



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

November 6, 2020 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 – State*



### Let the Counting (and Recounting) Begin

Election day is over; the counting has begun. What should be arithmetic is actually calculus. We do not live in a world where points are given for work shown – the final answer is all that matters. The national race is over-reported in mainstream media, and we will not repeat the coverage here. We hope for a traditional American result – one person will finally be determined to have won the election and that person will serve as President for their term of office. On the New York State level – every member of Congress, the Senate and the Assembly has stood for election. Official counting is based on the following schedule:

- Nov. 18** Recanvass of General Election returns to occur no later than Nov. 18. §9-208(1)
- Nov. 18** Verifiable Audit of Voting Systems to occur no later than Nov. 18. §9-211(1)
- Nov. 28** Certification and transmission of Canvass of General Election returns by County Board of Elections §9-214
- Dec. 7** State Board of Canvassers meet to certify General Election. §9-216(2)

Several races within NYC are particularly close with several incumbents trailing. In most of these races, the number of absentee ballots exceeds the current margin. The net result is that conjecture is rampant, official results do not exist.

The most reliable reporting of New York State preliminary results can be found on the NYS Board of Elections web site (<https://nyenr.elections.ny.gov/>) and on the NYC Board of Elections web site (<https://web.enrboenyc.us>).

Please note that the Pitta Bishop & Del Giorno team has been intimately involved with many of the campaigns. If you have any specific questions, please reach out to one of us – we will get you answers.



## Division of Budget Releases Financial Plan Update; Director Issues Agency Letter Calling for at Least a 5% Spending Reduction

A mid-year financial plan update from New York's Division of Budget projects a \$14.9 billion General Fund revenue decline and a 15.3% All Funds tax receipts decline from the Budget forecast released in February, creating a total loss of nearly \$63 billion through FY 2024 as a direct consequence of the COVID-19 pandemic.

The Financial plan shows the State reduced spending through September by \$4.3 billion compared to FY 2020 spending over the same period. The State has done this by freezing hiring, new contracts and pay raises, and temporarily holding back 20% of most payments.

With State officials expecting federal aid to emerge, State Budget Director Robert Mujica also sent state agency commissioners a letter, instructing all agencies to submit their budget proposals for next year by Nov. 13, as long as they "reduce annual State Funds spending by a minimum of 5%."

"The state is facing a \$16 billion revenue loss for FY 2022 from projections made in February. Without substantial federal aid, a gap of this size will require steep reductions in agency operating budgets. Accordingly, all agencies are required to submit budget proposals that reduce annual State Funds spending by a minimum of 5%," the Budget Director wrote. "In addition, new funding for capital projects will be strictly limited to urgent health and safety investments and those critical for the State recovery...Agencies should also work with their DOB examiners to identify any remaining duplication and overlap in service delivery. Together with risk management strategies and internal controls, strategic planning ensures New York is both fiscally responsible and service driven."

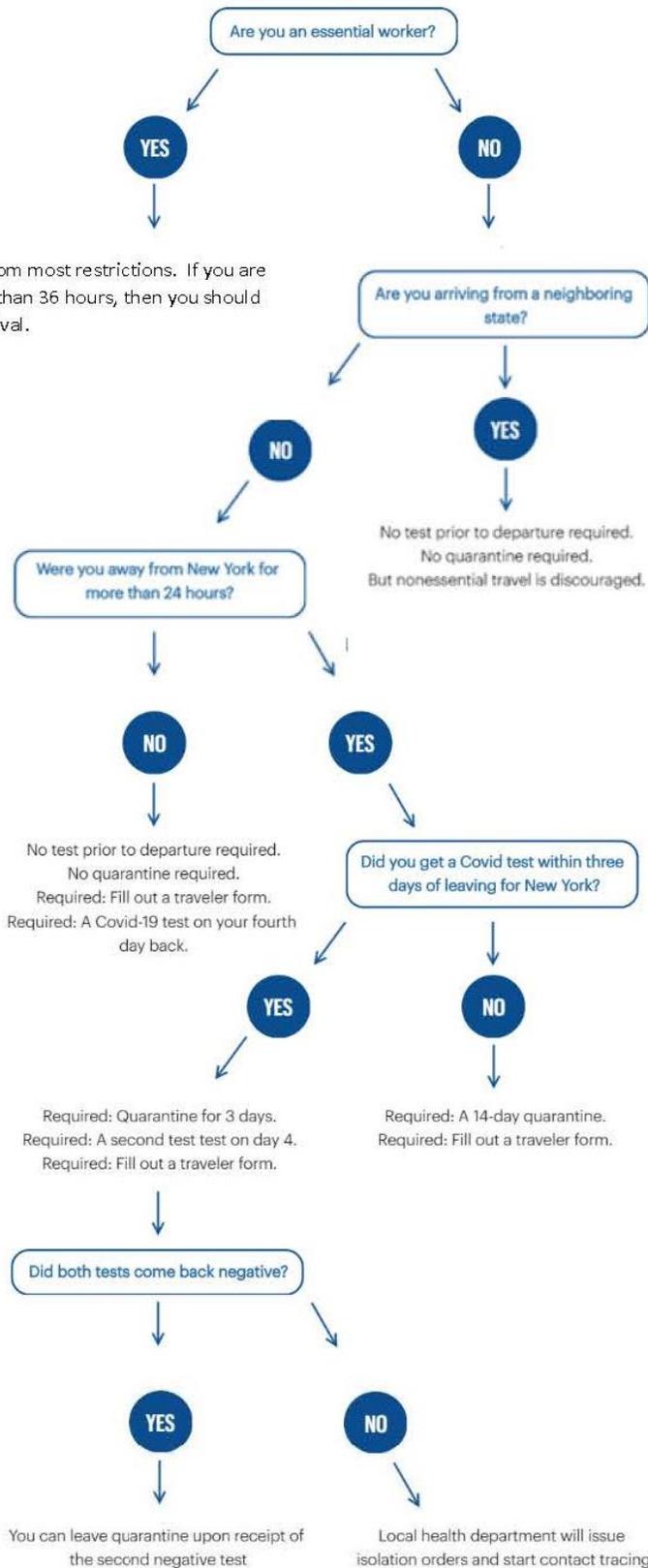


## Governor's New Travel Protocol

Governor Andrew Cuomo this week announced a new out-of-state travel COVID-19 testing protocol, replacing the mandatory 14-day quarantine and Tri-State Advisory List. The new rules provide the option of a much shorter quarantine if travelers take the required COVID-19 tests.

Below is a flow chart published by the *Albany Business Review* explaining the protocol:

Essential workers are exempt from most restrictions. If you are traveling to New York for more than 36 hours, then you should get a test within 24 hours of arrival.



## *In the News – City*



### **A Preliminary Analysis of the City’s Payroll Shows Gender, Racial and Ethnic Pay Disparities**

A preliminary analysis of New York City employee payroll data conducted by the New York City Council shows significant gender, racial, and ethnic pay disparities in the city’s workforce, according to Speaker Corey Johnson and the Women’s Caucus of the New York City Council.

The analysis of salaries of roughly 180,000, full-time city workers shows that male employees roughly average about \$4,500 a year more than female employees. The analysis also found that Black city workers average about \$7,600 a year less than white workers, while Asians tend to make \$6,500 a year less than white employees. Additionally, the analysis found that non-Hispanic/non-Latino workers roughly average about \$8,700 a year more than Hispanic/Latino.

The data was made available in response to Local Law 18 of 2019 which requires the Mayor’s Office of Data Analytics (MODA) to annually issue anonymized payroll data on the municipal workforce. The data was released this month after being delayed by COVID. It is required to be released publicly every year.

The Council analysis used a mixed-effects statistical model to determine the disparities. The analysis factored in the following variables: job category, race, ethnicity and relevant city agency. The analysis does not address job titles, years of experience, level of education, or previous NYC employment. The Council indicated that it will be able to examine those factors in further analyses.

According to a 2019 study by the National Partnership for Women & Families, studies show that gender, racial and ethnic wage gaps are a serious problem. New York women with full-time, year-round jobs earn \$6,735 less than their male counterparts, or \$.88 cents on the dollar. New York women of color, according to the study which found that Latina and Black women on average make \$30,023 and \$24,360 less, respectively, than men.

“These preliminary findings are troubling and show exactly why Local Law 18 of 2019 was so important. For too long, the many contributions of women and people of color have been short-changed. It’s incumbent on all of us to make sure we are working to right those wrongs, and address the biases and discriminatory practices that contribute to pay and opportunity gaps,” said Council Speaker Corey Johnson.

# *Briefs*

## **Governor Cuomo: Time is ‘Ripe’ to Legalize Recreational Marijuana in New York**

With New Jersey moving forward with legalizing adult use marijuana, Governor Andrew Cuomo said yesterday that the time is “ripe” for New York to do the same. The financial fallout from the COVID-19 pandemic puts pressure on New York to come up with new revenue and proponents are looking toward legalization of marijuana.

“I think this year it is ripe because the state is going to be desperate for funding,” he said, referring to the upcoming 2021 legislative session. “...We're going to need the money so badly, you know, and you have such a gap now, I think it's going to be an easier conversation.” he said.

State Senate bill sponsor Liz Krueger noted that the legalization of marijuana is not going to be our “silver bullet,” according to published reports. Noting the time necessary to develop the marijuana framework in New York and the State’s immediate need for funding, Senator Krueger warned that supporters “should be careful not to have the illusion that it can be [the silver bullet], because that will trigger us as states to make poor decisions, to ramp up our tax revenue levels to a problem level.”

## **NY Education Commissioner: January Regents Exam Canceled**

The January 2021 Regents exam has been canceled due to COVID-19, interim State Education Commissioner Betty Rosa announced this week. No decision has been made for the June and August exams or other statewide assessments.

“We determined the January Regents Exams could not be safely, equitably and fairly administered across the State given where the pandemic currently stands,” Commissioner Rosa said.

Decisions on other statewide assessments would be made throughout the school year.

## **Governor Issues Executive Order Easing COVID-19 & Flu Reporting Requirements**

Governor Andrew Cuomo this week issued an Executive Order allowing clinical laboratories and licensed professionals more flexibility in reporting COVID-19 and influenza test results to the Department of Health.

The order reduces the reporting requirement from 3 hours to 24 hours. The Department may require more frequent reporting if deemed necessary.

## **Speaker Heastie Announces Staff Appointment**

Speaker Carl Heastie announced that Isa Puello has been appointed Secretary for Intergovernmental Affairs.

“Isa has been an important member of my team for many years, and has done an great job as we faced unprecedented challenges here in New York State,” Speaker Heastie said. “Her extensive experience and knowledge will be invaluable as we address the many complex issues to help move our state forward.”

Ms. Puello has served the speaker in various roles over the past nine years, including as senior advisor, executive administrator and scheduler. She has Bachelor of Arts from City College and is currently working toward her Master of Public Administration from Baruch College.

## **More Than 60 percent of Applicants Denied New York's Rent Relief**

More than 60 percent of the 94,000 New York State applicants who filed for the COVID-19 Rent Relief Program were rejected because they did not meet the eligibility criteria. Less than half of the federal funds were spent, a [report on the rent relief program](#) compiled by the state Division of Homes and Community Renewal shows.

Approximately 15,000 applicants received a collective \$40 million in rent relief that will be paid to landlords across New York, leaving roughly \$60 million in allocated federal funds for the COVID-19 Rent Relief Program unspent. The bulk of the payments will go to downstate landlords, with about \$19.5 million earmarked for tenants in Queens, Kings, Bronx, and New York counties.

## **Port Authority Imposes \$50 Fines for Failure to Wear Masks at Airports & PATH Trains**

The Port Authority has implemented a new \$50 fine for individuals not wearing a face covering inside of the transportation agency's facilities. The Port Authority says the "primary emphasis" remains on getting travelers to voluntarily wear a mask, but the fine would aid existing COVID-19 face covering rules in New York and New Jersey.

"This move is part of agency's commitment to supporting the New York and New Jersey state requirements on mask wearing in transportation facilities," the Port Authority of New York and New Jersey said in a release.

All Port Authority facilities will fall under the new rule—including LaGuardia, JFK, and Newark airports; PATH stations and trains; AirTrain stations and trains; the Midtown Bus Terminal; the GWB Bus Station; and the Oculus in Lower Manhattan.

The Port Authority Police Department and airport personnel are tasked with enforcing the mask mandate.

## **Council of School Supervisors and Administrators Makes Labor Savings Agreement with City; Mayor Makes No-Layoff Pledge**

The Council of School Supervisors and Administrators (CSA) and the City of New York this week reached a \$45 million labor savings agreement. Mayor Bill de Blasio agreed there would be no layoffs of CSA members through June 30, 2021.

If the City receives State and Federal assistance of \$5 billion or more, the no-layoff pledge is extended to June 30, 2022.

With CSA's savings, the City has reached \$680 million in labor savings in fiscal year 2021. CSA's agreement follows agreements with District Council 37, the United Federation of Teachers, the Uniformed Fire Officers Association, Doctors Council and Glaziers.

# ***Coming Up***

## ***New York State***

### ***Thursday, November 12<sup>th</sup>***

***Assembly Judiciary Committee, Remote Hearing, 10 a.m.***

***Budget and Staffing Reductions in the Judiciary Branch***

## ***New York City***

### ***Monday, November 9<sup>th</sup>***

***Subcommittee on Zoning and Franchises, Remote Hearing (Virtual Room 1), 10 a.m.***

### ***Tuesday, November 10<sup>th</sup>***

***Committee on Resiliency and Waterfronts, Remote Hearing (Virtual Room 2), 10 a.m.***

***Oversight - FEMA, Flood Insurance and Resiliency along the Waterfront.***

***Committee on Land Use, Remote Hearing (Virtual Room 1), 11 a.m.***

***Committee on Housing and Buildings, Remote Hearing (Virtual Room 3), 1 p.m.***

### ***Thursday, November 12<sup>th</sup>***

***Committees on Civil Service and Labor & Higher Education, Remote Hearing (Virtual Room 1), 10 a.m. Oversight - Adjunct Faculty Employment at the City University of New York.***

**Friday, November 13<sup>th</sup>**

**Committee on Technology, Remote Hearing (Virtual Room 1), 1 p.m.**

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**“We believe in the ideas of family, mutuality,  
the sharing of benefits and burdens  
for the good of all, feeling one another’s pain,  
sharing one another’s blessing  
recognizing that at the heart of the matter  
we are bound to each other.”**

**-Mario M. Cuomo-**

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**To Our Clients:** If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

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