



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

July 8, 2022 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-

In the News – New York State



Governor Hochul Signs Legislative Package to Spur Energy Efficiency and Greenhouse Gas Emission Reductions While Supporting Prevailing Wage Measures

Governor Kathy Hochul this week signed a legislative package of three bills that will strengthen New York's commitment to clean energy development and energy efficiency, while reducing greenhouse gas emissions. In addition, the package requires prevailing wage for renewable energy projects one megawatt or larger that receive energy credits.

According to the Governor, greening New York's building sector by investing in clean heating and cooling solutions presents the greatest prospect to reduce greenhouse gas emissions while realizing a unique workforce development opportunity. Earlier this year, a jobs study by the Climate Action Council found the buildings sector accounted for well over half of all the jobs added in growing clean energy subsectors. The study estimates that overall employment in the buildings sector will grow to approximately 366,000 by 2040, more than doubling the 2019 workforce by adding over 200,000 new jobs.

The Governor asserted that the legislative package is part of a holistic suite of policies and programs needed to drive decarbonization in the buildings sector and realize these opportunities for near-, medium-, and long-term job growth.

Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022 (Chapter 374 of the Laws of 2022)

Sponsored by Senator Kevin Parker and Assemblymember Patricia Fahy, the Act requires the New York State Energy Conservation Construction Code to be updated to achieve energy efficiency and greenhouse gas emission reductions in support of the Climate Act. Also, this legislation authorizes the New York State Energy Research and Development Authority (NYSERDA), in consultation with the Department of State, to adopt efficiency standards for appliances and equipment that reduce energy usage.

The Utility Thermal Energy Network and Jobs Act (Chapter 373 of the Laws of 2022)

The initiative requires the Public Service Commission (PSC) to develop a regulatory structure for utility thermal energy networks - including district geothermal and other community-scale thermal infrastructure projects - for heating and cooling homes. It also directs utilities to launch pilot projects in their service territories. The legislation is sponsored by Senator Parker and Assemblymember Latoya Joyner.

Prevailing Wage for Renewable Energy Projects (Chapter 371 of the Laws of 2022)

The Governor also signed legislation requiring prevailing wage for renewable energy projects one megawatt and larger that involve the procurement of renewable energy credits from a public entity. Early this year, the PSC's *New York's Ten Gigawatt Roadmap* which is expected to spur approximately \$5.9 billion in public private investment over the mid- to late-2020s. Six thousand additional solar jobs will be created across the State. The measure is sponsored by the chairs of the respective Labor Committees, Senator Jessica Ramos and Assemblymember Joyner.

Enactment of the environmental measures was lauded by members of the State's organized labor community.

"The journey to a clean energy future requires an 'All of the Above Strategy,'" John J. Murphy, International Representative of the United Association of Journeymen & Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, said. "The adoption of the Utility Thermal Energy Network & Jobs Act will provide a just transition for thousands of middle-class New Yorkers while forging a path to decarbonization."



Chapters of the Laws of 2022

Chapter 371 Sponsored by Majority Leader Stewart-Cousins/Speaker Heastie -- Relates to licensing and other provisions relating to firearms.

Chapter 372 Sponsored by AM Joyner/Senator Ramos -- Redefines the term "covered renewable energy system" to include systems with a capacity of one or more megawatts alternating current, expanding the projects subject to prevailing wage.

Chapter 373 Sponsored by Senator Kennedy -- Mandates the provision of lactation accommodations in airports.

Chapter 374 Sponsored by Senator Parker/Rules (AM Fahey) -- Establishes the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022".

Chapter 375 Sponsored by Senator Parker/Rules (AM Joyner) -- Establishes the "utility thermal energy network and jobs act".

In the News – New York City

City Releases *Rainfall Ready NYC* Action Plan, Preparing City Government and New Yorkers for Extreme Rainfall



In preparation for the hurricane season, the Adams Administration this week released the [*Rainfall Ready NYC*](#) action plan, outlining the City’s infrastructure investments and additional steps New Yorkers can take to protect themselves and their property in extreme weather.

“Climate change is the city’s biggest environmental threat, and while we continue to invest in resiliency and infrastructure projects to protect us for generations to come, the Rainfall Ready NYC action plan will help every New Yorker to protect themselves, their families, and their homes,” said Mayor Adams. “The City is acting now to keep New Yorkers safe as we move into hurricane season, and I encourage every New Yorker to make emergency plans for the next extreme weather event.”

Mayor Adams explained that as rising greenhouse gas emissions accelerate climate change, New Yorkers should expect more frequent and extreme rainfall events that can produce volumes of stormwater that the City’s infrastructure was never designed to capture.

He emphasized that while the City is making important investments to improve resiliency and prepare New York City for the effects of climate change, all New Yorkers can take immediate steps to prevent death, injury, and property damage when these intense rainfall events occur, including:

- Encouraging New Yorkers to use new interactive stormwater flood maps to understand the likelihood of flooding on one’s block and to make a plan to get to higher ground if needed.
- Inspecting chronic flooding locations and clearing debris from catch basins in at-risk locations prior to predicted storms. New Yorkers are encouraged to clear litter and debris from the curb line and nearby catch basins and deploy barriers to protect low-lying areas.
- Expanding FloodNet, a network of street flooding sensors designed to better understand the frequency, severity, and impacts of flooding in New York City. These sensors will be installed in the most vulnerable areas for real-time data collection and will be accessible via a dashboard for public use beginning later this month.

The City Department of Environmental Protection will also be providing sandbags and flood barriers to residents in at-risk neighborhoods, and the City has engaged Los Deliveristas, Uber Eats, GrubHub, and DoorDash in a working group to create new strategies for ensuring extreme weather messaging reaches delivery workers. The group will also work to develop protocols to ensure that delivery workers are kept safe during extreme weather, such as restricting deliveries during dangerous weather conditions.

“As somebody who grew up in South Beach, we know full well that Staten Island has too often seen extreme flooding impact neighborhoods, homes, and lives caused by rainfall during heavy storms,” said Staten Island Borough President Vito Fossella. “Fortunately, there has been much progress over the last 40 years, but we still need to do more. After remnants of Hurricane Ida hit New York City in September, many families who historically have never seen flooding in their communities, were directly impacted. Extreme rainfall has been a dangerous problem for the borough and will continue to be a public safety issue without the proper action...”

Governor Hochul and Governor Murphy Sign Gateway Program's Phase One MOU for the Portal North Bridge & Hudson Tunnel Projects

Governor Kathy Hochul and Governor Phil Murphy this week signed the Phase One Memorandum of Understanding (MOU) required by the Gateway Development Commission Act. Signing this MOU advances the Gateway Program to its next phase, detailing the States' responsibilities with respect to project deliverables and moves the Program forward in the federal project review.

The MOU outlines sources, uses, and timing of funding on behalf of New Jersey and New York for Phase One Gateway Projects: Portal North Bridge and the Hudson Tunnel Project.

Phase One of the Gateway Program is funded by a combination of federal and local sources. On behalf of the states, PANYNJ's total commitment for Phase One is \$2.7 billion. For Portal North Bridge, federal funding sources total approximately 60% of the total cost, leaving the States' PNB Commitment of \$772.4 million to be split by New Jersey and New York at \$386.2 million per state. For the rest of the Hudson Tunnel Project, the States will split the local share 50-50. The States intend to work with their partners and federal entities to aggressively pursue greater federal sources of funding for the Gateway Program through the Infrastructure Investment and Jobs Act.



"The Gateway Hudson Tunnel Project is vital to the Northeast corridor, and today's announcement is a critical step forward in turning this vision into reality," Governor Hochul said. "By signing the Phase One Memorandum of Understanding, we are establishing the framework to get this project over the finish line and are making good on our promise to modernize the state's transportation infrastructure and create a mass transit system worthy of New Yorkers."

Briefs

NYS Comptroller Urges State Leaders to Prepare for Outyears

After two years of volatility in state finances, the State Fiscal Year (SFY) 2022-23 Enacted Budget Financial Plan from the Division of the Budget (DOB) projects fiscal stability for the next five years and includes plans to bolster rainy day reserves significantly, according to a report by State Comptroller Thomas DiNapoli. However, Comptroller DiNapoli’s analysis identifies several revenue, spending, and sustainability risks that could disrupt the Financial Plan that should be monitored closely.

Over the life of the Financial Plan, temporary tax rate increases in PIT and corporate franchise taxes and largely unrestricted federal aid are expected to total \$27.6 billion. By the end of the plan period, when the PIT rate increase is slated to expire, nearly \$4 billion in annual resources would become unavailable.

Non-Recurring Resources Supporting General Fund Spending
(in millions of dollars)

	State Fiscal Year					Total
	2022-23	2023-24	2024-25	2025-26	2026-27	
American Rescue Plan	2,350	2,250	3,645	-	-	8,245
PIT Surcharge	3,253	3,426	3,433	3,573	3,827	17,512
Corporate Surcharge	1,073	796	-	-	-	1,869
TOTAL	6,676	6,472	7,078	3,573	3,827	27,626
General Fund Spending	96,103	103,986	109,884	111,940	115,805	537,718
% of GF Spending	6.9%	6.2%	6.4%	3.2%	3.3%	5.1%

Source: NYS Division of the Budget, OSC analysis

Comptroller DiNapoli’s report notes that this Financial Plan will be challenging to execute, requiring “careful and continuous attention.” To maximize the likelihood of success, the report recommends: Implementing Reserve Funds Plan on or Ahead of Schedule, Effectively Implementing Recovery Programs, Monitoring Risks to Economic Growth, and Reforming Capital and Debt Practices to Move to a Pay-As-You-Go Approach.

\$255 Million in Grants Available for Water Infrastructure Projects Statewide

New York State is making \$255 million in state grants available to local governments for critical water infrastructure projects through the State's Water Infrastructure Improvement (WII), Intermunicipal Grant (IMG), and State Septic System Replacement programs.

Local units of government are eligible to apply for funding for:

- WIIA grant awards that will fund up to 25 percent of an eligible wastewater project's total cost, up to \$25 million.

- WIIA grant awards that will fund 60 percent of net eligible project costs for projects that address emerging contaminants above the State determined Maximum Contaminant Level (MCL), with no cap on the total award.
- WIIA grant awards for all other drinking water projects will be awarded up to 60 percent of net project costs up to a maximum of \$5 million.
- IMG awards that will fund up to 40 percent of an eligible wastewater or drinking water project for communities that share services, up to \$30 million.

Grant applications and required supporting documentation must be submitted through [Environmental Facilities Corporations' website](#) by 5 p.m. on September 9.

NY Launches First Statewide Mobile Air Monitoring Initiative

New York State launched its first statewide air quality and greenhouse gas mobile monitoring initiative, deploying in the first four of 10 communities overburdened by environmental pollution. Working in partnership with community-based organizations, the initiative is using mobile mapping technology and analytics from Aclima in communities in the Bronx, Buffalo/Niagara Falls area, the Capital Region, and Manhattan.

Aclima's air monitoring data is being collected by mobile sensors on its fleet vehicles that measure air pollution on a block-by-block level during different times, days, and seasons. The monitoring will provide an initial screening of community-level air quality sources for further evaluation

This fall the initiative will be expanded Rochester, Syracuse, Mount Vernon/Yonkers, Brooklyn, Queens, and Hempstead.

Applications Open for \$343 Million in Child Care Provider Grants Targeting Workforce

New York State has launched the second round of [Child Care Provider Stabilization Grants](#) funded by \$343 million in federal funding. The New York State Office of Children and Family Services is administering the funds.

To support the child care workforce and to assist with recruitment and retention efforts, at least 75% of this funding is targeted for bonuses or increases in wages, contributions towards health insurance costs, contributions to staff retirement plans that supplement any employer contribution, supplemental educational advancement or tuition reimbursement, and mental health supports and services for staff. The remaining 25% can be used on other eligible expenses.

Eligible providers must be OCFS-licensed or -registered child care programs, New York City-permitted group day cares, or enrolled legally exempt group child care programs (enrolled with an enrollment agency). There will be two application windows depending on the provider type: July 5 for those who received the first round of Stabilization Grants and August 22 for all school-age child care programs and new providers who were licensed after the first round of Stabilization Grants were launched.

Comptroller Audit Finds EDC Underreported the Costs of NYC Ferry System by \$224 Million from 2015 to 2021

New York City Comptroller Brad Lander this week released an [audit](#) showing NYC Economic Development Corporation (EDC) underreported nearly a quarter of a billion dollars in NYC Ferry expenditures during former Mayor Bill de Blasio's Administration.

EDC incurred a total of \$758 million dollars in total ferry-related expenditures from July 1, 2015 through December 31, 2021, yet only reported \$534 million as ferry-related expenses in its audited financial statements and other records. A review of the records found an additional \$180,960,344 in capital expenses and \$43,470,732 in operating expenses.

In addition, the total City subsidy-per-ride is nearly double the original estimate of \$6.60, according to auditors. Previous reporting indicated that the NYC Ferry system operates at a deficit and that the City's subsidy is higher than the \$6.60 per ride initially projected. Auditors found that the actual City subsidy has been consistently higher than reported. In Fiscal Year 2021, the City subsidy amounted to \$12.88 per ride, 50% higher than the \$8.59 that EDC reported.

Mayor Adams Announces Deal With Lifeguard Union to Raise Wages for Lifeguards During 2022 Season, Fully Staff Mini Pools

New York City Mayor Eric Adams this week announced that the City has reached a deal with the lifeguard union represented by District Council 37 to raise starting wages for lifeguards to \$19.46 per hour this summer.

In addition, the City will develop a training program to fully staff the city's 17 mini pools and will pay a retention bonus in September to guards who work every week through the end of the summer season.

Last month, Governor Kathy Hochul increased the pay rate for State lifeguards. The Governor directed starting pay rates for lifeguards at upstate facilities to increase 34 percent -- from \$14.95 to \$20 an hour -- and 21 percent for lifeguards at downstate facilities -- from \$18.15 to \$22 an hour.

Coming Up

New York State

No hearings scheduled.

Monday, July 11th

Subcommittee on Zoning and Franchises, Hybrid Hearing -- Committee Room -- City Hall, 11 a.m.

Subcommittee on Landmarks, Public Sitings and Dispositions, Hybrid Hearing -- Committee Room -- City Hall, 12 p.m.

Committee on Land Use, Hybrid Hearing -- Committee Room -- City Hall, 1 p.m.

Thursday, July 14th

City Council, Hybrid Hearing -- Council Chambers -- City Hall, 1:30 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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