

This Week in New York

Covering New York State and City Government

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In Memoriam: NYPD Detective Brian Simonsen

We extend our deepest condolences to the family, friends, and fellow officers of Police Detective Brian Simonsen who was killed in the line of duty on Tuesday. Detective Simonsen was shot during a robbery in Queens.

A 19-year veteran of the NYPD and a member of the 102nd Precinct Detectives Squad, Detective Simonsen spent his entire NYPD career protecting the Queens 102nd area. In 2008 he was promoted to Detective and subsequently elected as the squad delegate. Detective Simonsen is survived by his wife.

Detective Simonsen served with selflessness and courage, and our gratitude and prayers are with his family.

Our gratitude and prayers are also with his fellow NYPD officers who put their lives on the line every day to protect us.

A Police Officer's Prayer

*Lord, I ask for courage;
Courage to face and conquer my own fears...
Courage to take me where others will not go.
I ask for strength;
Strength of body to protect others...
Strength of spirit to lead others.
I ask dedication;
Dedication to my job to do it well.
Dedication to my community to keep it safe.
Give me, Lord, concern;
For all those who trust me...
And compassion for those who need me
And, please, Lord, through it all; be at my side.*

In the News - State



The Child Victims Act: Chapter 11 of the Laws of 2019

Governor Andrew Cuomo this week fulfilled his promise to sign the Child Victims Act, a major component of his 2019 Justice Agenda, within the first 100 days of the new legislative session. The legislation ensures those who abuse children are held accountable criminally and civilly. It was unanimously passed by the State Senate and approved by the Assembly 142 to 3.

According to the Governor, the legislation will provide necessary relief to child victims of sexual abuse by amending New York's laws to ensure that perpetrators are held accountable for their actions, regardless of when the crime occurred. Previously, child sexual abuse offenses cannot be prosecuted after five years from their occurrence and civil lawsuits for this conduct must be brought within three years from the victim's 18th birthday.

Specifics of the legislation include:

- Increases the amount of time during which perpetrators of these crimes may be held criminally accountable.
- Allows victims of these crimes to commence a civil lawsuit at any time before they reach 55 years of age.
- Provides victims whose claims have been time-barred with an opportunity to file by opening a one-year window for them to commence their action.
- Eliminates the need to file a notice of claim for sexual offenses committed against a minor.
- Requires judicial training with respect to crimes involving the sexual abuse of minors.
- Authorizes the Office of Court Administration to promulgate rules and regulations for the timely adjudication of revived actions.

The law was effective immediately upon the Governor's signature with the exception of certain training requirements and the promulgation of regulations related to revived actions.

A Resounding Call for Reform

With eyes fixed squarely on reform, the State Legislature listened to almost 11 hours of testimony highlighting the limitations and failings of New York's laws to deter sexual harassment in the workplace.

Representatives of the State Department of Labor, New York City Division of Human Rights, the U.S. Equal Opportunity Commission, and the State Joint Commission on Public Ethics (JCOPE) outlined the current state and federal laws and regulations. Sexual harassment survivors bravely chronicled the abusive work situations they endured and identified the failings of the State's current employee protections. Legal representatives detailed past cases and how the courts have ruled based on the current statutory system.



Members of the State Legislature ready for testimony on Wednesday at the Joint Legislative Hearing on Sexual Harassment in the Workplace.

Reform suggestions included revamping the Legislature's internal investigation process which was described as aimed at "protecting the institution," providing JCOPE with the statutory authority to effectively handle sexual harassment investigations, and developing mental health support programs for victims. Testifiers also focused on amending the State's Human Rights Law to increase employee protections.

"The New York state human rights law has myriad barriers for people who have sexual harassment claims," Miriam Clark, of the National Employment Lawyers Association, explained "For one thing, it's not considered harassment unless it's severe and pervasive."

Reform proponents put forth the New York City human rights law as a possible model for the State.

Speaking to reporters at an unrelated event Wednesday, Governor Andrew Cuomo asserted that New York has "most aggressive anti-sexual harassment laws in the nation" and pledged to further the reforms.

"Anything else we can do on sexual harassment, we will do," the Governor said. "I'm very eager to sign legislation that furthers that cause."

The hearing can be viewed at <https://www.youtube.com/watch?v=KLRJtlIvn0Q>.

Bills Passed by Both Houses

A2570 – Sponsored by M of A Jones/Senator May – This bill would temporarily reduce the number of signatures required for designating petitions by 1/4 for candidates running for office, with the exception of NYC, in 2019 to allow candidates to organize their campaigns, print their petitions, and begin collecting voters' signatures after the change in the primary date.

S2693 – Sponsored by M of A Dinowitz/Senator Bailey – This bill to reduce the petition signature requirement on party positions for ward, town, city, or county committees to 3 percent of enrolled voters of the party residing within the election district.

S2377 – Sponsored by Senator Hoylman/M of A Lavine – This bill would amend the Veterans Health Care Information Program in the New York State Department of Health to provide information to the children of veterans. In addition, it requires the department of corrections and community supervision to maintain records regarding the military background of certain individuals under its jurisdiction.

In the News – City

Coalition of City and State Legislators Propose Reforms to Tackle “Exorbitant and Unregulated” Renters’ Security Deposits

A coalition of City and State elected officials introduced legislative reforms to curb “exorbitant and unregulated security deposits.” Based upon a 2018 New York City Comptroller report which found that New Yorker’s spend \$507 million on security deposits, proponents assert the initiatives address gaps in City and State law that enable landlords to hike upfront rent costs.

The bill packages are being introduced in the State Legislature by Assemblymember Linda B. Rosenthal, Senator Brad Hoylman, Senator Jamaal T. Bailey, Senator Jessica Ramos and Assemblymember Brian Barnwell. Council Member Keith Powers, Council Member Carlina Rivera, Council Member Jumaane Williams, and Council Member Mark Treyger have put forth the City package.

“New York can’t wait any longer to start solving our exploding housing and homelessness crisis. We know that one major reason people can’t afford to live in New York City is out of control and completely unregulated security deposits,” Comptroller Stringer explained. “That’s money that can’t be used to support a family, pay for an education, medical expenses or be set aside for an emergency. It’s preposterous that a landlord can demand many months’ rent from a tenant and there’s little recourse if they just decide to keep it.”

Specifically, the bills introduced at the state level will:

- Limit security-deposits to one month's rent for residential leases of at least one year (A5044/S3379) – Sponsored by Assemblymember Rosenthal and Senator Hoylman.
- Allow renters to pay security deposits in six or fewer installments instead of one lump sum (A4785/S3026) – Sponsored by Assemblymember Rosenthal and Senator Bailey.
- Establish a security deposit protection program to be administered by the Commissioner of Housing and Community Renewal. Security deposits would be held by a third-party custodian who would be responsible for the return of security deposits as well as any dispute resolution (A5265) – Sponsored by Assemblymember Rosenthal and to be introduced by Senator Ramos.
- Require landlords to return security deposits within 21 days after the lease expires (S2159) – Sponsored by Senator Bailey and to be introduced by Assemblymember Barnwell.

The bills introduced this week in the City Council will:

- Limiting security deposits to one month's rent – Sponsored by Council Member Powers, Council Member Rivera, Council Member Williams, and Council Member Treyger.
- Giving renters the option of paying security deposits in installments – Sponsored by Council Member Rivera and Council Member Powers.
- Requiring security deposits on rental apartments be returned to the tenant within 60 days of the end of the lease – Sponsored by Council Member Rivera and Council Member Powers.

Bills Approved by the Council

Introduction 780, *sponsored by Council Member Carlina Rivera*, would change Local Law 55 of 2018, to include a requirement that landlords take measures to eradicate pests and remediate the existence of indoor allergen hazards.

Introduction 867, *sponsored by Council Member Adrienne Adams*, would require the Department of Transportation to establish and maintain guidelines on its website for the criteria and considerations used to assess proposed changes of one-way streets to two-way streets and vice versa, and the process by which traffic flow changes can be requested.

Introduction 928, *sponsored by Council Member Adrienne Adams*, would require that at least two corners of a street intersection have the appropriate street name signage installed.

Introduction 206, sponsored by Council Minority Leader Steven Matteo, would require the Department of Transportation to install pedestrian countdown displays at any intersection where there is a photo-enforced traffic violation system.

Introduction 1235, sponsored by Council Member I. Daneek Miller, would require the Department of Citywide Administrative Services (DCAS) to submit to the state civil service commission for its approval a comprehensive revision of its provisional employee reduction plan.

Resolution 739, sponsored by Council Member Karen Koslowitz, would amend Rule 7.00 of the Rules of the Council in relation to dissolving the Committee on For Hire Vehicles and transferring the jurisdiction of For Hire Vehicles, expressly the Taxi and Limousine Commission, to the Standing Committee on Transportation.

Briefs

Moody's Weighs in on Amazon Relocation

Calls decision "a setback for the City"

Following Amazon's decision to withdraw its plan to headquarter in Queens, Moody's Investor Services released a statement calling the move "setback for the city," but acknowledged that New York City remains in a good financial position overall, according to published reports.

"High-tech employment will grow more slowly without Amazon's expected 25,000 new jobs, but the city's economic fundamentals remain positioned to grow strongly in the future," Moody's wrote.

In November, Moody's graded Amazon's decision to come to Queens as "credit positive" for the New York City metropolitan area. The credit-rating agency noted the city would gain "significant high-wage employment, capital investment, and associated economic multiplier effects."

"The addition of high-wage HQ2 employment opportunities in the cities' already tight labor and housing markets will increase demand for both people and housing, pushing other salaries and local property values higher," Moody's wrote. "We also expect to see increased spending on goods and services, all of which should drive meaningful increases in tax revenue to local governments in both areas."

Senate Majority Announces Hearings On New York's Transit Systems

The Senate Majority announced that five public hearings will be held across the state on the effectiveness of New York's transit networks. Senator Tim Kennedy, Chair of the Transportation Committee, and Senator Leroy Comrie, Chair of the Corporations, Authorities, and Commissions Committee, will lead these hearings. Among the issues expected to be discussed: MTA management, transit ridership concerns, and upstate funding formulas.

The first hearing will be held in Manhattan on Tuesday, February 19th at 10 a.m. in the Senate Hearing Room, 250 Broadway, 19th Floor. Additional hearings will follow on Long Island, the Hudson Valley, Syracuse, and Buffalo. Dates and locations for those hearings will be announced next week.

City Council Proposes Legislative Crackdown On Placard Abuse

The New York City Council this week proposed a five-bill legislative package aimed at reining in the City's parking placard system. The bills would:

- Create a standardized application process for City-issued parking permits and collect information on why placards are requested and how their use supports a City agency (Sponsored by Council Member Powers and Speaker Johnson).
- Require at least 50 targeted enforcement sweeps each week with monitoring by the Department of Investigation. Sweep locations would be determined by 311 complaints regarding placard abuse and would be documented with photographs and details on all enforcement action taken (Sponsored by Speaker Johnson and Council Members Torres and Chin).
- Require enforcement officers to call for towing of any vehicle blocking a sidewalk, crosswalk, fire hydrant, bike lane, or bus lane (Sponsored by Council Member Holden and Speaker Johnson).
- Prohibit official City vehicles from blocking a bike lane, bus lane, crosswalk, sidewalk, or fire hydrant unless it is an emergency (Sponsored by Speaker Johnson and Council Members Torres and Chin).
- Require 311 to accept complaints and photographs related to illegal parking and placard abuse. The City would be required to respond to complaints about blocking a bike lane, bus lane, crosswalk, sidewalk, or fire hydrant and explain why an emergency existed (Sponsored by Speaker Johnson and Council Members Torres and Chin).

Coming Up

New York State

The Legislature is not in session the week of February 18th

Wednesday February 20th

New York's Transit Systems

Joint Senate Committee on Transportations and Committee on Corporations, Authorities and Commissions, Senate Hearing Room, 250 Broadway, 19th Floor, New York, 10 a.m.

New York City

Wednesday February 20th

Charter Revision Commission 2019, Council Chambers – City Hall, 6 p.m.

Wishing you a Happy President's Day

And a Happy Birthday to
Presidents Washington and Lincoln

From Pitta Bishop & Del Giorno LLC

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