



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

January 15, 2021 Edition



“Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered. And the process is continuing day by day and minute by minute. History has stopped. Nothing exists except an endless present in which the Party is always right.”

-George Orwell, 1984-

Honoring Dr. Martin Luther King

January 18, 2021



The Martin Luther King holiday honors the life and contributions of America’s greatest champion of racial justice and equality. The leader who not only dreamed of a color-blind society, but who also led a movement that achieved historic reforms to help make it a reality. America commemorates Dr. King’s inspiring words, because his voice and his vision filled a great void in our nation, and answered our collective longing to become a country that truly lives by its noblest principles.

Decades after his death, Dr. King is one of the most widely known leaders of his era. His life and work have been honored with this national holiday, schools and public buildings named after him, and a memorial on Independence Mall in Washington, DC.

In the News – New York State



Governor Cuomo's 2021 State of the State Agenda: \$306 Billion Infrastructure Plan

Governor Andrew Cuomo delivered the fourth leg of his 2021 State of the State address, proposing a plan to invest billions into infrastructure improvements to build a new New York. Following is a reprint of yesterday's client alert

As part of his plan, Governor Cuomo put forth a number of initiatives focused on transforming Manhattan's Midtown West neighborhood, including building a new Port Authority Bus Terminal. He proposed rebuilding the state's airports and improving transportation infrastructure to create jobs, spur economic development and bring existing infrastructure into the 21st century.

Highlights of the infrastructure program include:

Midtown West Redevelopment in New York City: In 2021, New York State will complete the buildout and connectivity of Midtown West with a transit-oriented development plan. The \$51 billion plan will create 196,000 jobs, new outdoor spaces, affordable housing, improved public transit and pedestrian connections, and bring commercial and affordable housing opportunities to the Manhattan neighborhood. The multi-faceted plan includes:

- **Replacing the Port Authority Bus Terminal:** The Port Authority of New York and New Jersey will replace the outdated terminal to better serve the over a quarter million daily passengers. The project will not only reduce congestion on city streets and improve air quality, but will transform mass transit to and from the West Side of Manhattan. Renderings of the future bus terminal are available [here](#).
- **Developing the Empire Station Complex:** The State will start on a comprehensive \$16 billion project to reconstruct the Penn Station and add track capacity. By acquiring property south of Penn Station, the complex can be expanded to 40 percent more train capacity and at least eight additional underground tracks. Renderings for the reconstruction of the existing station can be found [here](#). The transportation project will create nearly 60,000 direct jobs. The project also anticipates the Gateway Project, including two tunnels to bring more trains across the Hudson from the west and the renovation of the two existing tunnels, for a total of four train tunnels from New Jersey and beyond.
- **Affordable Housing and Community Restoration:** The Midtown West development will also include new housing and commercial development opportunities in the area. In total, the area spanning from Broadway to the Hudson will include up to 14 buildings that will yield more than 20 million square feet of retail, commercial, and residential development and provide up to 1,400 much-needed units of affordable housing.

- ***New Waterfront Park at Pier 76:*** Located west of the Javits Center and 36th Street, the State will transform Pier 76 from an NYPD car tow pound to a 5.6-acre expansion of Hudson River Park. In the short term, it can become a public space with waterfront access while the Hudson River Trust develops plans for the Pier's long-term future. Renderings of Pier 76 are available [here](#).
- ***Javits Center Expansion:*** The 1.2 million-square-foot, \$1.5 billion expansion of the Jacob K. Javits Center will be completed in 2021, increasing capacity of convention center by 50 percent.

Modernizing New York Airports:

- ***Continue to build the new LaGuardia Airport:*** New York will continue the \$8 billion renovation of LaGuardia Airport. Upon approval from the federal government, New York State will continue work on the \$2 billion AirTrain LaGuardia. In addition, the majority of the roadway network will be completed this year and significant progress will be made on Delta's new terminal and concourses on the east side of the airport.
- ***Continue the transformation of JFK Airport:*** New York State will continue the \$13 billion plan to transform John F. Kennedy International Airport into a modern airport built for the 21st century. The project is also slated to create nearly 30,000 jobs. As part of the JFK Airport renovation, the State is modernizing the Kew Gardens Interchange, which serves more than 200,000 vehicles daily. The final phase of this \$700 million project will be complete in 2022.
- ***Upstate Airport Economic Development and Revitalization:*** Building on a \$200 million investment through the Upstate Airport Economic Development and Revitalization Competition, the Governor will commit an additional \$100 million in round two funding for continued renewal and modernization. Funding will include enhanced security screening, expanded and rehabilitated terminals, boarding concourses and concession areas, and contactless technology.

Improving Mass Transit for Millions of New Yorkers:

- ***Phase II of Second Ave Subway Extension:*** Upon resolving funding uncertainty caused by COVID-19, MTA will get this program back on track with repair projects, signal modernization, and ADA accessibility projects progressing in 2021. Other projects supported include upgraded stations, thousands of new buses and train cars, and critical maintenance and upgrades for bridges, tunnels, and other infrastructure. In addition, with necessary multi-year federal support, MTA will further extend the Second Avenue Subway, from 96th Street to 125th Street.
- ***LIRR Third Track Project:*** The \$2.6 billion Long Island Rail Road third track project will complete a new third track along a 9.8-mile section of LIRR's Main Line between Floral Park and Hicksville. By the end of 2021, MTA will have completed all eight of the grade crossing eliminations on the mainline, six of which will have new vehicular underpasses.

Updates to Highways, Roads and Bridges:

- **Access to Hunts Point:** New York State will invest \$1.7 billion to create direct access to and from the Bruckner Expressway and Sheridan Boulevard for trucks serving the Hunts Point Food Distribution Center. The entire project is scheduled to be completed in the fall of 2025
- **I-390/490 Interchange Improvements:** In 2021, the State will complete a \$150 million project to ease access and improve traffic flow along Route 31, Route 390, and the Interstate 390/490 Interchange in Monroe County.
- **Re-deck the Newburgh-Beacon Bridge:** The State will continue work on the Newburgh Beacon Bridge to complete a full deck replacement on the north span of the bridge over the Hudson River. This \$95 million investment will be complete in 2022.
- **Replace the Syracuse I-81 Viaduct:** The State will conduct an environmental and public review of its proposal to replace the Interstate 81 viaduct in Syracuse. This \$1.9 billion project is expected to break ground in 2022.

Governor Cuomo also announced progress on a number of major infrastructure updates across New York State that invest in communities to open new public spaces, attract tourism, and create jobs.

Buffalo Skyway: New York State will complete the environmental review process this year and, with federal approval, will be ready to break ground this year.

New Mohawk Valley Health System Hospital in Utica: This year, work will continue on Mohawk Valley Health System's \$548 million new state-of-the-art hospital in downtown Utica. The 672,000-square-foot, nine-story, 373-bed facility is projected to be completed by 2023.

Complete the Belmont Arena: The Belmont Park Redevelopment is replacing 43 acres of underutilized parking lots with a 19,000-seat arena that will bring the New York Islanders hockey team back home to Long Island. The arena includes a world-class retail village, and a new hotel. Construction is well underway, with completion of the arena slated for the 2021-2022 NHL season; east-bound LIRR service to open in fall 2021. In total, this project will create more than 12,000 direct and indirect jobs throughout construction and once completed.

Bay Park Reconstruction: The State has been working with Nassau County on the \$439 million Bay Park Conveyance Project to connect the plant to an existing ocean outfall. This \$1.2 billion-plus investment will result in dramatic improvements in the water quality while stemming the. In 2021, construction will begin on the Bay Park outflow system. Renderings of the Bay Park project are available [here](#).

ROC the Riverway: The Riverway Rochester redevelopment project, supported by a \$50 million New York State investment, will achieve several key milestones in 2021 with more than half its projects reaching completion, including the expansion of the Blue Cross Arena Exchange Expansion and the West River floodwall projects, as well as the continued construction of the major overhaul to Charles Carrol Park.



Attorney General James Files Lawsuit to take over NYPD

New York Attorney General Letitia James today [filed a lawsuit against the New York City Police Department \(NYPD\) and its leadership to end its pattern of using excessive force and making false arrests against New Yorkers during peaceful protests](#). In the complaint, Attorney General James alleges that NYPD has engaged in illegal and harmful conduct against New Yorkers during recent racial justice protests and for years prior, which has led to significant injuries and violated individuals' basic rights to peacefully protest. The lawsuit specifically charges the NYPD, the City of New York, Mayor Bill de Blasio, NYPD Commissioner Dermot Shea, and NYPD Chief of Department Terence Monahan with failing to address a longstanding pattern of abuse by not properly training, supervising, and disciplining officers to prevent misconduct, despite knowledge and public admission that it violated the rights of New Yorkers.

The lawsuit seeks broad injunctive relief, including systemic changes to the NYPD and the implementation of a monitor to oversee the NYPD's policing tactics in future protests and to ensure compliance with the law.

"There is no question that the NYPD engaged in a pattern of excessive, brutal, and unlawful force against peaceful protesters," alleged Attorney General James.

Governor Andrew Cuomo called on the Office of the Attorney General (OAG) to conduct a civil investigation into police misconduct during these incidents. Since May 30, 2020, the OAG held a three-day public hearing and has compiled written testimony. Based on the investigation, the OAG concluded and charged that NYPD officers effectuated mass arrests without probable cause; unjustifiably deployed pepper spray, batons, and other force against protesters; and targeted and retaliated against First Amendment activity so frequently and pervasively as to constitute customs or usages of the NYPD.

Attorney General James alleges that the City of New York, Mayor de Blasio, NYPD Commissioner Shea, and NYPD Chief of Department Monahan — in their capacities as the chief policy makers for the NYPD — failed to prevent and address a pattern or practice of excessive force and false arrests by officers against protesters in violation of the United States Constitution, as well as under the New York state Constitution and New York's common law.

Attorney General James is seeking to install a monitor to oversee the NYPD's policing tactics at future protests and to oversee future compliance with the law. Additionally, the lawsuit seeks a court order declaring that the policies and practices that the NYPD used during these protests were unlawful.

The investigation and [a preliminary report detailing the NYPD's response to the protests](#) are available at the OAG web site.



Speaker Heastie Announces

Committee Chairs for 2021 Legislative Session

Chair, Aging	Ron Kim
Chair, Agriculture	Donna A. Lupardo
Chair, Alcoholism & Drug Abuse	Phil Steck
Chair, Banks	Victor M. Pichardo
Chair, Children & Families	Andrew Hevesi
Chair, Cities	Edward C. Braunstein
Chair, Codes	Jeffrey Dinowitz
Chair, Consumer Affairs	Nily Rozic
Chair, Corporations, Authorities & Commissions	Amy Paulin
Chair, Correction	David I. Weprin
Chair, Economic Development	Harry B. Bronson
Chair, Education	Michael Benedetto
Chair, Election Law	Latrice Walker
Chair, Energy	Michael Cusick
Chair, Environmental Conservation	Steve Englebright
Chair, Ethics & Guidance	Jo Anne Simon
Chair, Governmental Employees	Peter J. Abbate, Jr.
Chair, Governmental Operations	Kenneth Zebrowski
Chair, Health	Richard N. Gottfried
Chair, Higher Education	Deborah J. Glick
Chair, Housing	Steven Cymbrowitz
Chair, Insurance	Kevin A. Cahill
Chair, Judiciary	Charles D. Lavine
Chair, Labor	Latoya Joyner
Chair, Libraries & Education Technology	Kimberly Jean-Pierre
Chair, Local Governments	Fred W. Thiele, Jr.
Chair, Mental Health	Aileen M. Gunther
Chair, Oversight, Analysis & Investigations	John T. McDonald III
Chair, People with Disabilities	Thomas J. Abinanti
Chair, Racing & Wagering	J. Gary Pretlow
Chair, Real Property Taxation	Sandy Galef
Chair, Science & Technology	Steven Otis
Chair, Small Business	Al Stirpe
Chair, Social Services	Linda B. Rosenthal
Chair, Tourism	Daniel J. O'Donnell
Chair, Transportation	William B. Magnarelli
Chair, Veterans Affairs	Didi Barrett



Senate Majority Leader Stewart-Cousins Announces Committee Chairs for 2021 Legislative Session

Chair, Aging	Rachel May
Chair, Agriculture	Michelle Hinchey
Chair, Alcoholism and Substance Abuse	Pete Harckham
Chair, Banks	James Sanders, Jr.
Chair, Budget and Revenue	Brian Benjamin
Chair, Children And Families	Jabari Brisport
Chair, Cities 1 (New York City)	Robert Jackson
Chair, Cities 2 (Other NYS Cities)	Jeremy Cooney
Chair, Civil Service & Pensions	Andrew Gounardes
Chair, Codes	Jamaal Bailey
Chair, Commerce, Economic Development & Small Business	Anna Kaplan
Chair, Consumer Protection	Kevin Thomas
Chair, Corporations, Authorities & Commissions	Leroy Comrie
Chair, Crime Victims, Crime And Correction	Luis Sepulveda
Chair, Cultural Affairs, Tourism, Parks And Recreation	Jose Serrano
Chair, Developmental Disabilities	John Mannion
Chair, Education	Shelley Mayer
Chair, Elections	Zellnor Myrie
Chair, Energy And Telecommunications	Kevin Parker
Chair, Environmental Conservation	Todd Kaminsky
Chair, Ethics And Internal Governance	Alessandra Biaggi
Chair, Finance	Liz Krueger
Chair, Health	Gustavo Rivera
Chair, Higher Education	Toby Ann Stavisky
Chair, Housing, Construction & Community Development	Brian Kavanagh
Chair, Insurance	Neil Breslin
Chair, Internet And Technology	Diane Savino
Chair, Investigations And Government Operations	James Skoufis
Chair, Judiciary	Brad Hoylman
Chair, Labor	Jessica Ramos
Chair, Libraries	Sean Ryan
Chair, Local Government	James Gaughran
Chair, Mental Health	Samra Brouk
Chair, New York City Education	John Liu
Chair, Procurement	Elijah Reichlin-Melnick
Chair, Racing, Gaming And Wagering	Joseph Addabbo, Jr.
Chair, Social Services	Roxanne Persaud
Chair, Transportation	Tim Kennedy
Chair, Veterans, Homeland Security & Military Affairs	John Brooks
Chair, Women's Issues	Julia Salazar
Chair, Administrative Regulations Review Commission	Simcha Felder

In the News – City

COVID-19: Vaccine Distribution in NYC

According to City Health officials, the COVID-19 vaccine is being distributed in phases to groups of people at increased risk of COVID-19 exposure or severe COVID-19 illness. Phased distribution will take time, with vaccines not expected to be widely available to all New Yorkers until mid-2021.

The different phases of COVID-19 vaccine distribution are determined by New York State and may change. The table below reflects the list of those currently eligible and will be updated regularly.

Currently Eligible for the Vaccine

Phase

Eligible Groups

Phase 1a

Health Care Workers

High-risk hospital workers (emergency room workers, ICU staff and Pulmonary Department staff)
Federally Qualified Health Center employees
Emergency Medical Services (EMS) workers
Coroners, medical examiners and certain funeral workers
Urgent Care providers
People administering COVID-19 vaccines, including local health department staff
All Outpatient/Ambulatory frontline, high-risk health care workers of any age who provide direct in-person patient care
All staff who are in direct contact with patients (such as reception staff)
All frontline, high-risk public health workers who have direct contact with patients, including those conducting COVID-19 tests, handling COVID-19 specimens and COVID-19 vaccinations

This includes, but is not limited to:

- Doctors who work in private medical practices and their staff
Doctors who work in hospital-affiliated medical practices and their staff
Doctors who work in public health clinics and their staff
Registered Nurses
Specialty medical practices of all types
Dentists and Orthodontists and their staff
Psychiatrists and Psychologists and their staff
Physical Therapists and their staff
Optometrists and their staff
Pharmacists and Pharmacy Aides

Home care workers

Hospice workers

Residents and Staff in Certain Group Living Facilities

- Nursing homes and other congregate care facilities
NYS Office of Mental Health, Office People with Developmental Disabilities, and Office of Addiction Services and Supports facilities

Phase 1b:

As of Monday, January 11 (all above plus)

Older Adults

- People ages 65 and older

Grocery Workers

- Public-facing grocery store workers

First Responders and Support Staff for First Responder Agencies

Fire Service

State Fire Service, including firefighters and investigators (professional and volunteer)

Local Fire Services, including firefighters and investigators (professional and volunteer)

Police and Investigations

State Police, including Troopers

State Park Police, DEC Police, Forest Rangers

SUNY Police

Sheriffs' Offices

County Police Departments and Police Districts

City, Town and Village Police Departments

Transit of other Public Authority Police Departments

State Field Investigations, including Department of Motor Vehicles, State Commission of Correction, Justice Center, Department of Financial Services, Inspector General, Department of Tax and Finance, Office of Children and Family Services and State Liquor Authority

Public Safety Communications

Emergency Communication and Public Safety Answering Point Personnel, including dispatchers and technicians

Other Sworn and Civilian Personnel

Court Officers

Other Police or Peace Officers

Support of Civilian Staff for any of the above services, agencies or facilities

Corrections

- State Department of Corrections and Community Supervision Personnel, including correction and parole officers

- Local Correctional Facilities, including correction officers
- Local Probation Departments, including probation officers
- State Juvenile Detention and Rehabilitation Facilities
- Local Juvenile Detention and Rehabilitation Facilities

P-12 Schools, College, Child Care and Early Intervention

- P-12 school or school district faculty or staff (includes all teachers, substitute teachers, student teachers, school administrators, paraprofessional staff and support staff including bus drivers)
- Contractors working in a P-12 school or school district (including contracted bus drivers)
- In-person college instructors
- Licensed, registered, approved or legally exempt group child care
- Licensed, registered, approved or legally exempt group child care providers
- Employees or support staff of licensed or registered child care setting
- Licensed, registered, approved or legally exempt child care providers
- Early Intervention therapists and teachers with active service authorizations (*as of January 13*)

State Office of Children and Family Services:

State operated staff

Licensed or certified residential programs staff and eligible residents

Public Transit

- Airline and airport employees
- Passenger railroad employees
- Subway and mass transit employees (MTA, LIRR, Metro North, NYC Transit, Upstate Transit)
- Ferry employees
- Port Authority employees
- Public bus employees

Homeless Shelters

- People living in a homeless shelter where sleeping, bathing or eating accommodations must be shared with people who are not part of their household
- People working (paid or unpaid) in a homeless shelter where sleeping, bathing or eating accommodations must be shared by people who are not part of the same household, in a position where there is potential for interaction with shelter residents

Other Residential Programs and Supportive Housing

- Staff and residents of residential programs for victims of domestic violence and family type home for adults
- Staff and residents of unlicensed congregate supportive housing

Briefs

The New York State Building & Construction Trades Council supports the NY HERO Act (S1034).

The New York State Building & Construction Trades Council, representing over 200,000 construction workers, supports the NY HERO Act (S1034).

COVID-19 continues to pose a serious threat to the people of this state, especially essential workers. This legislation would protect workers and communities by directing the New York State Department of Labor, in consultation with the Department of Health, to establish requirements for screening, face masks, PPE, social distancing and disinfection controls.

Every private employer in the state would be required to follow these standards, which will be enforced by DOL through investigations, fines, and legal injunctions as well as through a private right of action. The NY HERO Act would also empower workers to protect their own safety, their workplaces, and customers through cooperation with employers.

New York City Council Votes to Approve New Committee Chairs

The City Council last week approved the following Committee Chairs:

- **Council Member Vanessa L. Gibson**, Chair of the Chair, Oversight and Investigations.
- **Council Member Helen Rosenthal** to serve as chair of the Sub Chair, Capital Budget and Finance.
- **Council Member Darma V. Diaz** to serve as chair of the Chair, Women and Gender Equity.
- **Council Member Diana Ayala** to serve as chair of the Chair, Consumer Affairs and Business Licensing.
- **Council Member Farah N. Louis** to serve as chair of the Chair, Mental Health, Disabilities and Addictions.
- **Council Member Kevin C. Riley** to serve as chair of the Sub Chair, Landmarks, Public Sitings, and Dispositions.

Coming Up

New York State Assembly

Tuesday, January 19th

Committees to be determined

NYS Assembly Session, 2 p.m., <http://assembly.state.ny.us/av/live/>.

Wednesday, January 20th

NYS Assembly Session, Time to be Determined

New York State Senate

Tuesday, January 19th

Racing, Gaming and Wagering 01/19/2021 10:00 AM

Alcoholism and Substance Abuse 01/19/2021 10:30 AM

Codes 01/19/2021 10:45 AM

Consumer Protection 01/19/2021 11:15 AM

Higher Education 01/19/2021 11:00 AM

Elections 01/19/2021 11:30 AM

Health 01/19/2021 12:00 PM

Housing, Construction and Community Development 01/19/2021 12:30 PM

Investigations and Government Operations 01/19/2021

Labor 01/19/2021 01:00 PM

Energy and Telecommunications 01/19/2021 01:15 PM

Commerce, Economic Development and Small Business 01/19/2021 01:30 PM

NYS Senate Session, 3 p.m., <http://www.ustream.tv/channel/nysenate>

Wednesday, January 20th

Education 01/20/2021 09:45 AM

NYS Senate Session, Time to be Determined

New York City

Tuesday January 19th

Committee on Cultural Affairs, Libraries, and International Intergroup Relations, Remote Hearing (Virtual Room 1), 10 a.m.

Committee on Technology, Remote Hearing (Virtual Room 2), 1 p.m.

Committee on Housing and Buildings, Remote Hearing (Virtual Room 3), 1 p.m.

Wednesday January 20th

Committee on Governmental Operations, Remote Hearing (Virtual Room 2), 10 a.m.

Committee on Education, Remote Hearing (Virtual Room 3), 11 a.m.

Subcommittee on Landmarks, Public Sitings, & Dispositions, Remote Hearing (Virtual Room 1), 2 p.m.

Thursday January 21st

Committee on Rules, Privileges, and Elections, Remote Hearing (Virtual Room 1), 10:30 a.m.

Friday January 22nd

Committee on Technology, Remote Hearing (Virtual Room 2), 10 a.m.

Committee on Small Business, Remote Hearing (Virtual Room #1), 10 a.m.

**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”**

-Mario M. Cuomo-

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To Our Clients: If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

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