



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

February 24, 2017 Edition



## *In the News – New York State*

### How Many Days Does it Take to Craft a Budget?

*18 Session Days Remain Before the Start of the New Fiscal Year*

February - March						
S	M	T	W	T	F	S
	27	28	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

■ Indicates Session Day

■ Indicates Start of Fiscal Year

### New York Readies for Paid Family Leave Program

New York this week filed regulations to implement the State’s paid family leave program, providing guidance to employers, insurance carriers and employees about their rights and responsibilities under the law.

New York’s Paid Family Leave Law will provide for 12 weeks of paid leave when fully phased-in for employees who seek to take care for a new child, a close relative with a serious health condition or relieve the pressures created when a family member is called to active military service. Employees are also entitled to be reinstated to their job when their leave ends, as well as the continuation of their health insurance.

In addition, the State has launched a new helpline (844) 337-6303 and a new [website](#) to answer questions and provide New Yorkers with more information about the new program. The state also issued a Request for Information to solicit information from potential vendors and develop a leave plan for state employees. The new policy will be phased in over a four-year period, beginning on January 1, 2018.

The program is included under an employer’s disability policy and will be fully funded by employees through payroll deductions—beginning in July 2017. The program is mandatory for all private employers, and public employers may opt-in to the program.

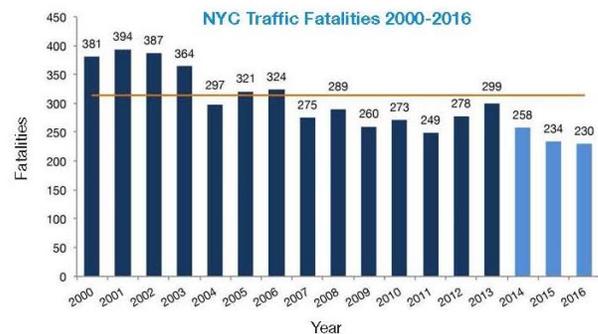
To be eligible for paid family leave, employees must have been employed full-time for 26 weeks or part-time for 175 days by a covered employer, at the time they apply for benefits. Employees must present certification from a health care provider treating the family member. For adoption and foster care of child, documentation is also required.

When fully phased-in, employees will be eligible to receive 67 percent of their salary during their 12 weeks of leave. If their weekly earnings are greater than the state average weekly wage, their earnings during their leave period will be capped at 67 percent of the state average weekly wage level.

## In the News – New York City

# VISION ZERO

## BY THE NUMBERS

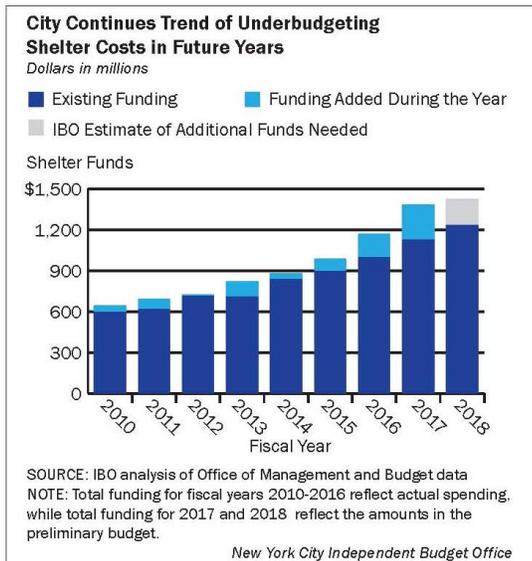


Legend: Vision Zero (blue bars), 2000-2013 average prior to Vision Zero (orange line). Source: NYC DOT & NYPD



# NYC Comes Up Short With Homeless Funding

Despite pumping millions of dollars into funding for homeless programming, the de Blasio Administration spending plan for homeless shelters in 2018 is underfunded by \$190 million, according to a report by the Independent Budget Office (IBO).



IBO estimates that, given current trends in the shelter population and shelter pricing, an additional \$190 million (\$165 million in city funds) will be needed to adequately cover shelter expenses over the course of 2018, with the majority of the new funds needed for single adult shelters. These additional funds would increase the 2018 budget for shelter costs to \$1.4 billion, compared with the \$1.2 billion the city currently has budgeted. DHS expects to spend a total of \$1.7 billion in 2017. Barring any substantial changes to the rental housing market or the city’s approach to serving homeless households, continued increases in the cost of sheltering the city’s homeless population is likely to be the norm over the next few years.

The IBO acknowledged that the Mayor’s preliminary budget includes a substantial amount of additional funding from 2018 through 2021. The current allocations for these years remain below the funding for 2017. As a result IBO estimates that the amount currently budgeted in 2018 and subsequent years of the financial plan will not be enough to cover shelter costs.

The IBO noted that the rental assistance programs and anti-eviction efforts introduced by the city in 2015 and 2016 were intended to staunch the growth of the shelter population. However, these efforts have yet to have a discernable effect on the shelter census.

In addition, the City did increase funding in the preliminary capital commitment plan for Our Space, a loan program to build new affordable housing for the formerly homeless. Mayor de Blasio has also recently announced a commitment to expanding legal services for tenants facing eviction.

The IBO asserted that it is unlikely these changes will have a substantial effect on the shelter population in the near term, however, given the phase in of the legal services program over the next five years and lead time generally needed to construct new affordable housing. Thus, barring any major changes to current initiatives or the implementation of new programs aimed at prevention of homelessness or provision of permanent housing, the shelter population in 2018 is likely to remain above the levels for which DHS is currently budgeted. IBO estimates that, given current trends in the shelter population and shelter pricing, an additional \$190 million (\$165 million in city funds) will be needed to adequately cover shelter expenses over the course of 2018, with the majority of the new funds needed for single adult shelters.

# David Hansell Appointed Commissioner of NYC Administration for Children's Services



David Hansell

Mayor Bill de Blasio this week appointed David Hansell as Commissioner of the New York City Administration for Children's Services (ACS). Mr. Hansell comes to ACS after a five-year tenure as Managing Director and head of the Global Human & Social Services Center of Excellence at KPMG.

"Our most solemn responsibility is to provide vulnerable children with the care and support they deserve," said Mayor Bill de Blasio. "David Hansell understands this mission deeply – and that's why I know he's the right choice to lead ACS and implement an aggressive reform agenda focused on preventive services for kids and families. David has spent his career on the frontlines working with at-risk communities, and I have no doubt he'll tackle this job with the same focus and intensity that's defined his career."

Mr. Hansell will begin his position at the Administration for Children's Services on March 6<sup>th</sup>.

Prior to his position at KPMG, Mr. Hansell served as Acting Assistant Secretary and Principal Deputy Assistant Secretary for the Administration for Children and Families in the U.S. Department of Health and Human Services. At HHS, he helped oversee a division with an approximately \$50 billion annual budget and managed a staff of approximately 1,400 employees across headquarters and ten regional offices. His areas of responsibilities included child welfare, economic support, early childhood education, and special population programs.

In 2007, Mr. Hansell was appointed by former New York State Governor Elliot Spitzer as Commissioner of the New York State Office of Temporary and Disability Assistance. From 2002 to 2006, he served as Chief of Staff of the New York City Human Resources Administration under Commissioner Verna EGGLESTON and also held a variety of roles in the New York City Department of Health, including Associate Commissioner of Planning and Program Implementation (2000) and Associate Commissioner of HIV Services (1997 to 2000).

Early in his career, he served as an Associate at Berle, Kass & Case, specializing in environmental and land use law, and as a law clerk for Judge Irving R. Kaufman of the U.S. Court of Appeals for the Second Circuit. He is a former aide to U.S. Senators Donald RIEGLE, Jr. and Carl LEVIN and began his career as a sixth grade teacher in Cleveland, Ohio.

Mr. Hansell received his JD from Yale Law School, where he served as an Editor of the Yale Law Journal. He graduated Magna Cum Laude from Haverford College with a BA in Psychology.

## **Briefs**

### **Governor Cuomo Announces Results of Crackdown on Illegal Waste Dumping Throughout Long Island, NYC and the Mid-Hudson Valley**

Governor Andrew Cuomo this week announced the results of a two-day crackdown on illegal dumping of solid waste that took place February 15 and 16, 2017. The Department of Environmental Conservation, New York State Police, Department of Transportation, and Suffolk County Police targeted illegal dumping of contaminated construction and demolition (C&D) debris at disposal sites across Long Island, New York City and the Mid-Hudson Valley. This led to 28 truck drivers ticketed and 167 additional tickets issued for various misdemeanors and other serious safety violations of the Environmental Conservation Law.

C&D debris can legally contain a mixture of allowable materials such as concrete, asphalt, rock, brick, and soil, which may be disposed of at a number of facilities, as these materials do not pose an environmental threat. However, illegal C&D debris commingles materials, such as asbestos, treated lumber, petroleum products, roofing shingles, or soil from historically contaminated areas.

Police identified nine illegal dumping sites during the detail and issued tickets ranging from unlawful disposal of solid waste to operating a solid waste management facility without a permit and allowing illegal emission violations, uncovered debris, leaking materials, and overweight loads. Ten vehicles were put out of service due to serious safety issues.

### **Stewart International Airport Partnership with Norwegian**

Stewart International Airport and Norwegian have entered into an agreement that will create 230 new jobs and generate \$36 million in economic activity. The airport will begin offering transatlantic flights with service to Belfast, Northern Ireland, Dublin and Shannon in Ireland and Edinburgh, Scotland.

In addition to launching new international flights, Norwegian will open a base of operations at Stewart for its pilots and cabin crew, and will station Boeing 737-MAX aircraft at the airport.

Stewart served more than 275,000 passengers in 2016, but projections for 2017 are about 400,000 passengers with as many as 700,000 in 2018.

### **No Voter Fraud**

State Attorney General Eric Schneiderman this week wrote to Democratic members of Congress asserting that there was not a single substantiated claim of voter fraud in New York last year. Specifically, the state Board of Elections has not referred any cases of voter fraud during the 2016 elections to the Attorney General and the two allegations of voter fraud brought directly to his office last year were not substantiated.

“The lack of such complaints made directly to my office, as well as the absence of referrals from other agencies, leads me to conclude that voter fraud — the act of an ineligible individual casting a vote in an election — is a non-issue, at least in New York State,” Attorney General Schneiderman wrote to Rep. Elijah Cummings, ranking member of the House Oversight and Government Reform Committee; Rep. Robert Brady, ranking member of the House Administration Committee; and Rep. James Clyburn, assistant House Democratic leader. The letter was in response to an inquiry from the legislators.

## **DFS To Investigate Insurer Contraceptive Coverage**

Department of Financial Services (DFS) Superintendent Maria T. Vullo this week announced that DFS is conducting a comprehensive investigation of health insurer compliance with contraceptive coverage requirements under New York Insurance Law, following an undercover sting of 15 insurers. A report released today describes how DFS has discovered that certain New York health insurers are providing consumers with incorrect information about contraceptive coverage.

In its undercover sting, DFS has identified 11 New York health insurers that had provided consumers with incorrect information about contraceptive coverage. Some health insurers are incorrectly telling callers that the consumer must pay for contraceptive drugs and devices, when both New York law and the Affordable Care Act mandate such coverage. In addition, several health insurers incorrectly stated that a particular contraceptive drug or device is not covered, or that co-payments are required when they are not.

Under New York law, all health plans in New York are required to provide coverage for all contraceptive drugs and devices and all non-grandfathered health plans must cover at least one form of contraception in each of the FDA-approved contraceptive delivery methods without co-pays, coinsurance or deductibles, regardless of the future of the Affordable Care Act.

## **New York State Takes Action to Combat Hate Crimes & Anti-Semitism**

Governor Andrew Cuomo this week announced new actions to combat hate crimes and anti-Semitism across New York State. The measures include a \$25 million grant program to boost safety and security at New York’s schools and day care centers at risk of hate crimes or attacks because of their ideology, beliefs or mission. The Governor made the announcement following a roundtable with over 50 religious leaders from across the state, including members representing the Christian, Jewish and Muslim faiths.

The new grant program will be administered by the Division of Homeland Security and Emergency Services. It will provide funding for additional security training needs, cameras, door-hardening, improved lighting and other related security upgrades.

At the Governor’s direction, the State Division of Human Rights (DHR) will also expand its toll-free hotline to include text message capability to report incidents of bias and discrimination. A \$5,000 reward is also being made available for any information leading to an arrest and conviction for a hate crime.

According to Governor Cuomo, the Jewish community has been increasingly targeted by bomb threats and hate crimes in recent months. According to the JCC Association of North America, there have been 69 incidents of bias and discrimination at 54 JCCs in 27 states since January 2017. On Wednesday, there was a bomb threat targeting the Anti-Defamation League's national headquarters in Midtown Manhattan.

In addition, across New York State, there was a 31 percent increase in reported hate crimes targeting Muslims in 2016 across New York State compared to 2015 and an 18 percent increase in reported hate crimes against lesbian, gay, bisexual and transgender individuals.

## ***Coming Up***

### ***New York State***

#### ***Monday, February 27<sup>th</sup>***

***Assembly Hearing***, Roosevelt Hearing Room C, Legislative Office Building, 2nd Floor, Albany, 11 a.m.  
Home Care Workforce.

#### ***Tuesday February 28<sup>th</sup>***

***Joint Assembly & Senate Hearing***, Hearing Room C, Legislative Office Building, Albany, 10 a.m.  
Indian Point Nuclear Plant Shutdown.

***Joint Assembly and Senate Hearing***, Hearing Room A, Legislative Office Building, Albany, 10 a.m.  
Education, Awareness and Prevention of Elder Abuse.

### ***New York City***

#### ***Monday, February 27<sup>th</sup>***

***Subcommittee on Zoning and Franchises***, 250 Broadway—Committee Room 16<sup>th</sup> FL 9:30 a.m.

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

Int 1474-2017 in relation to taxicab licenses.

Int 1475-2017 in relation to definition of ownership and use of a licensed taxicab.

***Committees on Mental Health and Youth Services***, Council Chambers – City Hall, 10 a.m.

T2017-5508 Oversight-Youth Suicide.

***Committee on Governmental Operations***, 250 Broadway—Committee Room 14<sup>th</sup> FL 10 a.m.

Int 0090-2014 in relation to requiring certain agencies to be capable of issuing warnings.

Int 0264-2014 in relation to the parking violations bureau.

Int 0294-2014 in relation to fees charged by the City for making online payments.

Int 1091-2016 in relation to tribunal functions of the environmental control board.

**Subcommittee on Landmarks**, 250 Broadway—Committee Room 16<sup>th</sup> FL 11 a.m.

**Subcommittee on Planning**, 250 Broadway—Committee Room 16<sup>th</sup> FL 1 p.m.

**Committee on Cultural Affairs**, Council Chambers – City Hall, 1 p.m.  
T2017-5508 Oversight-Cultural Plan-Next Steps.

**Committee on Rules, Privileges and Elections** 250 Broadway—Committee Room 14<sup>th</sup> FL 1 p.m.  
M 0476-2017 Appointment of Jeffrey Friedlander to the New York City Conflicts of Interest Board.  
M 0479-2017 Re-Appointment of Malimi Cadambi Daniel to the YC Equal Employment Practices Commission.

## ***Tuesday February 28<sup>th</sup>***

**Committees on Education and Finance**, Council Chambers – City Hall, 10 a.m.  
T2017-5425 Oversight-School Planning and Siting for New Capacity.  
T2017-5686 in relation to requiring the department of education to report certain information.

**Committees on Sanitation and Contracts**, 250 Broadway—Committee Room 14<sup>th</sup> FL 10 a.m.  
T2017-5519 Oversight-The Potential for a Work Stoppage at Sims Metal Management.

**Committee on Land Use**, Committee Room – City Hall, 11 a.m.

**Committees on Recovery & Resiliency and Public Housing**, 250 Broadway—Committee Room, 1 p.m.  
T2017-5526 Oversight-Sandy Recovery Projects in NYCHA Developments.

**Committee on Environmental Conservation**, Committee Room – City Hall, 1 p.m.

## ***Wednesday March 1<sup>st</sup>***

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

**Committees on Rules, Privileges and Elections**, Council Chambers – City Hall, 10 a.m.

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

## ***Thursday March 2<sup>nd</sup>***

**Committee on Finance**, Council Chambers – City Hall, 9:30 a.m.  
T2017-5556 New York City Council Fiscal Year 2018 Preliminary Budget.

## ***Friday March 3<sup>rd</sup>***

**Committee on Civil Service and Labor**, Council Chambers – City Hall, 10 a.m.  
Int 1384-2016 in relation to payroll deductions for fast food employees.  
Int 1387-2016 in relation to on-call scheduling for retail employees.  
Int 1388-2016 in relation to banning consecutive work shifts in fast food restaurants.  
Int 1395-2016 in relation to requiring fast food employers to offer work shifts to current employees.

Int 1396-2016 in relation to fair work practices.  
Int 1399-2016 in relation to flexible work arrangements.

**Committee on Higher Education**, Committee Room – City Hall, 11 a.m.  
T2017-5595 New York City Council Fiscal Year 2018 Preliminary Budget.

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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