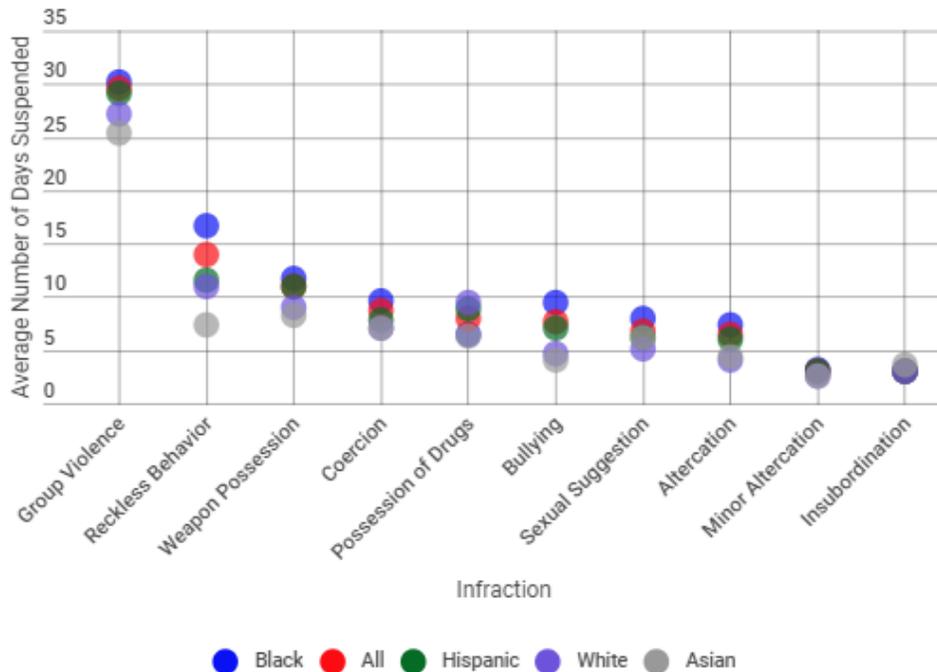
In addition, the Act will also reform the number of times victims will need to provide documentary materials when applying for disaster relief. After Superstorm Sandy, FEMA applicants needed to provide citizenship documents, multiple forms of identification, and documents proving their residency. A provision in the bill will require an analysis of how federal agencies can streamline the process.

When Students of Different Ethnicities are Suspended for the Same Infraction is the Average Length of their Suspension the Same?

To answer this question, the Independent Budget Office (IBO) this week compared the average length of all New York City school suspensions for the 10 most frequent infractions—approximately 25,000 in 2016-2017—for students in the four largest ethnic groups in grades 6-12.

On average, according to the IBO, black students received relatively longer suspensions for 8 of the top 10 infractions, with the exception of insubordination and possession of drugs. When students with disabilities are excluded from the analysis these same findings hold except in the instance of group violence where Hispanic students are suspended longer. The IBO also found that White and Hispanic students received longer suspensions on average for possession of drugs. This finding does not change if students with disabilities are excluded. The three infractions in which black students were suspended for roughly twice the number of days as students in one of the other ethnic groups were: bullying, reckless behavior, and altercation.

Average Duration of Suspensions for 10 Most Frequent Infractions, School Year 2016-2017



UA Plumber Local 1 Hosts NYC CLC/FL-CIO Organizing Institute

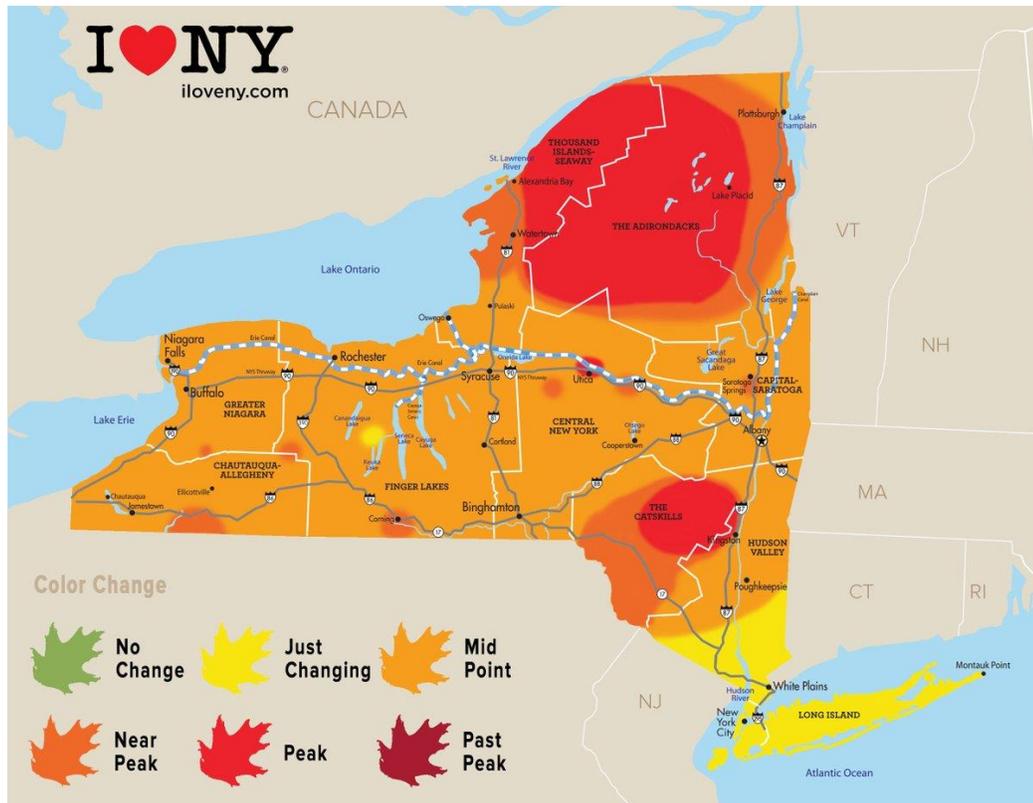


The UA Plumbers Local 1 union hall in Long Island City was the site for the NYC CLC three-day Internal Organizing training. The training, held October 5th through 8th, was facilitated by the AFL-CIO.

Participants including members and staff from CWA, IATSE, OPEIU, AFT, IAMAW, Worker Justice Project, UFT, UAW, SMART, RWDSU, UFCW, Independent Drivers Guild, and IBT spent time learning and practicing the one-on-one organizing skills. NYC CLC will be sponsoring additional organizing trainings in 2019.

Fall Foliage

This week's ILOVENY fall foliage report confirms near peak and peak conditions are spreading across the state.



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Coming Up

New York State

Tuesday October 16th

Allowing Adult Use of Marijuana

Joint Assembly Standing Committee on Codes, Committee on Health, Committee on Governmental Operations and Committee on Alcoholism and Drug Abuse, Assembly Hearing Room, 250 Broadway, Room 1923, 19th Floor, New York, 10:30 a.m.

To Examine the MWBE Program, and Consider Potential Legislative Solutions to Create a More Effective and Efficient Program to Enhance New York's Business Climate

Joint Senate Standing Committee on Labor, Committee on Agriculture and Committee on Economic Development, Senate Hearing Room, 250 Broadway, 19th Floor, New York, 11 a.m.

New York City

Monday October 15th

Committee on For-Hire Vehicles, Council Chambers – City Hall, 10 a.m.

Committee on Civil and Human Rights, Committee Room – City Hall, 10 a.m.

Committee on Emergency Management, Committee Room – 250 Broadway, 16th Floor, 2 p.m.

Tuesday October 16th

Committee on Housing and Buildings, Committee Room – City Hall, 10 a.m.

Committee on Education, Council Chambers – City Hall, 1 p.m.

Wednesday October 17th

Committee on Cultural Affairs, Libraries and International Intergroup Relations, Committee Room – City Hall, 11:30 a.m.

City Council Stated Meeting, Council Chambers – City Hall, 1:30 p.m.

Thursday October 18th

Committee on Economic Development, Council Chambers – City Hall, 1 p.m.

Committee on Technology, Committee Room – 250 Broadway, 14th Floor, 1:30 p.m.

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