



This Week in New York

Covering New York State and City Government

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In the News – New York State

Governor Cuomo to Nominate Justice Paul G. Feinman as Associate Judge on New York State Court of Appeals

Governor Andrew M. Cuomo will nominate Justice Paul G. Feinman to serve as an Associate Judge on the New York State Court of Appeals, the state's highest court. Justice Feinman is currently an Associate Justice on the Appellate Division of the New York State Supreme Court and has served as a judge in New York for more than 20 years.

"Justice Feinman will be an exceptional addition to New York's highest court," Governor Cuomo said. "He is a talented jurist who has dedicated his career to public service and standing up for a fairer and more just New York. While we continue to mourn the untimely passing of Judge Sheila Abdus-Salaam, Justice Feinman will help ensure that the Court of Appeals upholds the highest principles of law and fairness that embody the very best of New York."

Justice Feinman has been nominated to fill the vacancy created earlier this year by the death of the Honorable Sheila Abdus-Salaam. Justice Feinman was elected to the Supreme Court in 2007 and appointed Associate Justice of the Appellate Division by Governor Cuomo in 2012. He previously served as an Acting Supreme Court Justice from 2004 to 2007. Prior to that, he was a Civil Court Judge, first elected in 1996 and re-elected in 2006.

He began his legal career at the Legal Aid Society of Nassau County, Criminal Appeals Bureau in 1985. From 1987 to 1989, Justice Feinman was Senior Staff Attorney with the Legal Aid Society, Criminal Defense Division in Manhattan. From 1989 to 1996, he was a Principal Law Clerk to Hon. Angela M. Mazzairelli. He received a B.A. from Columbia University in 1981 and a J.D. from University of Minnesota Law School in 1985.



Justice Paul G. Feinman

He is the eighth person that Governor Cuomo has nominated to serve on the New York State Court of Appeals. The Governor previously appointed Chief Judge Janet DiFiore and Associate Judges, Jenny Rivera, Abdus-Salaam, Leslie Stein, Eugene Fahey, Michael Garcia, and Rowan D. Wilson to the Court.

Bills Passed Both Houses of the Legislature

A1250 – Sponsored by M of A Buchwald/Senator Ranzenhofer -- Relates to the publication of the proposed capital program plan by the metropolitan transportation authority.

A1620 – Sponsored by M of A Hevesi/Senator Robach -- require that insurance carriers provide conditional renewal notices to workers' compensation policyholders when the premium will increase more than ten percent upon renewal.

A3439 – Sponsored by M of A Dinowitz/Senator Golden -- Creates an extra transfer for pay-per-ride Metrocard users.

A5151B – Sponsored by M of A Crespo/Senator Klein -- Authorizes schools to screen for childhood obesity as part of their health services.

A5677 – Sponsored by M of A Seawright/Senator Griffo -- Requires certain health insurance policies to include mammography screening by breast tomosynthesis.

A6371B – Sponsored by M of A Simanowitz/Senator Felder -- Authorize pharmacists to issue refills for non-controlled drug prescriptions up to a 90 day supply.

A7186 – Sponsored by M of A Thiele/Senator Croci -- Extends for three years the effectiveness of chapter 435 of the laws of 2014.

A7281 – Sponsored by M of A Peoples-Stokes/Senator Gallivan -- Relates to eligibility for reimbursement of crime scene cleanup.

A7284 – Sponsored by M of A Dinowitz/Senator Ranzenhofer -- Relates to reporting requirements for reciprocal agreements concerning suspension or revocation of registration of a motor vehicle for violations of toll collection regulations.

A7584B – Sponsored by M of A Crespo/Senator Seward -- Relates to accelerated life insurance payments for certain chronic conditions.

A7686 – Sponsored by M of A Pretlow/Senator Jacobs -- Relates to the distribution of surcharges on off-track winnings.

A8019 – Sponsored by M of A Lifton/Senator Gallivan -- Repeals section 2-126 of the election law which prohibits the expenditure of party funds in primary elections.

A8093 – Sponsored by M of A Abbate/Senator Golden -- Limits the maximum amount that certain members of New York state and local retirement systems may borrow against retirement contributions.

A8102A – Sponsored by M of A Weinstein/Senator Bonacic -- Relates to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system.

A8154 – Sponsored by M of A Simanowitz (MS)/Senator Felder -- Authorizes the holding of arbitration and mediation proceedings on Saturday and/or Sunday when all parties and the tribunal consent thereto.

S724A – Sponsored by Senator O'Mara/M of A Morelle -- Relates to authorizing the sale and possession of sparkling devices outside of NYC.

S1222 – Sponsored by Senator Rivera/M of A Perry -- Requires Medicaid coverage of both blood testing and skin prick testing for allergies.

S1869A – Sponsored by Senator Hannon/M of A Gottfried -- Authorizes nurse practitioners to execute orders not to resuscitate and orders relating to life sustaining treatments.

S2083A – Sponsored by Senator O'Mara/M of A Brindisi -- Relates to establishing the temporary advisory board for upstate transit funding.

S2836 – Sponsored by Senator Ortt/M of A Gunther -- Relates to notice of the potential for significant service reductions to persons with mental illness.

S3103 – Sponsored by Senator Serrano/M of A Sepulveda (MS) -- Authorizes a study on the high incidence of asthma in the borough of the Bronx in the city of New York and to prepare a remedial plan.

S4324 – Sponsored by Senator Tedisco/M of A Abinanti (MS) -- Relates to changes in health insurance contracts or plans for retired officers, employees, and their families.

S4491 – Sponsored by Senator Felder/M of A Kavanagh -- Grants a personal income tax deduction for the amount of any student loan that is discharged as the result of the death or permanent and total disability of the borrower.

S4492 – Sponsored by Senator Golden/M of A Joyner -- Relates to a report on the impact of a tax deduction for expenses of the adoption of a special needs child.

S5130 – Sponsored by Senator Golden/M of A Abbate -- Relates to disability retirement benefits for sheriffs, deputy sheriffs, undersheriffs and correction officers in Nassau County.

S5559 – Sponsored by Senator Alcantara/M of A Seawright -- Authorizes a study on the high incidence of asthma in the borough of Manhattan in the city of New York and to prepare a remedial plan.

S5705 – Sponsored by Senator Phillips/M of A Abbate -- Relates to providing certain accidental disability retirement benefits for Nassau county fire marshals.

S5770 – Sponsored by Senator Hamilton/M of A Simon -- Relates to directing the NY state department of health to conduct a study on the high incidence of asthma in the borough of Brooklyn.

S5774 – Sponsored by Senator Hannon/M of A Gottfried -- Excludes outpatient blood clotting factor products and other related services and treatments from managed care coverage for medical assistance recipients.

S5927 – Sponsored by Senator Hannon/M of A Ortiz -- Increases from 2 years to 5 years, the period of validity for the commissioner of health's identification of comprehensive care centers for eating disorders.

S5929A– Sponsored by Senator Avella/M of A Jaffee -- Establishes a child care availability taskforce to evaluate the need for and availability of child care throughout the state.

S6454 – Sponsored by Senator Hannon/M of A Gottfried -- Extends certain provisions providing enhanced consumer and provider protections under contracts with managed care organizations.

In the News – New York City



NYC Calls for Expansion of Speed Camera Program Before End of Albany Session

The de Blasio Administration is calling for the passage of state legislation to expand New York City's speed enforcement camera program before the end of session, citing new City data that cameras reduce injuries and fatalities.

A Department of Transportation report on the status of the current school-zone speed camera program details how speed cameras at school-zone locations have reduced speeding by 63 percent. These areas have also seen 15 percent fewer injury crashes and 23 percent fewer pedestrian crashes at locations across the five boroughs where the cameras have been installed.

According to Mayor Bill de Blasio, 85 percent of the serious injuries and deaths on New York City streets happen at locations and times where cameras are not allowed to be used, by State law.

Under the current law, the speed cameras are currently operational during school hours in 140 school zones Citywide.

Legislation pending in Albany (A7798/S6046), sponsored by Assembly member Deborah Glick and Senator Jose Peralta, would expand the speed-camera program to allow automated enforcement in a total of 750 school zones. Automated enforcement would be permitted within a half mile of a school, as well as on major thoroughfares in close proximity to schools where enforcement is prohibited under current law. Enforcement would also be permitted year-round between 6:00 am and 10:00 pm to capture speeding during the most dangerous and crash prone times. The legislation also extends the program through 2022. Additionally, the proposal requires signage within 300 feet of a school zone and prohibits the placement of cameras within 300 feet of a highway exit ramp.

DOT's [*Automated Speed Enforcement Program Report 2014-2016*](#) was legally required under the state law that expanded the speed-camera program to 140 school zones Citywide in 2014.

Among the major conclusions of the speed-camera report:

- Speeding has declined by an average of 63 percent at speed camera locations.
- On several Vision Zero Priority Corridors, declines in speeding were even greater. For example, on the Grand Concourse (previously the street in the Bronx with the highest rate of traffic fatalities) speeding at camera locations declined by 84 percent since cameras were installed and the street has not seen a traffic fatality in over two years. Along Flatbush Avenue in Brooklyn, speeding declined by 85 percent.
- Crashes with injuries have declined by 15 percent at camera locations, and pedestrian injuries have declined by 23 percent.
- The majority of drivers receiving summonses are first-time offenders, and over 80 percent of drivers did not get another speeding summons after receiving their first.
- 85 percent of serious crashes happen at places and at times where speed cameras are not active.

100,000 Good-Paying Jobs: NYC's 10-Year Plan

“New York Works” invests in Cybersecurity, Freight, Life Sciences, Virtual Reality, Culture, Tech, Manufacturing, Apprenticeships”

Mayor Bill de Blasio today released *New York Works*, a series of 25 initiatives to spur 100,000 jobs with good wages over the coming decade. To combat economic inequality, grow the middle class and adapt to ever-changing technology, the City will invest in industries with high wages and job potential, focusing on jobs that pay at least \$50,000 per year or offer a clear path to that salary level.

The de Blasio administration will invest heavily in technology, particularly cybersecurity (30,000 jobs); life sciences and health care (15,000 jobs); industrial and manufacturing (20,000 jobs); and the creative and cultural sectors (10,000 jobs). It will support those sectors with physical space to expand, tax incentives to promote growth, business development investments for early-stage companies, and

workforce training to connect New Yorkers to good jobs. These strategies will be supported by City actions to spur millions of square feet of new commercial office space (25,000 jobs).



“We have to take economic inequality head-on, and that means raising wages and launching more New Yorkers into the middle class. These are the fast-growing, high-paying industries that represent the future of our city, but only if we invest now in the places, the workforce and the infrastructure to compete,” said Mayor Bill de Blasio.

New York Works reflects \$1.1 billion in currently allocated City spending, and a further \$250 million the administration will apply in its November and January updates to the budget. The administration will report on the plan’s progress annually.

The plan accounts for specific City investments in City-owned buildings with private sector tenants, zoning actions to enable commercial growth, tax incentives through the City’s Industrial Development Agency, sector-specific programs to train workers or assist businesses, and infrastructure in our ports and distribution centers.

Its 25 initiatives include:

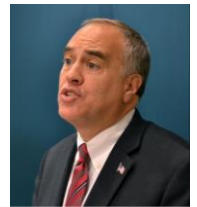
- **Cybersecurity:** Establishing NYC as the next global hub for **cybersecurity** through a \$30 million investment in training New Yorkers, academic R&D labs, and the first business ‘accelerator’ dedicated to early-stage cybersecurity firms in New York City. The programs will directly create 3,500 good-paying jobs and catalyze another 6,500 in the industry.
- **Freight NYC**, a multi-pronged strategy for a citywide freight network that will create 4,000 good-paying industrial jobs by building more shipping and distribution infrastructure to connect NYC to the nation’s ‘Marine Highway,’ reducing regional truck traffic on our roadways and costs for NYC businesses and consumers.
- **Doubling the number of CUNY’s Computer Science graduates** to 2,000 per year within 5 years by investing in faculty, real world experiences for students through internships and work/study programs, and improved career advising. The shortage of trained, ready-to-work talent remains a significant challenge to the growth of NYC’s tech ecosystem, and increasing qualified candidates will enable local tech firms to fill positions faster and open up new career paths for New Yorkers.
- Appointing NYC’s first **Nightlife Ambassador**, a senior-level administration official tasked with supporting the nightlife and live music industry.

- NYC's first **Digital Health Lab**, a \$5-million product testing ground for healthcare and tech companies ready to bring their products into a clinical setting that models real-world patient interactions, record-keeping terminals and consultations. More than 850 jobs will be generated by new and growing companies using the facility.
- Building the nation's first **Augmented and Virtual Reality Lab**, a \$6-million investment to position NYC as the center of this growing industry and provide space for its innovators to start and grow companies.
- **Apprentice NYC**, a new employer-partnership model that will provide 500 New Yorkers with good jobs in sectors that include tech, healthcare/life sciences, and industrial and manufacturing.
- **Office Anchor**, a new initiative to spur commercial buildings in the outer boroughs by leveraging City agencies as anchor tenants. An upcoming RFP for commercial development in East New York will include 250,000 square feet sought by the Human Resources Administration.

Comptroller DiNapoli: NYC Transit Should Improve Response to Safety-Related Defects

The Metropolitan Transportation Authority (MTA)'s New York City Transit is taking too long to correct safety-related defects in subway stations, according to an audit released this week by New York State Comptroller Thomas DiNapoli.

"My auditors found defects that could potentially compromise subway safety which had not been identified by station supervisors during their inspections," said Comptroller DiNapoli. "They also identified defects which were not corrected in a timely manner. Delays in identifying and responding to unsafe conditions is a risk that can be prevented."



The audit, which covers the period from Jan. 1, 2014 to July 5, 2016, identified 66 safety defects in 25 subway stations in Brooklyn, the Bronx, Manhattan and Queens.

The MTA classifies safety defects in five categories. Most critical are the "A" defects which affect safety and security, and are revenue-related. According to the MTA, priority "A" defects must be made safe or repaired within 24 hours. Priority "B" defects are not deemed to pose a safety risk, and corrective action must be taken within 30 days.

Comptroller DiNapoli's auditors found 21 priority "A" defects at 12 stations that had been inspected by station supervisors. The defects included: loose stairway treads; exposed, sharp metal objects; station platform cracks; and an oil leak on the station platform. Several of the defects involved water conditions (water leaks and water on stairs or platform areas) which Transit defines as an "A" safety-related defect.

The MTA's New York City Transit, Division of Station Environment and Operations is charged with taking steps to make sure stations are safe. The Division requires station supervisors to inspect subway stations every 72 hours. However, 20 of the 21 priority "A" defects found by Comptroller DiNapoli's auditors had not been identified by supervisors either three days before or three days after auditors had visited the stations.

Auditors reviewed records for 10 priority "A" defects that were identified by station supervisors. Only three defects, including loose fixtures in the stairway or on the platform, were addressed within 24 hours as required. The Division took between 6 and 92 days to address five defects, including snow in the station and a clogged drain.

Auditors also reviewed records for 30 priority "B" defects and found that four were repaired within 30 days as required. However, 19 priority "B" defects took longer than 30 days to be addressed, including three defects that took more than one year to correct.

The MTA said that in 2016 they had an average of 422 "A" defects reported each month and had sustained a "near-perfect" rate of for more than three years in repairing close to 100 percent of the safety defects within the 24-hour window. However, auditors noted that there is a material risk that Transit's performance statistics are not accurate. When the MTA provided auditors the data on which the MTA's statistics are based, the MTA cautioned that the data could not be relied upon. The full MTA response is in the audit.

Briefs

Private Sector Adds Jobs, But Unemployment Rose In May

The state's unemployment rate rose to 4.4 percent as the economy added 32,100 jobs last month, according to the Department of Labor. Nationally, the unemployment rate is 4.3 percent.

The rise in the rate was attributed to a 27,700-person expansion in the workforce with more entering the job market seeking employment.

"The State's private sector job count increased by 32,100 in May 2017, reaching a new record high. This marks the state's largest over-the-month employment gain since October 2015," said Bohdan M. Wynnyk, Deputy Director of the New York State Department of Labor's Division of Research and Statistics.

NY Schools Spend \$21,206 per pupil

New York's public schools spent \$21,206 per pupil during the 2014-15 school year, topping all states and exceeding the national average by 86 percent, according to U.S. Census Bureau data released today.

School spending in New York was driven primarily by instructional salaries and benefits — which, at \$14,769 per pupil, were 114 percent above the national average of \$6,903, the census data show.

Coming Up

New York State

Legislature is in session Monday, June 19th through Wednesday, June 21th

New York City

Monday June 19th

Committee on Immigration, Committee Room – City Hall, 10 a.m.

Committee on Oversight and Investigations, Committee Room, 16th Floor – 250 Broadway, 10 a.m.

Committee on Housing and Buildings, Council Chambers – City Hall, 10 a.m.

Committee on Fire and Criminal Justice Services, Committee Room, – 250 Broadway, 11 a.m.

Committee on Civil Rights, Committee Room, 16th Floor – 250 Broadway, 1 p.m.

Committee on Consumer Affairs, Council Chambers – City Hall, 1 p.m.

Committee on Governmental Operations, Committee Room – City Hall, 1 p.m.

Tuesday June 20^h

Subcommittee on Zoning and Franchises, Council Chamber – City Hall, 9:30 a.m.

Committee on Public Housing, Committee Room, 16th Floor – 250 Broadway, 10 a.m.

Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Series, Committee Room, 14th Floor – 250 Broadway, 10 a.m.

Committee on General Welfare, Committee Room, 14th Floor – 250 Broadway, 11 a.m.

Subcommittee on Planning, Disposition and Concessions, Committee Room – City Hall, 1 p.m.

Committee on Veterans, Committee Room, 14th Floor – 250 Broadway, 1 p.m.

Committee on Small Business, Committee Room, 14th Floor – 250 Broadway, 1 p.m.

Committee on Education, Committee Room, 16th Floor – 250 Broadway, 2 p.m.

Wednesday June 21th

Committee on Finance, Council Chambers – City Hall, 10 a.m.

Committee on Land Use, Committee Room, – City Hall, 10 a.m.

City Council Stated Meeting, Council Chambers – City Hall, 1:30 p.m.

Thursday June 22nd

Committee on Economic Development, Council Chambers – City Hall, 10 a.m.

Committee on Contracts, Committee Room, 16th Floor – 250 Broadway, 10 a.m.

Committee on Transportation, Council Chambers – City Hall, 11 a.m.

Committee on Juvenile Justice, South Bronx NeON – 198 East 161st

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