



# This Week in New York

Covering New York State and City Government

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May 7, 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-

## In the News – New York State



### The Governors Who Closed Together Open Together

***Governor Cuomo, Governor Murphy & Governor Lamont  
Announce Easing of COVID-19 Pandemic Restrictions on  
Businesses, Gatherings, and Venues***

Governor Andrew Cuomo, New Jersey Governor Phil Murphy, and Connecticut Governor Ned Lamont this week announced easing of COVID-19 pandemic restrictions on the region's businesses, venues, and gatherings given significant progress in vaccinations and sustained reduction in COVID-19 cases and hospitalizations.

“When we did the close down, if you remember, we did it on a regionally coordinated basis, there is no - we live in a tri-state area. New York shouldn't be a competitor or an encumbrance to New Jersey or to Connecticut. If we are not coordinated, what you'll do is you'll drive people from New Jersey to come to New York. You'll drive people from Connecticut to come to New York or you'll drive people from New York to Connecticut,” Governor Cuomo explained. “That's how we closed down and that's how we're going to reopen because the same theory is true. If New York has dramatically different rules than New Jersey, than Connecticut, you'll see people driving back and forth and that helps no one. So we've been working with a coordination plan, especially on the tri-state area.

### New York and New Jersey:

#### **Social Distance-based Business Capacities (May 19<sup>th</sup>)**

Effective May 19, most business capacities—which are currently based upon percentage of maximum occupancy—will be removed in New York and New Jersey. Businesses will only be limited by the space available for patrons or parties of patrons to maintain the required social distance of 6 feet. This new distance-based maximum capacity will apply across commercial settings, including retail, food services, gyms and fitness centers, amusement and family entertainment, hair salons, barber shops, and other personal care services, among other settings. It will also apply in houses of worship.

## New York

### **Increase in Social and Residential Gathering Limits (May 10<sup>th</sup> & May 19<sup>th</sup>)**

In New York beginning May 10, the outdoor social gathering limit will increase from 200 to 500 people.

Beginning May 19, the indoor social gathering limit will increase from 100 to 250 people. Also, the outdoor residential gathering limit of 25 people will be removed and the social gathering limit of 500 people with space for appropriate social distancing, and the indoor residential gathering limit will increase from 10 to 50 people.

In New York, any event gatherings in excess of the social gathering limits may only occur if all individuals present proof of full vaccination status or recent negative COVID-19 test result.

### **Event Venues**

Congregate commercial and social events in New York—such as those at venues that host sports competitions, performing arts and live entertainment, and catered receptions—can exceed the social gathering limits of 500 people outdoors or 250 people indoors if all attendees over the age of four present either proof of full vaccination status or recent negative COVID-19 test result and the required social distancing can be accommodated.

Starting May 19, large-scale indoor event venues will operate at 30 percent capacity, which is an increase from the current 10 percent capacity limit. Large-scale outdoor event venues will operate at 33 percent. Social distancing, masks, and other applicable health protocols will still apply, including the requirement of attendee proof of full vaccination or recent negative COVID-19 test result.

### **Industry-Specific Reopening Requirements**

While most industry capacity restrictions will be lifted, industry-specific requirements will remain in effect for a longer period of time, including state or local health authority event notification, health screening, contact information for tracing, enhanced air handling and building system standards, hand hygiene, and environmental cleaning and disinfection protocols. The State will continue to provide additional guidance on these provisions as they apply to each industry, including:

- [New York City indoor dining](#) will expand to 75 percent capacity beginning May 7, bringing New York City in line with the rest of New York.
- Hair salons, barber shops and other personal care services will expand to 75 percent capacity beginning May 7.
- New York City gyms and fitness centers will expand to 50 percent capacity beginning May 15.
- [Food and beverage service, and catered event, curfews](#) would end this month.

New York's Reopening Reference Guide: <https://forward.ny.gov/reopening-reference-guide>

## Connecticut:

- Starting May 1: The elimination of outdoor restrictions including limits on table sizes, and the requirement that food be served with alcohol.
- Starting May 19: The elimination of all remaining business restrictions including those on capacity limits at large event venues in the state.



## **NY Extends the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 & the COVID-19 Emergency Protect Our Small Businesses Act of 2021**

Governor Andrew Cuomo this week signed an extension of the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 and the COVID-19 Emergency Protect Our Small Businesses Act. Chapter 104 extends protections prohibiting residential and commercial evictions, foreclosure proceedings, credit discrimination and negative credit reporting related to the COVID-19 pandemic until August 31, 2021.

The legislation, sponsored by Senator Brian Kavanagh and Assemblymember Jeffrey Dinowitz, provides:

### **Residential Evictions:**

The legislation places a moratorium on residential evictions until August 31, 2021 for tenants who have endured COVID-related hardship. Tenants must submit a hardship declaration, or a document explaining the source of the hardship, to prevent evictions. Landlords can evict tenants that are creating safety or health hazards for other tenants, and those tenants who do not submit hardship declarations.

### **Residential Foreclosure Proceedings:**

The legislation also places a moratorium on residential foreclosure proceedings until August 31, 2021. Homeowners and small landlords who own 10 or fewer residential dwellings can file hardship declarations with their mortgage lender, other foreclosing party or a court that would prevent a foreclosure.

### **Commercial Evictions:**

The legislation places a moratorium on evictions until August 31, 2021 for commercial tenants have endured COVID-related hardship. The legislation applies to small businesses with under 50 employees that demonstrate a financial hardship. Tenants must submit a hardship declaration, or a document explaining the source of the hardship, to prevent evictions.

### **Commercial Foreclosure Proceedings:**

The legislation places a moratorium on commercial foreclosure proceedings until August 31, 2021.

### **Tax Lien Sales:**

The legislation prevents local governments from engaging in a tax lien sale or a tax foreclosure until at least August 31, 2021. Payments due to the locality are still due.

### **Credit Discrimination and Negative Credit Reporting:**

Lending institutions are prohibited from discriminating against a property owner seeking credit because the property owner has been granted a stay of mortgage foreclosure proceedings, tax foreclosure proceedings or tax lien sales. They are also prohibited from discriminating because the owner is in arrears and has filed a hardship declaration with the lender.

**Senior Citizens' Homeowner Exemption and Disabled Homeowner Exemption:**

Local governments are required to carry over SCHE and DHC exemptions from the 2020 assessment roll to the 2021 assessment roll at the same levels. They are also required to provide renewal applications for anyone who may be eligible for a larger exemption in 2021. Localities can also set procedures by which assessors can require renewal applications from people who the assessors believe may no longer be eligible for an exemption in 2021. Recipients of the exemption do not have to file renewal applications in person.



## Chapters of the Laws of 2021

**Chapter 103 -- Senator Comrie/M of A O'Donnell** -- Relates to voting and registration for voting by formerly incarcerated individuals convicted of a felony and to repeal certain provisions of the election law relating thereto

**Chapter 104 -- Senator Kavanagh/M of A Dinowitz** -- Extends the "COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020" and the "COVID-19 Emergency Protect Our Small Businesses Act of 2021" until August 31, 2021.

**Chapter 105 -- M of A Reyes/Senator Gianaris** -- Prevents occupational exposure to an airborne infectious disease.

## In the News – City

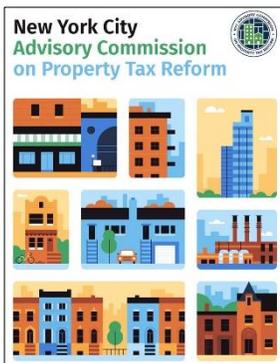


### Free & Low-Cost Broadband Access for 13 NYCHA Developments Serving Up to 30,000 Residents

As part of New York City's Internet Master Plan for Universal Broadband, the City has executed license agreements with five internet service providers to offer high-speed internet access for up to 30,000 residents in 13 New York City Housing Authority (NYCHA) developments. NYCHA is currently finalizing an agreement with a sixth internet service provider.

The five vendors with executed license agreements -- Starry, Sky Packets, Silicon Harlem, Flume, and NYC Mesh -- are finalists selected from the City's Request for Expressions of Interest (RFEI) issued in partnership with the NYC Economic Development Corporation (EDC) in June 2020. Three developments selected through this process will receive free WiFi on public grounds, while the remaining 10 developments will be wired for affordable in-unit internet access. This effort is part of the Mayor's commitment to extend broadband to New Yorkers in the hardest-hit communities identified by the Taskforce on Racial Inclusion and Equity.

In the target neighborhoods, internet service providers charge anywhere from \$40/month to \$110/month. With this RFEI, vendors will provide free or low-cost internet service for no more than \$20/month.



## NYC Advisory Commission on Property Tax Reform to Relaunch Public Hearings

The New York City Advisory Commission on Property Tax Reform this week announced it would relaunch the public hearing process on its 10 preliminary recommendations, starting with virtual hearings for Staten Island on May 11<sup>th</sup> and Brooklyn on May 27<sup>th</sup>. The hearings were initially delayed by the COVID-19 pandemic.

On January 31, 2020, the Commission released a [Preliminary Report](#) with 10 initial recommendations to make NYC's Property Tax System "simpler, clearer, and fairer." The Commission was formed by Mayor de Blasio and City Council Speaker Corey Johnson in 2018 with a mandate to reform NYC's property tax system while ensuring there is no reduction in revenue used to fund essential City services. An in-person hearing following the report's release was initially scheduled for March 12, 2020 in Staten Island, but later postponed due to COVID-19.

The 10 recommendations include:

1. Moving coops, condominiums and rental buildings with up to 10 units into a new residential class along with 1-3 family homes. The property tax system would continue to consist of four classes of property: residential, large rentals, utilities, and commercial.
2. Using a sales-based methodology to value all properties in the residential class.
3. Assessing every property in the residential class at its full market value.
4. Phasing in annual market value changes in the new residential class over five years at a rate of 20% per year, and that Assessed Value Growth Caps should be eliminated.
5. Creating a partial homestead exemption for primary resident owners with income below a certain threshold.
6. Creating a circuit breaker within the property tax system to lower the property tax burden on low-income primary resident owners, based on the ratio of property tax paid to income.
7. Replacing the current class share system with a system that prioritizes predictable and transparent tax rates for property owners.

8. Maintaining the current valuation methods for properties not in the new residential class (rental buildings with more than 10 units, utilities, and commercial).
9. Implementing a gradual transition to the new system for current owners, with an immediate transition into the new system whenever a property in the new residential class is sold.
10. Instituting comprehensive reviews of the property tax system every 10 years.

To testify, speakers may register at the Commission's [website](#). Anyone wishing to testify must register no later than 24-hours in advance. Following registration, speakers will receive further instructions.

The Commission will be holding virtual hearings for all five boroughs and will be scheduling hearings in other boroughs.

## *Briefs*

### **Governor Signs Bill Requiring Employers to Protect Against Airborne Disease**

Governor Andrew Cuomo this week signed the "[NY HERO Act](#)," requiring businesses to implement safeguards against the spread of airborne diseases. Chapter 105 was sponsored by Senator Michael Gianaris and Assemblymember Karines Reyes

"This pandemic exposed the weaknesses in workplace safety. This legislation will help ensure that employers take every reasonable measure necessary to keep workers safe on the job," New York State AFL-CIO President Mario Cilento said in a release. "The law establishes vital standards related to workplace protocols including providing proper safety and personal protective equipment, as well as proper ventilation and social distancing requirements to protect workers and the public."

In his approval memo, Governor Cuomo noted that need for additional amendments "giving the department of labor and employers more specific instructions in developing and implementing the workplace standards, creating a clear timeline, and providing for an immediate requirement for employers to cure violations in order to better protect the safety of workers, and limit lengthy court litigation to those private rights of action, in limited circumstances where employers are acting in bad faith and failing to cure deficiencies."

### **Large-Scale Outdoor Venue Capacity Increase with New Fully Vaccinated Fan Sections Starting May 19<sup>th</sup>**

Large-scale outdoor event venues will only be required to maintain social distancing of 6 feet for patrons or parties of patrons starting May 19<sup>th</sup>, according to Governor Andrew Cuomo. This will apply to outdoor sports, performing arts and live entertainment, and horse and auto racing venues statewide. Appropriate social distancing, masks, and other applicable health protocols will still apply.

Governor Cuomo also announced that in large-scale outdoor event venues, fully vaccinated attendees may be spaced next to one another, instead of 6 feet apart, in assigned, seated sections that are designated solely for fully vaccinated individuals. Individuals seated in these sections will have to provide proof of full immunization status, which can be provided through paper form, digital application or the State's [Excelsior Pass](#).

By June 19, the State will begin to pilot reduced social distancing at large-scale indoor event venues in assigned, seated sections that are designated solely for fully vaccinated individuals. Young adults and children under the age of 16 who are not yet eligible for the vaccine may accompany and be seated with a vaccinated adult in a fully vaccinated section.

## **New York City Subway Will Resume 24 Hour Service May 17<sup>th</sup>**

The New York City subway will resume 24 hour a day service beginning May 17<sup>th</sup>. Until the 17<sup>th</sup>, New York City Transit will remain closed from 2 a.m. to 4 a.m. daily for disinfection.

Beginning May 6, 2020, New York City Transit closed for disinfection from 1 a.m. to 5 a.m. The MTA provided free alternative transportation options to essential workers during the overnight hours that included a significant expansion of bus service across the city and for-hire vehicles as necessary. February 22, the MTA extended late-night subway service by two hours, moving to a 2 a.m. - 4 a.m. closure daily.

## **Broadway to Fully Reopen in September**

Broadway will fully reopen its doors this September, in accordance with the State's health and safety guidance. Throughout May, tickets for [Broadway shows](#) - which begin September 14, 2021 - will be made available for sale at 100 percent of theater capacity.

The State will continue to work closely with Broadway industry partners to plan for the safe, successful return of this world-class cultural experience. As public health conditions and the State's guidance for performing arts and live entertainment changes, Broadway stakeholders will remain flexible and adapt to applicable health protocols, such as face coverings, health screening, enhanced air filtration and ventilation, and rigorous cleaning and disinfection.

# ***Coming Up***

## ***New York State***

### ***Monday May 10<sup>th</sup>***

***Senate Standing Committee on Energy and Telecommunications, Online Meeting,***  
***(<https://www.nysenate.gov/>), 10:00 a.m.***

**Senate Standing Committee on Alcoholism and Substance Abuse, Online Meeting,** (<https://www.nysenate.gov/>), 10:30 a.m.

**Senate Standing Committee on Local Government, 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 Environmental Conservation, Online Meeting,** (<https://www.nysenate.gov/>), 12:30 p.m.

**Senate Standing Committee on Crime Victims, Crime, and Corrections, Online Meeting,** (<https://www.nysenate.gov/>), 1:00 p.m.

**Senate Standing Committee on Disabilities, Online Meeting,** (<https://www.nysenate.gov/>), 1:30 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.

## **Tuesday May 11<sup>th</sup>**

**Senate Standing Committee on Aging, Online Meeting,** (<https://www.nysenate.gov/>), 9:00 a.m.

**Assembly Standing Committee on Cities, Online Meeting,** (<https://nyassembly.gov/av/live/>), 9:00 a.m.

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

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

**Senate Standing Committee on Finance, Online Meeting,** (<https://www.nysenate.gov/>), 10:30 a.m.

**Assembly Standing Committee on Governmental Operations, Online Meeting,** (<https://nyassembly.gov/av/live/>), 11:00 a.m.

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

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

**Assembly Standing Committee on Consumer Affairs, Online Meeting,** (<https://nyassembly.gov/av/live/>), 12:00 p.m.

**Assembly Standing Committee on Mental Health, Online Meeting,** (<https://nyassembly.gov/av/live/>), 12:00 p.m.

*Senate Standing Committee on Cultural Affairs, Tourism, Parks and Recreation, Online Meeting, (<https://www.nysenate.gov/>), 12:30 p.m.*

*Senate Standing Committee on Elections, Online Meeting, (<https://www.nysenate.gov/>), 1:00 p.m.*

*Assembly Standing Committee on Health, Online Meeting, (<https://nyassembly.gov/av/live/>), 1:00 p.m.*

*Assembly Standing Committee on Transportation, Online Meeting, (<https://nyassembly.gov/av/live/>), 1:00 p.m.*

*Senate Standing Committee on Investigations and Government Operations, Online Meeting, (<https://www.nysenate.gov/>), 1:30 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 12<sup>th</sup>**

*Assembly Standing Committee on Veteran Affairs, (<https://nyassembly.gov/av/live/>), 9:30 a.m.*

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

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

## **New York City**

### **Monday May 10<sup>th</sup>**

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

*Committee on Cultural Affairs, Libraries, and International Intergroup Relations, (Virtual Room #2), 2:00 p.m.*

### **Tuesday May 11<sup>th</sup>**

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

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

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

*New York City Advisory Commission on Property Reform, (Virtual Room #4), 6:00 p.m.*

### **Wednesday May 12<sup>th</sup>**

*Committee on Finance, Remote Hearing (Virtual Room #3), 9:00 a.m.*

*City Council Stated Meeting, Remote Hearing (Virtual Room #1), 1:30 p.m.*

***Friday May 14<sup>th</sup>***

*Committee on Housing and Buildings, Remote Hearing (Virtual Room #2), 10:00 a.m.*

*Committee on Sanitation and Waste Management, Remote Hearing (Virtual Room #2), 12:00 p.m.*

*Committee on Small Business, Remote Hearing (Virtual Room #2), 1:00 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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