



This Week in New York

Covering New York State and City Government
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“Obstacles don’t define us. Rather, it is the unparalleled courage and character of us that defines us as a people. So my confidence in the future is steeped in our glorious past - in the face of adversity, we always persist. We persevere, we prevail.” Governor Kathy Hochul



In the News-New York State

Feds Give Green Light to Congestion Pricing

Governor Kathy Hochul this week announced that the Federal Highway Administration has completed the environmental review of the State's congestion pricing program – Manhattan Central Business District Tolling. The federal agency issued a *Finding of No Significant Impact*, confirming the conclusion of the Final Environmental Assessment that the program will have no significant environmental impacts. Toll collection is on target to begin May 2024.

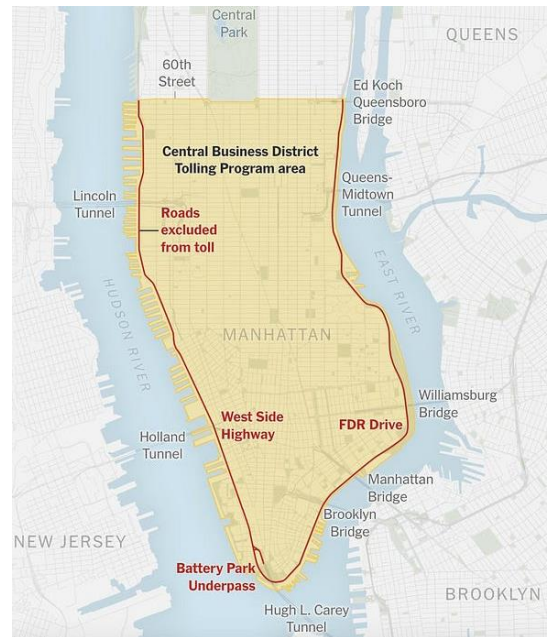
The Environmental Assessment (EA), prepared by the Triborough Bridge and Tunnel Authority (TBTA), New York State Department of Transportation (NYS DOT), and New York City Department of Transportation (NYC DOT) in consultation with the Federal Highway Administration (FHWA), found the program is expected to meet its objectives: reducing congestion and overall vehicle miles traveled, with related regional air quality benefits, and providing financial support to capital upgrades for the MTA's public transportation system.

The program will generate net revenues sufficient to leverage \$15 billion for the MTA's 2020-2024 Capital Program

“Now the real work begins,” MTA Chair and CEO Jano Lieber said. “The MTA Board, in its capacity as the TBTA Board, must adopt a tolling structure, and contractors need to set up tolling equipment throughout the tolling area. The result will be reduced traffic congestion and the establishment of one of the funding pillars for the MTA's historic 2020-2024 Capital Program, a historic level of investment to make upgrades that will bring the network to a State of Good Repair, enhance accessibility, accelerate climate resiliency and eliminate transit deserts.”

Before a tolling rate structure can be set, the Traffic Mobility Review Board (TMRB) will develop a recommended toll structure. Factors to be considered include traffic patterns, traffic mitigation measures, operating costs, public impact, public safety, vehicle types, discounts, peak and off-peak rates, air quality and emissions trends. The TMRB will provide a report explaining its recommendations to the Board of TBTA, which is coterminous with the MTA Board. The TBTA Board will adopt and establish the tolling structure.

According to the Governor, if a tolling structure is adopted on a timeline as expected, toll collection could begin as early as May 2024, which gives contractors a contractually obligated 310 days to finish designing, developing, testing, and installing the tolling system and equipment.



In the News-New York City



Mayor Adams & Speaker Adams Bring City Budget in Under the Wire



With the start of Fiscal Year 2024 looming, New York City Mayor Eric Adams and New York City Council Speaker Adrienne Adams came to agreement on an on-time, balanced, approximately \$107 billion budget. The “handshake agreement”—which restored various program cuts from April’s Executive Budget—was approved by the City Council today.

The FY24 Adopted Budget maintains \$8.0 billion in reserves, including \$1.2 billion in the General Reserve, \$2.0 billion in the Rainy Day Fund, \$4.58 billion in the Retiree Health Benefits Trust, and \$250 million in the Capital Stabilization Reserve.

According to Mayor Adams, the Administration was able to balance the budget by controlling new agency spending and through a higher-than-anticipated increase in the city’s revenue of \$2.1 billion in FY23. These additional resources were used to pay for agency needs, meet increased asylum seeker costs, and fund City Council discretionary spending and shared Adams administration/Council priorities.

New York City’s FY24 Budget includes \$4 billion in funding for affordable housing in the next fiscal year, as well as the following:

Public Safety:

- Funding to expand Supervised Release services and pilot an “Intensive Case Management” model to provide stronger support for recidivists (\$36.8 million).
- Expanding neighborhood-based community navigators in Gun Violence Prevention Task Force districts (\$1.9 million).

Education:

- Ensuring that no New York City Department of Education (DOE) public school will have an initial budget lower than their initial budget last year, even if its student population has declined.
- Helping City University of New York (CUNY) students complete their degrees by adding funding for the Accelerate, Complete, Engage and Accelerated Study in Associate Programs (\$14.1 million).
- Continuing support for Community Schools, including providing school-based health services, and the child’s family with adult education classes and access to social services (\$14 million).
- Providing funding for K-12 arts education (\$4 million).

Workforce:

- Providing workforce enhancement to support wage increases for contracted human services providers (\$40 million, growing to \$90 million in FY25).
- Increasing annual funding for the Right to Counsel program (\$36.6 million in FY24 and \$30.6 million annually thereafter).
- Increasing baseline funding for Fair Fares to expand eligibility (\$20 million, bringing baselined funding to \$95 million).
- Adding 5,000 slots to “Work, Learn & Grow” to provide Summer Youth Employment Program (SYEP) participants with school year employment (\$22.5 million).
- Helping to connect New Yorkers to apprenticeships, improve the city’s workforce development system, and establish a new community hiring program as authorized by recently passed state legislation (\$2.7 million).

Health/Safety:

- \$100 million for a city hospital program that provides free and low-cost health care to New Yorkers who cannot afford or do not qualify for insurance (per *Gothamist*).
- Supporting swimming education in neighborhoods without access to public pools by funding 70 full- and part-time aquatic specialists, five recreation supervisors, 30 lifeguards, equipment, pool rentals, and access to DOE pools (\$5.3 million).
- Continuing the investment in the Mental Health Continuum as part of the Adams administration’s Mental Health Agenda (\$5 million).
- Providing New Yorkers experiencing food insecurity with access to an online marketplace for local grocery stores through the “Groceries to Go” program (\$5.6 million).

Sanitation:

- Continuing the increased frequency of litter basket pickups citywide (\$22 million).
- Funding the New York City Department of Sanitation’s highway cleaning program, which includes a focus on cleaning highways, medians, and road shoulders citywide (\$9.6 million).
- Increasing funding for the CleanNYC program, which cleans streets and sidewalks in targeted corridors (\$3 million).

Libraries/Cultural Institutions:

- Providing funding for Cultural Institutions Group and Cultural Development Fund recipients (\$40 million).
- Adding funding for the public library systems (\$36 million).



Mayor Adams, OLR Commissioner Campion Announce Tentative Contract Agreement With Teamsters Local 237 For Over 9,000 Municipal Employees

New York City Mayor Eric Adams and Office of Labor Relations (OLR) Commissioner Renee Campion this week announced a tentative five-plus-year contract agreement with Teamsters Local 237. The total cost of the tentative agreement, through Fiscal Year 2027, will be \$293 million, which is fully funded in the labor reserve in the Fiscal Year 2024 Budget.

“Upon contract ratification by our members, I am delighted to announce that today, history was made. Thanks to a collaborative effort with Mayor Eric Adams and Labor Relations Commissioner Renee Campion, a groundbreaking tentative agreement with the city was negotiated and successfully reached that marks an extraordinary achievement in labor relations that includes a 16.21 percent increase in wages across the board and a \$3,000 lump sum cash payment to our members upon ratification,” said Gregory Floyd, President, Teamsters Local 237, and Vice President at-large, General Board of the International Brotherhood of Teamsters. “Our members, who work tirelessly to help keep the city up and running, now know that their efforts are recognized and rewarded. This contract victory also underscores the importance of solidarity as union members. We have the vision and voice of all working people who deserve and demand dignity and fairness in the workplace. Workers’ rights are human rights, and this accomplishment celebrates the fact that, today, the two have come together.”

The tentative agreement is retroactive — beginning on April 26, 2022 — and expires on October 25, 2027. It includes wage increases of 3 percent for each of the first four years of the contract and 3.25 percent in the fifth year.

This agreement will cover over 9,000 municipal employees, including school safety agents who work in New York City public schools as well as special officers who serve as hospital police at NYC Health + Hospitals, as homeless services police at New York City Department of Homeless Services shelters, and at other agencies. The agreement also covers other hospital employees, like radiographers, custodians, bridge operators, New York City Department of Education food service managers, custodians, supervising special officers, evidence and property control specialists, taxi limousine inspectors, and stock workers.

In addition to the wage increases, the agreement, as of this October, eliminates two steps from the salary schedule for school safety agents and special officers — allowing them to reach top pay after only five years of service instead of the current seven years.



2023 NYC Primary Elections

This week, voters across Queens, Manhattan, Brooklyn, and the Bronx turned out to vote in the 2023 primary elections. The unofficial election night results were nearly universally favorable for incumbents, with only one incumbent slated to lose their primary.

CM Charles Barron's primary in Brooklyn's District 42 resulted ended in a lead of over 400 (7.3%) votes for challenger Chris Banks, but absentee ballots may tighten the lead and necessitate a second round of ranking. Absentee ballots may also alter the results of the Republican primary in District 13 in the Bronx, where Kristy Marmorato leads by approximately 4%. Marmorato also leads in the Conservative primary in the same district, against the same opponents, but is close to a margin that may require a manual recount. Manual recounts may also be required in the Republican primaries in Brooklyn's 43rd and 44th Council Districts. In 43, Ying Tan leads Vito LaBella by just over two dozen votes (3.4%) and, in 44, incumbent CM Kalman Yeger leads Heshy Tischler by 20 votes (2.7%). Both races may see margins change after absentee ballots are counted and a second round of ranking may be necessary. Regardless of the result, Yeger will still appear on the Democratic and Conservative lines in the general election.

Most leading candidates secured the requisite majority to avoid a second round of ranking in the Ranked Choice Voting system. The result of the Democratic primary in Queens' District 19 will be determined by additional RCV rounds. Currently, former State Senator Tony Avella leads with approximately 39.0% of the vote, with prosecutor Christopher Bae in second with 36.8%. After a significant number of absentee ballots are added to the count, the winner will be determined by who the third-place candidate Paul Graziano's voters (23.7%) voters ranked #2, if they ranked at all. Turnout varied by district, but was low overall, ranging between 4.3% and 13% of voters registered in each district's applicable primary (between 4.7% and 15.2% if restricting to active voters).

The Board of Elections will begin its canvas of absentee ballots next week, and a preliminary RCV round-by-round elimination report is expected on Wednesday, which is also the last day for the Board to receive absentee ballots. Final election results are expected in late July.

Briefs

NY Advances New Plan for Penn Station Redevelopment

Governor Kathy Hochul, local elected officials, and railroad officials this week announced their united support for a revised plan for Penn Station Reconstruction. The Governor emphasized the urgency of fixing the current Penn Station and made clear that the project is advancing now. The current project does not include the surrounding area or track expansion.

This announcement comes as the MTA and Amtrack issued a Notice to Proceed to kick off preliminary design on a plan to transform the existing Penn Station. Project drawings are available [here](#). The design will be based on the Penn Station Master Plan, which proposes a comprehensive set of solutions to the existing deficiencies of the station that impede safe and efficient movement of passengers, underutilization of property such as the mid-block taxiway, and takes into account foot traffic patterns.

New York State has already appropriated \$1.3 billion for Penn Station Reconstruction. Additional funding is anticipated via cost-sharing among the railroads that use the station and federal grant programs. The project is included on the Northeast Corridor Project Inventory priority list, making it eligible for Federal-State Partnership funding via the Infrastructure Investment and Jobs Act.

According to Governor Hochul, Penn Reconstruction is both separate and distinct from the future Penn Station Expansion. Both station projects will be subject to federal environmental review. The potential acquisition of property on City Block 780 is not part of the Penn Station Reconstruction project and may only be considered pursuant to the federal environmental review process for Penn Station Expansion. This expansion of Penn Station is critical to realizing the additional capacity from the construction of a new Hudson River Tunnel under the Gateway Program.

Senator Schumer Fights to Preserve \$80 Million in Staten Island Ferry Funding

U.S. Senate Majority Leader Chuck Schumer saved almost \$80 million earmarked for Staten Island Ferry operations, as the federal debt ceiling negotiations threatened to rescind the funding.

“...I sprang into action and my staff worked to take it [the funding cut] out of the final debt deal,” Senator Schumer recounted during an event this week at St. George Ferry Terminal. “An \$80 million cut to the Staten Island Ferry would have sunk commuters, services and safety across this Island. Not on my watch.”

The \$79 million in funding was appropriated to the DOT for Staten Island Ferry operations through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) that passed in December 2020. The U.S. House of Representatives voted to rescind the \$843 million in unobligated funds in the originally proposed debt ceiling deal. Senator Schumer successfully negotiated the restoration of \$843 million in unobligated federal relief funds for transit agencies across the country.

The ferry funding includes \$35 million for security services, \$26 million for staff salaries, \$14 million for fuel costs, and \$4 million for terminal cleaning.

“It’s so important that our ferry workers are compensated accordingly. Our ferry is an essential service for all Staten Islanders and in order for them to run, we need the workers and we need for them to be paid,” said State Senator Jessica Scarcella-Spanton.

“Our entire borough depends on this lifeline to get to and from work; an \$80 million cut would have been detrimental to the services and safety of our commuters,” Assemblyman Charles Fall (D-North Shore) said.

NYC Department of Homeless Services “Cleanup” of Homeless Encampments had “Limited Success”: NYC Comptroller Lander

The City Department of Homeless Services (DHS) had limited success in convincing the homeless individuals encountered during the sweeps of homeless encampments conducted between March 21, 2022 and November 30, 2022 to enter temporary shelters, according to a report by New York City Comptroller Brad Lander.

Of the 2,308 individuals present during the “cleanups”, 119 (or 5%) accepted temporary shelter. Of these, 29 left shelter on the same day they entered, while 90 individuals stayed in shelter for any length of time. Subsequent observations conducted by auditors in April 2023 at 99 encampment sites cleared by the City found that homeless activity had resumed at 31% of those sites.

The audit also found that DHS did not adequately track the results of engagements made during the cleanups or the results of its placement referrals. This hindered DHS’ ability to measure the degree to which individuals approached during the cleanups received needed services.

NY Office of Temporary and Disability Assistance Commissioner Steps Down

Office of Temporary and Disability Assistance (OTDA) Commissioner Daniel Tietz announced his resignation this week, effective July 25th, citing personal reasons. OTDA provides programs and services for low-income families in New York State, including assisting individuals in accessing benefits and services, enhancing child well-being, and reducing child poverty.

Supreme Court Affirms State Court Review of Election Laws

The U.S. Supreme Court this week maintained the power of state courts to review election laws under state constitutions and urged federal courts to “not abandon their own duty to exercise judicial review.” In a 6-3 [decision \(*Moore v. Harper*\)](#), the court rejected the “independent state legislature” theory in a case involving North Carolina’s congressional map.

“The Elections Clause does not insulate state legislatures from the ordinary exercise of state judicial review,” Chief Justice John Roberts wrote in the court’s opinion.

He was joined by Sonia Sotomayor, Elena Kagan and Ketanji Brown Jackson, Brett Kavanaugh and Amy Coney Barrett. Justices Clarence Thomas, Samuel Alito and Neil Gorsuch dissented.

Supreme Court Overturns Student Loan Debt Forgiveness Plan

In a 6-3 [decision](#) written by Chief Justice John Roberts, the United States Supreme Court today ruled that President Joe Biden's student loan debt forgiveness plan is unconstitutional.

President Biden announced his plan to forgive up to \$20,000 in student loan debt for more than 40 million loan holders in August 2022. The plan authorized \$20,000 in relief to Pell Grant recipients and \$10,000 in relief to other borrowers who made less than \$125,000 a year in 2020 or 2021. In authorizing the forgiveness plan, Biden cited his authority under the 2003 HEROES Act, passed in the wake of 9/11, to "waive" or "modify" student loan debt terms during a national emergency, the COVID-19 pandemic.

Justice Roberts, however, asserted that President Biden lacked the authority under the HEROES Act to eliminate student loan debt.

"We hold today that the Act allows the Secretary to 'waive or modify' existing statutory or regulatory provisions applicable to financial assistance programs under the Education Act, not to rewrite that statute from the ground up," Roberts wrote.

"The authority to 'modify' statutes and regulations allows the Secretary to make modest adjustments and additions to existing provisions, not transform them," he added.

Also this week, the Supreme Court rejected the use of race as a factor in college admissions as a violation of the 14th Amendment's Equal Protection Clause. In a 6-3 decision, Chief Justice Roberts wrote, "A benefit to a student who overcame racial discrimination, for example, must be tied to that student's courage and determination."

DEC Issues Guidance to Reduce the Risk of Negative Interactions with Sharks

The New York State Department of Environmental Conservation (DEC) issued guidance to promote public safety at ocean beaches and help [minimize the risk of negative interactions between people and sharks](#). The annual summer migration of sharks into New York's coastal waters is underway and sightings of shark activity in the nearshore ocean waters is expected to increase during the summer months, June through September.

DEC encourages New Yorkers to be aware of their surroundings in the water and the potential for shark-human interactions and follow DEC guidelines to minimize the risk of negative interactions.

To reduce and minimize potential interactions with sharks, New Yorkers are encouraged to take the following steps:

- Avoid areas with seals;
- Avoid areas with schools of fish, splashing fish, or diving seabirds;
- Avoid swimming at dusk, night, and dawn;
- Avoid murky water;
- Swim, paddle, and surf in groups
- Stay close to shore, where feet can touch the bottom.

Coming Up

New York State

No Scheduled Hearings

New York City

No Scheduled Hearings

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