



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

October 21, 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-***



Mayor Adams on NYPD

New York City Mayor Eric Adams this week addressed the newest NYPD graduating class which included 617 NYPD officers and 20 MTA police officers, delivering the following remarks:

...We still wake up every day and say our pledge of allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

You are the difference between protecting that symbol and allowing that symbol to erode.

You are not the best that New York has to offer, you are the best that America has to offer. This is where our symbol of freedom stands. The way New York goes, America goes.

When you stop terror, when you stop terrorism, when you stop gun violence, when you stop all the issues that are facing this city, it cascades across the entire country.

When you put on that uniform, it's representative of what America means. This is America's city.

... And when you leave here today and you hit the streets, we want you going home not only from violence, but going home to your families.

My brother and I served in this department. My mother did every tour of duty with us.

Your moms, your spouses, your brothers, your sisters. Every time they hear of a police officer that's attacked or shot; they hold their breath until they find the name of the person hoping that it's not their loved one. And even then, they don't exhale.

You mean everything to your partners and your colleagues that are in this job with you. Think about them each time you take action.

This is a noble profession— nowhere else is it so important now...

In the News – New York State



Governor Hochul & AG James Release Report on the Role of Online Platforms in the Buffalo Shooting



Governor Kathy Hochul and New York Attorney General Letitia James this week [released a report](#) on the role of online platforms in the tragic Buffalo mass shooting at a Tops grocery store. Based on the findings, the Governor and Attorney General are calling for federal and state reforms to combat online extremism and violence.

At the referral of Governor Hochul, the Office of the Attorney General undertook an investigation to examine how the alleged shooter used online platforms to plan, prepare, and publicize his attack. The OAG report examined several online platforms used by the shooter, including 4chan, 8kun, Reddit, Discord, Twitch, and YouTube, and other online platforms where OAG found graphic content of the shooting or the shooter's manifesto, including Facebook, Instagram, Twitter, TikTok, and Rumble.

Investigators looked at how platforms have been used to distribute and promote racist and antisemitic memes and messages and share graphic media of previous racially motivated violence, both of which contributed to the alleged shooter's radicalization. The report also details how several more mainstream platforms were used to livestream the shooting with the goal of inciting additional violent acts, and how graphic video of the shooting has proliferated online.

The Attorney General concluded that fringe online platforms, like 4chan, radicalized the shooter; livestreaming platforms, like Twitch, were weaponized to publicize and encourage copycat violent attacks; and a lack of oversight, transparency, and accountability of these platforms allowed hateful and extremist views to proliferate online, leading to radicalization and violence.

Governor Hochul and AG James are promoting state legislation that would criminalize graphic images or videos created by a perpetrator of a homicide and penalize individuals who reshare or repost those same images or videos.

In addition, Governor Hochul and Attorney General James are recommending changes to Section 230 of the federal Communications Decency Act to increase accountability of online platforms and require companies take reasonable steps to prevent unlawful violent criminal content from appearing on their platforms.

Based upon the report findings, Governor Hochul and Attorney General James recommended reforms to address online extremism and increase accountability of online platforms, including:

- **Create Liability for the Creation and Distribution of Videos of Homicides:** New York and other states should pass legislation imposing criminal liability for the creation, by the perpetrator, of images or videos depicting a homicide. New York should explore establishing civil liability for anyone who transmits or distributes a perpetrator's images or videos depicting the homicide they commit. Coupled with revisions to Section 230 of the federal Communications Decency Act, this liability would extend to online platforms, including social media and livestreaming platforms, that do not take reasonable steps to prevent such content from appearing.
- **Add Restrictions to Livestreaming:** Livestreaming on platforms should be subject to restrictions—including verification requirements and tape delays—tailored to identify first-person violence before it can be widely disseminated.
- **Reform Section 230:** Currently, Section 230 protects online platforms from liability for third-party content that they host, regardless of those platforms' moderation practices. Specifically, the law should be reformed to require an online platform that wishes to retain Section 230's protections to take reasonable steps to prevent unlawful violent criminal content from appearing on the platform. Under this proposal an online platform has the initial burden of establishing that its policies and practices were reasonably designed to address unlawful content.
- **Increase Transparency and Strengthen Moderation:** Online platforms should provide better transparency into their content moderation policies and how those policies are applied in practice, including those that are aimed at addressing hateful, extremist, and racist content. They should also invest in improving industry-wide processes and procedures for reducing the prevalence of such content, including by expanding the types of content that can be analyzed for violations of their policies, improving detection technology, and providing even more efficient means to share information.
- **Call on Industry Service Providers to Do More:** Online service providers, like domain registrars and hosting companies, stand in between fringe sites and users. These companies should take a closer look at the websites that repeatedly traffic in violent, hateful content, and refuse to service sites that perpetuate the cycle of white supremacist violence.

In the News – New York City



NYC Proposes to Curb Rodents & Reduce Eyesore by Cutting Time to Put Out Trash on NYC Streets



New York City Mayor Eric Adams and the New York City Department of Sanitation (DSNY) this week announced new proposed rules reducing the number of hours trash and recycling will sit on New York City sidewalks by adjusting the time-of-day trash may be placed on the curb.

According to the Mayor, these new rules would decrease the amount of time trash is left on the curb, diminishing the eyesore of black bags, reducing trash for rats, and improving cleanliness – and ultimately boosting the city's recovery. Currently, trash and recycling may be placed on the curb after 4 pm the night before collection.

"Bags of trash sitting on the curb for hours have hurt our city's recovery for too long and is one of the most indelible images of New York, but, today, we're saying enough is enough by making a generations-overdue change that will have a real impact on the cleanliness of our streets," said Mayor Adams, explaining that in many neighborhoods these items can sit out for more than 14 hours. "... This announcement will keep our streets clean, it will discourage rats from running their own version of Open Restaurants, and it will mean no more tripping over black garbage bags at rush hour. We're not going to let New Yorkers be plagued by rats – we're going to keep our city squeaky clean."

Under the new rules, slated to go into effect on April 1, 2023, residential buildings would have up to three options, each of which would substantially decrease the amount of time trash is on the curb:

- Place trash out after 6:00 PM in a secure container.
- Place trash out after 8:00 PM if putting bags directly on the curb.
- If a building has nine or more residential units, the property owner may opt in to a 4:00 – 7:00 AM set-out window instead. The opt-in period will run for the month of January each year, allowing DSNY to design quick and efficient routes that take effect April.

These rules would apply to recycling and curbside composting as well.

This announcement also includes new clarified rules for commercial establishments, which do not receive service from DSNY but rather from private waste haulers. Businesses may engage in one of the following options: place trash out after 8 pm if putting bags directly on the curb or place trash out one hour before closing in a secure container.

"... the black bags are on the streets too long, and every day the city's sanitation workers do their part to collect them. We know this will make a real difference in the cleanliness of the streets," said Harry Nespoli, president, Uniformed Sanitationmen's Association Local 831.

The proposed rules are subject to public comment under the City Administrative Procedure Act. The comment period will be open until November 18th, and a public hearing on the proposed rules will be held on Thursday, November 18th at 9:30 a.m. After considering these public comments, DSNY will publish final rules later this year. Public comments can be submitted by email, mail, or via the [city's website](#).

Briefs

NYS Launches Offshore Wind Opportunities

Suffolk County Lays Groundwork for the National Offshore Wind Training Center

State Launches Next Round of Grants for Offshore Wind Workforce Initiatives

Governor Kathy Hochul traveled to Long Island this week to launch the next phase of New York's offshore wind projects, announcing a plan to establish the National Offshore Wind Training Center and the opening of a competitive grant program to develop workforce training.

Suffolk County will host a newly established National Offshore Wind Training Center (NOWTC) in Brentwood, expanding access to job opportunities and educational advancement for high school and college-age New Yorkers entering the workforce. The site will be funded by a \$10 million investment by Sunrise Wind (a joint venture of Ørsted A/S and Eversource Energy), in partnership with the Long Island Federation of Labor-AFLCIO, the Nassau and Suffolk Building and Construction Trades, Suffolk County Community College, International Brotherhood of Electric Workers, the Utility Workers Union of America, BlueGreen Alliance and Minority Millennials. The NOWTC is expected to train and certify workers under Global Wind Organization (GWO) training standards for offshore wind. In addition, NOWTC will offer curriculum and support services for entryways into pre-apprenticeship training for the construction industry as well as manufacturing certifications that will benefit regional employment.

In addition, the Governor also launched a \$9 million competitive opportunity through the State's [Offshore Wind Training Institute](#), led by the New York State Energy Research and Development Authority in collaboration with the State University of New York Farmingdale State College and Stony Brook University, for expanded offshore wind workforce development and training initiatives to address workforce gaps and prepare New Yorkers for high-growth jobs in this growing industry. Today's announcements represent continued progress to establish New York State as the nation's primary hub for offshore wind and supports the Climate Leadership and Community Protection Act goal to develop 9,000 megawatts of offshore wind by 2035.

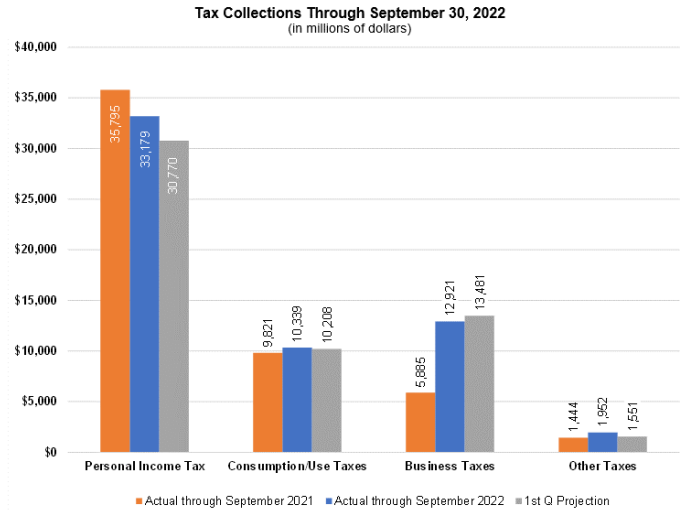
Comptroller DiNapoli: State Tax Receipts Through First Half of Fiscal Year Exceed Projections by \$2.4 Billion

State tax receipts totaled \$58.4 billion through the first half of State Fiscal Year (SFY) 2022-23, exceeding the latest projections from the First Quarterly Update by \$2.4 billion, according to the September [State Cash Report](#) released by State Comptroller Thomas DiNapoli.

“Tax collections continued to run ahead of projections through September,” Comptroller DiNapoli said. “However, there are economic uncertainties and risks that may impact revenue in the months ahead. Bolstering rainy day reserve funds on or ahead of the schedule proposed in the Enacted Budget Financial Plan should be a priority.”

Major findings:

- Personal income tax (PIT) receipts totaled \$33.2 billion and were \$2.4 billion above the state Division of the Budget’s (DOB) latest financial plan projections through Sept. 30. However, PIT receipts were \$2.6 billion lower than the same period in SFY 2021-22.
- Year-to-date consumption and use tax collections totaled \$10.3 billion, including \$9.5 billion from the sales tax, which were 5.3% or \$518.2 million higher than the same period last year, and \$130.9 million higher than anticipated by DOB. Business taxes totaled \$12.9 billion, or double the amount collected through last September, but \$560.2 million below DOB’s latest financial plan projections.
- All Funds spending through September totaled \$96.2 billion, which was \$4.4 billion, or 4.8%, higher than last year for the same period. All Funds spending through September was \$5 billion lower than DOB’s latest financial plan projections primarily due to lower than anticipated spending for local assistance payments.



Federal Judge Issues Temporary Stay on Gun Ban in NY Churches

Western New York U.S. District Judge John Sinatra has granted a temporary stay on part of New York's recently enacted gun laws, allowing permitted concealed carry in churches and other places of worship.

In a [40-page ruling](#), Judge Sinatra found, the state's exclusion of guns from these places is "inconsistent with the Nation's historical traditions, impermissibly infringing on the right to keep and bear arms in public for self-defense."

Two pastors in Western New York sought the lawsuit, asserting they wished to carry a gun into their churches for "self-defense" and to "keep the peace." One of those pastors said, without his gun, he is "suffering diminished personal safety every time" he goes to church. The pastor cited worry about crime, violence, and gang-related incidents that occur in the area surrounding his church.

The State has until October 28th to file papers in response to a preliminary injunction. A hearing on that preliminary injunction is tentatively scheduled for November 2nd, according to published reports.

Mayor Adams Signs Two Bills To Promote Economic Recovery In NYC

New York City Mayor Eric Adams this week signed legislation to establish a NYC Business Portal and to monitor commercial vacancies in the City.

Intro. 116, sponsored by New York City Councilmember Julie Menin, requires the Commissioner of the New York City Department of Small Business Services (SBS) to create a “One-Stop Shop NYC Business Portal,” that would offer all applications, permits, licenses, and related documentation needed to open and operate a small business in the city in a single, easily accessible, and easy-to-navigate location.

Intro. 383, sponsored by New York City Councilmember Gale Brewer, requires that supplemental registration statements for commercial properties be filed by August 15 (for the period from January 1 through June 30) and February 15 (for the period from July 1 through December 31) each year, rather than a single filing on June 30, as required under current law.

“Re-envisioning the use of vacant commercial properties is critical to bringing our city’s economy back and building an equitable future,” said First Deputy Mayor Lorraine Grillo. “But to manage it, you have to measure it. Intro. 383 will help us do just that, by providing more timely data on commercial vacancies that can help inform decision-making going forward.”

Six Developers Indicted in Alleged 421-a Fraud

Six real estate developers have been indicted on charges of defrauding the 421-a tax abatement program of more than \$1.6 million across six Brooklyn buildings, the Manhattan District Attorney's Office announced Wednesday. It was the office’s first formal charge under its new Housing and Tenant Protection Unit, which launched last week.

Developers Joel John, Michael Ambrosino, Alen Paknoush, Mendel Gold, Ioan Sita and Gheorge Sita and their real estate corporations face multiple charges, including grand larceny in the second degree, city criminal tax fraud and offering a false instrument for filing in the first degree.

The buildings involved are 70 Bushwick Ave., 300 Eldert St., 682 Bushwick Ave., 305 Stockholm St., 140 Stanhope St. and 1140 Bushwick Ave.

The investigation revealed that these developers, who owned six different Brooklyn apartment buildings, allegedly violated the terms of the 421-a program by submitting falsified documents to the City and State, claiming the designated affordable units would be rented to qualified tenants. Under the terms of the program, developers agreed that those affordable apartments can only be rented to income-qualified tenants approved by the New York City Department of Housing Preservation & Development (“HPD”). Instead, they were rented out at higher rates for years — sometimes more than \$1,000 per month above the approved affordable level — to renters who did not qualify for affordable housing, according to the District Attorney’s office.

Mayor Adams Appoints Hassan Naveed Executive Director of the Office for the Prevention of Hate Crimes

New York City Mayor Eric Adams this week announced the appointment of Hassan Naveed as the Executive Director of the New York City Office for the Prevention of Hate Crimes (OPHC). As Executive Director, Naveed will oversee the office's interagency efforts to combat hate crimes using community-based programs and provide support to victims of such crimes.

Naveed previously served as acting executive director of the office. He was Director of Outreach at the New York City Department of Investigation's Office of Inspector General for the New York City Police Department (OIG-NYPD). Prior to OIG-NYPD, Naveed led community efforts in Washington, D.C., that worked to improve hate crime responses and prevention by the local police department involving the LGBTQ+, Muslim, immigrant, and other communities.

Naveed earned his Bachelor of Arts in Political Science from the University of California, Santa Barbara and his Master of Public Administration from New York University.

Coming Up

New York State

Wednesday, October 26th

Public Assistance Benefits in New York State

Assembly Standing Committee on Social Services

Assembly Hearing Room, 250 Broadway, Room 1923, 19th Floor, New York, 11 a.m.

Thursday, October 27th

To Examine the Practice of Deed Theft in New York State

Senate Standing Committee on Housing, Construction & Community Development

Senate Hearing Room, 250 Broadway, 19th Floor, New York, 10 a.m.

New York City

Tuesday, October 25th

Joint - Committee on Contracts & Oversight and Investigations, Council Chambers – City Hall, 10 a.m.
Oversight – Maintaining Vendor Integrity Through the Pandemic.

Subcommittee on Zoning and Franchises, 250 Broadway – Committee Room, 16th Floor, 10 a.m.

Committee on Youth Services, Council Chambers – City Hall, 1 p.m.

Oversight – Summer Rising 2020/Summer Youth Employment Program (SYEP) 2022.

Committee on Land Use, 250 Broadway - Committee Room, 14th Floor, 1 p.m.

Committee on Criminal Justice, Committee Room – City Hall, 1 p.m.
Oversight – Examining Drugs in City Jails.

Committee on Public Safety, 250 Broadway - Committee Room, 16th Floor, 2 p.m.
Oversight – Supporting Providers Serving the City’s Crisis Management System (CMS).

Wednesday, October 26th

Cultural Affairs, Libraries & International Intergroup Relations Committee, Council Chambers, 10 a.m.
Oversight – CreateNYC: The NYC Comprehensive Cultural Plan.

Civil and Human Rights Committee, 250 Broadway - Committee Room, 14th Floor, 11 a.m.
Oversight – Racial Justice Commission and Related Ballot Measures.

Committees on Resiliency & Waterfronts & Transportation & Infrastructure, Council Chambers, 1 p.m.
Oversight – 10th Anniversary of Superstorm Sandy.

Committees on Civil Service and Labor & Governmental Operations, 250 Broadway - Committee Room, 16th Floor, 1:30 p.m.

Housing and Buildings Committee, 250 Broadway - Committee Room, 14th Floor, 2 p.m.
Oversight – Construction Safety.

Thursday, October 27th

City Council, Council Chambers, 1:30 p.m.

Friday, October 28th

Fire and Emergency Management Committee, Council Chambers – City Hall, 10 a.m.
Oversight – E-Bikes and Lithium-ion Battery Fire Safety.

Disclaimer: The materials in this *This Week in New York* report are provided for informational purposes only and are not intended to be a comprehensive review of legislative or governmental or political developments, to create a client-consultant/lobbyist relationship, or to provide consulting, lobbying or political advice. Readers are cautioned not to attempt to solve specific problems on the basis of information contained in this *This Week in New York*. If consulting, lobbying or government relations advice is required, please consult a professional expert in such matters. The information contained herein, does not necessarily reflect the opinions of Pitta Bishop & Del Giorno LLC, or any of its members or employees or its clients.

Neither Pitta Bishop & Del Giorno LLC, nor its members or employees make any warranty, expressed or implied, and assume no legal liability with respect to the information in this report, and do not guarantee that the information is accurate, complete, useful or current. Accordingly, Pitta Bishop & Del Giorno LLC is not responsible for any claimed damages resulting from any alleged error, inaccuracy, or omission. This communication may be considered an advertisement or solicitation.

To request that copies of this publication be sent to a new address or fax number, to unsubscribe, or to comment on its contents, please contact Theresa Cosgrove at tcosgrove@pittabishop.com or at (518) 449-3320.

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.

This Week in New York is a publication of Pitta Bishop & Del Giorno LLC.

**120 Broadway, 28th Floor
New York, New York 10271**
Telephone (212) 652-3890
Facsimile (212) 652-3891

**111 Washington Avenue, St. 401
Albany, New York 12210**
Telephone (518) 449-3320
Facsimile (518) 449-5812

**25 Hyatt Street, St. 202
Staten Island, New York 10301**
Telephone (718) 943-1050
Facsimile (718) 943-1051

**1220 19th Street NW
Washington, D.C. 20036**
Telephone (202) 964-4753
Facsimile (202) 964-5754