



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

April 30, 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-

2021 New York City Elections



VOTE BY MAIL

Vote by absentee ballot by applying here:
nycabsentee.com/absentee



VOTE EARLY

Vote early from June 12-June 20.
Find your polling place here:
findmypollsite.vote.nyc



VOTE ON ELECTION DAY

Vote on Election Day, June 22.
Find your polling place here:
findmypollsite.vote.nyc

In the News – New York State



Comptroller DiNapoli Maintains Reserved Review of New York’s 2021-2022 Budget

Comptroller Thomas DiNapoli maintained his fiscal conservative [review](#) of New York’s 2021-2022 budget, citing that “while the Enacted Budget makes important investments in education, health care and other important areas, it’s critical to maintain a long-term view and ensure the state’s spending does not grow to unsustainable levels.”

He noted that the federal stimulus, better-than-expected tax collections, revenues from tax increases, and other new resources, resulted in the largest budget in state history at an estimated \$212 billion, according to his annual budget analysis released this week.

“The American Rescue Plan provided fiscal relief to the state and local governments, school districts and transit systems at a critical time,” Comptroller DiNapoli said. “Federal support is finite and there were missed opportunities in this budget to ensure the state is well-positioned to weather future emergencies and recessions.”

DiNapoli noted there were also several chances to take steps to improve New York’s long-term fiscal position that were not acted upon. The state continued to defer up to a total of \$3.5 billion in Medicaid payments and did not make any new deposits to statutory rainy day reserve funds, which remain at \$2.5 billion. In addition, despite a strong cash position, short-term borrowing was also reauthorized.

The Comptroller also noted that, for the second year, state leaders circumvented the state’s debt cap for debt to be issued in the coming year—with new state issuance likely to exceed the limits, “rendering the cap meaningless.”

In the coming weeks, the state Division of Budget will release an updated financial plan for SFY 2021-22 through SFY 2024-25 which will clarify the use and timing of federal aid, spending planned for future years, and the impact of revenue and expense actions on recurring budget gaps. Comptroller DiNapoli indicated that the financial plan should also provide detail on several risks, including the volatility and temporary nature of new tax revenues and the sustainability of spending on key programs.



COVID-19 Updates

New York State Legislature

Bars/Restaurants (April 28th)

- Executive Order requiring food to be purchased with alcoholic beverages is suspended.

Volunteer Conflict Exemption (April 28th)

- Executive Order providing volunteers working on the state's pandemic response with an exemption from New York's conflict-disclosure rules is suspended.

Governor Andrew Cuomo

Walk-In Vaccinations (April 29th)

- All New York State mass vaccination sites will be open to eligible New Yorkers age 16 and up for walk-in vaccination on a first come first serve basis. The walk-in appointments are reserved for first doses only with second doses to be scheduled automatically after administration of the initial shot. In addition, all vaccine providers are encouraged to allow walk-in appointments.

Restaurant/Bar Restrictions/Catering (May 3rd)

- Catered events can resume at residences above the State's residential gathering limit of 10 people indoors and 25 people outdoors, as long as the events are staffed by a professional, licensed caterer, permitted by the respective locality, and adhere to health and safety guidance.
- Dancing among attendees at catered events will be aligned with neighboring states, replacing fixed dance zones for each table with social distancing and masks.
- Seating at bars will be allowed in New York City, consistent with the food services guidance that is in effect statewide.

Office Capacity (May 15th)

- Offices may expand to 75% capacity, up from 50%.

Restaurant/Bar Restrictions (May 17th)

- 1 a.m. curfew lifted for catered events where attendees have provided proof of vaccination status or a recent negative COVID-19 test result.
- 12 a.m. food and beverage service curfew lifted for outdoor dining areas.

Restaurant/Bar Restrictions (May 31st)

- 12 a.m. food and beverage service curfew lifted for indoor dining areas.
- 1 a.m. curfew for all catered events lifted.



Chapters of the Laws of 2021

Chapter 60 - Sponsored by Senator Mayer/M of A Bronson - Allows voters who are concerned about voting in-person due to an epidemic or disease outbreak to request an absentee ballot for school districts elections.

Chapter 102 - Sponsored by M of A Gottfried/Senator Rivera - Relates to requirements for residential health care facilities and related entities and operations.

Nominees to Fill Judge Paul Feinman's New York State Court of Appeals Seat Announced

The New York State Commission on Judicial Nomination released the names of seven nominees to fill the vacancy on the Court of Appeals created by the recent retirement and passing of Judge Paul G. Feinman.

The Commission's seven nominees are:

- Michael S. Bosworth, attorney in private practice at Latham & Watkins.
- Anthony Cannataro, citywide administrative judge of the Civil Court of the City of New York and a justice of the Supreme Court.
- Judith J. Gische, associate justice, Appellate Division, First Department.
- Caitlin J. Halligan, attorney in private practice at Selendy & Gay.
- Denise A. Hartman, judge of the Court of Claims and acting justice of the Supreme Court.
- Erin M. Peradotto, associate justice, Appellate Division, Fourth Department.
- Troy Karen Webber, associate justice, Appellate Division, First Department.

Two of the candidates – Halligan and Peradotto – were previously announced as nominees by the Commission on Judicial Nomination earlier this month to fill the seat created by Associate Judge Leslie E. Stein's retirement effective June 4, 2021, according to the State Bar Association.

In the News – City



Mayor de Blasio Releases \$98.6 Billion Recovery Budget

Mayor Bill de Blasio this week presented the Recovery Budget, New York City's \$98.6 billion Executive Budget for [Fiscal Year 2022 \(FY22\)](#).

Fueled by the Federal stimulus funds and aided by the City's vaccination campaign, New York City experienced a growth of 100,000 jobs from December 2020 to March 2021 and expects to gain 400,000 more to reach a total of 4.5 million jobs by the end of 2021.

In addition, the City's tax revenue forecast exceeded expectations, with an increase of \$1.37 billion in Fiscal Year 21 and \$164 million in FY22, for a total of \$1.5 billion. New York State's Fiscal Year 2021-2022 Budget restored nearly all cuts and cost shifts imposed on the City in January.

The Recovery Budget adds \$1.8 billion to the City's budget reserves, including \$1.6 billion to the Retiree Health Benefits Trust in FY21 and \$200 million to the General Reserve. This brings total reserves in Fiscal Year 2022 to \$4.59 billion, including \$3.8 billion in the Retiree Health Benefits Trust, \$493 million in the Rainy Day Fund, and \$300 million in the General Reserve.

Provisions of the City's Recovery agenda include:

Education

- 100% Fair Student Funding for schools: \$600M in FY22.
- Intensive Academic Recovery for Every Student to establish baselines with assessment data, core ELA & Math instruction, tutoring, and teacher planning time: \$500M in FY22.
- Increase Information Technology Support, including digital tools that support technology literacy for every student: \$155M in FY22.
- Hold Schools Harmless for Mid-Year Adjustments: \$130M in FY21.
- Strengthening Special Education Services including counseling, physical and speech therapy: \$236M in FY22.
- Expanding Early Childhood Special Education: \$22M in FY22.

Public Health

- Launch NYC Public Health Corps: \$50M in FY22.
- Launch New Family Home Visits, health Services to first-time parents in Task Force. Neighborhoods and for NYCHA residents: \$23M in FY22.
- Expand LifeSci NYC Initiative beyond Life Science Avenue (Manhattan's East Side) to include the Bronx, Brooklyn and Manhattan's West Side and increase lab space across NYC: \$300M in capital.

Mental Health

- Bring Mental Health Crisis Response Citywide, including EMS and social worker teams for urgent non-violent mental health needs: \$112M in FY22.
- Expand Mobile Treatment Teams by adding 25 new teams to bring critical mental health services directly to New Yorkers: \$23M in FY22.
- Expand Thrive Neighborhood Support Network by adding crisis prevention support by peers and community organizations, employing tele-mental health in underserved areas, and creating the Behavioral Health Academy (3.5 billion).

Non-Profit Organizations

- Provide financial stability for human services providers by increasing indirect rates: \$120M in FY 21-22.

Small Businesses

- Small Businesses Rental Assistance and Grants for Low/Moderate Income Neighborhoods: \$100M in FY22.
- Low-Interest Loans for Small Businesses Hit by Pandemic: \$30M in FY21 to leverage \$70M private investment.
- Commercial Lease Legal assistance in underserved neighborhoods: \$5.2M in FY22.

Tourism

- Launch Tourism Campaign with NYC&Co: \$25M in FY22.

Sanitation

- City Clean Up Corps to directly hire 10,000 New Yorkers to make the city “cleaner and greener”: \$234M FY22.
- Resume organics collection and expand recycling programs: \$33M in FY22.
- Restore litter basket collection service: \$9M in FY22.

Transportation

- Funding for operations and maintenance of 360 speed cameras in FY21 and 600 speed cameras in FY22, bringing total to 2,220 cameras citywide: \$46M in FY22.
- Investing to streamline process for Open Restaurants: \$8.5M in FY22.
- Community Support for Open Streets: \$4M FY22.
- Bike Boulevards, Brooklyn Bridge bike lane: \$2M between FY21-22.
- Queensboro Bridge bike lane: \$5M in capital.
- Complete the Manhattan Greenway: \$723M in capital.

Public Safety and Criminal Justice

- Civilian Complaint Review Board (CCRB) expansion including enhancements launch of CCRB biased-based investigation capacity: \$4.1M in FY22.
- Community-Based Hate Crime Prevention for community-based organizations to lead neighborhood patrols, do bystander intervention training and provide victim services: \$3M in FY22.



Bills Approved by the Council

Int. 888-A - Sponsored by Council Member Ben Kallos - Establishes a mandatory auto-enrollment payroll deduction IRA program for employees of private sector employers which do not offer a retirement plan and employ five or more employees. The default employee contribution rate would be 5%, which employees can adjust up or down, or opt-out of at any time, up to the annual IRA maximum of \$6,000 (or \$7,000 if age 50 or above).

Int. 901-A - Sponsored by Council Member Daneek Miller - Establishes a retirement savings board to facilitate the implementation the retirement security program created by Int. No. 888-A. The board would consist of three members, who are appointed by the Mayor.

Int. 1529-A - Sponsored by Council Member Mark Levine - Requires the Office of Civil Justice coordinator to collaborate with community groups in engaging and educating tenants of their rights in housing court, and then report on their efforts.

Int. No. 1760-A - Sponsored by Council Member Mark Levine - Requires owners of multiple dwellings that utilize smart access systems, to provide tenants with a data retention and privacy policy. This bill would establish restrictions on the collection and use of data collected from such systems, including, requiring consent from tenants and their guests to gather such information, restricting the sharing of such information with third parties, and requiring that any data collected be removed, anonymized, or destroyed within a given time.

Int. 1933-A - Sponsored by Council Member Carlina Rivera and Speaker Corey Johnson - Requires the Department of Transportation (DOT) to operate an annual open streets program to provide additional street space to pedestrians and other non- vehicular street users.

Int. 2050-A - Sponsored by Council Member Mark Levine - Requires the immediate implementation of the program for tenants facing eviction proceedings in housing court citywide and would thereby include tenants in all zip codes. The bill would take effect immediately.

Briefs

NYS JCOPE Taps New Executive Director

The New York State Joint Commission on Public Ethics (JCOPE) tapped former state Judge Sanford Berland to head the regulatory agency which oversees lobbying and ethics in the State.

Berland is a former Court of Claims and state Supreme Court justice on Long Island. He graduated from the State University at Buffalo, as well as SUNY Buffalo Law School, where he was editor-in-chief of the Law Review.

The Commission's Executive Director reports to the 14 Commissioners, six of whom are appointed by the Governor and Lieutenant Governor and eight of whom are appointed by the leaders of the Legislature.

"Executive Director Berland's appointment was supported by Commissioners representing both major political parties in both the Legislative and Executive branches of New York State government, as required," according to the Commission.

New York Will Lose One Congressional Seat Under New Census Data

New York will lose one seat in the House of Representatives next year based on population data released this week by the US Census Bureau. The State's delegation will decrease from 27 to 26. According to published reports, the State lost the seat by 89 residents.

Overall, New York saw an increase in population by 4 percent, with the census counting approximately 20.2 million individuals living in the state. In 2010, there were approximately 19.4 million individuals in New York. However, the increase was lower than gains in other parts of the country.

Census officials said New York experienced "negative net domestic migration," with more people leaving the state than moving into the state over the last decade, according to published reports.

Fair Share NYC: Restaurants to Connect Restaurants to Federal Grants

The de Blasio Administration has launched Fair Share NYC: Restaurants, a program to connect restaurants to federal relief funds.

The federal [Restaurant Revitalization Fund \(RRF\)](#) provides non-taxable grants to restaurants hit hardest by the COVID-19 crisis. Individual restaurants may qualify for up to \$5 million and restaurant groups may be eligible for up to \$10 million in grant funding.

The Mayor's Office of Media and Entertainment and the Office of Nightlife will support the program by conducting targeted outreach to restaurants in the coming weeks through email lists, social media, and third-party industry groups.

NYC Entrepreneur Danny Meyer Named Chairman of New York City Economic Development Corporation Board of Directors

Mayor Bill de Blasio this week appointed New York entrepreneur Danny Meyer as Chairman of the Board of the New York Economic Development Corporation (NYCEDC). Meyer was sworn in April 28th to lead the organization's 27-member board.

In 1985, Meyer opened his first restaurant, Union Square Café. Three decades later, his Union Square Hospitality Group (USHG) includes Gramercy Tavern, The Modern, and Maialino. He also founded Shake Shack, the modern-day “roadside” burger restaurant that became a public company in 2015.

Meyer has served on the boards of NYC and Company, Madison Square Park Conservancy, and Union Square Partnership.

De Blasio Administration Issues Executive Order Establishing Mayor’s Office of Community Mental Health

Mayor Bill de Blasio this week announced his Executive Order creating a Mayor’s Office of Community Mental Health to ensure that mental health is a “lasting part” of City government and a “mayoral priority” into the future.

The Office will be charged with:

- Overseeing new investments included in the Fiscal Year 2022 Executive budget, including \$112M for citywide expansion of mental health teams that will respond to 911 mental health calls.
- Managing the \$225M in community-based mental health services currently supported by ThriveNYC, including services in shelters, Centers for Older Adults, Family Justice Centers, police precincts, and social service agencies.
- Developing new strategies to close gaps in care, providing more support right in communities, and promoting mental health for all.
- Maximizing promotion of mental health across City government.

Mayor de Blasio Appoints Larry Moskowitz to Campaign Finance Board

Mayor de Blasio this week announced the appointment of labor leader Larry Moskowitz to the New York City Campaign Finance Board.

Most recently, Moskowitz served as Social Justice Director of the Workers Circle. He was the founding staff member of the Working Families Party and held various roles for over 15 years, most recently as National Labor Director of the Party National Expansion Project. Moskowitz was involved in numerous statewide campaigns, including the \$15 Minimum Wage and the Green Light Bill.

Coming Up

New York State

Monday May 3rd

Senate Standing Committee on Racing, Gaming, and Wagering, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.

Senate Standing Committee on Codes, Online Meeting, (<https://www.nysenate.gov/>), 11:30 a.m.

Senate Standing Committee on Elections, Online Meeting, (<https://www.nysenate.gov/>), 12:00 p.m.

Senate Standing Committee on Veterans, Homeland Security, and Military Affairs, Online Meeting, (<https://www.nysenate.gov/>), 12:30 p.m.

Assembly Session, NYS Capitol Building, (<https://www.nyassembly.gov/>), 1:00 p.m.

Senate Standing Committee on Civil Service and Pensions, Online Meeting, (<https://www.nysenate.gov/>), 1:30 p.m.

Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 3:00 p.m.

Tuesday May 4th

Senate Standing Committee on Budget and Revenue, Online Meeting, (<https://www.nysenate.gov/>), 9:30 a.m.

Senate Standing Committee on Cities 2, Online Meeting, (<https://www.nysenate.gov/>), 10:00 a.m.

Senate Standing Committee on Corporations, Authorities, and Commissions, Online Meeting, (<https://www.nysenate.gov/>), 10:30 a.m.

Senate Standing Committee on Finance, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.

Senate Standing Committee on Housing, Construction, and Community Development, Online Meeting, (<https://www.nysenate.gov/>), 11:30 a.m.

Senate Standing Committee on Transportation, Online Meeting, (<https://www.nysenate.gov/>), 12:00 p.m.

Senate Standing Committee on Commerce, Economic Development, and Small Business, Online Meeting, (<https://www.nysenate.gov/>), 12:30 p.m.

Assembly Session, NYS Capitol Building, (<https://www.nyassembly.gov/>), tbd

Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 3:00 p.m.

Wednesday May 5th

Senate Standing Committee on Women's Issues, Online Meeting, (<https://www.nysenate.gov/>), 9:30 a.m.

Assembly Session, NYS Capitol Building, (<https://www.nyassembly.gov/>), tbd

Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 11:00 a.m.

Joint Public Hearing: East Side Access/East Side Tunnel Project Oversight (MTA/Amtrack) on Hospitals, Online (<https://www.nysenate.gov/>), 10:00 a.m.

Joint Public Hearing: Diversifying Agriculture and Addressing Food Justice Alongside Continuing Inequalities on Our Food Systems, Online (<https://www.zoom.com/>), 1:00 p.m. – 3:00 p.m.

Assembly Session, NYS Capitol Building, (<https://www.nyassembly.gov/>), 2:00 p.m.

Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 3:00 p.m.

Thursday May 6th

Joint Public Hearing: To explicate the substance of S1553A (Automatic Expungement) and Underscore how important the "Clean Slate" Bill is, Online (<https://www.nysenate.gov/>), 10:00 a.m.

Meeting of the Independent Redistricting Commission, Online, (<https://www.nysenate.gov/>), 10:00 a.m.

Friday May 7th

Joint Public Hearing: East Side Access/East Side Tunnel Project Oversight (MTA/AMTRAK), Online (<https://www.nysenate.gov/>), 10:00 a.m.

New York City

Tuesday May 4th

Subcommittee on Zoning and Franchises, (Virtual Room #1), 10:00 a.m.

Committee on Housing and Buildings, Remote Hearing (Virtual Room #2), 10:30 a.m.

Subcommittee on Landmarks, Public Sitings, and Dispositions, (Virtual Room #1), 2:00 p.m.

Wednesday May 5th

Committee on Civil Service and Labor Remote Hearing (Virtual Room #3), 10:00 a.m.

Committee on Transportation, Remote Hearing (Virtual Room #1), 11:00 a.m.

Committee on Parks and Recreation, Remote Hearing (Virtual Room #2), 1:00 p.m.

Thursday May 6th

Committee on Youth Services, Remote Hearing (Virtual Room #1), 10:00 a.m.

Subcommittee on Landmarks, Public Sitings, and Dispositions, (Virtual Room #1), 2:00 p.m.

Friday May 7th

Committee on Aging, Remote Hearing (Virtual Room #2), 10:00 a.m.

Committee on Oversight and Investigations, Remote Hearing (Virtual Room #2), 11:00 a.m.

Committee on Transportation, Remote Hearing (Virtual Room #2), 12:00 p.m.

**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”
-Mario M. Cuomo-**

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**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