



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

September 17, 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*



### Governor Hochul Intervenes into New York City’s Jails Crisis

*Directs City to Relocate 200 Rikers Island Inmates to State Facilities  
Over Next Five Days*

*Signs “Less is More” Legislation & Moves to  
Immediately Release 191 Parole Violators*

Flanked by state legislators, district attorneys, and criminal justice advocates, Governor Kathy Hochul announced the first set of state measures aimed at reducing the stress on New York City’s jails. The Governor announced an [agreement](#) with the Department of Corrections and city to allow for incarcerated individuals who have been sentenced to at least 90 days to be transferred from Rikers Island to New York State facilities. She also signed the *Less is More Act* which modifies the standard of evidence and procedures when determining whether to revoke the community supervision of a person on parole.



**Governor Hochul Signs *Less is More Act*.**

#### **Agreement with City of New York**

The Department of Corrections and Community Supervision has worked with the City of New York to [leverage an existing statute](#) that will allow for hundreds of definite sentenced incarcerated individuals, which are those sentenced to at least one day but less than one year, to be transferred from Rikers Island to State custody, where they will serve out their sentences in DOCCS facilities.

Governor Hochul is also directing that forty individuals sentenced to at least ninety days be sent off of Rikers Island each day to New York State facilities for the next five days. This will continue on a rolling basis for those eligible.

### **Signs and Implements Less is More Legislation**

The *Less is More Act*, sponsored by Lieutenant Governor Brian Benjamin and Assemblymember Phara Souffrant Forrest, facilitates the societal reintegration of people who are subject to community supervision (parole, presumptive release, conditional release, and post-release supervision). The bill goes into effect March 1, 2022.

According to the Governor, the *Less is More Act* aims to ensure the Department of Corrections and Community Supervision focuses its resources on helping people successfully complete community supervision and avoiding future return to DOCCS custody or supervision.

In addition, with the Governor signing the *Less is More* bill, in the spirit of this new legislation, DOCCS is currently reviewing the current parole violators and will work with City officials to immediately release up to 191 individuals, who will no longer qualify for incarceration.



## **State's Updated Financial Plan Shows Strength; Risk Ahead**

### ***Governor Hochul Prepares for Fiscal Challenges***

Governor Kathy Hochul this week announced that the Division of Budget's first quarter update to the New York State Financial Plan shows the state in a strong fiscal position. During the period, economic growth exceeded expectations with revenues projected to be \$2.1 billion higher in each of the four years of the plan.

However, with the Delta variant threatening the State's continued recovery, the Governor has directed \$1.1 billion to be placed in reserves to offset future spending.

The plan is balanced in the current year and next, and budget gaps through Fiscal Year 2025 are reduced by nearly \$2 billion. At the time the Budget was enacted, the Financial Plan showed gaps in FY 2024 of \$1.4 billion and \$2 billion in FY 2025. The updated first quarter financial plan shows a gap of \$247 million in FY 2024 and \$1.2 billion in FY 2025

"While the state's fiscal picture is strong, which is an incredible reversal from where we were a year ago, we must act with caution as the Delta variant of COVID-19 continues to spread, threatening our economic recovery," Governor Hochul said. "For this reason, I am bolstering state reserves to protect against economic downturn and new costs ...."

In addition to the funding to reduce borrowing, the \$1.1 billion will be available to fund potential labor settlements and state agency operations following 10 percent recurring budget cuts implemented in FY 202.

[Documents released with the fiscal plan](#) emphasized “A snapshot taken today would show State finances in a strong position: balanced operations and relatively small outyear budget gaps, stronger than expected tax collections, relatively high liquidity, and affordable debt levels. Missing from the picture but of great concern are the risks and uncertainties created by the pandemic.”

Among the risks cited by the Division of Budget are the “real but hard to quantify” impacts of the migration of taxpayers and the expansion of telework to the State’s tax base, New York City, and the Metropolitan Transportation Authority (MTA); the exhaustion of “time-limited” resources that have improved the State’s operating position and liquidity--most notably Federal recovery aid--by the end of FY 2025; and COVID variants and extreme weather events that have the potential to disrupt the strength and pace of the State's economic recovery.



## Chapters of the Laws of 2021

**Chapter 424 -- Sponsored by Senator Gounardes/M of A Abbate** -- Relates to including certain employees who were employed in public service for eligibility for those who participated in the World Trade Center rescue, recovery or cleanup operations.

**Chapter 425 -- Sponsored by Senator Savino/M of A Abbate** -- Allows for the electronic submission of a notice that a member of a retirement system participated in World Trade Center rescue, recovery or cleanup operations for a qualifying period.

**Chapter 426 -- Sponsored by M of A Abbate/Senator Brooks** -- Designates public safety dispatchers, emergency responders, emergency operators, emergency complaint operators, and emergency service dispatchers, as "first responders in communications."

**S.1144A/A.5576A\*** -- **Sponsored by Senator Benjamin/M of A Forrest** -- Relates to revocation of community supervision.

(\*) Chapter number unavailable at time of publication.

## *In the News – City*



### Mayor de Blasio Unveils Emergency Rikers Relief Plan

Mayor Bill de Blasio on Tuesday signed an emergency order to execute the Emergency Rikers Relief Plan, a five-point plan aimed at addressing the challenges on Rikers Island.

The mayor's five-point plan includes:

- **Adjust staffing at courts** by shifting NYPD to help operate courts, allowing some Department of Correction (DOC) staff to shift back to duty on Rikers.
- **Toughen accountability for AWOL staffers** with 30-day suspensions for Correction officers who do not show up to a post.
- **Expand medical evaluation capacity for staff** with additional medical providers to evaluate DOC officers for duty.
- **Engage in emergency contracting** to quickly repair broken doors, clean facilities more efficiently, distribute commissary more quickly, scan mail onto tablets to reduce drugs entering facilities.
- **Speed intake to reduce crowding** with a goal of moving people through the intake process in 24 hours or fewer. Two currently closed clinic spaces will be opened.

In addition to the plan of City actions, the Mayor also called for action across the justice system, including immediately calendaring 500 court cases.

The release of the Mayor's plan follows Monday's Rikers Island inspection tour by State and Local elected officials.

Representatives of the City's Corrections workers have been calling for the City's intervention with conditions on Rikers since April 2020, including filing legal actions to end mandatory triple shifts.



# Comptroller DiNapoli: NYC DOE Faces Significant Challenges in Closing COVID Achievement Gap

## *Prudent Use of Federal Relief Critical to Address COVID Era Learning Losses and Avoid Future Budget Risks*

Citing the impending end of federal aid, New York State Comptroller Tom DiNapoli called upon the City Department of Education to begin long-term planning on how to continue its efforts to address the educational shortfalls and inequities created by the COVID-19 pandemic.

The city has expanded existing programs and implemented new programs to close the gap, but several of them are expected to last well after federal funding sources dry up at the end of fiscal year (FY) 2025, Comptroller DiNapoli explained in a recently released report. However, if revenues do not trend better than projected, the city may be forced to cut services or find new revenue sources or funding partners.

“Historic federal investment has provided an opportunity to meet short-term challenges, but it won’t last forever,” Comptroller DiNapoli said. “I urge the department to address future budgetary risks and commit to prudent long-term financial planning, to ensure its ability to sustain high-quality educational services over the long-term.”

The DOE is set to receive more than \$8 billion in emergency federal funding between fiscal years 2021 and 2025, including \$6.96 billion in education-related emergency federal funds between 2020 and 2024, \$721 million in CARES Act allocation, and additional unrestricted federal emergency funding.

According to the Comptroller, the DOE’s FY 2022 budget reached \$37.7 billion and accounts for more than 38% of the city’s total expenditures. Even prior to the pandemic, the DOE faced recurring risks to its budget. Longstanding weaknesses in the DOE’s forecasts for spending on charter school tuition, services for students with disabilities, and pupil transportation consistently required the city to add hundreds of millions of dollars more than planned to the department’s final budgets.

The DOE will use more than 40% of the federal aid (\$3.3 billion) to pay for new programs or expansions of existing ones over the next four years, including \$2 billion to complete the citywide expansion of the city’s 3-K program. However, new programming will create more than \$1 billion a year in recurring costs that have no identified source of funding when federal aid expires in FY 2025, forcing the city to find other sources of revenue or cut programs.

**New York City Department of Education, Uses of Federal Emergency Education Aid**

(in millions)

	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Total
3-K Expansion	\$3	\$334	\$470	\$753	\$376	\$1,936
Other Supports*	4	1,077	592	240	10	1,923
Operational Supports	1	1,077	235	43	7	1,363
New Needs	138	313	353	257	134	1,195
CARES Act Emergency School Aid	721	–	–	–	–	721
Restorations	–	336	122	91	3	552
Funds in Other Agencies	41	129	5	5	196	376
Other Adjustments	119	(119)	–	–	–	–
<b>Total</b>	<b>\$1,026</b>	<b>\$3,147</b>	<b>\$1,777</b>	<b>\$1,389</b>	<b>\$726</b>	<b>\$8,065</b>

\* Other Supports includes Academic Recovery and Student Supports, Curriculum Supports, Programmatic Supports, and Information Technology Supports.

Note: Totals may not add due to rounding.

Sources: NYC Office of Management and Budget; OSC analysis

Other initiatives partially funded by federal aid through the financial plan period include additional special education services (\$532 million), the expansion of mental health services for students (\$300 million) and an expansion of the Community Schools program. Lastly, the DOE will put \$552 million toward the restoration of programs that had been cut to achieve savings in previous financial plans. Recurring budget risks that existed prior to the pandemic remain unresolved in the financial plan.

Comptroller DiNapoli made several recommendations for the DOE including:

- Assess student progress to determine whether new programs are helping students overcome learning loss and close the achievement gap.
- Expand vaccine access to younger children to help provide protection against the virus.
- Acknowledge existing budgetary risks and commit to prudent long-term financial planning to identify resources to ensure the continued provision of necessary services to students.

## Briefs

### NYS Suspends Hiring Freeze

Governor Kathy Hochul this week announced that she is suspending the current state hiring freeze through the end of the fiscal year. State Agencies are now able to hire without first obtaining a waiver from the Division of the Budget.

According to the Governor, lifting the hiring freeze will enable state agencies to grow their workforces following a 9% reduction in workers between 2020 and 2021. The number of workers in Executive Agencies declined from approximately 118,000 full-time employees to approximately 107,500 full-time employees between March 2020 and August 2021. The Agencies must still prioritize hiring for their core missions.

### Comptroller DiNapoli: Local Sales Tax Collections in August Grew More Than 15 Percent

Local government sales tax collections in August were 15.5% higher than they were during the same period in 2020, making it the fifth consecutive month that collections exceeded 2020 results, State Comptroller Tom DiNapoli announced this week. Statewide, local collections totaled more than \$1.5 billion, up nearly \$204 million from August of last year.

New York City's collections totaled almost \$623 million, an increase of 7.9% or more than \$45 million compared to August 2020. Every county

outside of New York City saw year-over-year collections for August grow by double digits, ranging from 12.6% in Herkimer County to 76.3% in Delaware County.

**Statewide Local Sales Tax Collections**  
Monthly Year-Over-Year Change, April 2020 to August 2021



## **Mayor de Blasio Signs Executive Order Establishing LGBTQIA+ Liaison Position within the Office of the Police Commissioner**

Mayor Bill de Blasio this week signed an [Executive Order](#) establishing the position of LGBTQIA+ Liaison within the Office of the Police Commissioner of the New York City Police Department. The full Executive Order can be viewed [here](#).

Per the Executive Order, the LGBTQIA+ Liaison will:

- Partner with the Office of Equity and Inclusion and Training Bureau on workforce outreach and institutionalizing trainings.
- Support all NYPD Bureaus on LGBTQIA+ related issues.
- Review and make recommendations on policies under consideration by the Office of Management Analysis and Planning that affect the City's LGBTQIA+ community as well as the NYPD's LGBTQIA+ workforce.
- Partner with NYPD Community Affairs Bureau's LGBTQIA+ Outreach Unit to engage external partners & work to strengthen the LGBTQIA+ Advisory Panel, which convenes community partners and advocates.

## **MTA Security Cameras Installed at All 472 Subway Stations**

The Metropolitan Transportation Authority (MTA) this week announced that security cameras have been installed at all 472 subway stations. Cameras were installed in 200 stations in the system within the past year.

The initiative to expand security camera coverage was accelerated last year by Interim President of New York City Transit Sarah Feinberg, who identified a new class of cameras that could be deployed more quickly and at much lower cost than traditional cameras.

Security cameras used in the subway system come in two forms: Those that broadcast in real time to the subway's security center, and those that record locally and provide material that can be retrieved quickly and used in the investigation of crimes.

According to the MTA, the latest statistics provided by the NYPD show a decline in major felonies of 20.6% in 2021 through August 31 and a 28.6% increase in arrests over the same time period.

## **De Blasio Administration Launches Universal NYC Baby Bonds**

New York City has launched its "Baby Bonds" program, a citywide expansion of the [NYC Kids RISE Save for College Program](#), which will give every kindergarten student in the five boroughs access to a NYC Scholarship Account with a minimum of \$100 for their future education.

The expansion of this program now reaches approximately 70,000 kindergarten students citywide, up from the more than 13,000 students already participating in the program in School District 30 in Queens. In addition to the \$100 for their future education, they can receive up to \$200 in rewards.

## Preliminary Redistricting Maps Released

The NYS Independent Redistricting Commission this week released the draft legislative boundary plans for Congress, the State Senate, and State Assembly. Unable to reach consensus, the bipartisan Commission released two sets of plans that can be viewed at <https://www.nyirc.gov/draft-plans>.

A final plan must be approved by seven of the 10 Commissioners. The commission did not vote on the separate proposals Wednesday. In the event that the Commission cannot agree on a final plan, the State Legislature would be charged with drawing the lines.

## Public Meetings on Congestion Pricing to Begin Next Week

The Metropolitan Transportation Authority (MTA), New York State Department of Transportation (NYS DOT) and New York City Department of Transportation (NYC DOT) will begin holding the first of 13 public meetings on the proposed congestion pricing program. The meetings, to be held virtually, begin Thursday, September 23<sup>rd</sup> and cover the five NYC boroughs.

Ten of the 13 meetings will allow members of the public throughout the 28 county Study Area in New York, New Jersey, and Connecticut to learn about the program and environmental review process and provide comments. These hearings will be held September 23<sup>rd</sup> through October 6<sup>th</sup>:

- Thursday, 9/23, 10 a.m. to noon: The Bronx, Brooklyn, Queens and Staten Island.
- Thursday, 9/23, 6-8 p.m.: Manhattan Central Business District (60th Street and below).
- Friday, 9/24, 10 a.m. to noon: New Jersey.
- Wednesday, 9/29, 10 a.m. to noon: Northern New York City Suburbs.
- Wednesday, 9/29, 6-8 p.m.: Long Island.
- Thursday, 9/30, 6-8 p.m.: The Bronx, Brooklyn, Queens and Staten Island.
- Friday 10/1, 1-3 p.m.: Connecticut.
- Monday, 10/3, 6-8 p.m.: New Jersey.
- Tuesday, 10/5, 6-8 p.m.: Northern New York City Suburbs.
- Wednesday, 10/6, 6-8 p.m.: Manhattan Outside the Central Business District (61st Street and above).

The additional three meetings will focus on Environmental Justice communities and will be held:

- Thursday, Oct. 7, 6-8 p.m.: New York.
- Tuesday, Oct. 12, 6-8 p.m.: New Jersey.
- Wednesday, Oct. 13, 6-8 p.m.: Connecticut.

# Coming Up

## *New York State*

### *Monday, September 20<sup>th</sup>*

#### *Neonicotinoid Pesticides*

Assembly Standing Committee on Environmental Conservation  
Roosevelt Hearing Room C, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 11 a.m.

### *Tuesday, September 21<sup>st</sup>*

#### *To Review Elections Administration and Voting Rights in New York State*

Senate Standing Committee on Elections  
Van Buren Hearing Room A, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 10 a.m.

### *Wednesday, September 22<sup>nd</sup>*

#### *Intercity Passenger Rail Transportation*

Assembly Standing Committee on Transportation  
Roosevelt Hearing Room C, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 10 a.m.

## *New York City*

### *Monday, September 20<sup>th</sup>*

*Committee on Aging*, Committee Room – City Hall, 10 a.m.

*Committee on Economic Development*, Committee Room – City Hall, 10 a.m.

*Committee on Governmental Operations*, Council Chambers – City Hall, 10 a.m.

*Committee on Higher Education*, Committee Room – City Hall, 1 p.m.

### *Thursday, September 23<sup>rd</sup>*

*City Council*, Council Chambers - City Hall, 1:30 p.m.

### *Friday, September 24<sup>th</sup>*

*Committee on Hospitals*, Committee Room – City Hall, 9 a.m.

*Subcommittee on Zoning and Franchises*, Council Chambers – City Hall, 10 a.m.

*Committee on Consumer Affairs and Business Licensing*, Committee Room – City Hall, 12 p.m.

*Committee on Immigration*, Committee Room – City Hall, 12 p.m.

*Committee on Technology*, Committee Room – City Hall, 3 p.m.

**“No man can be a good citizen unless he has a wage more than sufficient to cover the bare cost of living, and hours of labor short enough so after his day’s work is done he will have time and energy to bear his share in the management of the community, to help in carrying the general load.”**

**-Theodore Roosevelt-**

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