



# This Week in New York

**Covering New York State and City Government**

*A Publication of Pitta Bishop & Del Giorno LLC*

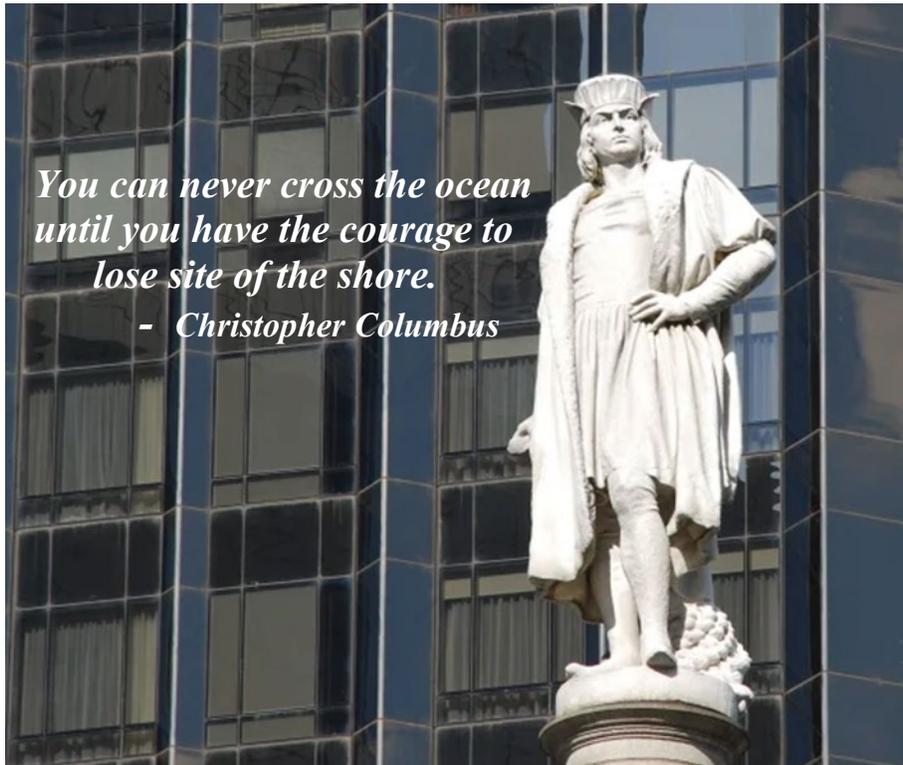
*October 8, 2021 Edition*



*“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-*

## *Columbus Day 2021*



*You can never cross the ocean  
until you have the courage to  
lose site of the shore.*

*- Christopher Columbus*

# *In the News – New York State*



## **Governor Hochul Signs Legislative Package to Combat Opioid Crisis**

Governor Kathy Hochul yesterday signed legislation aimed at reducing drug-related overdose deaths across New York State and encouraging those suffering from addiction to seek help in their recovery.

"Addiction can impact any family, suddenly and harshly - those who find themselves trapped in a vicious cycle are there through no fault of their own," Governor Hochul said at a signing ceremony at John Jay College where she shared her experience of losing her nephew to substance abuse. "This is a personal battle for me and I am proud to be able to combat the opioid crisis by signing these bills into law. There is no shame in seeking help for substance use and I want to let all New Yorkers know that we are here for you. Treatment should always be accessible for those who need it."

Flanked by the Senate and Assembly bill sponsors and representatives of the substance abuse support community, Governor Hochul signed the following bills:

- **Decriminalize Possession of Opioid Antagonists (S911/A2354)** -- Sponsored by Senator Sanders/M of A. Dinowitz -- Promotes the use of opioid antagonists in preventing drug-related overdoses by decriminalizing possession of opioid antagonists.
- **Establish a Medication Assistant Treatment Program for Incarcerated Individuals (S1795/A868)** -- Sponsored by Senator Baily/M of A L. Rosenthal -- Establishes a program for the use of medication assisted substance use disorder treatment for incarcerated individuals in state and local correctional facilities. According to the Governor, expanding medication assisted treatment, will allow incarcerated individuals access to medications and therapies to provide them the opportunity to overcome substance use and lessen the likelihood that they may suffer drug-related overdoses upon their reentry into society.
- **Decriminalize the Possession and Sale of Hypodermic Needles and Syringes (S2523/A868)** -- Sponsored by Senator Rivera/M of A Gottfried -- Proponents assert that decriminalizing drug-related paraphernalia contributes to public safety by reducing the rate at which HIV and hepatitis are transmitted.
- **Establishes an Online Directory for Distributors of Opioid Antagonists (S6044/A128)** -- Sponsored by Senator Harchkham/M of A. L. Rosenthal -- The directory will be maintained by the Office of Addiction Services and Supports website and will make antagonists more accessible to New Yorkers who may want to equip themselves with these life-saving medications.

- **Expands List of Eligible Crimes for Treatment Program Diversion (S7228/A5511)** -- Sponsored by Senator Bailey/M of A Richardson -- Expands the number of eligible crimes committed by individuals with a substance use disorder that may be considered for diversion to a substance use treatment program and changes the term "substance abuse" to "substance use." Eligible crimes would be expanded to include conspiracy, auto striping, and identify theft.



## Bills Currently in the Governor's Office

**A2037 -- Sponsored by M of A Dinowitz/Senator Sanders** -- Relates to the publication of nursing home ratings.

**A2203 -- Sponsored by M of A Barrett/Senator Kennedy** -- Relates to veterans' services for post-traumatic stress disorder and traumatic brain injury.

**A5765B -- Sponsored by M of A Pretlow/Senator Addabbo** -- Relates to health insurance for New York trainers at franchised corporation race tracks.

**A6014A -- Sponsored by M of A Magnarelli/Senator Reichlin-Melnick** -- Increases penalties for purposefully obstructed license plates.

**S18A -- Sponsored by Senator Mayer/M of A Bronson** -- Requires the department of labor to provide information to employers about shared work program eligibility and benefits.

**S3541 -- Sponsored by Senator Stavisky/M of A Glick** -- Relates to the requirements for a license as a professional engineer.

**S6321A -- Sponsored by Senator Gaughran/M of A Solages** -- Requires charter buses to have commercial global positioning system technology.

**S6498 -- Sponsored by Senator Bailey/M of A Meeks** -- Prohibits the use of handcuffs, chains, shackles, irons, straitjackets and other restraints on children under the age of 21 appearing before family court.

**S7191 -- Sponsored by Senator Ryan/M of A Abinati** -- Relates to write-in ballots.

## *In the News – City*



### **NYC Adopts Zoning Rules to Advance Transit Accessibility**

Mayor Bill de Blasio, the New York City Council, and the Metropolitan Transportation Authority (MTA) announced the approval of Elevate Transit: Zoning for Accessibility, a collaboration between the MTA, City Council, the Department of City Planning (DCP) and the Mayor’s Office for People with Disabilities (MOPD) to boost New York City’s push to make the transit system fully accessible.

The initiative will allow the MTA to leverage planned private development to expediate the program.

Zoning for Accessibility incentivizes private developers to design their buildings to incorporate public station accessibility projects or build the improvements at nearby MTA stations. The plan hopes to build off the MTA’s commitment of over \$5 billion of funding for 77 accessible subway, Long Island Rail Road, Metro-North Railroad, and Staten Island Railway station projects within New York City in the 2020-2024 MTA Capital Plan. The proposal allows developers to assist with transit station accessibility throughout the city in two ways:

#### **Easement Certification**

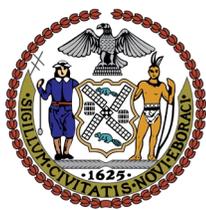
This provision requires developers of most mid-or-high-density sites adjacent to subway, Staten Island Railway, Long Island Rail Road, and Metro-North Railroad stations within New York City to consult with the MTA first to determine whether the MTA needs an easement (permanent access to a small piece of property) for future accessibility projects at the adjacent station. If an easement is necessary, the developer would receive targeted zoning relief to offset the creation of an easement.

#### **Transit Improvement Bonus**

This provision expands the existing “transit improvement bonus” from central business districts to other high-density areas in the city. This program incentivizes private developers to directly fund and build new transit station access improvements, such as elevators or other circulation improvements at already accessible stations, in exchange for a floor area bonus of up to 20%.

Accessibility improvements attained through the bonus mechanism are achieved at no cost to the MTA and will be in addition to projects funded through the MTA’s Capital Plan. Each bonus application will still require a public review and approval process.

According to the MTA, these provisions will help free up funds for the MTA to make more stations accessible on a faster timeline and provide more accessible routes for its customers. To date, about 30% of the 493 subway and Staten Island Railway (SIR) stations in New York City are fully ADA-accessible.



## Bills Approved by the City Council

**Int. No. 1620-A -- Sponsored by Council Member Justin Brannan --** Requires that no later than September 30, 2022, and every ten years thereafter, the Office of Long-Term Planning and Sustainability will develop and post on its website a climate adaptation plan that considers and evaluates various climate hazards impacting the City and its shoreline.

**Int. No. 455-A -- Sponsored by Council Member Daniel Dromm --** Requires the City to ensure that all school buses in use by September 1, 2035 shall be all-electric zero emission school buses.

**Int. No. 1663-A -- Sponsored by Council Member Ben Kallos --** Establishes the Office of Urban Agriculture and an Urban Agriculture Advisory Board.

**Int. No. 1058-A -- Sponsored by Council Member Alicka Ampry-Samuel --** Requires the Office of Urban Agriculture to produce an urban agriculture report every five years.

**Int. No. 2261-A -- Sponsored by Council Member Robert Cornegy --** Completes the most recent code revision cycle by updating the New York City Building, Fuel Gas, and Mechanical Codes, and further amending the New York City Plumbing Code, based on the 2015 editions of the International Building, Fuel Gas, Mechanical, and Plumbing Codes published by the International Code Council's (ICC).

**Int. No. 1995-A -- Sponsored by Council Member Diana Ayala --** Requires shelter operators that contract with the Department of Homeless Services ("DHS") to ensure that all security guards and fire guards receive 40 hours of training in addition to the minimum training required under the State's general business law within 120 days of hire.

**Int. No. 2006-A -- Sponsored by Council Member Francisco Moya --** Requires security guards at contracted shelters be paid prevailing wages.

**Int. No. 2330-A -- Sponsored by Council Member Fernando Cabrera --** Requires the 311 Customer Service Center to allow the public, including residents of New York City Housing Authority (NYCHA) developments, to contact the center to file complaints or service requests relating to NYCHA. The bill would also require data on such complaints or service requests to be made public.

## Briefs

### Attorney General James Delivers \$1.5 Billion Across NYS for Opioid Abatement Efforts

New York Attorney General Letitia James this week began a statewide 'HealNY' tour, delivering the first payments of up to \$1.5 billion from settlements with drug manufacturers and distributors who were parties to the State's opioid lawsuits.

All 62 counties in New York state will receive funds from the various settlements. Pursuant to the [new law establishing the opioid settlement fund](#), all funds collected by the State from opioid settlements will be allocated specifically for abatement efforts in communities impacted by the opioid epidemic and will not go to the State's general fund.

Various opioid manufacturers and distributors were parties to the Attorney General's lawsuits, including Purdue Pharma and its affiliates, as well as members of the Sackler Family (owners of Purdue) and trusts they control; Janssen Pharmaceuticals and its affiliates (including its parent company Johnson & Johnson); Mallinckrodt LLC and its affiliates; Endo Health Solutions and its affiliates; Teva Pharmaceuticals USA, Inc. and its affiliates; and Allergan Finance, LLC and its affiliates. The distributors named in the complaint were McKesson Corporation, Cardinal Health Inc., Amerisource Bergen Drug Corporation, and Rochester Drug Cooperative Inc.

## **\$125 Million for Landlord Rent Relief Available in New York**

Governor Kathy Hochul this week announced that \$125 million in state funding is now available to help landlords recoup losses from rental arrears due to the COVID-19 pandemic.

The State Office of Temporary and Disability Assistance is now accepting applications for the Landlord Rental Assistance Program which provides up to 12 months of past-due rent to landlords who are ineligible for federal assistance because their tenants either declined to complete an Emergency Rental Assistance Program application or vacated the residence with arrears. Priority will be given to those landlords owning small-to-medium-sized properties.

Eligible landlords must own units leased for at or below 150 percent of fair market rent for their location and must have documented the rental arrears accumulated after March 1, 2020. Priority is given to those landlords owning a building with 20 or fewer units and who apply within the first 45 days of the program's opening date on Thursday, October 7.

## **NY Awards \$86 Million Offshore Wind Supply Chain Contract**

Governor Kathy Hochul today announced the largest, single offshore wind supply chain contract award in New York State to support the State's Sunrise Wind offshore wind project.

Ørsted and Eversource, Sunrise Wind's joint development partners, signed a \$86 million supply chain contract with Riggs Distler & Company, Inc. to construct advanced foundation components for wind turbines at the Port of Coeymans, bringing construction and steel manufacturing work to New York companies located in the Capital Region and Western New York, and creating 230 jobs. Once complete, the components will be shipped down the Hudson River and out to the Sunrise Wind offshore wind farm site, located in federal waters roughly 30 miles east of Montauk Point, N.Y.

Additionally, the State will offer its next offshore wind solicitation in early 2022 targeting significant port infrastructure and supply chain investment to further maximize the long-term economic benefits of this burgeoning industry.

## **NY, NJ, CT, and PA Agree to Share Gun Crime Data**

The governors of New York, New Jersey, Connecticut, and Pennsylvania this week signed an agreement that will allow the states to share gun crime data in an effort to prevent gun violence.

The Memorandum of Understanding signed by New York Governor Kathy Hochul, New Jersey Governor Phil Murphy, Connecticut Governor Ned Lamont, and Pennsylvania Governor Tom Wolf allows law enforcement agencies from the four states to share data to “detect, deter and investigate” gun crimes, as well as to “identify and apprehend straw purchasers, suspect dealers, firearms traffickers, and other criminals.”

## **NY State of Health Announces New Executive Director**

NY State of Health, New York’s official health plan Marketplace, this week announced Danielle Holahan has been named Executive Director.

A health policy expert with over 25 years of state and federal experience, Danielle joined the Marketplace team in April 2011 during its early planning stages and has played a lead role in its development and operation. She replaces former NY State of Health Executive Director and NYS Medicaid Director, Donna Frescatore who retired after 40 years in state service.

## **Appointments Made to the Limousine Passenger Safety Task Force**

Governor Kathy Hochul this week announced four new appointments to the Stretch Limousine Passenger Safety Task Force and directed the task force to immediately convene and agree on a timeline for completing its comprehensive study of safety measures.

The four newly appointed members join the three members who were already designated, enabling the task force to begin the study that will closely examine matters influencing the safety, adequacy, efficiency, and reliability of stretch limousine transportation.

The new members include Joan McDonald, Westchester County Director of Operations, and Matthew J. Driscoll, Executive Director at New York State Thruway Authority, selected and appointed by the Governor; and David J. Brown, President and CEO at Premiere Transportation, and Edward Stoppelmann, Co-owner of Red Oak Transportation, appointed by the Governor upon recommendation from the Speaker of the Assembly.

The new members join the Commissioners of the New York State Department of Motor Vehicles and the New York State Department of Transportation and the Superintendent of State Police, all of whom were already designated as members of the task force by statute. Remaining recommendations for appointments to the task force are still under review.

## **Mayor de Blasio Signs Legislation to Require Severance Pay for Hotel Service Employees**

Mayor Bill de Blasio this week signed Intro. 2397-A, sponsored by Council Member Francisco Moya, into law. This legislation requires severance pay for hotel service employees if a hotel with over 100 rooms that laid off over 75% of its employees or closed during the pandemic fails to reopen by November 1, 2021. If a hotel does not reopen by November 1st, the legislation requires the hotel to pay a weekly benefit of \$500 per employee for a period of up to 30 weeks.

“It’s not often you see legislation have such a clear and immediate positive impact, but today is one of those days. By encouraging hotels to reopen and recall their workers, this bill will give thousands of jobless New Yorkers the hope and financial security they so desperately need. Major hotels have already announced their reopening and started calling workers back to their jobs thanks to this legislation. We thank Mayor de Blasio for signing it into law and Council Member Moya for leading the charge,” said Rich Maroko, President of the NY Hotel Trades Council (HTC).

### **In Memoriam: Ed Vargas (1948-2021)**

Ed Vargas, one of New York City’s most respected union organizers, passed away October 1st. He most recently served as Director of Labor Relations at the New York State Department of Labor and was the coordinator of the annual ceremony honoring the victims of the 1911 Triangle Shirtwaist Factory Fire.

Ed served in the US Air Force from 1966 to 1970 and later attended the Herbert H. Lehman College in the Bronx.

His first union experience was as a member of Local 99 of the International Ladies’ Garment Workers Union (ILGWU) as a shipping clerk. In 1977, Ed joined the staff of ILGWU Local 23-25 as an organizer and was named Director of Organizing in 1983 and appointed ILGWU National Political Director in 1992. Following the merger of ILGWU and ACTWU into UNITE, Ed was appointed head of the New York State Council in 1995. In 2001, he was named Assistant to the President of UNITE.

Ed served on the National Executive Board of the Latin Council on Latin American Advancement (LCLAA), as well as on the board of the New York City chapter. He was a founding member of the Working Families Party and served on the board of El Puente, a youth arts and education nonprofit in Williamsburg, Brooklyn.

In June 1990, Ed served as Chief of Security for Nelson Mandela when the South African leader visited New York City following his release from Robbin Island prison. Also, in 1994, Ed served as an official observer of the first free and fair election in a democratic South Africa, in which Mandela became the nation’s first black president.

He is survived by his wife, Elizabeth Weiner, his children, Greg, Ariane, and Sofia, grandchildren Caroline and Levi.

# Coming Up

## ***New York State***

### ***Wednesday, October 13<sup>th</sup>***

#### ***To Hear Testimony Regarding S3979C to “End Predatory Court Fees Act”***

Senate Standing Committee on Crime Victims, Crime & Correction and Codes  
Van Buren Hearing Room A, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 10 a.m.

#### ***The Role of Local Governments in Accessory Dwelling Unit Sitting***

Assembly Standing Committee on Local Governments, Cities, Housing, and Judiciary  
Assembly Hearing Room, 250 Broadway Room 1923, New York, 11 a.m.

### ***Thursday, October 14<sup>th</sup>***

#### ***Governance of the New York City School District***

Assembly Standing Committee on Education  
Assembly Hearing Room, 250 Broadway Room 1923, New York, 10 a.m.

#### ***Gun Safety Proposals and the Status of the Firearm Ammunition Sales Database in New York***

Assembly Standing Committee on Codes  
Roosevelt Hearing Room C, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 10:30 a.m.

## ***New York City***

### ***Tuesday, October 12<sup>th</sup>***

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

***Committee on Public Housing***, Remote Hearing Room - Virtual Room 2, 10:30 a.m.

Oversight - Utilities in Public Housing and Winter Preparedness

### ***Wednesday, October 13<sup>th</sup>***

***Subcommittee on Landmarks, Public Sitings, and Dispositions***, Remote Hearing Room – Virtual Room 1, 10 a.m.

***Committee on Land Use***, Remote Hearing Room – Virtual Room 1, 1 p.m.

### ***Thursday, October 14<sup>th</sup>***

***Committee on Youth Services***, Remote Hearing Room –Virtual Room 2, 1 p.m.

Oversight - RHY Legislation: Reporting and Implementation Follow-Up

### ***Friday, October 15<sup>th</sup>***

***Committee on Hospitals & Health***, Remote Hearing Room, Virtual Room 1, 10 a.m.

Oversight - Hospital Costs – Impact on Access to Care.

**“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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