



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

July 9, 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 – City



### NYC Board of Elections Releases Full Ranked Choice Results

On Tuesday evening, the NYC Board of Elections released updated results of ranked choice voting ranks for covered 2021 primary elections, including absentee ballots. The updated results show Brooklyn Borough President Eric Adams winning the Democratic primary for mayor after eight rounds by a margin of 8,426 votes (1.1% of continuing ballots) and Curtis Sliwa winning the Republican primary by a margin of 24,206 votes (42.3%). Public Advocate Jumaane Williams will safely win the Democratic primary in his reelection run by a margin of 396,877 votes (48.7%). Council Member Brad Lander is likely to win the Democratic primary for Comptroller by 24,638 votes (3.8%).

The BOE’s Tuesday results have Queens Borough President Donovan Richards holding a slim 1,044 vote lead over former Council Member Elizabeth Crowley in the Democratic primary for Queens Borough President after three rounds of ranked voting. Democratic Council Members did well in the Borough President primaries; Vanessa Gibson leads in the Bronx, Antonio Reynoso leads in Brooklyn, and Mark Levine leads in Manhattan. Former U.S. Representative Vito Fossella maintains a close lead over Council Member Steven Matteo in the Republican primary for Staten Island Borough President. The winner of that race will go on to run in the general election against Democrat Mark Murphy, who holds a healthy lead in that primary.

Three incumbent council members, Alicka Ampry-Samuel, Darma V. Diaz, and Bill Perkins, lost the primaries in their reelection races. Former Council Member Darlene Mealy defeats Ampry-Samuel in the first round, Sandy Nurse defeats Diaz in five rounds, and Kristin Richardson Jordan holds a close lead over Perkins after 13 rounds of voting in a crowded primary.

In three races, the winner after ranked choice rounds were completed differed from the candidate who obtained a plurality of votes in the first round. Kristin Richardson Jordan maintains a 100 vote lead over incumbent Council Member Bill Perkins, reversing Perkins’ 525 lead in the first round. Shekhar Krishnan defeats Yi “Andy” Chen by 805 votes after 7 rounds, reversing Chen’s 98 vote lead in the first round. David Carr defeats Marko Kepi by 196 votes after 4 rounds, reversing Kepi’s initial lead of 33

votes. However, Kepi’s ballots are now in question by the BOE, which has requested the US DOJ and NYS AG investigate his campaign for possible election fraud.

If the leaders of each race maintain their position after results are certified, and the partisan makeup of the City Council does not change, the Council is projected to be the most diverse in its history, with a majority of seats held by women.

Final certified results are expected by July 19th. The projected winners of contested races, based on Tuesday’s ranked choice rounds, are listed in the chart below. Uncontested races are not included.

| Office                           | Candidate          |   | Round 1 %     | Round N %     | Final Lead |
|----------------------------------|--------------------|---|---------------|---------------|------------|
| Mayor                            | Adams, Eric L.     | D | 30.80%        | <b>50.50%</b> | 1.06%      |
| Mayor                            | Sliwa, Curtis      | R | <b>68.10%</b> | n/a           | 40.40%     |
| Public Advocate                  | Williams, Jumaane  | D | <b>69.90%</b> | n/a           | 48.69%     |
| Comptroller                      | Lander, Brad       | D | 30.80%        | <b>51.90%</b> | 3.80%      |
| Borough President, Bronx         | Gibson, Vanessa L. | D | 39.50%        | <b>53.50%</b> | 7.00%      |
| Borough President, Bronx         | Reynoso, Antonio   | D | 27.90%        | <b>54.80%</b> | 9.60%      |
| Borough President, Manhattan     | Levine, Mark D.    | D | 28.30%        | <b>53.70%</b> | 7.40%      |
| Borough President, Queens        | Richards, Donovan  | D | 41.10%        | <b>50.30%</b> | 0.60%      |
| Borough President, Staten Island | Fossella, Vito J   | R | 43.30%        | <b>50.80%</b> | 1.60%      |
| Borough President, Staten Island | Murphy, Mark       | D | 46.50%        | <b>65.00%</b> | 30.00%     |

| Office | Candidate             |   | Round 1 %     | Round N %     | Final Lead |
|--------|-----------------------|---|---------------|---------------|------------|
| CD 1   | Marte, Christopher    | D | 39.40%        | <b>60.50%</b> | 21.00%     |
| CD 2   | Rivera, Carlina L     | D | <b>72.40%</b> | n/a           | 45.60%     |
| CD 3   | Bottcher, Erik        | D | 47.30%        | <b>71.50%</b> | 43.00%     |
| CD 5   | Menin, Julie          | D | 34.90%        | <b>56.00%</b> | 12.00%     |
| CD 6   | Brewer, Gale          | D | <b>54.90%</b> | n/a           | 40.10%     |
| CD 7   | Abreu, Shaun          | D | 26.90%        | <b>63.10%</b> | 26.20%     |
| CD 8   | Ayala, Diana          | D | <b>56.50%</b> | n/a           | 27.60%     |
| CD 9   | Jordan, Kristin R.    | D | 19.00%        | <b>50.30%</b> | 0.60%      |
| CD 10  | De La Rosa, Carmen N. | D | 40.40%        | <b>59.70%</b> | 19.40%     |
| CD 11  | Dinowitz, Eric        | D | 44.10%        | <b>61.30%</b> | 22.60%     |
| CD 12  | Riley, Kevin C.       | D | 49.30%        | <b>59.10%</b> | 18.20%     |
| CD 13  | Velazquez, Marjorie   | D | <b>56.30%</b> | n/a           | 30.40%     |

| Office | Candidate                  |   | Round 1 %     | Round N %     | Final Lead |
|--------|----------------------------|---|---------------|---------------|------------|
| CD 14  | Sanchez, Pierina A.        | D | 38.00%        | <b>62.30%</b> | 24.60%     |
| CD 15  | Feliz, Oswald              | D | 38.60%        | <b>65.20%</b> | 30.40%     |
| CD 15  | Rivera-Diaz, Ariel         | R | 49.10%        | <b>53.70%</b> | 7.40%      |
| CD 16  | Stevens, Althea V. Stevens | D | <b>50.70%</b> | n/a           | 30.20%     |
| CD 17  | Salamanca, Jr., Rafael     | D | <b>60.00%</b> | n/a           | 20.90%     |
| CD 18  | Fariás, Amanda             | D | 27.50%        | <b>52.30%</b> | 4.60%      |
| CD 19  | Avella, Tony               | D | 38.20%        | <b>54.70%</b> | 9.40%      |
| CD 19  | Paladino, Vickie           | R | <b>51.60%</b> | n/a           | 4.62%      |
| CD 19  | Sakelos, John-Alexander M  | C | <b>88.40%</b> | n/a           | 80.10%     |
| CD 20  | Ung, Sandra                | D | 22.30%        | <b>55.20%</b> | 10.40%     |
| CD 21  | Moya, Francisco P          | D | <b>51.60%</b> | n/a           | 33.40%     |

| Office | Candidate                |   | Round 1 %     | Round N %     | Final Lead |
|--------|--------------------------|---|---------------|---------------|------------|
| CD 22  | Caban, Tiffany L.        | D | 48.90%        | <b>62.60%</b> | 25.20%     |
| CD 23  | Lee, Linda               | D | 29.90%        | <b>54.50%</b> | 9.00%      |
| CD 23  | Reilly, James F.         | R | <b>66.50%</b> | n/a           | 37.00%     |
| CD 24  | Gennaro, James           | D | <b>60.10%</b> | n/a           | 37.60%     |
| CD 24  | Rosen, Timothy           | R | <b>59.20%</b> | n/a           | 23.00%     |
| CD 25  | Krishnan, Shekar         | D | 26.30%        | <b>53.40%</b> | 6.80%      |
| CD 26  | Won, Julie               | D | 18.50%        | <b>56.70%</b> | 13.40%     |
| CD 27  | Williams, Nantasha M.    | D | 36.00%        | <b>72.90%</b> | 45.80%     |
| CD 28  | Adams, Adrienne E.       | D | <b>53.40%</b> | n/a           | 29.30%     |
| CD 29  | Schulman, Lynn C.        | D | 23.00%        | <b>60.00%</b> | 20.00%     |
| CD 30  | Holden, Robert           | D | <b>54.60%</b> | n/a           | 9.60%      |
| CD 31  | Brooks-Powers, Selvena N | D | <b>67.40%</b> | n/a           | 48.40%     |
| CD 32  | Ariola, Joann            | R | <b>82.00%</b> |               | 65.00%     |
| CD 32  | Singh, Felicia           | D | 35.60%        | <b>52.50%</b> | 5.00%      |
| CD 33  | Restler, Lincoln         | D | 49.50%        | <b>64.00%</b> | 28.00%     |

| Office | Candidate           |   | Round 1 %     | Round N %     | Final Lead |
|--------|---------------------|---|---------------|---------------|------------|
| CD 34  | Gutierrez, Jennifer | D | <b>79.50%</b> | n/a           | 71.00%     |
| CD 35  | Hudson, Crystal     | D | 38.30%        | <b>54.00%</b> | 8.00%      |
| CD 36  | Ossé, Chi A.        | D | 36.60%        | <b>56.90%</b> | 13.80%     |
| CD 37  | Nurse, Sandy        | D | 49.20%        | <b>65.30%</b> | 30.60%     |
| CD 38  | Aviles, Alexa       | D | 39.60%        | <b>65.00%</b> | 30.00%     |
| CD 39  | Hanif, Shahana      | D | 32.20%        | <b>57.00%</b> | 14.00%     |
| CD 40  | Joseph, Rita C.     | D | 25.30%        | <b>59.60%</b> | 19.20%     |
| CD 41  | Mealy, Darlene      | D | <b>57.30%</b> | n/a           | 15.20%     |
| CD 42  | Barron, Charles     | D | 47.50%        | <b>53.70%</b> | 10.90%     |
| CD 45  | Louis, Farah N.     | D | <b>75.40%</b> | n/a           | 55.60%     |
| CD 46  | Narcisse, Mercedes  | D | 34.70%        | <b>63.70%</b> | 27.40%     |
| CD 47  | Kagan, Ari          | D | 43.50%        | <b>55.80%</b> | 11.60%     |
| CD 48  | Saperstein, Steven  | D | 32.90%        | <b>57.00%</b> | 14.00%     |
| CD 49  | Hanks, Kamillah M.  | D | 25.20%        | <b>56.90%</b> | 13.80%     |
| CD 50  | Carr, David M.      | R | 32.00%        | <b>51.40%</b> | 2.80%      |



## Comptroller Stringer Files Suit Against Mayor to Restore Full Charter-Mandated Oversight of Contracts and Procurement

New York City Comptroller Scott Stringer is suing the City of New York and Mayor Bill de Blasio to revoke the COVID-19 emergency powers that have allowed over \$6.9 billion in contracts to be registered without oversight.

Comptroller Scott Stringer this week filed a [lawsuit](#) in State Supreme Court to fully rescind Emergency Executive Order (EEO) 101, Section 2, which suspended laws and regulations related to procurement since March 17, 2020, and to restore all Charter-mandated procurement laws and regulations.

According to the Comptroller, Mayor de Blasio has issued more than one hundred emergency executive orders to extend the procurement suspensions in EEO 101 – including as recently as last week – and the City has registered more than \$6.9 billion in COVID-19-related contracts and contract actions to procure goods, services, and construction – all without Comptroller oversight.

On June 25, 2021, Governor Cuomo ended the New York State disaster emergency and that week the Mayor revoked a number of executive orders related to the pandemic, including Section 1 of EEO 101, but continues to extend the procurement suspensions in Section 2.

The lawsuit asserts that this exposed the City to widespread procurement failures, including overpayment and over-purchasing in this category of purported “emergency” contracting amounting to millions in wasted taxpayer dollars. In addition, certain contracts did not merit COVID-19 emergency approval. The suit cites examples of these procurement irregularities, including contracts with PC Richards & Sons, Jamaica Hardware, Global Medical Supply Group, Digital Gadgets, Cariati Developers, and Genuine Parts Company.

## *In the News – New York State*



### **Attorney General James Helps Shut Down Purdue Pharma, Secures \$4.5 Billion from Sackler Family for Role in Fueling Opioid Crisis**

New York Attorney General Letitia James this week announced a [resolution](#) of her lawsuit against the Sackler family and their company, Purdue Pharma, for their role in fueling the opioid crisis.

The resolution, which was filed in US Bankruptcy Court Southern District court on July 7<sup>th</sup> and is subject to approval, will shut down Purdue Pharma and end the Sackler family’s ability to manufacture opioids. In addition, it will deliver more than \$4.5 billion to fund prevention, treatment, and recovery programs in communities across the country.

“For nearly two years, since Purdue Pharma declared bankruptcy, the company and the Sackler family have used every delay tactic possible and misused the courts — all in an effort to shield their misconduct,” said Attorney General James. “While this deal is not perfect, we are delivering \$4.5 billion into communities ravaged by opioids on an accelerated timetable...”

The resolution of the lawsuit requires the Sacklers to pay \$4.325 billion over the next nine years, with New York state expected to receive at least \$200 million, for abatement of the opioid epidemic. Thousands of individual victims will also receive compensation as part of the bankruptcy process.

In addition, the Sacklers must relinquish control of family foundations — which will hold no less than \$175 million in assets — to the trustees of a contemplated National Opioid Abatement Trust dedicated to abating the opioid crisis, increasing the total being delivered to communities nationwide to more than \$4.5 billion. Further, the Sackler family will be prohibited from requesting or permitting any new naming rights in connection with charitable or similar donations or organizations for the next nine years.



## Governor Declares a Gun Violence Disaster Emergency in New York State

Governor Andrew Cuomo this week declared a [gun violence disaster](#) in New York, treating gun violence as a public health crisis. The disaster emergency allows the State to expedite money and resources to communities and is key to the Governor's plan to reduce gun violence.

According to the Governor, the gun violence reduction plan will use short-term solutions to reduce the shooting rate statewide and long-term solutions focusing on community-based intervention and prevention strategies.

To assist with the short-term effort, Governor Cuomo this week signed two pieces of legislation -- holding gun manufacturers accountable for irresponsible gun sales and prohibiting gun sales to individuals with outstanding warrants. The Governor also created a new State Police Gun Trafficking Interdiction Unit to stop illegal guns from out of state.

The newly created Office of Gun Violence Prevention will oversee the short-term prevention efforts which will focus on gun violence "hot spots." Under the Executive Order, major police departments in Gun Involved Violence Elimination (G.I.V.E.) jurisdictions are required to share incident-level data on gun violence with the State Division of Criminal Justice Services to compile this data weekly.

The GIVE jurisdictions are: Albany, Buffalo, Hempstead, Mount Vernon, Nassau County, Newburgh, New York City, Niagara Falls, Poughkeepsie, Rochester, Schenectady, Suffolk County, Syracuse, Troy, Utica, Yonkers, Binghamton City, Jamestown City, Kingston City and Spring Valley Village.

The Governor noted that initial hot spots identified in New York City, Albany, Buffalo, Syracuse, and Long Island include 4,090 young men aged 18-24 but account for 48.5 percent of recent gun violence in those communities. View maps [here](#). The State will create a new hospital-based violence intervention program in hot spot communities.

The Office of Gun Violence Prevention will be overseen by the State Health Department and led by a Governor-appointed Gun Violence Prevention Coordinator who will coordinate an "all-of-government" initiative. The office will include a task force of representatives across State agencies. Community stakeholders will be included in a new Governor's Council on Gun Violence Reduction.

The long-term strategy centers on a \$138.7 million investment in programs that engage at-risk youth in summer job opportunities, community activity programs to get young people off the streets, and ongoing gun violence prevention programs. This funding was allocated in the 2021-2022 State budget enacted in April. Under this strategy, New York will fund over [21,000 jobs for youth](#) this summer.

The State will also partner with the Consortium for Worker Education, the workforce development arm of the NYC Central Labor Council to provide new job training, training stipends, credentialing and placement in long-term jobs for 2,400 young people who are out of school and live in the neighborhoods most impacted by gun violence.



## Chapters of the Laws of 2021

**Chapter 238 -- Sponsored by Senator Persaud/M of A Fahy --** Allows businesses licensed by the State Liquor Authority to sell alcohol for on-site consumption to use municipal space for outdoor dining.

**Chapter 237-- Sponsored by Senator Myrie/M of A Fahy --** Relates to the dangers to the safety and health of the public caused by the sale, manufacturing, importing and marketing of firearms.

**Chapter 236 -- Sponsored by Senator Kavanagh/M of A Paulin --** Prohibits the sale, purchase, or transfer of firearms to anyone known to have an outstanding warrant for a felony or serious offense.

## Briefs

### State Releases Guidelines for NY HERO Act

The New York State Department of Labor (DOL) has released [new guidelines](#) to assist employers in compliance with “NY HERO Act,” a new law requiring businesses safeguard against the spread of airborne diseases.

Under this new law, DOL, in consultation with the NYS Department of Health, has developed a new Airborne Infectious Disease Exposure Prevention Standard, a Model Airborne Infectious Disease Exposure Prevention Plan, and various industry-specific model plans for the prevention of airborne infectious disease. According to DOL, employers can choose to adopt the applicable policy template/plan provided by NYS DOL or establish an alternative plan that meets or exceeds the standard’s minimum requirements. The guidance can be found on the DOL’s [NY HERO ACT website](#).

According to the website, “Currently, while employers must adopt plans as required by the law, as of the date of this writing no designation has been made and plans are not required to be in effect.” DOL will be sharing more details about this law in the near future and encourages businesses to check the website for updates.

## **Governor Signs Legislation Permitting the Use of Municipal Space for Outdoor Dining**

Governor Andrew Cuomo this week signed legislation (Chapter 238 of Laws of 2021) that will allow restaurants to utilize municipal spaces like sidewalks and streets for outdoor dining. Sponsored by Senator Roxanne Persaud and M of A Pat Fahy, this law allows restaurants to continue using these public spaces for another year as they recover from the economic impact of the COVID-19 pandemic.

Initially issued in June 2020 and expiring after a year, an Executive Order allowed restaurants and bars to serve their patrons food or beverages on-premises in outdoor space while their indoor capacity was limited. Specifically, these establishments were permitted to expand the licensed premises to use public space such as sidewalks or closed streets, subject to reasonable limitations and procedures set by the State Liquor Authority and the safety and supervision plans of the local municipality. The legislation was necessary to allow the state Liquor Authority the discretion to continue the use of this space without prior approval.

Restaurant usage of outdoor public space must meet all federal, state, and local laws, rules, and guidance, according to the signed legislation. Restaurants must also have a temporary use permit from the municipality, which is tasked with ensuring the public space is used in a safe, orderly manner. New applicants will need to provide community notification in a manner consistent state Alcoholic Beverage Control Law.

## **State Thruway Authority to Begin \$450 Million Project to Modernize 27 Thruway Service Areas**

The New York State Thruway Authority this week announced construction will begin this month on a \$450 million project to redevelop the 27 service areas located on the New York State Thruway including new food service choices such as Chick-fil-A, Shake Shack, Starbucks, Panera, Popeyes, and Dunkin' Donuts.

The service areas were originally built in the 1950s, with the last significant redevelopment taking place in the 1990s. On July 29, ten service areas will close for work to begin on the first phase of the project. Fuel services will remain available at all locations during construction.

Following a competitive bidding process, Empire State Thruway Partners was awarded the contract and will rebuild 23 of the 27 service area restaurant buildings and provide significant renovations and upgrades to the remaining four. The contract with Empire State Thruway Partners includes a 33-year term, with two phases of construction. The project is funded through a public-private partnership, and no toll dollars or state tax dollars are being used, according to the Authority.

New amenities and services at select service areas will also include picnic areas and pet walking areas, EV charging stations, and commercial driver services including increased truck parking, showers, laundry facilities and fitness centers. Specific locations of the new food services will be announced at a later date.

## **Assembly Committee on Election Law Hearing: Ranked Choice Voting in New York City**

The State Assembly Committee on Election Law will hold a public hearing to review the ranked choice voting process in the 2021 primary election in New York City, on Monday, July 19<sup>th</sup>. The Committee is chaired by Assemblymember Latrice Walker.

The hearing will be held at 10:30 a.m. at the NAB Theater at City Tech, 285 Jay Street, Brooklyn. Oral testimony is by invitation only.

## **Mayor de Blasio, MTA Announce Expansion of NYC311 Service into Subway System**

Mayor Bill de Blasio, the Department of Homeless Services (DHS), the Department of Information Technology (DoITT), and the Metropolitan Transportation Authority (MTA) announced the expansion of NYC311 into the city's subway system.

New Yorkers will be able to request outreach assistance for individuals believed to be experiencing unsheltered homelessness; report physical conditions within subway stations that are obscuring public space and must be addressed; and identify non-aggressive panhandling for 311 to better connect those New Yorkers who are panhandling to support services.

NYC311 is available 24/7, 365 days a year in nearly 180 languages through the call center, online, a mobile app, social media, and by texting 311-NYC (692). NYC311 can also be reached through video relay service at 212-NEW-YORK (639-9675) and through TTY at 212-504-4115.

# ***Coming Up***

## ***New York State***

### ***Monday, July 12***

***New York State's System of Ethics Oversight and Enforcement***, Senate Standing Committee on Ethics and Internal Governance, Virtual: <https://www.nysenate.gov/events>, 10 a.m.

## ***New York City***

### ***No Meetings Scheduled***



**“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-**

**Disclaimer:** The materials in this *This Week in New York* report are provided for informational purposes only and are not intended to be a comprehensive review of legislative or governmental or political developments, to create a client-consultant/lobbyist relationship, or to provide consulting, lobbying or political advice. Readers are cautioned not to attempt to solve specific problems on the basis of information contained in this *This Week in New York*. If consulting, lobbying or government relations advice is required, please consult a professional expert in such matters. The information contained herein, does not necessarily reflect the opinions of Pitta Bishop & Del Giorno LLC, or any of its members or employees or its clients. Neither Pitta Bishop & Del Giorno LLC, nor its members or employees make any warranty, expressed or implied, and assume no legal liability with respect to the information in this report, and do not guarantee that the information is accurate, complete, useful or current. Accordingly, Pitta Bishop & Del Giorno LLC is not responsible for any claimed damages resulting from any alleged error, inaccuracy, or omission. This communication may be considered an advertisement or solicitation.

To request that copies of this publication be sent to a new address or fax number, to unsubscribe, or to comment on its contents, please contact Theresa Cosgrove at [tcosgrove@pittabishop.com](mailto:tcosgrove@pittabishop.com) or at (518) 449-3320.

**To Our Clients:** If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

*This Week in New York* is a publication of Pitta Bishop & Del Giorno LLC.

**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 19<sup>th</sup> Street NW  
Washington, D.C. 20036**  
Telephone (202) 964-4753  
Facsimile (202) 964-5754