



This Week in New York

Covering New York State and City Government

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Happy Holidays

from

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In the News – State



New York Readies for Return to the New Normal

Forward Thinking is Paired with Emphasis that New Yorkers Must Continue to Stay at Home & Practice Social Distancing to Stem the Further Spread of COVID-19

New York, New Jersey, and Connecticut will utilize a coordinated approach to restart the regional economy which has paused due to COVID-19, according to Governor Andrew Cuomo.

“We’re working on a plan with Connecticut and New Jersey because when we go back, we go back together,” Governor Cuomo said during a daily press briefing.

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Although all three states are still very much in the throes of the pandemic, Governor Cuomo indicated that now is the time to start planning a course for reopening the economy.

“You’re not going to end the infection, end the virus, before you start restarting life. I don’t think we have that luxury,” Governor Cuomo explained. “This is not a light switch that you just can flick one day and go back to normal. We’re looking to restart the economy, we’re going to have to restart a lot of systems that we shut down abruptly and we need to start a plan for that.”

The current focus of the return is on the availability of a rapid test for the virus and a new antibody test that will show if someone already had the COVID-19 infection and recovered. The New York State Department of Health has developed a blood test which, according to Governor Cuomo, is an important step towards determining whether New Yorkers are developing immunity and when they could potentially return to work or school.

New York, at the Governor’s direction, will invest in private companies to bring rapid COVID-19 testing to scale and accelerate testing capacity. Businesses interested in working with the state to manufacture these rapid tests on a large scale should contact Empire State Development at 212-803-3100 or COVID19supplies@esd.ny.gov.

Testing will also be key to the State’s efforts to help hospitalized New Yorkers recover more quickly from the infection. Governor Cuomo explained that the State is launching a blood drive targeted at recovered COVID-19 patients to help create a blood store. Convalescent plasma treatment has shown to boost the recovery of current COVID-19 patients.

The forward-looking initiatives coincide with an increased effort to continue social distancing in the State.

Earlier this week the Governor announced all NYS on Pause functions will be extended for an additional two weeks, directing schools and nonessential businesses to stay closed for an additional two weeks through April 29th. The state will re-evaluate after this additional two-week period.

In addition, the State has launched a “multi-platform, multi-language education and awareness campaign to reach all New Yorkers across the state in all zip codes including hard-to-reach communities.” The campaign will emphasize the state’s core message to stay home and will expand outreach to wider audiences. The Governor [launched](#) the Instagram campaign, #IStayHomeFor, with [Jennifer Lopez](#) and [Alex Rodriguez](#) to help reach the widest audience possible with the state’s stay home message.

"This virus is truly vicious, and we all have an obligation to do what we can to protect each other and to protect the most vulnerable," Governor Cuomo said. "We will only be effective if social distancing is enforced and maintained. That's why we are using every tool at our disposal to reach everyone, everywhere in every way -- particularly communities we don't normally reach -- to reinforce the message to stay home and stop the spread, if not for ourselves, for the vulnerable people we love around us."



Virtual Courts Up and Running Statewide Courts Remain Open for Essential and Emergency Proceedings

New York State court system continues to institute a variety of temporary emergency measures to deliver essential justice services during these extraordinary times, with Chief Judge Janet DiFiore and Chief Administrative Judge Lawrence K. Marks this week reporting that virtual court operations—allowing essential and emergency court proceedings to be conducted remotely—are now in effect statewide.

The “virtual court” model, which is being implemented on a temporary basis and was introduced in New York City’s Criminal Court and Family Court on March 25, 2020 and March 26, 2020, respectively, has been rapidly expanded in response to the fast evolving nature of the COVID-19 pandemic.

As of April 7, all essential and emergency court matters—throughout New York City and in every Judicial District outside the City—will be heard virtually, with all interactions taking place by video or telephone, according to Chief Judge DiFiore.

All non-essential court functions had already been suspended by Administrative Order, with an amendment to this order permitting judges, criminal defendants, civil litigants, attorneys and some court staff to appear by videoconference for essential and emergency court proceedings. In addition, the Administrative confirmed that the Court is not accepting new e-filings on non-essential matters and that virtual operations are limited to already existing matters.

No formal policy has been issued in relation to how the Court will prioritize existing cases in this virtual landscape, raising several concerns including which employees will be deemed “essential.”

Chief Judge DiFiore indicate that Court Clerks and Court Officers will continue to staff these virtual court parts to process critical paperwork and provide security.

“We are deeply grateful to these dedicated court employees who continue to report to work so that our courts can deliver justice at this critical time,” added Chief Judge DiFiore.

While proceedings will be open to the public, court security personnel will monitor and may limit access to maintain social distancing in accordance with public health authorities’ guidelines.

As the court system continues to evaluate and adjust its operational plans in response to the pandemic, the Chief Judge also announced that the New York State Courts are working with the Bar and other justice partners to extend virtual court operations beyond the limited categories of essential and emergency matters.

For more information about virtual court operations in your local county or Judicial District, as well as updates relating to COVID-19's impact on the New York State Courts—including a video and transcript of the Chief Judge's message—go to: www.nycourts.gov.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

New York State COVID -19 Executive Orders

Note: Descriptions include select provisions.

New York State Executive Order No.202.14 (April 7th)

Continues the restrictions on non-essential public and private gatherings, school closures, and all in-person business restrictions and workplace restrictions to April 29, 2020, gives the Department of Health the power to move medical equipment and supplies to areas of immediate need; extends the grace period for health insurance premium payments to June 1; requires health insurers to continue to pay claims; enables the electronic witnessing of wills, trusts, health care proxies, disposition of remains, statutory gifts rider and real estate transactions.

New York State Executive Order No.202.13 (March 29th)

Clarifies language on non-essential construction; aligns closures and restrictions on businesses issued in previous Executive Orders; extends grace period for life insurance premiums for 90 days; places a moratorium on insurance company cancellation or non-renewal of Workers Compensation coverage for individuals and small businesses for 60 days; reschedules Queens Borough President Election to June 23rd; and moves election days for various vacancies and special elections.

New York State Executive Order No.202.12 (March 28th)

Reschedules the State's Presidential Primary and Special Elections to June 23, 2020 and delays the state's tax filing day to July 15 to match the Federal filing date.

New York State Executive Order No.202.11 (March 27th)

Extends school closures to April 15; clarifies language relating to limitations on pharmacist dispensing hydroxychloroquine or chloroquine; permit graduates of registered professional nurse and licensed practical nurse licensure qualifying education programs registered by the State Education Department to be employed to practice nursing under the supervision of a registered professional nurse for 180 days.

New York State Executive Order No.202.10 (March 23rd)

Directs activities of health care professionals, hospitals, health care facilities, emergency medical services, and public health law; requires health insurance companies to provide a list of all employees who have a professional licensure or degree (including physician's assistants, medical doctors, licensed registered nurses, licensed nurse practitioners or licensed practical nurses); and prohibits any pharmacist in the state from dispensing hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; and cancels or postpones all non-essential gatherings.

New York State Executive Order No.202.9 (March 21st)

Requires New York chartered to permit a 90-day mortgage payment forbearance for customers if they are affected by COVID-19 related hardships and restricts the imposition of automated teller machines (ATMs) fees, overdraft fees, and credit card late fees.

New York State Executive Order No. 202.8 (March 20th)

Mandates reduction of onsite workforce for non-essential businesses by 100% no later than March 22 at 8 p.m.; directs 90-day moratorium on any residential or commercial evictions; authorizes the Taxation and Finance to abate late filing and payment penalties for a period of 60 days for sales tax payments due by March 20, 2020 (for quarterly period that ended February 29, 2020); Extends all licenses, non driver ID's, and registrations with an expiration date of March 1, 2020 or later; Allows on-line DMV transactions until further notice.

New York State Executive Order No.202.7 (March 19th)

Allows notarial services via audio-visual technology; requires non-essential employers to reduce the in-person workforce by 75% no later than March 21 at 8 pm; expands the public gathering prohibition to barber shops, salons, and other businesses as of March 21 at 8pm.

New York State Executive Order No.202.6 (March 18th)

Reduces nonessential businesses to reduce onsite workforce by 50%.

New York State Executive Order No.202.5 (March 18th)

Allows health care workers licensed to practice in another state to practice in New York; and closes common portions of retail shopping malls and all places of public amusement.

New York State Executive Order No.202.4 (March 16th)

Directs all schools in New York to close by Wednesday, March 18 for two weeks ending April 1 and suspends the 180-day instructional requirement.

New York State Executive Order No.202.3 (March 16th)

Mandates the closing of restaurants, movie theaters, bars, gyms and casinos and amends earlier Executive order to limit the statewide occupancy limit to 50 people.

New York State Executive Order No.202.2 (March 14th)

Delays village elections statewide until the April 28 primary election and revises requirements for absentee ballots and petitions.

New York State Executive Order No.202.1 (March 12th)

Cancels all gatherings of more than 500 people and requires gatherings under 500 individuals to cut capacity by 50%, suspends the 7-day waiting period for unemployment; restricts nursing home visitations; and waives requirements necessary for apportionment of school aid.

New York State Executive Order No. 202 (March 7th)

Declares a Disaster Emergency in the State of New York.

In the News – City



NYC Adapts to Budget Realities in the Age of COVID-19

Readying to release its final FY21 budget, the de Blasio Administration this week announced plans to cut \$1.3 billion from the City's spending plan. The cuts – primarily to education, transportation, social services and benefit programs -- are aimed at offsetting an estimated \$1.3 billion loss due to COVID-19.

According to published reports, the following funding reductions will be included in the FY2021 New York City budget:

- **Education:** \$264 million overall, including \$100 million from Fair Student Funding program that helps schools with the most financial need.
- **Transportation:** \$24 million in cuts to programs and \$46 million in savings from the Fair Fares program that provides half-priced Metro cards to qualifying New Yorkers (due to reduced ridership).
- **Health & Human Services:** \$256 million total including: \$124 million from the summer youth employment program and \$12 million from ThriveNYC.
- **Sanitation:** \$80 million from the Sanitation Department including \$21 million from the suspension of the organic composting program and \$52 million from a budget surplus due to a mild winter season.
- **Workforce:** \$106 million will come from a public sector hiring freeze and vacancy reductions. The savings will be over the next two fiscal years.

In addition, the New York Police Department (NYPD) will delay its April officer class until July for a savings of \$9.6 million in the current fiscal year. The department will also close additional facilities, reduce posts and overtime for a savings of at least \$100 million next fiscal year. The City will also look at the possibility of seeking state legislation to use bonding to help support the budget.

In January, Mayor Bill de Blasio proposed a \$95.3 billion budget. Published reports indicate that more cuts may be included in his final budget proposal, due April 23, with the Mayor warning “it’s going to be a very sober day.”

Also this week, the City Council released its response to the Mayor’s Preliminary Budget. Mayor de Blasio’s Executive Order 100 suspended meetings of the Council due to COVID-19, bringing an end to the scheduled administrative and public hearings on the plan.

Speaker Corey Johnson provided the Mayor a letter outlining the following priorities:

- **Maintaining Public Health:** Prioritize and maintain services that focus on the prevention and identification of infectious diseases; provide needed mental health supports; address health disparities in New York City’s communities of color that cause an excess burden of ill health and premature mortality, including obesity, diabetes, and maternal mortality; support the full range of health services; and conduct surveillance of environmental-related diseases.
- **Addressing Food Insecurity:** Invest at least \$25 million in food pantries, expand all City feeding programs, and increase food allowances for all emergency housing programs.
- **Protecting the Senior Population:** Ensure that every older adult who requests a meal receives one and adequately fund the enhanced need for senior services.
- **Keeping New Yorkers Housed:** Fund a rental voucher program, invest in homeless street solutions, and expand anti-eviction services; and preserve NYCHA’s affordable housing stock.
- **Supporting Human Services Providers:** Ensure that human services workers feel protected, safe, and properly compensated; require contracts reflect the increased costs associated with COVID-19; and allow flexibility in contract scope and services.
- **Protecting Tenants and Small Property Owners:** Support a rent relief and deferral program for adversely impacted families, implement tax deferral programs for homeowners and small property owners; and fund interest forgiveness and tax deferral to low- and moderate-income homeowners, small commercial owners, hotels, and rental building owners who provide rental relief to tenants.

Call on large property owners to prepay their entire Fiscal 2021 property tax bill on July 1 to provide the City with cash flow.

- **Supporting Small Business:** Implement measures to stabilize the small business community including continue targeted tax and municipal deferrals and expand the NYC Small Business Continuity Loan Program.

Briefs

New York Delays Raises for State Workers

New York state is delaying scheduled pay increases for over 80,000 state workers to assist the State's cashflow shortage in the wake of COVID-19.

The 2 percent pay increase was due mid-April and would have included approximately 65,000 state workers represented by the Civil Service Employees Association and approximately 20,000 corrections officers and those in other employee categories, including certain titles in the State court system. Budget director Robert Mujica said the three-month freeze would save the state about \$50 million in the short term.

Governor Andrew Cuomo said the delay is preferable to mass layoffs and is authorized by language contained within the contract agreements.

"Rather than laying off people, which would only add to the unemployment claims, the stress, the hardship, let's freeze the raises, because that's better than losing your job," he said, "And let's see if the federal government actually does what they've said they're going to do for the past several weeks, which is pass legislation that understands the level of the crisis and gets the state some funding to stabilize our finances."

Mayor de Blasio Appoints Peter Kauffmann as Senior Advisor to COVID-19 Response Team

Mayor de Blasio this week announced that Peter Kauffmann, a U.S. Navy veteran and founder and principal of Bluejacket Strategies, will join City Hall as a senior advisor to the City's COVID-19 response team.

Kauffmann will manage day-to-day operations at City Hall for the duration of this crisis. Deputy Mayor for Administration and Chief of Staff Emma Wolfe will continue to focus on coordinating the citywide crisis response.

Following the terrorist attacks of September 11, Kauffmann joined the United States Navy and spent five years on active duty as an Intelligence Officer. He deployed twice aboard the USS Abraham Lincoln, managing all intelligence collection requirements for the carrier strike group. In 2005, he earned the Humanitarian Service Medal and Navy Achievement Medal for his work during tsunami relief operations in Indonesia. At the Joint Intelligence Center-Pacific, he served as a geopolitical analyst with a focus on the Pacific Rim region.

CUNY Launches Fund to Provide Financial Assistance to Students in COVID-19

The City University of New York has launched a Chancellor's Emergency Relief Fund to help students who are dealing with financial hardships amid the coronavirus pandemic.

The fund will distribute grants of \$500 each to thousands of CUNY students, with initial support from the Carroll and Milton Petrie Foundation and the James and Judith K. Dimon Foundation, the university said..

Students will start receiving the grants the week of April 20, and recipients will be chosen by lottery from a group of roughly 14,000 students who meet financial need and academic criteria. The university said that once it has additional funding, it will dole out grants to more students in the coming months. CUNY is also looking for additional donors and is aiming to raise \$10 million over the next several months.

Mayor de Blasio Announces *Fun at Home*, a New Platform to Engage Youth in Activities at Home

Mayor Bill de Blasio announced the launch of *Fun at Home*, a free new digital platform to provide safe and entertaining virtual activities for New York City's teens and young adults. This campaign combines city and community resources to engage teens who are at home during the COVID-19 crisis, and also provides tips to cope with the public and mental health challenges that may arise during this difficult time.

Fun at Home can be accessed at nyc.gov/funathome or texting "Fun" to **97743** to receive the latest updates on resources and activities. This platform was designed to engage teenagers while encouraging them to stay home and practice physical distancing. Users can access to dozens of diverse activities, including exercise videos, SAT practice sessions, and links to free NBA League Pass and Mario Kart tournaments.

City Prosecutes Repeat Price Gougers

City files three additional lawsuits against price gouging violators, seeking up to \$101,500 in fines

Mayor Bill de Blasio and Department of Consumer and Worker Protection (DCWP) Commissioner Lorelei Salas this week announced the Department has filed three additional cases against repeat price gougers for knowingly increasing prices in violation of DCWP's regulations under the City's Consumer Protection Law.

DCWP issued a total of 203 violations to three businesses for selling face masks, hand sanitizer, cough medicine and other products at drastically increased prices. In one particularly egregious example, one business was charging a consumer \$20.00 for one N95 face mask. The cases will be heard at the City's Office of Administrative Trials and Hearings (OATH) where DCWP is seeking a total of up to \$101,500 in fines. On March 25, DCWP [filed](#) its first case against a repeat offender of its price gouging regulations.

DCWP is filing cases against:

- Burns Pharmacy (68-04 Burns Street, Queens) for 24 violations of price gouging hand sanitizer and face masks. DCWP is seeking up to \$12,000 in fines.
- Hong Kong Supermarket (157 Hester Street, Manhattan) for 139 violations of price gouging face masks, gloves, disinfect wipes and hand sanitizer. DCWP is seeking up to \$69,500 in fines.
- Thomas Drugs (171 Columbus Avenue, Manhattan) for 40 violations of price gouging face masks, gloves and cough medicine. DCWP is seeking up to \$20,000 in fines.

CDC Issues New COVID-19 Guidance for Essential Workers

The Centers for Disease Control and Prevention (“CDC”) issued new guidelines for essential workers in critical fields exposed to COVID-19 to get back to work faster.

The new CDC guidelines permit critical workers exposed to COVID-19 to go back to work as long as they are asymptomatic and follow conditions such as taking their temperature before going to work, wearing a facemask at all times, regularly cleaning and disinfecting work areas and practicing social distancing at work.

The new CDC guidelines will allow critical workers in healthcare, law enforcement, 911 call center, janitorial and other custodial staff, food supply, contracted vendors in critical manufacturing, informational technology, transportation, energy and other important industries to go back to work sooner, as long as they do not present symptoms. The following is a link to the new guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>.

Empire State Development Corporation Issues New Guidance for Determining Whether a Business is Subject to a Workforce Reduction

On April 9, 2020, New York State Department of Economic Development d/b/a Empire State Development (ESD) issued new guidance to assist businesses in determining whether they are “essential” and the extent to which they are subject to the in-person work limitations recently issued. State and local governments, including municipalities, authorities, and school districts, are exempt from the essential business reductions in on-site, but are subject to other provisions that restrict non-essential, in-person workforce and other operations under Executive Order 202.

The new guidance lists in greater detail the categories of businesses considered essential and the practices in which those businesses must engage to continue operating within COVID-19 guidelines. It includes provisions related to law firms and indicates that golf course and boat launches are not considered essential.

The updated guidance and further detail about what constitutes an essential business is available [here](#).

Coming Up

New York State

Senate in Recess at the Call of the Majority Leader

Assembly in Recess at the Call of the Speaker

New York City

Meetings have been suspended subject to [Executive Order 100](#)

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