



This Week in New York

Covering New York State and City Government

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“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-

In the News – New York State

State Cracks Down on Wage Theft

The State Wage Theft Task Force has secured felony convictions and agreements from more than a dozen businesses and 265 individuals to pay nearly \$3 million in wage restitution and contributions owed since the beginning of the COVID-19 pandemic.

In a coordinated effort, the New York State Department of Labor (NYSDOL), the New York State Attorney General, and District Attorneys successfully convicted or entered into agreements with offending companies which included construction contractors, restaurants, and health care agencies, obtaining restitution for workers across the State.



Governor Kathy Hochul announces new developments in a multi-pronged effort to combat wage theft.

“When someone steals from your paycheck, they’re literally stealing from you,” Governor Kathy Hochul said during a press conference in Queens. “They’re stealing from your family, they’re stealing from your kids. So this is deeply rooted in all of us that there should be a strong sense of fairness.”

In Queens, District Attorney Melinda Katz was successful in prosecuting felony charges for failure to pay a prevailing wage against the ownership of Laser Electrical Contracting. The company withheld more than \$1.5 million in prevailing wages from 11 employees on projects for the New York City School Construction Authority and the New

York City Department of Education. As part of a plea agreement, the ownership is required to make full restitution to the victims and will reimburse New York City approximately \$160,000 in investigation costs.

Meanwhile, State Attorney General Letitia James negotiated a civil agreement with Lintech Electric, Inc. who agreed to pay \$900,000 in restitution to more than 200 workers after failing to pay prevailing wage and submitting false payroll documents while working as a subcontractor on several projects with the New York City Housing Authority.

"Our investigators, District Attorneys, and law enforcement agencies across the State are pursuing bad actors who look to cheat hardworking New Yorkers out of what they're owed," NYS DOL Commissioner Roberta Reardon said. "My message to unscrupulous employers is clear: We will not tolerate the mistreatment of workers. If you violate our labor laws, we will find you and hold you accountable. We will never stop fighting to protect all New York workers."

In addition, to bolster its efforts, the Task Force launched a new hotline and is developing a state-of-the-art online wage theft reporting system to create more opportunities for workers to report wage theft and receive what they are owed while protecting their privacy and safety.

Starting this week, New Yorkers can report wage theft directly to the New York State Department of Labor by calling the new hotline at 833-910-4378, which has interpretation services available. The online reporting system will give New Yorkers the ability to report wage theft online in a variety of languages while improving the Department's ability to track complaints and identify trends.

NYSDOL has also begun developing a new Worker Protection Management System where New Yorkers can report claims online in multiple languages and receive updates in real time about the status of their claim. The \$10 million project, set to be complete in 2023, will also provide the Department with real time data, enhancing its ability to analyze and identify violation trends.

The Wage Theft Task Force initially leveraged criminal laws to achieve justice for construction workers in cases involving wage theft, fraud, and safety hazards. The Task Force has recently expanded its scope into other industries and counties in New York State. The Wage Theft Task Force includes NYSDOL, the New York State Attorney General's Office, the New York State Insurance Fund (NYSIF), the Offices of District Attorneys across the State, and the New York City Department of Investigation. The Task Force works closely with labor unions and community-based organizations as part of efforts to support workers and recover owed wages.



Hochul Administration Appointments

Stacy Lynch, Chief of Staff to the Governor. Lynch has served in the Executive Chamber for nearly a year, first as Chief of Staff to the Lieutenant Governor and more recently as a Senior Advisor to the Governor. Previously, she served as Deputy Director of Intergovernmental Affairs at the New York City Mayor's Office. Lynch received her Juris Doctor from Quinnipiac University and a Bachelor of Arts from Hampton University.

Minelly De Coo, Deputy Director of Infrastructure. In this role, Minelly leads statewide coordination and implementation of various Federal Bipartisan Infrastructure Law-funded programs, as well as provides strategic support on priority construction projects. Prior to joining the State, she served as Director of Capital Projects at the New York City Mayor's Office. Minelly holds a Bachelor of Science in Civil Engineering from NYU Tandon School of Engineering and a Master of Science in Sustainability Management from Columbia University.

Sita Fey, Deputy Secretary for Appointments and Human Resources. Fey most recently served as the Deputy Appointments Secretary and joined the Executive Chamber as a Senior Advisor for the Executive Transition Team. She holds a Bachelor of Science in Childhood Education from SUNY Oneonta, a Master of Science in Information Science from The University at Albany, and a Certificate of Advanced Study in Educational Administration from SUNY Cortland.

Nicole Migliore, Chief of Staff to the Director of State Operations. Before joining the Executive Chamber, Migliore was the Deputy Campaign Manager on a New York City mayoral campaign and has previously served as a Policy and Intergovernmental Advisor in the New York City Mayor's Office and as Chief of Staff to a New York State Assemblymember's Office. Nicole holds a Bachelor of Arts in Sustainable Development from Columbia University.

Edgar Santana, Deputy Secretary to the Governor. Santana previously served as Director of Downstate Regional Affairs in the Executive Chamber. Prior to joining the Executive Chamber, he served as Director of Political and Governmental Affairs for the Laborers Eastern Region Organizing Fund. Santana received a Bachelor Degree in Business Administration and a MBA from Fordham University.

Todd Westhuis, Deputy Director of State Operations. Westhuis was Chief of Staff at the New York State Department of Transportation and Regional Director of the Hudson Valley. He also served in the U.S. Army as a Cavalry Officer. He is an engineer by trade, receiving his Bachelor of Science in Civil Engineering from Rensselaer Polytechnic Institute.



Chapters of the Laws of 2022

Chapter 383 Sponsored by AM Mitaynes/Senator Hoylman -- Relates to maintaining public data of open code violations in New York city housing authority developments.

Chapter 384 Sponsored by Senator Brouk/AM Gonzalez-Rojas -- Requires the office of mental health and the department of health to conduct a study on the disparate impacts regarding postpartum depression screening tests.

Chapter 385 Sponsored by Senator Ramos/AM Barnwell -- Requires the New York city housing authority to have a searchable database of ticket numbers.

Chapter 402 Sponsored by AM Epstein/Senator Hoylman -- Requires employment opportunities to be posted on the department of civil service website.

Chapter 407 Sponsored by AM Eichenstein/Senator Felder -- Limits the liability of operators and owners of first-response emergency service vehicles for monetary penalties for certain traffic violations committed while responding to a medical emergency.

Chapter 413 Sponsored by AM Cusick/Senator Savino -- Relates to the base pilotage tariffs at Sandy Hook, Sands Point and Execution Rocks.

Chapter 417 Sponsored by AM Cruz/Senator Savino -- Relates to the effectiveness of the New York black car operators' injury compensation fund, inc.

Chapter 455 Sponsored by Senator Gaughran/AM Thiele -- Extends provisions of law relating to providing local governments greater contract flexibility and cost savings by permitting certain shared purchasing among political subdivisions.

Chapter 474 Sponsored by Senator Thomas/AM Griffin -- Extends the time for certain public officers to take or file their oaths of office or official undertakings.

In the News – New York City



Empire State Development Corporation Approves Plan to Reconstruct Penn Station

Up Next: Public Authorities Control Board

The Empire State Development Corporation's (ESDC) board yesterday unanimously approved the Penn Station Reconstruction project, moving the \$7 billion project toward the final stages of review. Earlier this week, Governor Kathy Hochul and New York City Mayor Eric Adams reached an agreement on a financial framework between the State and the City that will help fund the reconstruction and potential expansion of Penn Station.

According to published reports, Kevin Law, the chair of the ESDC board, said it's a "terrific project for the entire metropolitan region and the state of New York." He said the agency received 110 comments about the plan, and the majority were in support.

The plan is scheduled for a final vote by the State Public Authorities Control Board next week.

As part of the project's financial agreement, the City and State have committed to establishing a shared city-state governance entity to oversee public realm improvements. Under the agreement, funds from privately financed development will help pay for a reconstructed Penn Station, the potential expansion of Penn Station, and improvements to the surrounding area that the city-state governance entity will oversee.

The State will sell development rights to private developers and collect payments-in-lieu-of-taxes (or PILOTs) on newly constructed office and residential buildings. The amount of PILOT payments collected in excess of existing property taxes, in addition to revenues from the sale of additional development rights, will help to fund the project. The State and the City have agreed that PILOTs can be used to pay for up to:

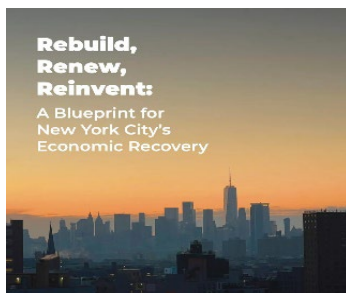
- 100 percent of improvements to streets, sidewalks, public spaces;
- 50 percent of improvements to transit infrastructure including underground concourses and subway entrances in the neighborhood; and
- 12.5 percent of the cost of the reconstruction and potential expansion of Penn Station

Remaining costs would be funded through a combination of sources from the federal government, New Jersey, New York State, Amtrak and other public funding sources.

To ensure that the City maintains its tax revenue stream, the City will continue to collect amounts equal to current taxes on each development site with a 3 percent increase each year. All buildings will return to the City's tax rolls after the agreed contributions to project costs are met, or after a period of 80 years (at the latest).

Because of the anticipated increase in property values, the City is expected to collect significantly more in tax revenue once the buildings are put back on the City's tax rolls. The City and State have also agreed to cap any property tax abatements.

According to the Governor, the agreement affirms the State's commitment to rebuilding Penn Station without raising taxes on New Yorkers or fares for transit riders.



Mayor Adams to Focus Economic Recovery Efforts on Film and Television Industry

The Adams Administration this week launched a new “Rebuild, Renew, Reinvent” economic recovery plan to ensure the film and television sector industry recovers beyond pre-COVID-19 pandemic levels.

The recovery plan includes the introduction of the City's first-ever Film and Television Production Industry Council, created to advise the city's production policies and programs. In addition, Mayor Adams has appointed former Chicago Film Office Director Kwame Amoaku as Deputy Commissioner in the Film Office of the Mayor's Office of Media and Entertainment (MOME).

The Film and Television Production Industry Council will be co-chaired by Directors Guild of America (DGA) Eastern Executive Director Neil Dudich and Executive Producer and New York Producers COVID Response Alliance Co-Chair April Taylor. The council will advise the city's production policies and programs and will include [21 representatives](#) of the film and television industry, organized labor, and production studios.

As Deputy Commissioner of the Mayor's Film Office, Amoaku will serve as principal advisor on production policy on film production in New York City. His career in film and television spans 30 years and includes experience in directing, producing, writing, cinematography, acting, and location management.

Also, this week Mayor Adams issued Executive Order 21, requiring each city agency to have a film office liaison. According to the Mayor, these liaisons will facilitate on-location production across the five boroughs and bolster the industry's \$82 billion economic impact and 185,000 jobs.

Briefs

Governor Signs Legislative Package to Support NYCHA & Public Housing Residents

Governor Kathy Hochul signed a package of legislation to support residents of public housing and improve conditions in the New York City Housing Authority.

Chapter 385 of the Laws of 2022 requires NYCHA to have a searchable database of ticket numbers, which will expand transparency and accountability in the authority's operations. Ticket numbers and complaints will be viewable by the public but will exclude personal information about the residents who file any grievances. The bill was sponsored by Senator Jessica Ramos and Assemblymember Brian Barnwell.

Chapter 383 of the Laws of 2022 requires data of outstanding code violations in public housing developments be maintained in the same way it is for privately owned housing, which will shed light on the condition of said public housing. It was sponsored by Assemblymember Marcela Mitaynes and Senator Brad Hoylman.

Governor Announces RFP for COVID After-Action Review

Governor Kathy Hochul this week announced that a Request for Proposals (RFP) has been released for an independent After-Action Review to assess the State's COVID-19 response. The Review will identify what worked and what did not, and serve as a guide for all local governments planning emergency response efforts.

Jackie Bray, Commissioner for the New York State Division of Homeland Security and Emergency Services, will oversee the After-Action Review process. The RFP is available [here](#).

The Review will focus on the following major areas of the State's COVID response, including but not limited to:

- Review policies and guidance on the management of hospitals and in-patient facilities in light of the pandemic's demands, including which medical procedures could and should continue.
- Review policies and guidance for the transfer of individuals, particularly the most vulnerable individuals, into congregate settings, including homeless shelters, group homes, nursing homes, jails and prisons, and which entities are most qualified to make those decisions and the efficacy of infection controls within those entities.
- Review policies and guidance for the shutdown and reopening of educational institutions, and how early childhood, school age, special education and post-secondary educational programs were handled during COVID-19 and how they should be handled in a future emergency.
- Factors for determining which businesses, industries, and functions should be considered essential and for what purposes.
- The securing and procurement of essential goods and services to meet New Yorkers' needs.
- The protection needed for essential workers in the workplace, and programs and services needed by these workers, who are often from low-income communities of color.
- Coordination among and between the State and its federal and local counterparts, including relationships with mayors, county leaders and other elected officials.

Comptroller DiNapoli: Overtime Costs at State Agencies Reached All-Time High in 2021

The total cost of overtime in 2021 reached an all-time high at more than \$924 million, up 8.7% from 2020, covering roughly 19.95 million overtime hours worked, according to a report released this week by State Comptroller Thomas DiNapoli.

Most of the state's overtime in 2021 came from the Office for People with Developmental Disabilities (OPWDD), the Department of Corrections and Community Supervision (Corrections) and the Office of Mental Health (Mental Health). The three agencies accounted for 66% of the overtime hours and 62% of the overtime earnings logged by all state agencies in 2021. Overtime also rose significantly at the Office of Children and Family Services (OCFS) and the City University of New York (CUNY), where hours increased more than 25% and overtime earnings more than 45%.

The overtime rate \$46.33 per hour. The State Police paid the highest average hourly rate, \$83.13 per overtime hour. CUNY paid the next highest, \$63.38, followed by the Unified Court System at \$59.41.

Coming Up

New York State

Thursday, July 28th

The Role of State Authorities in Renewable Energy Development

Joint - Assembly Standing Committee on Corporations, Authorities and Commissions, Energy & Environmental Conservation, Virtual Hearing, 10 a.m.

New York City

Wednesday, July 27th

Subcommittee on Landmarks, Public Sitings and Dispositions, Hybrid Hearing – Committee Room – City Hall, 1 p.m.

Thursday, July 28th

Committee on Land Use, Hybrid Hearing – Committee Room – City Hall, 11 a.m.

Subcommittee on Zoning and Franchises, Hybrid Hearing – Committee Room – City Hall, 12 p.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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