



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

May 27, 2022 Edition



***We remember and honor those who have
died fighting for our freedom***

&

***We mourn the lives tragically lost to
violence.***

In the News – New York City



Governor Proposes Additional Action on Gun Laws in Wake of Mass Shooting at Texas Elementary School

Governor Kathy Hochul this week proposed additional actions to strengthen state gun laws in the wake of a horrific mass shooting in Texas that claimed the lives of at least 21 people - including 19 elementary school children. She is proposing to raise the age to buy AR-15 rifles to 21.

“How does an 18-year-old purchase an AR-15 in the state of New York? The state of Texas? That person’s not old enough to buy a legal drink,” Governor Hochul said. “I want to work with the Legislature to change that. I want it to be 21. I think that’s just common sense.”

In addition, Governor Hochul directed the State Police to increase visibility at schools in their patrol areas statewide. This increased presence includes check-ins at schools to be conducted by both uniform and plainclothes members. This effort will continue through the end of the school year.

Other states, including California and Florida, have enacted similar legislation. However, each faced court challenges. Recently, California’s ban was struck down as unconstitutional. Florida’s 2018 law survived an initial legal challenge by the National Rifle Association, but the California decision was recently added to its appeal documents.

Despite these challenges, Governor Hochul remains focused on the change.

“I’m not going to let my fear of losing a court case stop me from what I think is correct for New Yorkers and will protect them,” she said, according to published reports, asserting that the lawsuit could be heard by a “good judge” that “actually cares and has common sense.”



Special Master Releases Final Congressional and Senate Maps for August 23rd Primary

Early Saturday morning, special master Jonathan Cervas released the final maps for New York’s congressional and senate districts. These maps were largely the same as the draft versions released on May 16th, with minor changes to some districts made in response to public comment. The special master also released a report detailing the changes made while also defending his decisions and experience.

Chief to the special master's considerations was compactness, as well as competitiveness of districts. The special master also explained that he started the map drawing process with the work done by the Independent Redistricting Commission (IRC) and borrowed portions of those maps. The Center for Urban Research at the CUNY Graduate Center previously identified that a majority of the special master's draft New York City senate districts overlapped with the IRC's "Plan B" map created by Republicans. The special master's report briefly addressed his treatment of communities of interest, which he described as "notoriously difficult to define" and "constantly evolving."

The Special Master's maps created multiple open seats as well as many significant firsts. Multiple prominent New York City politicians have declared to run for the new 10th Congressional District, an open seat covering lower Manhattan and parts of Brooklyn. In one highly-watched example, Manhattan's Upper East Side and Upper West Side have been drawn into the same district for the first time since 1916. The special master's maps retained the Asian-majority senate district created in Brooklyn, a first for the borough.

Candidates who were previously designated for nomination have until May 31st to file a certificate of designation to run for any district at the same level of government in the August 23rd primary. Those who were not can circulate designating petitions which must be filed by June 10th. The state and county Boards of Election have until the end of June to certify the ballot for the August primary. The State Board of Election previously released an updated filing calendar to match the new date of the August 23rd primary. The primary election for statewide, Assembly, and party offices remains on June 28th. New York Supreme Court judge Laurence Love denied a challenge to the assembly lines, *Nichols v. Hochul*, No. 154213/2022, on Wednesday. The plaintiffs have filed to appeal this decision.

In the News – New York City



Comptroller DiNapoli: Brooklyn Leads NYC's Economic Recovery

Brooklyn's economy is showing signs of recovery that outpace the rest of New York City and point to a strong rebound for the city's most populous borough, according to an [analysis released this week](#) by New York State Comptroller Thomas DiNapoli.

"The pandemic halted Brooklyn's booming economy in 2020 and exacerbated some existing inequities," Comptroller DiNapoli said. "As the economy has gradually improved, however, Brooklyn is showing a return to its pre-pandemic job growth. To help the borough bounce back stronger than ever, we must address long-standing issues, like housing affordability, child poverty and food insecurity."

Brooklyn is home to nearly one-third of NYC's population (2.7 million) and is the city's fastest growing borough with a 9.1% increase in population from 2010 to 2020. Its economy reflected that growth in the decade before the pandemic.

Comptroller DiNapoli's report found that between 2010 and 2019, Brooklyn's employment growth of 48% was far higher than in any other borough, or than the citywide growth of approximately 29%. Much of the job growth was driven by employment in hospitality businesses.

The number of private sector businesses in the borough grew nearly 32% in the same period – faster than in any other borough – mainly due to expansion of micro-businesses (those with fewer than 10 employees). Businesses in the information sector, which includes internet publishing and broadcasting, more than doubled.

Brooklyn also saw total wages (which reflects both average salaries and the number of jobs) rise nearly 75% – far faster than any other borough. This growth was primarily because the number of jobs in Brooklyn increased rather than a significant growth in salaries.

Post pandemic Brooklyn shows signs of continued growth. Much like other boroughs, Brooklyn's recovery has been bolstered throughout 2020 and 2021 by the numerous pandemic relief programs that were available or expanded, such as the federal Paycheck Protection Program and Restaurant Revitalization Fund (RRF) and the city's Open Streets: Restaurants programs.

In Brooklyn, women-owned businesses, as well as businesses in either low- and moderate-income (LMI) areas or historically underutilized business (HUB) zones were awarded higher shares of RRF grant dollars than citywide.

Comptroller DiNapoli's report found that Brooklyn's employment market is already making a comeback with 100,000 jobs regained between the start of reopening in the second quarter of 2020 (which included a May unemployment peak of 21.2%) and the third quarter of 2021. Recovery in this period was fastest in many face-to-face services, and in the information sector. The trend should continue, especially in the leisure and hospitality sector, as well as in the construction and transportation and warehousing industries.

Education and health services were the largest employment sectors in Brooklyn. Leisure and hospitality, the borough's third largest sector, had the fastest growth of all sectors between 2010 and 2019 with growth of 109%.

Brooklyn is home to immigrants from more than 150 countries, accounting for 35.4% of its population, second only to Queens. The top five countries of origin among Brooklyn's immigrant population are China, Jamaica, the Dominican Republic, Haiti, and Ukraine.



Mayor Adams Announces Steps to Reform and Modernize Vending Regulations

New York City Mayor Eric Adams this week announced a number of actions to reform and modernize street vending regulations for New Yorkers, cutting red tape and supporting business development for street vendors.

The steps include recommendations put forward by the Street Vendor Advisory Board (SVAB), in a report released this week, which seeks to balance the needs of street vendors, brick-and-mortar businesses, and consumers, while expanding economic opportunity and safety.

“Street vendors are an integral part of New York City’s economy and give communities across our city their unique character ...,” said Mayor Adams.

Over the last six months, SVAB members — comprised of stakeholders representing city agencies, street vendors, retail food stores, property owners, small businesses, and community organizations — developed 16 recommendations for Mayor Adams and the City Council. The recommendations — which Mayor Adams will begin to implement — include:

- Introducing business supports tailored to street vendors at New York City’s Department of Small Business Services (SBS).
- Enhancing the New York City Department of Health and Mental Hygiene’s (DOHMH) Green Cart Program to improve access to fresh produce for NYCHA residents.
- Cutting red tape to: simplify requirements about the display of goods; repeal book keeping requirements; allow mobile food vendors to keep goods on top of carts; and repeal criminal liability for general and mobile food vendors.
- Directing the New York City Department of Transportation (DOT) to study and pilot the feasibility of new opportunities for street vending in pedestrian plazas, municipal parking lots, and metered parking spots.
- Repealing and replacing the inactive Street Vendor Review Panel with a new body that would review and amend time, place, and manner restrictions to street vending, which have not been updated for decades.

Local Law 18 of 2021 requires the SVAB to review and evaluate all state and city laws and rules that regulate street vending in New York City, in addition to proposing recommendations for reform.

According to the Mayor, the administration will work alongside the City Council on recommendations where legislation is required, while moving forward immediately with implementing new programs and amending relevant administrative rules.

In addition to the SVAB reforms, Mayor Adams is also committed to reducing and aligning penalty schedules for general vendors and mobile food vendors alike — while remaining committed to managing public space and “upholding codified time, place, and manner restrictions on vending.”

Briefs

Antonio Delgado Sworn in as Lieutenant Governor

Former U.S. Representative Antonio Delgado was sworn in this week as New York’s Lieutenant Governor.

"It has been an honor to serve in Congress, delivering results and fighting for the constituents of the 19th District. Now, I am ready to put my years of experience and ability to connect people to work for the entire State of New York," said Lieutenant Governor Antonio Delgado. "New York needs an experienced leader with a history of getting things done. I am more than ready to step into this role as Lieutenant Governor and work tirelessly, every day, to improve the lives of New Yorkers."

Upon Representative Delgado's resignation from Congress, Governor Hochul issued a proclamation declaring a special election for his seat on August 23rd.

Lieutenant Governor Delgado will face activist Ana Maria Archila and New York City Council member Diana Reyna in the June 28th primary to be the Democratic Lieutenant Governor candidate. Governor Hochul faces a primary challenge by Long Island Representative Tom Suozzi and New York City Public Advocate Jumaane Williams.

Governor Hochul Signs Adult Survivors Act

Governor Kathy Hochul this week signed the Adult Survivors Act (S.66A/A.648A), creating a one-year lookback window for survivors of sexual assault that occurred when they were over the age of 18 to sue their abusers regardless of when the abuse occurred.

In 2019, New York passed the Child Victims Act, which created a one-year lookback window for survivors of childhood sexual abuse to file claims otherwise barred by the statute of limitations.

Similar to the Child Victims Act, the Adult Survivors Act will allow survivors of sexual offenses that occurred when they were over the age of 18. The one-year window will begin six months from signing and will allow survivors to sue regardless of the statute of limitations.

In 2019, New York extended the statute of limitations to 20 years for adults filing civil lawsuits for a select number of sex crimes. However, that legislation only affected new cases and was not retroactive.

Attorney General James Sues to Protect St. Clare's Hospital Retirees

Mismanagement and Neglect Caused 1,100 Former Hospital Workers to Lose Retirement Benefits

New York Attorney General Letitia James this week took action to protect Capital Region retirees by filing a [lawsuit](#) against the Roman Catholic Diocese of Albany and its leadership for their negligent and intentional actions that deprived more than 1,100 former employees of St. Clare's Hospital of their pensions.

Attorney General James alleges that the Diocese shirked its fiduciary and legal responsibilities to the former hospital workers when it failed to preserve and protect the hospital's pension. The decision of the Diocese to remove the pension plan from the protections available under federal law, its failures to adequately fund, monitor, or insure the pension, and its resulting failure to administer the pension violate New York Not-for-Profit Corporations Law and New York Estates, Powers & Trusts Law. In her suit, Attorney General James seeks to hold the Diocese liable for the misconduct and recover the pensions that the former hospital workers lost.

The defendants named in the suit include the Roman Catholic Diocese of Albany, the St. Clare's Corporation, Bishop Emeritus Howard Hubbard, and Bishop Edward Scharfenberger. In her lawsuit, Attorney General James is seeking to hold the defendants accountable for all debts owed to pensioners.

Excelsior Scholarship Application Open for New Applicants for Academic Year 2022-23

The application for the Excelsior Scholarship for new applicants for the 2022-23 academic year is now [open](#). The Excelsior Scholarship, in combination with other aid programs, allows eligible full-time students to attend a SUNY or CUNY two-year or four-year college tuition-free.

To be eligible for an Excelsior Scholarship for the 2022-23 academic year, household federal adjusted gross income can total up to \$125,000. Student must also meet the following eligibility requirements: plan to attend a SUNY or CUNY two or four-year college; complete 30 credits per year towards their program of study (including Summer and Winter terms); and be on track to graduate on time with an Associate's Degree in two years or a Bachelor's Degree in four years.

The 2022-23 Excelsior Scholarship application is open to first-time students entering college in the Fall 2022 term and current college students who have never received the Excelsior Scholarship. Current Excelsior Scholarship recipients should not complete this application. Students eligible for the Excelsior Scholarship under the Senator José Peralta New York State DREAM Act can apply [here](#).

Applications will be accepted through August 31, 2022.

Former de Blasio Deputy Alicia Glen Tapped as New York Chair of Gateway Development Commission

Governor Kathy Hochul nominated Alicia Glen, a former deputy mayor in the de Blasio administration, as New York Commissioner of the Gateway Development Commission. The Commission is charged with overseeing the rail infrastructure projects between Newark, New Jersey and Penn Station in New York City, along the Northeast Corridor.

Glen left City Hall in 2018 and launched her own real estate development firm, MSquared. Before being appointed Deputy Mayor, she was Head of the Urban Investment Group (UIG) at Goldman Sachs. From 1998 to 2002, Glen served as the Assistant Commissioner for Housing Finance for New York City

If confirmed by the State Senate, she will serve alongside Balpreet Grewal-Virk, the New Jersey Commissioner and fellow Co-Chair of the Commission.

Coming Up

New York State

Tuesday, May 31st

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, 12:30 p.m.

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 3 p.m.

Wednesday, June 1st

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, TBD

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 3 p.m.

Thursday, June 2nd

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, TBD

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 11 a.m.

New York City

Tuesday, May 31st

Subcommittee on Zoning and Franchises, Remote Hearing – Virtual Room 1, 10 a.m.

Wednesday, June 1st

Committee on Consumer and Worker, Remote Hearing – Virtual Room 3, 1:30 p.m.

Oversight – Con Edison Price Increases.

Committee on Land Use, Remote Hearing – Virtual Room 2, 2 p.m.

Thursday, June 2nd

City Council, Hybrid Hearing – Council Chambers – City Hall, 10 a.m.

“No man can be a good citizen unless he has a wage more than sufficient to cover the bare cost of living, and hours of labor short enough so after his day’s work is done he will have time and energy to bear his share in the management of the community, to help in carrying the general load.”

-Theodore Roosevelt-

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