



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

February 4, 2022 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*



### **Comptroller DiNapoli: Money Earmarked for Highway and Bridge Infrastructure Siphoned Off**

***17 Cents of Each Dollar in the Dedicated Highway and Bridge Trust Fund Goes Toward New Capital Projects, Rest Pays Debt and Operating Costs***

Highway and bridge projects have been shortchanged because the State continues to use money in the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay down debt from past projects and cover the operating costs for state agencies, [according to a report](#) by New York State Comptroller Thomas DiNapoli.

Similar concerns were raised by Comptroller DiNapoli in reports in [2009](#) and in [2014](#), and this updated analysis, the Comptroller asserts, shows the problems have gotten worse. DHBTF spending for capital projects declined between state fiscal year (SFY) 2012-13 and SFY 2020-21 from \$665 million to \$594 million, a decrease of nearly 11%. In SFY 2020-21, 17 cents of every dollar spent from DHBTF supported a new capital investment.

“New York is at a crossroads. Far too little of the money set aside to build or repair roads and bridges is being used for new capital projects by the state,” Comptroller DiNapoli said. “It is time for New York to change direction and use the money in the Dedicated Highway and Bridge Trust Fund for critical repairs and to increase pay-as-you-go projects as the fund was created to do. Our state’s financial position has improved, and we are expecting billions of dollars from the Infrastructure Investment and Jobs Act. We cannot afford to squander this historic opportunity. Policymakers need to act now to shore up the trust fund.”

Comptroller DiNapoli explained that the 1991 law that created DHBTF was narrowly focused to ensure a dedicated funding stream would be available to alleviate the need to borrow funds for transportation capital projects. Over the years, the scope of eligible expenditures was expanded so the trust fund no longer serves its original purpose of directly paying for road and bridge projects. Transfers to pay for debt surpassed capital projects spending both in absolute dollars and as a percentage of total disbursements by SFY 2001-02.

According to the Comptroller's report, DHBTF spending in SFY 2020-21 totaled \$3.46 billion. Of this total, just 17.2% was used for capital construction, while state operations and debt service costs consumed 43% and 40%, respectively. Capital projects spending declined 10.8% between SFYs 2012-13 and 2020-21, while disbursements to pay operational costs increased from 40.8% to 42.8% and debt service payments remained roughly level.

In total, \$5.3 billion has been spent on transportation capital projects since SFY 2012-13, while \$12.3 billion was spent on debt service from past borrowings and \$13.6 billion on operational costs.

The Comptroller identified the four major sources of revenue in the DHBTF: taxes and fees, bond proceeds, transfers from other funds and miscellaneous revenue. To offset shortfalls from the dedicated taxes and fees, in SFY 2004-05, a General Fund transfer of \$4.6 million was made to help cover trust fund expenses. By SFY 2020-21, that amount had risen to \$786 million. Compared to SFY 2012-13, receipts from taxes and fees were down 15.1% in 2020-21, and General Fund transfers were up 51.4%.

Comptroller DiNapoli recommended the State:

- Maximize the share of trust fund revenue used for new capital projects by developing a multi-year plan to reduce state operations and debt service costs paid for by the DHBTF.
- Increase the share of transportation capital projects funded on a pay-as-you-go basis to reduce debt service costs.
- Reduce the trust fund's reliance on annual General Fund transfers and consider augmenting the fund's dedicated revenue streams.



## **Governor Hochul Approves State Legislature's New District Maps for Congress, Senate & Assembly**

### ***Legal Challenge Follows Enactment***

Governor Kathy Hochul signed legislation establishing the district boundaries for the State Senate and Assembly and U.S. Congress. The lines were developed by the Democrat-led State Legislature after an independent commission could not come to a consensus. A legal challenge has been filed against the Congressional lines and legal action against the State lines is anticipated.

[The measures] “are necessary to reapportion districts and to provide certainty and clarity regarding such districts in a timely manner,” Governor Hochul said in an approval message. “Signing these bills will allow the boards of elections to begin the process of administering elections with these new district maps, and will ensure New Yorkers and candidates for elected office have the information they need with as much notice as possible.”

The Congressional maps are said to give the Democratic party an advantage in 22 of the State’s 26 congressional districts. Republicans currently hold eight of New York’s 27 seats in Congress. The State Senate legislation shifted two Senate districts to New York City from Upstate. Enactment of the legislation allows candidates to begin gathering petition signatures on March 1.

Shortly following Governor Hochul’s signature, a [lawsuit](#) was filed in the New York State Supreme Court in Steuben County by 14 residents asserting the maps violate the State’s Constitution.

“The Democratic Party politicians who control the New York Legislature and Governor’s office brazenly enacted a congressional map that is undeniably politically gerrymandered in their party’s favor,” the suit charges.

Similar challenges to the State lines are anticipated.

## *In the News – City*

### **President Biden and Mayor Adams Deliver Resources to Tackle New York City's Gun Violence Crisis**

President Joseph Biden joined New York City Mayor Eric Adams this week to discuss new anti-gun violence initiatives. President Biden committed that the federal government would focus law enforcement resources on cutting off gun trafficking and the “Iron Pipeline.”

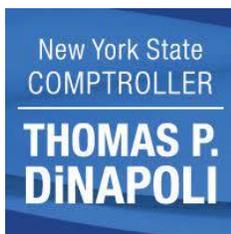


**President Biden greets Mayor Adams & Governor Hochul**

“Mayor Adams, you say that gun violence is a sea fed by many rivers,” President Biden said at the meeting. “Well, I put forward a plan to dam up some of those streams. You can count on me to be a partner in that effort...Mayor Adams, you and I agree: The answer is not to abandon our streets — that’s not the answer. The answer is to come together, police and communities, building trust and making us all safer.”

The White House and U.S. Department of Justice (DOJ) announced a set of new actions to stem the flow of firearms used to commit violence and support local law enforcement partners' efforts to combat gun violence. DOJ will:

- Direct U.S. Attorney's Offices nationwide to increase resources dedicated to local violent crime strategies. President Biden highlighted New York City's Gun Violence Strategic Partnership, as a model of the strategies DOJ will help expand nationwide.
- Crack down on the "Iron Pipeline" — the illegal flow of guns sold in the south, transported up the East Coast, and found at crime scenes in New York City and elsewhere — and other firearms trafficking by adding personnel and other resources to multi-jurisdictional task forces targeting interstate firearms trafficking.
- Launch a National Ghost Gun Enforcement Initiative to train prosecutors and disseminate investigation and prosecution tools to help bring cases against those who use ghost guns to commit crimes.
- Pursue unlawful gun sellers that put firearms in the wrong hands by taking steps such as prioritizing federal prosecutions of those who criminally sell or transfer firearms used in violent crimes, including unlicensed dealers who sell guns to criminals without the required background checks.



## **State Comptroller DiNapoli: Service Delivery Critical to Ensure NYC's Continued Recovery**

New York City's uneven recovery will present evolving challenges over the next few years, New York State Comptroller Thomas DiNapoli said this week in remarks to the Association for a Better New York (ABNY).

Sharp declines in the City's workforce, combined with revenue uncertainty for key programs as federal aid winds down, may test the City's ability to respond to demands for critical services just as it is trying to ensure a financial recovery, Comptroller DiNapoli explained.

"There are some bright spots in New York City's economic recovery, but its overall course remains uneven and has created tremendous uncertainty," Comptroller DiNapoli said. "At its foundation, the City's recovery will depend on its ability to deliver basic services like education and public safety, while managing spikes in demand for additional services, like mental health and homelessness, without interruption."

In conjunction with his remarks, Comptroller DiNapoli released [a new report](#) on the impact of the pandemic on the City's workforce, [an online tool](#) identifying key programs that face funding risks, and a [series of reports](#) examining the most significant issues facing the City's largest agencies.

The report shows the COVID pandemic brought an end to years of hiring in the City's workforce, which rose 12.3% over eight years through Fiscal Year (FY) 2020 to reach 300,446 employees. The city's pre-pandemic hiring was largely driven by new teachers and support staff for expanded Pre-K and police and correction officers.

Since FY 2020, however, the City has lost 16,637 employees, an overall decline of 5.5%, which brings its total to the lowest level in five years (283,809). In some City agencies, the declines, which are concentrated in public safety, education and health and welfare positions, are well above the citywide 5.5% average.

According to the Comptroller, this staffing decline could adversely impact the quality and consistency of some public services and programs. The Department of Correction and the Department of Investigation were among the 10 agencies that saw the largest decline in headcount and have noted staffing declines impacted their ability to provide certain services in FY 2021.

Demand for services, combined with the temporary loss of employee availability attributed to the pandemic, contributed to a significant increase in overtime costs. The Comptroller noted that through the first six months of the current fiscal year, overtime costs totaled \$1 billion, up from \$385 million in the same period last year. Police, fire, corrections and sanitation workers accounted for more than 80% of those overtime costs.

The City is not likely to be able to close the workforce gap and reach its budgetary target of 309,859 employees by June 30, 2022, the Comptroller asserted. While the City may save more than \$1 billion from lower than budgeted personnel costs, most of the savings would come from the Department of Education where headcount losses have accelerated in the current school year just as the City was trying to expand educational services.

The report also notes the importance of recognizing that demand for certain municipal services may rebound to pre-pandemic levels if normal economic activity resumes. This could create challenges for short-staffed agencies.



## Adams Administration Appointments

Office of the Mayor

### Housing Administration

**Jessica Katz, Chief Housing Officer** Jessica Katz will oversee the City's housing agencies and affordable housing strategy. Her portfolio will include HPD, HDC, NYCHA, the Mayor's Office of Housing Recovery Operations (HRO), and the Mayor's Office to Protect Tenants (MOPT). Katz was most recently the Executive Director of the Citizens Housing & Planning Council. Before CHPC, Katz was with HPD, where she most recently served as the Associate Commissioner for New Construction. Katz received her Bachelor of Arts degree in Urban Geography from McGill University and went on to receive a Masters in City Planning from the Massachusetts Institute of Technology.

She will report to First Deputy Mayor Lorraine Grillo.

**Adolfo Carrión Jr., Commissioner, Department of Housing Preservation and Development (HPD).**

Adolfo Carrión Jr. is the CEO and founder of Metro Futures LLC. Before starting Metro Futures, Carrión served as Regional Administrator for Region II of the U.S. Department of Housing and Urban Development, Deputy Assistant to President Barack Obama, and director of the White House Office of Urban Affairs. Prior to his tenure in the federal government, Carrión served as Bronx Borough President and as a member of the New York City Council. Carrión received his Bachelor of Arts from the King's College and a Master's in Urban Planning from Hunter College.

**Eric Enderlin, President, Housing Development Corporation (HDC).**

Eric Enderlin has served as President of HDC since October 2016. In this role, Enderlin is tasked with leading the nation's largest municipal Housing Finance Agency to help ensure a fairer and more equitable city through the creation and preservation of affordable housing. He most recently served as Deputy Commissioner for Development and Special Advisor at HPD. Prior to joining HPD, he was Assistant Director for Asset Management and Private Market Operations at NYCHA. Enderlin holds a Bachelor of Arts in Economics and a Master of Science in Urban Planning and Policy, both from Rutgers University.

**Social Services**

**Gary Jenkins, Commissioner of the Department of Social Services (DSS).** Gary Jenkins will serve as Commissioner of the Department of Social Services. Prior to his appointment as DSS commissioner, Jenkins served as Administrator for HRA. In this leadership role as HRA Administrator, Jenkins directly oversaw all HRA programs and operations. Prior to that, as First Deputy Commissioner at HRA, he oversaw the Homelessness Prevention Administration, Employment Services, the Office of Child Support Services, and the Fair Fares Program. In his more than 30 years with HRA, Jenkins has held a range of leadership positions in numerous HRA program areas, including the Medicaid Program and Temporary Cash Assistance and Supplemental Nutrition Assistance Program (SNAP). Commissioner Jenkins will report to Deputy Mayor for Health and Human Services Williams-Isom.

**Lisa Fitzpatrick, Administrator of Human Resources Administration (HRA).** Lisa Fitzpatrick will serve as Administrator of HRA. With over 37 years in HRA, Fitzpatrick has worked her way up the ranks, from an eligibility specialist to the chief program officer for the Medical Assistance Program and the Family Independence Administration (FIA). She has also held a wide variety of other positions, including as Assistant Deputy Commissioner of the Office of Procedures and Deputy Commissioner for FIA Operations. She has a Bachelors Degree in Business Administration and a Master of Public Administration from City University of New York's (CUNY) Bernard Baruch College. Administrator Fitzpatrick will report to Commissioner Jenkins.

**Joslyn Carter, Administrator of Department of Homeless Services (DHS).** Licensed Clinical Social Worker (LCSW) Joslyn Carter will continue to serve as Administrator of DHS. Carter has worked at DHS for almost 18 years, with increasing responsibilities within the agency. She received her Master of Social Work Degree from the Hunter College School of Social Work and completed a post graduate Clinical Social Work Fellowship from Yale University. Administrator Carter will report to Commissioner Jenkins.

## Environment

**Rohit T. Aggarwala, Department of Environmental Protection (DEP) Commissioner and Chief Climate Officer.** Rohit T. “Rit” Aggarwala will served as DEP Commissioner and Chief Climate Officer. He led the creation of the Mayor’s Office of Long-Term Planning and Sustainability under Mayor Michael R. Bloomberg, founded the environmental grantmaking program at Bloomberg Philanthropies, and served as president of the Board of Directors of the C40 Cities Climate Leadership Group. He was part of the founding team at Sidewalk Labs — Google’s urban technology startup — and more recently was a senior urban tech fellow at the Jacobs Cornell-Technion Institute. Aggarwala holds a PhD, MBA, and BA from Columbia University and an MA from Queen’s University in Kingston, Ontario. Aggarwala will report to Deputy Mayor for Operations Meera Joshi.

**Vincent Sapienza, Department of Environmental Protection Chief Operations Officer.** Sapienza served in three senior positions within DEP, leading the Bureau of Wastewater Treatment from 2009 through 2014, then heading the Bureau of Engineering, Design and Construction through 2016, and then as Commissioner for the past five years. Sapienza is a New York State licensed professional engineer and holds a BS from Columbia and an MBA from Hofstra. Sapienza will report to Aggarwala in his role as DEP Commissioner.

**Kizzy Charles-Guzman – Executive Director, Mayor’s Office of Climate and Environmental Justice.** Kizzy Charles-Guzman led the development of Cool Neighborhoods NYC, the City’s first strategy to address the impacts of rising temperatures and heatwaves. Charles-Guzman served as a Deputy Director at the Mayor’s Offices of Sustainability and Climate Resiliency, as Director of the Climate Change and Health Program at the New York City Department of Health, and as Policy Advisor on air quality during the Bloomberg administration. She is a graduate of Carleton College and the University of Michigan at Ann Arbor. Charles-Guzman will report to Aggarwala in his role as chief climate officer.



## NYC Council Speaker Adrienne E. Adams Announces Slate of Senior Staff Leadership

New York City Council Speaker Adrienne E. Adams announced new members of her senior staff leadership. The appointments include:

**Jeremy John** has been named First Deputy Chief of Staff. Jeremy joins the Council after serving as the Director of Political Action for District Council 37 (DC 37). Prior to his time at DC 37, Jeremy served as campaign manager for current New York State Comptroller Tom DiNapoli’s 2014 campaign. He also previously served in the roles of Director of Conference Services and Director of Operations for the New York State Senate. A Brooklyn native, Jeremy is a graduate of John Jay College (CUNY) and earned a master’s degree from Brooklyn College (CUNY).

**Carlos Beato** has been named Special Counsel to the Speaker. Most recently, Carlos was a Partner at Pitta LLP and a Member of Pitta, Bishop & Del Giorno LLC, where he provided counsel in labor and employment law and litigation, including employee benefits litigation. From 2014 to 2019, Carlos served under previous New York City Council Speakers Mark-Viverito and Johnson, as the Director of the Office of State and Federal Affairs. He received his B.A. from Temple University and J.D. from St. John's University School of Law. Carlos is a Queens native, a member of the New York State Bar, and fluent in Spanish.

**Tanisha Edwards** will become Chief Financial Officer and Deputy Chief of Staff of Finance. She has nearly two decades of government finance experience, most recently as the General Counsel and Chief Legal Officer of the New York State Insurance Fund (NYSIF). Prior to her time at NYSIF, Tanisha served for more than three years as Assistant Counsel to the Governor for Taxation and Financial Services. Before her state service, she spent 10 years at the New York City Council as Chief Counsel to the Finance Division and Finance Committee. Prior to her previous service at the City Council, Tanisha served as the Legislative Counsel at the Office of the New York City Comptroller. Tanisha was raised in Southeast Queens, earned a J.D. from Rutgers University School of Law, and graduated with a B.A. from Syracuse University after transferring from York College (CUNY).

**Faiza Ali** will be promoted to Deputy Chief of Staff of Community Engagement. Faiza has served in the City Council since 2014, first as a liaison and most recently as Director of the Community Engagement Division, focused on deepening relationships between the Council and communities across the city. She was the former Advocacy & Civic Engagement Director for the Arab American Association of NY. Faiza is Muslim American and the daughter of Pakistani immigrants. One of the first women from her family to attend college, she earned her B.A. from Pace University.

**Jeffrey Baker** will be promoted to Deputy Chief of Staff of Legislation and Policy. He brings sixteen years of legislative experience at the New York City Council, working as a Committee Counsel, Deputy Director, and most recently, as the Director of the Legislative Division. He graduated from the University of Utah and earned a J.D. and M.B.A. from the College of William and Mary.

**Andrea Vazquez** will be promoted to Director of the Legislative Division. She has been with the Council for nearly a decade, most recently serving as Deputy Director of the Human Services Division. Andrea previously worked as counsel to the City Council's General Welfare Committee for five years, and later as Assistant Deputy Director. She earned a B.A. from NYU and a J.D. from Fordham Law School.

**Charles "Chuck" Davis** has been promoted to Director of the Administrative Services Division. He has served in the Council for over two decades, most recently as the Acting Director of Administrative Services. Previously, Chuck was Chief Compliance Officer for the Council and Director of the Appointment Investigations Division. Prior to that, he held numerous roles in the Appointment Investigations Division. Chuck is an adjunct lecturer at the Borough of Manhattan Community College (CUNY), and earned his B.S. and M.P.A. at John Jay College of Criminal Justice (CUNY).

# *Briefs*

## **Governor Hochul Announces \$100 Million for Behavioral Health Crisis Stabilization Centers**

Governor Kathy Hochul this week announced the availability of more than \$100 million in funding over the next five years for 12 new Intensive Crisis Stabilization Centers across the State that will provide immediate care for people who are experiencing a behavioral health crisis.

The Office of Mental Health (OMH) and the Office of Addiction Services and Supports (OASAS) have issued a joint Request for Proposals to fund development of the Centers. The RFP calls for development of three Crisis Stabilization Centers in New York City and nine across the remainder of the State.

The Centers will provide care, observation and urgent treatment to individuals experiencing a mental health and/or substance use crisis. Walk-in care is available to all individuals, including adults, children, adolescents, and families. The Centers will be open 24/7, 365 days per year and recipients may receive services for up to 24 hours.

State contracts awarded through the RFP will provide more than \$100 million for the 12 Crisis Stabilization Centers over five years, including \$20 million for start-up costs and more than \$80 million in operating funds. Start-up funding is provided through the Federal Supplemental Community Mental Health Services Block Grant.

## **New York City Planning Commission Withholds Support for Governor Hochul's Penn Station Plan**

The New York City Planning Commission is withholding its support for Governor Kathy Hochul's Penn Station development plan, questioning the project's financing and insufficient benefits for both transportation and "the public realm."

"There continue to be unanswered questions related to financings, transit improvements and the public realm," the letter said, calling on the State Empire State Development Corporation to "identify further public realm improvements... that optimize place and movement by improving circulation," according to published reports.

Governor Hochul announced her plan to renovate Penn Station in November, a "commuter first" plan estimated to cost between six and seven billion dollars over four to five years of construction.

## Pitta Bishop & Del Giorno LLC News

Pitta Bishop & Del Giorno LLC founding member Vincent F. Pitta announced that he and Vito Pitta will be Co-Managing Members of the firm. Vincent will also serve as Chairman.

**Congratulations to all!** Please [click here](#) for the full press release.

# Coming Up

## New York State

### **Monday, February 7<sup>th</sup>**

**Higher Education**, NYS Legislative Hearing on the Executive Budget, 11 a.m.

**Assembly session**, 2 p.m.

**Senate session**, 3 p.m.

### **Tuesday, February 8<sup>th</sup>**

**Health/Medicaid**, NYS Legislative Hearing on the Executive Budget, 9:30 a.m.

**Assembly session**, tbd

**Senate session**, 3 p.m.

### **Wednesday, February 9<sup>th</sup>**

**Local Government**, NYS Legislative Hearing on the Executive Budget, 9:30 a.m.

**Assembly session**, tbd

**Senate session**, 11 a.m.

### **Thursday, February 10<sup>th</sup>**

**Deployment of Electric Vehicle (EV) Charging Stations**, Assembly Committees on Energy, Science & Technology, Environmental Conservation and Transportation, 10 a.m.

## New York City

### **Monday, February 7<sup>th</sup>**

Minority (Republican) Conference of the Council of the City of New York, Virtual Room 1, 10 a.m.

### **Tuesday, February 8<sup>th</sup>**

**Committee on Consumer and Worker Protection**, Jointly with the Subcommittee on Zoning and Franchises, Virtual Room 1, 10 a.m.

### **Wednesday, February 9<sup>th</sup>**

**Subcommittee on Landmarks, Public Sitings and Dispositions**, Hybrid Hearing - Council Chambers - City Hall, 1 p.m.

**Thursday, February 10<sup>th</sup>**

**City Council Stated Meeting**, Hybrid Hearing - Council Chambers - City Hall, 1:30 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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