



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

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*“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



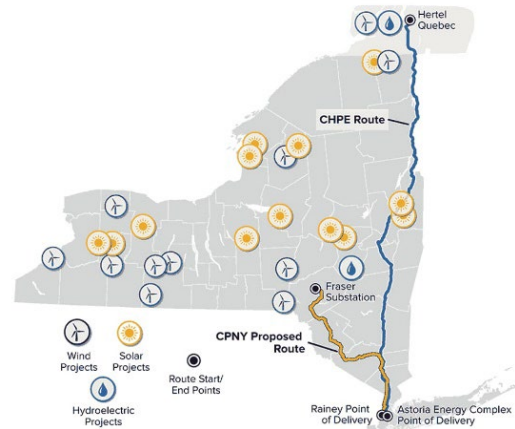
### State Green Energy Projects to Power NYC with Wind, Solar, and Hydropower from Upstate New York and Canada

Governor Kathy Hochul this week announced two green energy infrastructure projects to power New York City with wind, solar, and hydropower projects from upstate New York and Canada. If approved by the State Public Service Commission (PSC), these infrastructure projects will bring \$8.2 billion in economic development investments and create approximately 10,000 statewide.

Combined, the awarded Clean Path NY (CPNY) project, developed by Forward Power (a joint venture of Invenergy and EnergyRe) and the New York Power Authority, and Champlain Hudson Power Express (CHPE) project, developed by Transmission Developers, Inc. (backed by Blackstone) and Hydro-Québec will produce approximately 18 million megawatt-hours of upstate and Canadian renewable energy per year, enough to power more than 2.5 million homes.

CPNY's 174-mile transmission line will run from the Fraser Substation in Delaware County to the Rainey Substation in Queens, utilizing a buried cable using existing rights-of-way. CHPE is a permitted 339-mile buried cable, both underground and underwater, transmission line that runs from Hydro-Québec's wind and hydropower resources in the Province of Quebec to the Astoria Energy Center in Queens.

The awarded contracts will include prevailing wage provisions for all laborers, workers, and mechanics performing construction activities with respect to the construction of the projects. In addition, the project developers will be required to negotiate Project Labor Agreements with building and construction trade labor organizations representing works for the New York State-based construction of the new transmission lines and renewable energy generation resources.



The projects were selected for contract negotiation as part of the New York State Energy Research Development and Authority's (NYSERDA) Tier 4 renewable energy solicitation issued in January. Once finalized, NYSERDA will submit the negotiated contracts for these awarded projects to the PSC for consideration and approval.

If the Tier 4 contract is approved, NYSERDA payments under this award will not begin for each project until the project has obtained all required permits and local approvals, is constructed and delivers power to New York City, which is expected to begin in 2025 for CHPE and 2027 for CPNY.



## Hochul Administration

Governor Kathy Hochul this week announced new appointments to her administration.

**Robin Chappelle Golston** has been appointed Executive Deputy Secretary. Golston most recently served as President and CEO of Planned Parenthood Empire State Acts and previously served as vice president of corporate relations and government affairs for EmblemHealth. She has a B.A. in psychology from Hampton University.

**Julie Wood** has been appointed Communications Director. Most recently, Wood served as Senior Director of Communications at Lyft and as Vice President of Communications and External Affairs at Motivate, which was acquired by Lyft in 2018. She served as Press Secretary to the Bloomberg 2020 presidential campaign, as a senior spokesperson on Hillary Clinton's 2016 presidential campaign and as First Deputy Press Secretary New York City Mayor Michael R. Bloomberg. She holds a B.A. in English from Georgetown University and a Master's degree in Strategic Communications from Columbia University.

**Marty Mack** has been appointed Appointments Secretary. Mack served as Executive Deputy Attorney General for Attorneys General Eliot Spitzer, Eric Schneiderman, and Barbara Underwood. He also served as Deputy Secretary for Intergovernmental and Legislative Affairs and as Appointments Secretary for Governor Paterson. Mr. Mack received an undergraduate degree from Cornell University, Master of Arts Teaching from SUNY Cortland, and a law degree from University of South Carolina.

**Sita Fey** has been appointed Deputy Appointments Secretary. Ms. Fey was most recently the Director of Policy at the Department of Agriculture and Markets. She entered state government through the Empire State Fellows Program and served as a Senior Advisor to then-Lieutenant Governor Kathy Hochul. Ms. Fey holds a B.S. in childhood education from SUNY Oneonta, a MSIS from The University at Albany, a Certificate of Advanced Study in Educational Administration from SUNY Cortland, and she has also studied Human Resources at Albany Law.

**Bryan Lesswing** has been appointed Senior Advisor to the Governor. Most recently, Lesswing served as Communications Director for then-Lieutenant Governor Hochul and has held communications positions at EMILY's List, the Democratic Congressional Campaign Committee, and other electoral campaigns across the country. He holds bachelor's degree in History and Political Science from DePaul University.

# *In the News – City*



## **Bills Approved by the City Council**

***Int. 1846-A -- Sponsored by Council Member Margaret Chin --*** Requires food delivery apps to credit gratuities to the delivery worker and mandates that the apps notify delivery workers whether a gratuity was added to the order, how much the gratuity was and if any change was made to a gratuity. Additionally, each day the apps would be required to inform the delivery worker the total amount of compensation and gratuities earned by that worker the day before.

***Int. 2271-A -- Sponsored by Council Member Ben Kallos --*** Updates the Environmentally Preferable Purchasing (EPP) laws to improve oversight and accountability.

***Int. 2272-A -- Sponsored by Council Member Ben Kallos --*** Requires the City's Director of Environmentally Preferable Purchasing to report details on the supply chain and source of agency-purchased textile goods.

***Int. 2288-A -- Sponsored by Council Member Justin Brannan --*** Requires food delivery apps and couriers, such as Relay, to make available insulated bags to any delivery worker who has completed at least six deliveries for the company. The food delivery app or courier would not be permitted to charge their delivery worker for the bag.

***Int. 2289-A -- Sponsored by Council Member Justin Brannan --*** Requires food apps and couriers to provide workers with the opportunity to set the following trip parameters: maximum distance per trip, from a restaurant, that they will travel; and that such worker will not accept trips over any bridges or tunnels, or over particular bridges or tunnels.

***Int. 2294-A -- Sponsored by Council Member Brad Lander --*** Require Department of Consumer and Worker Protection (DCWP) to conduct a study to determine how much delivery workers must be paid for their work. DCWP will be required to promulgate rules establishing a method of determining minimum payments for delivery workers, by January 1, 2023.

***Int. 2296-A -- Sponsored by Council Member Carlos Menchaca --*** Prohibits food delivery apps and couriers from charging delivery workers for the payment of their wages. It would also require the food apps and couriers pay their delivery workers for their work at least once per week.

***Int. 2298-A -- Sponsored by Council Member Carlina Rivera --*** Makes toilet facilities in restaurants and other food service establishments more accessible for delivery workers.

**Int. 2397-A -- Sponsored by Council Member Francisco Moya --** Requires severance pay for hotel service employees of a hotel with at least 100 rooms in the event of: 1) the closure of a hotel to the public, provided that the hotel has not, by October 11, 2021, recalled at least 25% of employees and reopened to the public by November 1, 2021; or 2) a mass layoff of at least 75% of employees. Employees eligible for severance pay would be owed \$500 per week, for up to 30 weeks.

**Int. 2403 -- Sponsored by Council Member Brad Lander --** Extends the Certificate of No Harassment (CONH) pilot created by local law number 1 for the year 2018 which is slated to expire on September 27, 2021 to October 31, 2021.

## **Briefs**

### **Howard Zucker Resigns as New York Health Commissioner**

New York State Health Commissioner Howard Zucker has submitted his resignation, Governor Kathy Hochul announced Thursday. Dr. Zucker will remain in the position until a new Commissioner is appointed.

“Dr. Zucker has submitted his resignation as Commissioner of Health. I agree with his decision. He has been a dedicated public servant for over seven-and-a-half-years. He worked hard through the pandemic and I want to thank him for his service on behalf of the people of the state,” Governor Hochul said.

A native of the Bronx, Dr. Zucker earned his M.D. from George Washington University School of Medicine. He is board-certified in six specialties/subspecialties and trained in pediatrics at Johns Hopkins Hospital, anesthesiology at the Hospital of the University of Pennsylvania, pediatric critical care medicine/pediatric anesthesiology at The Children's Hospital of Philadelphia, and pediatric cardiology at Children's Hospital Boston/Harvard Medical School.

Before joining the state Department of Health in September 2013, Dr. Zucker was a professor of clinical anesthesiology at Albert Einstein College of Medicine of Yeshiva University and pediatric cardiac anesthesiologist at Montefiore Medical Center in the Bronx. He was an adjunct professor at Georgetown University Law School, where he taught biosecurity law.

Dr. Zucker received his B.S. degree from McGill University. Dr. Zucker holds a J.D. from Fordham University Law School, a LL.M. from Columbia Law School and a postgraduate diploma from the London School of Hygiene and Tropical Medicine.

### **State Acts to Address School Bus Driver Shortage**

Governor Kathy Hochul this week announced a multi-agency plan to address the school bus driver shortage affecting schools across the state. The plan includes short-term steps to recruit Commercial Driver's License (CDL) holders, expand CDL testing opportunities, and streamline processes to get more drivers into school buses.

Long-term steps include changes to address the training and licensing of drivers, as well as broader recruitment into the bus driver profession.

Immediate actions include:

- DMV is enhancing and expediting the process for CDL completion by removing the 14-day waiting period between the permit test and the road tests.
- The State is opening new CDL Driver Testing sites by partnering with SUNY, the Thruway Authority, New York Racing Association, and the Office of General Services to use large lots on their various sites for the road test.
- For school staff who currently hold a CDL, the State will set up expedited testing to obtain a permit to drive vans and buses temporarily.

## **NYS Reaches Agreement with CSEA and PEF to Provide Increased Overtime Pay for Health Care Professionals & Hospital Employees at SUNY Hospitals**

New York State launched a pilot program to provide nurses and other patient-facing health care professionals and hospital employees at State University of New York (SUNY'S) hospitals with up to two and a half times overtime pay.

Staff at SUNY's three hospitals are eligible to participate: SUNY Downstate Health & Sciences, Stony Brook University Hospital, and Upstate University Hospital. The benefit is retroactive to September 16 and may be authorized for registered nurses, licensed practical nurses, techs, medical assistants, aides, clerks, cleaners and other patient-facing staff, and will operate through the end of 2021 at which time the impact will be evaluated.

Funding for the overtime will be provided from the hospitals' operating revenue. Combined, SUNY employs 7,637 medical staff who are eligible for the pilot program.

## **DASNY President Reuben R. McDaniel, III and Retail Union Representative Jessica Garcia Appointed to State Cannabis Control Board**

Governor Kathy Hochul completed the membership appointments to the State's Cannabis Control Board this week, tapping NYS Dormitory Authority President Reuben R. McDaniel, III and Jessica Garcia, Assistant to the President of the Retail, Wholesale Department Store Union (RWDSU).

The Cannabis Control Board and Office of Cannabis Management will create and implement a comprehensive regulatory framework for New York's cannabis industry, including the production, licensing, packaging, marketing and sale of cannabis products.

Mr. McDaniel joined DASNY in 2019 and is investment banker with more than 30 years of experience in financial services, including public finance, personal wealth management, corporate finance and private equity. Prior to, Mr. McDaniel served as Chair of the Atlanta Board of Education for Public Schools.

Ms. Garcia previously served as Deputy Political Director for the RWDSU. Prior, she served as Director of Programs and Organizing at New Immigrant Community Empowerment. She currently serves as chair of board of the New York Committee for Safety and Health and the Advocacy Institute, vice-president of the Rural & Migrant Ministry board of directors.

## **Council Member Ampry-Samuel to be Named HUD regional Administrator**

New York City Council Member Alicka Ampry-Samuel will be named President Joe Biden's regional Housing and Urban Development administrator overseeing New York, according to published reports.

Council Member Ampry-Samuel is chair of the Council's public housing committee, but lost her re-election bid to former Council Member Darlene Mealy in the Democratic primary. U.S. Senator Charles Schumer recommended Council Member Ampry-Samuel for the position.

"Mrs. Ampry-Samuel dedicated her career to public service and engagement, especially in the realms of affordable and public housing," Senator Shumer wrote in the letter of recommendation. "New York would be lucky to have such a dedicated public servant, and I hope you will carefully consider appointing her to this position."

## **Mayor de Blasio Names Anita Laremont as Chair of the City Planning Commission**

Mayor Bill de Blasio this week appointed Anita Laremont as the next Chair of the City Planning Commission and Director of the Department of City Planning (DCP). Laremont, who has served as the Executive Director of the Department of City Planning since 2018, will begin her role immediately. She succeeds outgoing chair Marisa Lago, who was tapped by the Biden Administration to join the U.S. Department of Commerce.

Laremont first joined DCP as General Counsel in 2014 and she previously served for more than 16 years as General Counsel of the Empire State Development Corporation (ESDC). She is a magna cum laude graduate of Mount Holyoke College, and received her J.D. from the New York University School of Law.

## NYC's Offshore Wind Vision

### *15-Year, \$191 Million Plan to Make New York City “an International Clean Energy Leader”*

Mayor Bill de Blasio and New York City Economic Development Corporation (NYCEDC) this week announced a 15-year, \$191 million Offshore Wind Vision (OSW) [plan](#) to make New York City a leading destination for the offshore wind industry. The plan also ensures the City meets its climate goals of 100-percent clean electricity by 2040 and carbon neutrality by 2050.

According to the Mayor, the \$191 million offshore wind investment will put New York City on path to:

- Create over 13,000 jobs and generate \$1.3 billion in average annual investment
- Ensure 40% of job and investment benefits are directed toward women, minorities, and environmental justice communities
- Reduce 34.5 million tons of CO<sub>2</sub> – the equivalent of removing nearly 500,000 cars from roadways for 15 years.

## Mayor de Blasio Names Gabrielle Fialkoff as Commissioner of the Department of Parks and Recreation

Mayor de Blasio this week appointed Gabrielle Fialkoff as the next Commissioner of the Department of Parks and Recreation. Fialkoff, a former Senior Advisor to the Mayor, succeeds outgoing Acting Commissioner Margaret Nelson, who will return to her role as Deputy Commissioner for Urban Parks Services and Public Programs.

Fialkoff served as Senior Advisor to the Mayor from 2014-2018 where she established the Office of Strategic Partnerships. In March of 2020, she temporarily returned to serve as Senior Advisor for COVID Relief Efforts to the Mayor.

Prior to working in City government, Fialkoff served as President and Chief Operating Officer of Haskell Jewels, LLC, a designer, marketer and distributor of costume jewelry and watches. Earlier in her career she worked on the campaigns of President Bill Clinton in New York and Hillary Clinton's historic first run for U.S. Senate. She is a graduate of Colgate University.

# Coming Up

## *New York State*

*Wednesday, September 29<sup>th</sup>*

*To Review the Finances and Projections of the Metropolitan Transportation Authority (MTA) in the Aftermath of COVID-19 and Receipt of Federal Aid.*

Senate Standing Committee on Corporations, Authorities and Commissions & Transportation  
Senate Hearing Room, 250 Broadway 19<sup>th</sup> Floor, New York, 10 a.m.

***Thursday, September 30<sup>th</sup>***

***To Review How School Districts are Spending Foundation Aid Increases and ARP Funds***

Senate Standing Committee on Education, NYC Education, & Budget and Revenue  
Van Buren Hearing Room A, Legislative Office Building 2<sup>nd</sup> Floor, Albany, 10 a.m.

***Friday, October 1<sup>st</sup>***

***Conditions at the Rikers Island Correctional Facility and Other Facilities of the New York City Department of Correction***

Assembly Standing Committee on Correction  
Assembly Hearing Room, 250 Broadway, Room 1923, 19<sup>th</sup> Floor, New York, 10 a.m.

***New York City***

***Monday, September 27<sup>th</sup>***

***Committee on Parks and Recreation***, Remote Hearing Room – Virtual Room 2, 10 a.m.

***Committee on Public Safety***, Remote Hearing Room – Virtual Room 1, 10 a.m.

***Committee on Veterans***, Remote Hearing – Virtual Room 3, 10 a.m.

***Thursday, September 30<sup>th</sup>***

***Committee on Hospitals***, Remote Hearing Room – Virtual Room 1, 10 a.m.

***Committee on Health***, Remote Hearing Room – Virtual Room 1, 10 a.m.

***Committee on Land Use***, Remote Hearing Room – Virtual Room 2, 11 a.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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